

**MAUI PLANNING COMMISSION
ACTION MINUTES
AUGUST 8, 2017**

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Sandra Duvauchelle at approximately 9:03 a.m., Tuesday, August 8, 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 - Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three (3) minutes.**

C. RESOLUTION THANKING FORMER COMMISSIONER PUA CANTO

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

**VOTED: To Approve the Resolution Thanking Former Commissioner Pua Canto.
(Assenting – K. Robinson, S. Castro, L. Carnicelli, C. Tackett, S. Duvauchelle)
(Excused – T. Gomes, R. Higashi, L. Hudson)**

D. PUBLIC HEARING (action to be taken after public hearing.)

1. MR. ALAN BERMAN requesting a State Land Use Commission Special Permit in order to use two farm dwellings with a total of five (5) bedrooms to operate a Short-Term Rental Home (STRHH) in the State Agricultural District on approximately 2.058 acres of land located at 680 Kai Hele Ku Street, TMK: 4-7-010: 063 (0001) and (0002), Lahaina, Island of Maui. (SUP2 2017/0007) (K. Wollenhaupt)

It was moved by Mr. Carnicelli, seconded by Mr. Robinson, and

**The Motion to Approve the State Land Use Commission Special Use Permit FAILED.
(Assenting – L. Carnicelli)
(Dissenting – K. Robinson, C. Tackett, S. Castro)
(Excused – T. Gomes, R. Higashi, L. Hudson)**

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

**VOTED: To Defer the Matter in Order to Have Additional Members Present.
(Assenting – K. Robinson, S. Castro, L. Carnicelli, C. Tackett, S. Duvauchelle)
(Excused – T. Gomes, R. Higashi, L. Hudson)**

E. UNFINISHED BUSINESS

1. MS. DEBBIE MITCHELL, consultant, requesting Short-Term Rental Home Permits for the current owners of the following units at the International Colony Club in the R-3 Residential District at 2750 Kalapu Drive, Unit # 22, 29, 38, and 45, TMK: 4-4-006: 006, (0021, 0028, 0037, and 0044), Lahaina, Island of Maui. (STWM T2016/0030, STWM T20160031, STWM T2017/0002, STWM T2017/0007) (K. Wollenhaupt) (Public hearing was conducted at the April 11, 2017 meeting and the matter was deferred until the August 8, 2017 meeting. The 120-day deadline for the Commission to act on the matter is August 9, 2017.)

These applications require a public hearing because there are at least two (2) permitted short-term rental home operations located within 500 ft. of the subject property.

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

The Motion to Approve the Short-Term Rental Home Permits FAILED.

(Assenting – L. Carnicelli, S. Castro, C. Tackett)

(Dissenting – K. Robinson)

(Excused – T. Gomes, R. Higashi, L. Hudson)

It was then moved by Mr. Robinson, seconded by Mr. Carnicelli, and

The Motion to Deny the Short-Term Rental Home Permits FAILED.

(Assenting – K. Robinson)

(Dissenting – L. Carnicelli, S. Castro, C. Tackett)

(Excused – T. Gomes, R. Higashi, L. Hudson)

With August 9, 2017 being the 120-day deadline for the Commission to take an action, and no action could be taken at this meeting, the permits are automatically approved after the 120-day deadline due to non-action by the Commission.

F. ACCEPTANCE OF THE ACTION MINUTES OF THE JULY 25, 2017 MEETING AND REGULAR MINUTES OF THE OCTOBER 25, 2016 AND APRIL 25, 2017 MEETINGS

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

VOTED: To Accept the Action Minutes of the July 25, 2017 Meeting and Regular Minutes of the October 25, 2016 and April 25, 2017 Meetings.

**(Assenting – L. Carnicelli, S. Castro, K. Robinson, C. Tackett,
S. Duvauchelle)**

(Excused – T. Gomes, R. Higashi, L. Hudson)

G. DIRECTOR'S REPORT

1. Designation of the Hana Advisory Committee to conduct the public hearing and provide their recommendation on the following requests:
 - a. MR. WILLIAM SPENCE introducing the following land use changes for the proposed Nahiku Community Center (P. Fasi)
 - 1) Community Plan Amendment from Agriculture to Public/Quasi-Public;
 - 2) State Land Use Boundary Amendment from Agriculture to Rural; and
 - 3) Change in Zoning from County Ag. to P-1 Public/Quasi-Public District
 - b. MR. KAALA BUENCONSEJO, Director, DEPARTMENT OF PARKS AND RECREATION requesting a Special Management Area Use Permit for the Nahiku Community Center Project and related improvements located at 0 Nahiku Road, TMK: 1-2-002: 023, Nahiku, Hana, Island of Maui. (SM1 2017/0002) (P. Fasi)

The proposed action includes the replacement of the former grammar school building site with a Community Center building of approximately 2,472 square feet in size and related improvements, including a paved parking lot and driveway and installation of an individual wastewater system. The proposed Community Center includes a social hall, kitchen, storage areas, restrooms, and a covered entry lanai.

The Commission may designate the Hana Advisory Committee to the Maui Planning Commission to conduct a public hearing and provide its recommendations on the request.

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

VOTED: To Designate the Hana Advisory Committee to the Maui Planning Commission to Conduct the Public Hearing and Provide Its Recommendation.
(Assenting – L. Carnicelli, C. Tackett, K. Robinson, S. Castro, S. Duvauchelle)
(Excused – T. Gomes, R. Higashi, L. Hudson)

2. SMA Minor Permit Report
3. SMA Exemptions Report

No questions or comments on the reports.

4. Discussion of Future Maui Planning Commission Agendas
 - a. August 22, 2017 agenda items

Ms. McLean went over the items scheduled for the August 22, 2017 meeting.

H. NEXT REGULAR MEETING DATE: AUGUST 22, 2017

I. ADJOURNMENT

The meeting was adjourned at approximately 11:19 a.m.

Submitted by,

Carolyn Takayama-Corden
Secretary to Boards & Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli
Steven Castro
Sandy Duvauchelle, Chairperson
Keaka Robinson
Christian Tackett

Excused

Tina Gomes
Richard Higashi, Vice Chairperson
Larry Hudson

Others

Michele McLean, Deputy Director, Planning Department
James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel