

**MAUI PLANNING COMMISSION
ACTION MINUTES
DECEMBER 13, 2016**

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Max Tsai at approximately 9:15 a.m., Tuesday, December 13, 2016, 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.

C. PUBLIC HEARINGS (Action to be taken after public hearing.)

1. MR. WILLIAM SPENCE, Planning Director transmitting Council Resolution No. 16-100 referring to the Maui Planning Commission a proposed bill to amend the West Maui Community Plan designation from Park to Business and a proposed bill to change the zoning from PK General Park designation to B-2 Community Business District for portions of properties situated at TMK: 4-4-001: 010 and 4-4-014: 006, Lahaina, Maui, Hawaii. (CPA 2016/0003) (CIZ 2016/0004) (P. Fasi)

The proposed land use entitlements involve an area of about 0.049 acres of land.

It was then moved by Mr. Robinson, seconded by Ms. Canto, then

VOTED: To Recommend Approval of the Proposed Bill to Amend the West Maui Community Plan Designation and Change in Zoning to the County Council as Recommended by the Department.
(Assenting – K. Robinson, P. Canto, L. Carnicelli, L. Hudson,
W. Hedani, S. Castro, R. Higashi)
(Excused – S. Duvauchelle)

2. MR. THOMAS PARKER of the CENTRAL FEDERAL LANDS HIGHWAYS DIVISION, FEDERAL HIGHWAYS ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION requesting a Special Management Area Use Permit and Shoreline Setback Variance for the Lahaina Bypass 1B-2 Design Build Project along the right of way located mauka of the existing Honoapiilani Highway between Hokiokio Place and the former Olowalu Landfill at TMK: 4-7-1: 22 (por.), 30 (por.), 39 (por.), 4-7-003: 32 (por.), 4-7-13: 2 (por.), 5 (por.), 8 (por.), 10 (por.), 11 (por.), 12 (por.); 4-7-14: 1 (por.), 2 (por.) 3 (por.), 4 (por.), 5 (por.), 6 (por.), 7 (por.), 8 (por.), 9 (por.), 10 (por.), 011 (por.), and 14 (por.), Launiupoko, Island of Maui. (SM1 2016 /0008) (K. Scott)

It was moved by Mr. Higashi, seconded by Ms. Canto, then

VOTED: To Approve the Special Management Area Use Permit and Shoreline Setback Variance as Recommended by the Department with Two Additional Conditions.
(Assenting – R. Higashi, P. Canto, L. Carnicelli, L. Hudson, S. Castro, K. Robinson-abstained)
(Dissenting – W. Hedani)
(Excused – S. Duvauchelle)

3. MR. MICHAEL BASKIN of SEASHORE PROPERTIES LLC requesting a County Special Use Permit to operate a nine (9) bedroom transient vacation rental (Paia Inn) with 1st floor lobby on property situated at 93 Hana Highway, TMK: 2-6-002: 027, Paia, Island of Maui. (CUP 2015/0006) (K. Wollenhaupt)

It was moved by Mr. Hudson, seconded by Mr. Higashi, then

VOTED: To Deny the County Special Use Permit.
(Assenting – L. Hudson, R. Higashi, L. Carnicelli, K. Robinson, P. Canto, W. Hedani, S. Castro)
(Excused – S. Duvauchelle)

D. COMMUNICATIONS

1. ISAAC HALL, attorney for FRANCINE AARONA submitting on November 29, 2016 a Petition to Deny Applications because the proposed uses are prohibited by the Community Plan or in the alternative to intervene on the following:

MR. MICHAEL BASKIN of SEASHORE PROPERTIES LLC requesting a County Special Use Permit to operate a nine (9) bedroom transient vacation rental (Paia Inn) with 1st floor lobby on property situated at 93 Hana Highway, TMK: 2-6-002: 027, Paia, Island of Maui. (CUP 2015/0006) (CTB 2015/0009) (SMX 2015/0522) (K. Wollenhaupt)

The Commission may take action on this request.

Should the Commission grant the Petition to Intervene, then they may also take action on the following:

- a. Selection of the Hearings Body/Hearings Officer

b. Selection of the Mediator

Should the Commission act to deny the intervention request, then they could act on the application requests.

It was moved by Mr. Robinson, seconded by Ms. Canto, then

**VOTED: To Deny the Petition to Intervene.
(Assenting – K. Robinson, P. Canto, L. Carnicelli, L. Hudson,
W. Hedani, S. Castro, R. Higashi)
(Excused – S. Duvauchelle)**

E. ACCEPTANCE OF THE ACTION MINUTES OF THE NOVEMBER 22, 2016 MEETING AND REGULAR MINUTES OF THE JUNE 28, 2016 MEETING AND OCTOBER 25, 2016 SPECIAL MEETING

It was moved by Ms. Canto, seconded by Mr. Castro, then

**VOTED: To Accept the Action Minutes of the November 22, 2016 Meeting and Regular Minutes of the June 28, 2016 Meeting and October 25, 2016 Special Meeting.
(Assenting – P. Canto, S. Castro, L. Carnicelli, L. Hudson,
K. Robinson, W. Hedani, R. Higashi)
(Excused – S. Duvauchelle)**

F. DIRECTOR'S REPORT

1. SMA Minor Permit Report
2. SMA Exemptions Report

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

**VOTED: To Accept the SMA Minor and SMA Exemption Reports
(Assenting – W. Hedani, L. Carnicelli, L. Hudson, K. Robinson,
P. Canto, S. Castro, R. Higashi)
(Excused – S. Duvauchelle)**

3. Discussion of Future Maui Planning Commission Agendas
 - a. January 10, 2017 agenda items

Mr. Spence went over the items scheduled for the January 10, 2017 meeting.

G. NEXT REGULAR MEETING DATE: January 10, 2017

H. ADJOURNMENT

The meeting was adjourned at 5:53 p.m.

Submitted by,

Carolyn Takayama-Corden
Secretary to Boards & Commissions II

RECORD OF ATTENDANCE

Present

Pua Canto
Lawrence Carnicelli
Stephen Castro
Wayne Hedani
Richard Higashi
Larry Hudson
Keaka Robinson
Max Tsai, Chairperson

Excused

Sandy Duvauchelle, Vice-Chairperson

Others

Will Spence, Director, Planning Department
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works