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**MAUI PLANNING COMMISSION  
REGULAR MINUTES  
AUGUST 22, 2017**

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairperson Sandra Duvauchelle at approximately 9:06 a.m., Tuesday, August 22, 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.)

Chair Duvauchelle: Good morning, the Maui County Planning Commission of August 22, 2017 is now in session. Director?

**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.**

Mr. Spence: Good morning Commissioners. Gosh, I guess we're gonna hang onto public testimony for the public hearing items.

Chair Duvauchelle: Yes.

Mr. Spence: We're Item C-1 for Mr. Jud Cunningham, CEO of Maui Youth and Family Services, Support Services requesting an amendment to the Special Use Permit. Our Staff Planner this morning is Ms. Evelyn Aako.

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

1. **MR. JUD CUNNINGHAM, CEO of MAUI YOUTH AND FAMILY SUPPORT SERVICES requesting an amendment to their State Land Use Commission Special Permit for the demolition of the existing administration building and the construction of a replacement building with related improvements and parking lot addition in the State Agricultural District at TMK: 2-5-004: 005, Makawao, Island of Maui. (SUP2 92/0002) (E. Aako)**

Ms. Evelyn Aako: Good morning. Again so this is under your review because the applicant which is Maui Youth and Family Services represented by the CEO, Jud Cunningham is requesting an amendment to SUP2 92/0002 an existing SUP in order to demolish an existing administrative building and construct a new administrative building with some related improvements. Again, the project applicant is Jud Cunningham of Maui Youth and Family Services and the applicant's consultant is Ms. Michelle Cockett, and Ms. Cockett has power point present. She'll review the full scope and history of the project with you, and then I will have some just brief department comments.

Ms. Michelle Cockett: Good morning Commissioners and Director Spence and Mr. Giroux. Hi, nice to see you this morning. My name's Michelle Cockett and on behalf of Maui Youth and Family Services request approval of an amendment to the existing State Land Use Commission Special Use Permit SUP2 92/0002 to demolish the existing administration office building and construct a new replacement office building with related improvements at 200 Ike Drive,

1 Makawao.

2

3 The applicant is Jud Cunningham, Chief Executive Office of the Maui Youth and Family  
4 Services. He is here present here today as well as our project architect Steven Marlette from  
5 Honolulu.

6

7 The accepting agency for this project is the County of Maui, Department of Housing and Human  
8 Concern, Carol Reimann, Director. We have preconsulted agencies, Department of Land and  
9 Natural Resources at the State Historic Preservation Division, the County of Maui Planning  
10 Department, County of Maui, Department of Housing and Human Concerns, and the County of  
11 Maui Corporation Counsel.

12

13 So Maui Youth and Family Services is a not for profit service organization that provides variety  
14 of services and programs for at-risk youth and their families. They are a partner agency with  
15 Aloha House and Malama Family Recovery Center under the umbrella of Maui Behavioral  
16 Health Resources. The Maui Youth and Family Services and other affiliated and adjacent  
17 nonprofits operate through the existing approved State Land Use Commission Special Use  
18 Permit SUP2 92/0002 obtained under the entity The Maui Farm Inc., and they are regulated by  
19 Federal, State, and County agencies. Maui Youth and Family Services is administered by the  
20 County of Maui, Department of Housing and Human Concerns who's the accepting agency for  
21 this project.

22

23 They are located mauka of Paia past Rainbow Park before Haliimaile on Ike Drive. They  
24 actually have two addresses, 100 Ike Drive and 200 Ike Drive. Their parcel map which is TMK:  
25 2-5-4: 005 is actually two sections of a noncontiguous map key surprisingly enough. The  
26 County of Maui owns this property. It is located again at 200 Ike Drive off of Baldwin Avenue.  
27 The entire two sections incorporate 6.24 acres. Flood zone is "X". It's determined to be outside  
28 of the...(inaudible)...annual flood area. The State Land Use is Agricultural and that is the  
29 reason why we have an existing SUP on this project. County Zoning is Interim. Community  
30 Plan is Public/Quasi-Public and the Maui Island Plan is Rural. The surrounding uses are  
31 residential farm lots, large agricultural parcels, Maui Farm Affiliate, not-for-profit organizations,  
32 Women Helping Women, Aloha House and the Maui Job Corps Center. So it is located in the  
33 compound next to the Women Helping Women facility as well as Aloha House.

34

35 So the background of Maui Youth and Family Services basically it is located Maunaolu, the old  
36 Maunaolu College campus in Sunnyside, Hamakuapoko, Makawao. The County acquired this  
37 property back in 1978 and was formerly known as the Maunaolu Youth Residential Shelter and  
38 operated under the Department of Human Concerns. In 1982, the entity the Maui Farm Inc.,  
39 became a separate nonprofit service organization which includes Maui Youth and Family  
40 Services, Women Helping Women and Aloha House. They obtained that State Land Use  
41 Commission Permit SUP2 92/0002 to operate these facilities to service the then present and  
42 future needs of the community by providing ...(inaudible)...rehabilitation, emergency shelter,  
43 counseling services and administration offices. They currently have a long-term active lease  
44 with the County.

45

46 The intention for this project is to demolish the existing...(inaudible)...office building and outlying  
47 structures which include a storage building and a meeting trailer. It's a combined total of 5,112

1 square feet. They would like to construct a replacement administration office building with lanai,  
2 meeting room and storage totaling 6,550 square feet. The intent is to incorporate all of the uses  
3 into one structure. So as part of that they have to install related improvements and that would  
4 include a new wastewater system, overhead electrical line service extension, new driveway  
5 entrance, new parking lot extension, new site and parking lot, landscaping and a small retaining  
6 wall on the east side. Public funds have been allocated for this project.

7  
8 So if you can see on this map it shows basically what the intent is. There will be...the existing  
9 building and accessory structures to be demolished is that white building and the two smaller  
10 ones right next to it. The location of the new administration building will be actually upslope of it  
11 and both the meeting trailer and accessory storage structure will need to be removed to site  
12 that. The existing parking lot will remain and there will be a new driveway and parking lot which  
13 will be closer to the existing structure, administration office as we stand right now.

14  
15 So this is the existing site plan showing the driveway entrance as it is now, the existing office  
16 building as well as the accessory structures. Now proposed site plan in referencing these two  
17 buildings is to have these other two structures demolished and that's where the new building is  
18 to be sited and that is the location of the driveway and new entrance and that is what it will end  
19 up looking like.

20  
21 So the existing administration office building this structure was built in 1938. It was relocated  
22 and moved from Haliilmaile in 1961. It was used as a dormitory for the old Maunaolu College,  
23 School and College and it's 79 years old. It is a plantation style structure. So the existing  
24 structure itself remains as it was in 1962. Very little was done to it besides basic repair and  
25 maintenance. The building has 17 small office spaces, two restrooms, 14 employees and the  
26 staff shares these work areas which give them very little privacy. This is what it looks like when  
27 you come in from Ike Drive and the entrance on the west side as well as the side entrance. The  
28 side entrance actually attaches to the existing parking lot, the back of the building, rear of the  
29 building facing east, also the rear of the building. You can see how close that structure is and  
30 the north side of the building, this is the west side. It's a post and pier construction.

31  
32 So the current condition of this building is that the weather has deteriorated the building causing  
33 dry rot and water damage. The foundation is shifting and collapsing and the floor is uneven.  
34 Interior walls have shifted causing cracks. There are holes in the ceiling. Algae has grown onto  
35 the exterior planks. There is mold which is a health hazard and liability to both the occupants  
36 and visitors to the structure. There are rodent and vermin problems. It is a safety, rest for the  
37 employees, clients and visitors. And do to the extent of the repairs needed reconstructing it  
38 would essentially make it a new structure. So the cost to alter or repair the structure would be  
39 just be prohibitive. So building new is the best alternative for the health of the occupants and  
40 would service the community well into the future.

41  
42 This is some of the site specific areas that show wood rot and water damage, primarily the north  
43 side. You can see the black mold that is existing as well as the foundation that is literally  
44 shifting. There's mold on these exterior planks which then comes up under the foundation it  
45 permeates. It's even on the windowsills there's pier decay, exterior mold everywhere. On  
46 the...that's...I don't even know if they actually open that door it's got so much mold on it. It has  
47 on the railings on the stairways as well. The southeast side foundation is slipping and there's a

1 buckling of the foundation and walls. There's exterior decay as you can see on the foundation,  
2 but my favorite is actually that rock is holding up the foundation. Inside there's extensive water  
3 damage. It's just been leaking over the years. You can see the holes. Inside the interior  
4 hallway you can see the buckling of the walls itself.

5  
6 So as the building is over 50 years old and to determine the feasibility of whether to demolish or  
7 raise the structure was discussed, a report was prepared for the State Historic Preservation  
8 Division, Architectural Section in 2014 to assess the historical value of the existing structure.  
9 Per their letter dated December 16, 2014 their response stated that although raising the  
10 structure would adversely affect the historical integrity of the property the report was sufficient  
11 for mitigation purposes and their review was now complete.

12  
13 So designing for the new office building, the designing for the future. It incorporates 16 offices,  
14 two restrooms and storage. It's a plantation style with covered lanais and hip roof. The  
15 proposed size is 5,586 square feet with 964 square feet of lanai area. The floor plan includes a  
16 centralized board room, storage and file keeping and supplies, accounting and billing area,  
17 office spaces, reception and waiting area and rooms for future uses, offices and storage, et  
18 cetera. Building permits have been submitted and are currently under review and obtaining  
19 approvals. There are three demolition permits that are on file right now. Two are for the  
20 outlying structures, one for the demolition of the existing building, and also the building permit  
21 for the construction of the replacement office building.

22  
23 So as you could see this is where the location of the proposed structure is and also the location  
24 of the storage building and the meeting trailer. I brought floor plans in case you need them.  
25 These are the side elevations which also include a small retaining wall on the east side, front,  
26 right, rear and left.

27  
28 The description of the related improvements. As part of the building permit process we needed  
29 to actually bring things to Code including site and that includes an individual wastewater system.  
30 The existing cesspool needs to be removed because of EPA requirements and restrictions. And  
31 a new 1,250 gallon septic system will be installed. There will be overhead electrical line service  
32 'cause it is away from the present location. The new driveway and entrance, a new parking lot  
33 extension is necessary for Planning Department purposes. They're gonna install 21 standard  
34 size parking stalls for the new building for a total of 64 stalls onsite. There's new parking lot and  
35 site landscaping and again, a small retaining wall on the east side of your new building.

36  
37 So this is the grading plan, the intent is to show the topo of the area. It has a slight three  
38 percent grade and that's why the new structure will be placed above. Giving it more privacy. So  
39 the new driveway itself will be located about 50 to...50, about 75 feet from its existing entrance  
40 now, be wider. And as well, it will be literally in front of where their office building is right now as  
41 you can see. It will incorporate...it will take down that tree for sure.

42  
43 The lot and landscaping plan includes new trees for the parking lot itself. Once the building is  
44 demolished then it will be all lawn right in front of there. Septic system will be on the west side  
45 of the structure. Now as far as the environmental assessment review was concerned we had  
46 some discussions and believe that this could be...the exemption could be obtained for it.  
47 Because of the County ownership of the property and the allocation of the public funds for this

1 project we know that this request would have triggered an EA review and preparation and  
2 review under HRS, Chapter 343 unless it met the certain environmental assessment exemption  
3 criteria. So the Department of Housing and Human Concerns prepared a declaration of  
4 exemption from the preparation of the EA in a memorandum to the Planning Department dated  
5 November 28, 2016. It was determined that the project met the following exemption criteria.  
6 Exemption Class 8 if you note it says, demolition of buildings and structures prior to or  
7 concurrent with the construction of new or replacement building or structure as well as  
8 Exemption Class No. 2, replacement or reconstruction of existing structures and facilities where  
9 the new structure will be located in generally in the site and have substantially the same  
10 purposes, density, height and dimensions as the structure replaced.

11  
12 For this project to be consistent with the existing SUP2 92/0002 the original staff report made it  
13 a comment in the general description that it incorporated future growth into the Maui Farms  
14 project general description and under No. 2 it states, the Department of Human Concerns would  
15 also like to provide future facilities for other special needs groups and office space for nonprofit  
16 groups. So consistency with other land use regulations, the Planning Department staff report for  
17 this request provides an analysis of the project and finds that it is in conformance and is  
18 consistent with State Land Use goals, objectives and policies within the Hawaii State Plan which  
19 is Chapter 226 of HRS, as well as Special Use, Chapter 205, HRS. And it also complies and is  
20 consistent with the County Land Use principles, goals, objectives, policies and directives related  
21 to the Maui County Charter, Countywide Policy Plan, Maui Island Plan, Makawao-Pukalani-Kula  
22 Community Plan and Maui County Code permitted uses in an Interim District so that we could  
23 have Maui Youth and Family Service continue the beneficial community social service  
24 operations for youth and families in a safe, stable and healthy physical environment.

25  
26 The existing infrastructure, they have County water and the entire site has a public water  
27 system. The best part about this is that this project will actually reduce water usage because  
28 they will be installing new low-flow fixtures in the building. As far as sewage and solid waste the  
29 project will abandon the existing cesspool and install a new septic system. The solid waste will  
30 all be disposed at Central Maui Landfill. Traffic and roads, the construction of the project will  
31 actually be temporary and will not have any long-term effect on roadways or state highways.  
32 Electrical and telephone, as we discussed plans for the new line extension have been submitted  
33 to MECO and we're just waiting the service letter from them. Public services, the property is  
34 served by both Police Department and Fire Departments and they...appropriate safety  
35 measures will be implemented during construction.

36  
37 As far as construction sequencing 'cause actually this is very important. The Maui Youth and  
38 Family Service will be continuing their operations in their existing building until the other building  
39 is built and can be occupied. The timeline for this construction is based on building permit  
40 approvals and issuance. So first they're gonna do is demolish the accessory structures 'cause  
41 that will allow the site preparation to begin. From there the installation of the utilities which  
42 would be the septic system and the electrical lines installation will be done and then they have  
43 the construction of the new building. The installation of the new parking lot and all features  
44 associated with that will be concurrent with the construction of the new building. Once it's  
45 completed and they've obtained a Certificate of Occupancy for the new building then everybody  
46 will move in and then that's when the demolition of the existing administration building will be  
47 done. So tentatively the initiation of construction would be November 1, 2017. The completion

1 of the construction around June of next year, 2018, and then within about a two-week period  
2 once they've finished everything the demolition of the existing office building will be done around  
3 June 15, 2018.

4  
5 So some of the review comments that we received were gratefully minimal but also we wanted  
6 to incorporate them because they're very important. These are construction specific issues and  
7 first off is to maintain the best management practices to minimize dust and erosion to not effect  
8 surrounding neighbors especially Women Helping Women and Aloha House as well too. If a  
9 noise permit is required that will need to be obtained and we'll obtain a project number to  
10 dispose of the construction waste at Central Maui Landfill. It's important that we stage and  
11 locate heavy construction equipment in appropriate areas as well as to provide worker parking  
12 to alleviate vehicular congestion and pedestrian safety within the site. The contractor will be  
13 responsible for implementing those.

14  
15 So in conclusion, the Maui Youth and Family Services request that the Special Use Permit be  
16 amended to allow the demolition of the old office building and to approve construction of a new  
17 replacement administration office building. The request is reasonable as the existing structure  
18 has fallen into such disrepair that reconstructing it would be cost prohibitive. The new office  
19 building provide a safer, healthier environment. It will be functional, efficient space. It will  
20 service Maui County well into the future. Because as the population increases the demands on  
21 the nonprofits increase and this building will give a foundation of the implementation of those  
22 programs and services that are needed and will be continued to be needed. So the office  
23 building is maybe just a structure but it will be invaluable to addressing the future needs of the  
24 community. Thank you very much.

25  
26 Chair Duvauchelle: Thank you.

27  
28 Ms. Cockett: Thank you.

29  
30 **a) Public Hearing**

31  
32 Chair Duvauchelle: At this time, we'll open up this agenda item for public testimony if you will  
33 ask questions after. Anybody wishing to testify on this agenda item please come forward? All  
34 right, public testimony is closed. We'll take questions from the Commissioners. Commissioner  
35 Carnicelli?

36  
37 Mr. Carnicelli: I don't know how relevant it is but first I just want to say thank you for everything  
38 that you know, you guys do. I mean, it's just like it's quite a service to the community I just really  
39 appreciate everything you're doing, but how long is the lease with the County?

40  
41 Ms. Cockett: They understand the lease to be to 2025 at this point.

42  
43 Mr. Carnicelli: 2025. Okay, and then just one question for Jud. Do you still play basketball  
44 up...come up.

45  
46 Chair Duvauchelle: Yeah, you could come up. State your name.

47

1 Mr. Carnicelli: Real quick.

2

3 Mr. Jud Cunningham: The lease I think actually goes into the 30s because it's 25 years at least,  
4 but it was probably five years ago, something like that that we got it renewed within the last five  
5 years. But yes, I still do play basketball.

6

7 Mr. Carnicelli: You still playing at the Kula Gym?

8

9 Mr. Cunningham: Yes.

10

11 Mr. Carnicelli: One last question are you still sharpening your elbows before you  
12 walk...(inaudible)...

13

14 Mr. Cunningham: I had file...(inaudible)...specifically for that purpose. Thank you.

15

16 Chair Duvauchelle: Any other questions from the Commissioners? All right, seeing none, we  
17 have the Department's recommendation?

18

19 **b) Action**

20

21 Ms. Aako: So just briefly, the Department just had a few brief was which was that the  
22 application was sent out to 20 County, State and Federal agencies for review and comment and  
23 there were no significant comments or concerns and as Ms. Cockett reviewed in her  
24 presentation the applicant has acknowledged and addressed all the minor comments that were  
25 received. And then as of today's date the Department has not received any calls or letters of  
26 public testimony regarding the project.

27

28 So the application does comply with the applicable standards for a State Special Use Permit  
29 and as such the Department recommends approval and approval will be based upon the six  
30 standard conditions.

31

32 Chair Duvauchelle: Thank you. Commissioners? Commissioner Carnicelli?

33

34 Mr. Carnicelli: I move to approve as recommended by Staff.

35

36 Mr. Hudson: Second.

37

38 Chair Duvauchelle: Moved by Commissioner Carnicelli, seconded by Commissioner Hudson.  
39 Director do you want to repeat the motion?

40

41 Mr. Spence: The motion is to approve as recommended by staff.

42

43 Chair Duvauchelle: All those in favor please raise your hand?

44

45 Mr. Spence: Five ayes.

46

47 Chair Duvauchelle: Motion carries. Congratulations.

1  
2 **It was moved by Mr. Carnicelli, seconded by Mr. Hudson, then**

3  
4 **VOTED: To Approve the Amendment to the State Land Use Commission**  
5 **Special Permit as Recommended by the Department.**  
6 **(Assenting – L. Carnicelli, L. Hudson, K. Robinson, C. Tackett,**  
7 **S. Castro)**  
8 **(Excused – T. Gomes, R. Higashi)**  
9

10 Mr. Spence: Commissioners, your next public hearing item is from Verizon Wireless requesting  
11 a Conditional Permit in order to operate a Hi2 Puuone Terrace involving modification of existing  
12 rooftop telecommunications facility and Staff Planner for this one is Tara Furukawa.

13  
14 **2. VERIZON WIRELESS requesting a Conditional Permit in order to operate**  
15 **the Hi2 Puuone Terrace, involving a modification of an existing rooftop**  
16 **telecommunication site by replacing six (6) panel antennas with six (6) new**  
17 **panel antennas and install accessory equipment in the A-2 Apartment**  
18 **District at 493 Pio Drive, TMK: 3-8-037: 039. Wailuku, Island of Maui. (CP**  
19 **2017/0002) (T. Furukawa)**  
20

21 Ms. Tara Furukawa: Good morning Commissioners. This item's under your review because the  
22 applicant is requesting a Conditional Permit for the proposed modification of a  
23 telecommunication site that sits atop Puuone Terrace in Wailuku at TMK: 2-3-8-037: 039. The  
24 applicant Verizon Wireless acquired the lease of the site from Mobi PCS. The property on  
25 which the building sits is A-2, Apartment. Because the Maui County Code, Section 19.12,  
26 Apartment District was amended in 2013, the applicant must pursue a conditional permit instead  
27 of a County Special Use Permit as with most telecommunication projects. The Planning  
28 Commission must make a recommendation to the Maui County Council. Steve Sung is the  
29 consultant for the project and he'll present you with the scope and I'll present you later with the  
30 Department recommendations.  
31

32 Mr. Steve Sung: Thank you, Chair, Commissioner and Planning Commission Staff. My name is  
33 Steve Sung with Wireless Resources representing Verizon Wireless. My presentation is very  
34 simple. Currently there is...you have a rooftop site at Puuone Terrace. There is six antennas,  
35 two antennas per sector. You have three equipment cabinets that's on the roof. Verizon has  
36 since acquired that site. Verizon will be replacing those six antennas with six new panel  
37 antennas with accessory equipment and also replacing the three equipment, the three existing  
38 equipment cabinets to basically convert it into Verizon technology. Other than that, apparently  
39 the previous Mobi never received, Mobi PCS never received a Conditional Use Permit for their  
40 installation so we're here asking for the planning commission to approve our conditional use  
41 permit request.  
42

43 Chair Duvauchelle: Thank you very much.  
44

45 **a) Public Hearing**  
46

1 Chair Duvauchelle: At this point we'll open the floor to public testimony. Seeing none, we'll  
2 close public testimony. Any questions by the Commissioners? Commissioner Castro?  
3  
4 Mr. Castro: I have a question.  
5  
6 Mr. Sung: Yes sir.  
7  
8 Mr. Castro: You're gonna be replacing these antennas?  
9  
10 Mr. Sung: Correct.  
11  
12 Mr. Castro: Are they the same or different?  
13  
14 Mr. Sung: So as far as height go, it's about...it's the same, but it's a little bit wider.  
15  
16 Mr. Castro: Do any of these antennas emit any radiation?  
17  
18 Mr. Sung: It does have RF emission. We follow strict FCC guidelines and we are well below  
19 what FCC deemed safe. We're well below what is required.  
20  
21 Mr. Castro: I had a concern.  
22  
23 Mr. Sung: Sure.  
24  
25 Mr. Castro: When I was in the military I was trained communications and with RF and how it  
26 burns from the inside out you know.  
27  
28 Mr. Sung: Sure. But once again what FCC is basically they provide their guidelines what the  
29 output limits are allowed and like I said we're well below what the FCC allows.  
30  
31 Mr. Castro: Thank you.  
32  
33 Mr. Sung: Thank you.  
34  
35 Chair Duvauchelle: Any other questions? Commissioner Hudson?  
36  
37 Mr. Hudson: I see in reviewing agency, I guess a letter was sent out to the Police Department  
38 but I don't see any response is that correct?  
39  
40 Ms. Furukawa: Yes, that's correct. Yeah. But we incorporated their comments previously  
41 brought up for other antenna projects into our staff recommendation.  
42  
43 Mr. Hudson: Did you make any attempt to contact the Police Department individually? Did you  
44 give them a call or anything?  
45  
46 Ms. Furukawa: I did, yeah.  
47

1 Mr. Hudson: You did?

2

3 Ms. Furukawa: I didn't receive any response.

4

5 Mr. Hudson: Not any response?

6

7 Ms. Furukawa: Yeah.

8

9 Chair Duvauchelle: Any other questions?

10

11 Mr. Sung: If I may add to that? Typically when we go for a Conditional Permit for Maui County  
12 or use permit for Hawaii County or City and County of Honolulu they do go with...I mean they do  
13 send out notices to I guess to the police department and most of the time we do not cause any  
14 interference. In fact, the Police Department, some of the Police Department and also other  
15 County agencies uses Verizon cellphones when they are offline. So...thank you.

16

17 Chair Duvauchelle: Any other questions? All right, may we have the Department's  
18 recommendation please?

19

20

**b) Action**

21

22 Ms. Furukawa: So the Department is recommending approval of the Conditional Permit subject  
23 to standard conditions as well as some project specific conditions. So I'm just gonna go through  
24 them. The first is that the applicant shall submit to the department two copies of a detailed  
25 report addressing compliance with the conditions established with the subject permit. A final  
26 compliance report shall be submitted to the department for review prior to issuance of a final  
27 building permit approval. And a compliance report shall also be submitted with a request for  
28 time extension. The applicant shall develop the property in compliance with the plans titled, Hi2  
29 Puuone Terrace prepared by Verizon Wireless and dated October 31, 2016, and any  
30 representations made to the commission in obtaining the conditional permit. Failure to do so, to  
31 develop the property may result in the revocation of the permit.

32

33 The new telecommunications equipment shall be painted to match the building upon which it will  
34 be placed. A copy of an approved National Pollutant Discharge Elimination System permit, if  
35 required, shall be filed with the Planning Department and the Department of Health. Copy of the  
36 NPDES permit, or determination that it's not required for the project, shall be submitted to the  
37 Department. That the Applicant will coordinate the turn-up date with the Maui County Police  
38 Department Communications Coordinator in order to verify that there is no adverse impact on  
39 the Maui County Public Safety Radio System in the area surrounding this site. The Applicant  
40 shall be responsible for air and ground transportation costs incurred by the MPD to perform  
41 such tests. That the Applicant shall meet the recommendations of the "Best Practice Guide" as  
42 it relates to reducing interference with Maui County Public Safety Radio Systems as  
43 recommended by the Federal Communications Commission (FCC). That if the Applicant's  
44 equipment causes the Radio Frequency (RF) noise floor to rise, resulting in interference which  
45 adversely affects the Maui County Public Safety Radio System, or degrades the system  
46 performance, the Applicant shall be fully responsible for restoring the use of the Maui County  
47 Public Safety Radio System by whatever means available and agreeable to MPD. These

1 remedies may include changing operational frequencies, filtering and controlling RF output, etc.  
2 Costs incurred shall be the responsibility of the Applicant. That any changes to the operations  
3 frequencies at this site, through re-tuning or dynamic reassignment, shall be coordinated with  
4 the MPD Communications Coordinator to ensure that there is no potential degradation of the  
5 Maui County Public Safety Radio System. That the Applicant shall notify the MPD  
6 Communications Coordinator of system expansion, installation of equipment operating in the  
7 800MHz band, or shared location with other wireless carriers at this site prior to these changes  
8 being made to insure that there is no potential degradation of the Maui County Safety Radio  
9 System. That the applicant shall obtain a Federal Communications Commission permit, if  
10 required. Evidence of meeting this condition shall be submitted with the final compliance report.

11

12 Chair Duvauchelle: Commissioners, discussion, motion?

13

14 Mr. Castro: Just one quick question.

15

16 Chair Duvauchelle: Commissioner Castro?

17

18 Mr. Castro: So before you make any changes, any adjustments you'll notify all the agencies like  
19 the Police Department, Fire Department, emergency?

20

21 Mr. Sung: We can follow any conditions that's imposed on the approval I guess, yes absolutely.

22

23 Mr. Castro: Thank you.

24

25 Mr. Sung: Thank you.

26

27 Chair Duvauchelle: Any other questions or motion? Commissioner Hudson?

28

29 Mr. Hudson: I feel much more confident with the MPD Radio Coordinator actually in the  
30 audience today.

31

32 Chair Duvauchelle: Thank you. Motion, discussion?

33

34 Mr. Castro: Move to accept the Department's recommendation.

35

36 Mr. Carnicelli: Second.

37

38 Chair Duvauchelle: Moved by Commissioner Castro. Seconded by Commissioner Carnicelli?  
39 Director would you repeat the motion?

40

41 Mr. Spence: The motion is to recommend approval to the County Council as recommended by  
42 Staff.

43

44 Chair Duvauchelle: All those in favor please raise your hand?

45

46 Mr. Spence: That's five ayes.

47

1 Chair Duvauchelle: Motion passes. Thank you very much.

2

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

4

5 **VOTED: To Recommend Approval of the Conditional Permit to the County**  
6 **Council as Recommended by the Department.**

7 **(Assenting – S. Castro, L. Carnicelli, L. Hudson, K. Robinson,**  
8 **C. Tackett)**

9 **(Excused – T. Gomes, R. Higashi)**

10

11 Chair Duvauchelle: Director?

12

13 Mr. Spence: Item D is acceptance of the action minutes of August 8, 2017 and a portion of the  
14 regular minutes of June 27, 2017 meeting.

15

16 **D. ACCEPTANCE OF THE ACTION MINUTES OF THE AUGUST 8, 2017 MEETING AND**  
17 **PORTION OF THE REGULAR MINUTES OF THE JUNE 27, 2017 MEETING**  
18 **(ITEM C-5)**

19

20 Chair Duvauchelle: We have a motion?

21

22 Mr. Hudson: Move to approve.

23

24 Mr. Castro: Second.

25

26 Chair Duvauchelle: Moved by Commissioner Hudson, seconded by Commissioner Castro. All  
27 those in favor raise your hand. Five ayes.

28

29 Mr. Spence: Five ayes.

30

31 **It was moved by Mr. Hudson, seconded by Mr. Castro, then**

32

33 **VOTED: To Accept the Action Minutes of the August 8, 2017 Meeting and**  
34 **Portion of the Regular Minutes of the June 27, 2017 Meeting**  
35 **(Item C-5).**

36 **(Assenting – L. Hudson, S. Castro, L. Carnicelli, K. Robinson,**  
37 **C. Tackett)**

38 **(Excused – T. Gomes, R. Higashi)**

39

40 Mr. Spence: Okay, Commissioners we're on Item E.

41

42 **E. DIRECTOR'S REPORT**

43

44 **1. SMA Minor Permit Report**

45

46 **2. SMA Exemptions Report**

47

1 Mr. Spence: You've received the SMA Minor Permit Report and the SMA Exemptions Report.  
2 You have any questions on those otherwise it's you've received those.

3  
4 Chair Duvauchelle: We're good.

5  
6 **3. Discussion of Future Maui Planning Commission Agendas**

7  
8 **a. September 12, 2017 agenda items**

9  
10 Mr. Spence: Item E-3, discussion of future agendas. You have two public hearing next meeting  
11 for the September 12, 2017 meeting. The first one we'll have two bills for you these are to  
12 adopt digital zoning maps for the County of Maui and this is a long time coming. There is no  
13 downside to this. It's all gonna be good service to the public, correction of some very, you  
14 know, obvious mistakes. It will be a very good thing. So that's the first public hearing. The  
15 second one will be Mr. James Walters and Ms. Natalie Walters requesting a Land Use  
16 Commission Special Use Permit for a two-bedroom bed and breakfast in Haiku.

17  
18 Chair Duvauchelle: Thank you Director.

19  
20 Mr. Spence: Wait there's more.

21  
22 Chair Duvauchelle: Oh on the back sorry.

23  
24 Mr. Spence: And then Mr. David Goode from Public Works is gonna be requesting comments  
25 for an EA for a culvert replacement.

26  
27 Chair Duvauchelle: I have a quick item, we have the conference coming Honolulu next month,  
28 do we have everybody, where are we at with registration.

29  
30 Ms. Takayama-Corden: We have three registered.

31  
32 Chair Duvauchelle: Okay, all right great. Okay, I guess that's it. Any other questions,  
33 discussion? Maui Planning Commission is adjourned. Thank you.

34  
35 **F. NEXT REGULAR MEETING DATE: September 12, 2017**

36  
37 **G. ADJOURNMENT**

38  
39 The meeting was adjourned at approximately 9:42 a.m.

40  
41 Submitted by,

42  
43  
44 Carolyn Takayama-Corden  
45 Secretary to Boards & Commissions II  
46  
47

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**RECORD OF ATTENDANCE**

**Present**

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

**Excused**

- Tina Gomes
- Richard Higashi, Vice Chairperson

**Others**

- William Spence, Director, Planning Department
- James Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel
- Rowena Dagdag-Andaya, Deputy Director, Department of Public Works (on-call)