

**MAUI PLANNING COMMISSION  
ACTION MINUTES  
MAY 23, 2017**

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairperson Sandra Duvauchelle at approximately 9:04 a.m., Tuesday, May 23, 2017, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

A quorum of the Commission was present. (See Record of Attendance.)

**B. PUBLIC TESTIMONY** - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed. **Testimony will be limited to a maximum of three (3) minutes.**

**C. PUBLIC HEARING**

1. ATC MAKENA HOLDINGS, LLC requesting a Special Management Area Use Permit for the Makena Resort M-5/M-6/S-7/B-2 Project consisting of a 158-unit mixed use community which includes 88 multi-family units (including 4 affordable rental units), 20 single-family cottages, 26 single-family custom lots, 10 transient vacation rental units, 14 condominium units, approximately 27,300 sq. ft. of commercial space, recreational amenities and various other related grading, utility, landscaping, parking and roadway improvements on properties totaling approximately 47.15 acres on Makena Alanui Road, Makena, Island of Maui, Hawaii; TMK's: (2) 2-1-008:080, 098, 099, 100, and 106. (SM1 2015/0012) (A. Cua)

Due to the May 12, 2017 court stipulation, the purpose of this item being on the agenda is to affirm receipt of any filed interventions and continue the public hearing until July 11, 2017.

There will not be any public testimony, no presentation from the applicant, and no verbal report from the Planning Department at the May 23, 2017 meeting.

Mr. James Giroux indicated for the record due to the pending litigation that Item C-1 will be dealt with in accordance to the stipulation regarding the Temporary Restraining Order.

No public testimony, no presentation from the applicant, and no verbal report from the Planning Department were given.

Ms. Jennifer Lim, attorney for the applicant, ATC Makena Holdings LLC introduced herself and noted Ed Divita and Kaimi Judd for ATC Makena Holdings LLC were also present.

Ms. Ann Cua noted for the record that on May 18, 2017 at about 2:50 p.m. she received a Petition to Intervene, Declaration of Albert Perez, Declaration of Ashford Kaleolani Delima and Declaration of Lucienne de Naie which was prepared by Lance Collins.

Mr. Giroux then indicated that the Commission would be postponing further action on this item to July 11, 2017. Agenda to note time of 9:00 a.m. The Department will attempt to arrange for a larger venue to hold meeting.

**D. ACCEPTANCE OF THE ACTION MINUTES OF THE MAY 9, 2017 MEETING AND THE REGULAR MINUTES OF THE JANUARY 17, 2017 AND PORTION OF THE MINUTES OF THE MARCH 28, 2017 MEETING (Naluai)**

It was moved by Mr. Carnicelli, seconded by Mr. Castro, then

**VOTED: To Accept the Action Minutes of the May 9, 2017 Meeting and the Regular Minutes of the January 17, 2017 Meeting and Portion of the Minutes of the March 28, 2017 Meeting (Naluai).  
(Assenting – L. Carnicelli, S. Castro, L. Hudson, K. Robinson,  
T. Gomes, C. Tackett, R. Higashi)  
(Excused – P. Canto)**

**E. DIRECTOR'S REPORT**

1. SMA Minor Permit Report
2. SMA Exemptions Report

The Commission had no questions or comments regarding the reports.

3. Discussion of Future Maui Planning Commission Agendas
  - a. June 13, 2017 agenda items

Mr. Spence went over items scheduled for the June 13, 2017 meeting.

**F. NEXT REGULAR MEETING DATE: June 13, 2017**

**G. ADJOURNMENT**

The meeting was adjourned at approximately 9:15 a.m.

Submitted by,

Carolyn Takayama-Corden  
Secretary to Boards & Commissions II

**RECORD OF ATTENDANCE**

**Present**

Lawrence Carnicelli  
Stephen Castro  
Sandy Duvauchelle, Chairperson  
Tina Gomes  
Richard Higashi, Vice Chairperson  
Larry Hudson  
Keaka Robinson  
Christian Tackett

**Excused**

Pua Canto

**Others**

Will Spence, Director, Planning Department  
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel