

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: OCTOBER 24, 2017
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Paki Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Sandra Duvauchelle (Chair), Richard Higashi (Vice-Chair), Lawrence Carnicelli, Stephen Castro, Tina Gomes, Larry Hudson, Keaka Robinson, Christian Tackett

OFFICE OF THE
COUNTY CLERK

2017 OCT 13 AM 9:06

RECEIVED

- A. CALL TO ORDER
- 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. PUBLIC HEARINGS (action to be taken after each public hearing.)
 1. MR. WILLIAM SPENCE, Planning Director, transmitting two proposed bills relating to zoning maps and districts, respectively described as follows:
 - 1) A proposed bill titled "A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI." The purpose of the proposed bill is to adopt a digital zoning map for the Island of Maui.
 - 2) A proposed bill titled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO ZONING DISTRICTS AND MAPS." The purpose of the proposed bill is to establish updated County policy on determining boundaries for zoning districts. The bill also provides an updated list of zoning districts. (D. Raatz)
 2. VINTAGE RENTALS, LLC requesting a Community Plan Amendment from Single-Family Residential to Business/Commercial and a Change in Zoning from R-1 Residential District to B-CT Country Town Business District for the Paia Trade Center project, the proposed renovation of an existing single-family to a commercial building located at 150 Luna Place, TMK: 2-6-005: 005, Paia, Island of Maui. (CPA 2016/0002) (CIZ 2016/0001) (C. Thackerson)
 3. MR. CHRIS BOLTE and MR. GARY BOLTE requesting a Short-Term Rental Home Permit in order to operate the Huaka Mahina STRH, a four (4)-bedroom short-term rental home located in the Urban District at 2773 Kolepa Place, TMK: 4-4-006:039, Lahaina, Island of Maui, Hawaii (STWM T2017/0010) (L. Callentine)

This application is being reviewed by the Commission because there are at least two (2) permitted short-term rental operations located within 500 ft. of the subject property.

4. MR. MICHAEL F. MARQUARD, MR. MILTON A. MARQUARD, JR. and MR. MICHAEL P. MARQUARD requesting a Short-Term-Rental Home Permit in order to operate Alexandra's at Front Street, a four (4)-bedroom short-term rental home located in the R-2 Residential District at 972 Front Street, TMK: 4-5-002: 004, Lahaina, Island of Maui. (STWM T2017/0019) (T. Furukawa)

This application is being reviewed by the Commission because there are at least two (2) permitted short-term rental operations located within 500 ft. of the subject property.

D. COMMUNICATIONS

1. MS. MARY ANN SCHOBBER of LEGACY ASSETS, LLC requesting an amendment to Condition No. 8 of the State Land Use Commission Special Permit for the Pacific View Short-Term Rental Home to allow for the use of accessory dwelling for short-term rental use in the State Agricultural District at 78 N. Lauhoe Place, TMK: 4-7-012: 013, Lahaina, Island of Maui. (SUP2 2016/0004) (STWM 2016/0003) (T. Furukawa)
2. MR. GALE NOTESTONE, Chair of the Hana Advisory Committee to the Maui Planning Commission transmitting the Committee's recommendations on the request by MS. BRIANNA EVERETT for an amendment to her Land Use Commission Special Permit in order to operate the Hana's Tradewind Cottages, a short-term rental home consisting of two (2) two-bedroom farm dwellings located on approximately 2.164 acres of land in the State Agricultural District at 143 Alahale Place, TMK: 1-3-009: 107, Hana, Island of Maui. (SUP2 2012/0034) (R. Quigless)

The applicant currently has land use approvals to operate a bed and breakfast home at the site.

E. UNFINISHED BUSINESS

1. Proposed Settlement Agreement between the COUNTY OF MAUI and the ASSOCIATION OF APARTMENT OWNERS OF MAHINAHINA BEACH for the construction of barbecue grills, a stairway, a trellis, electrical lights, switches and wiring, an eating area, and a seawall within the Special Management Area (SMA) and Shoreline Setback Area (SSA) without first receiving permit for such improvements on property situated at 4007 Lower Honoapiilani Road, TMK: 4-3-008: 001, Mahinahina, Lahaina, Island of Maui. (Deferred at the April 25, 2017 meeting.)

- a. SMA Notices of Violations issued as follows: NOV 20150063 (Electrical), NOV 20150065 (Stairway), NOV 20150068 (Trellis), NOV 20150070 (Barbecue grills), NOV 20150071 (Seawalls), and NOV 20150073 (Eating Area)
- b. SSA Notices of Violation issued as follows: NOV 20150064 (Electrical), NOV 20150066 (Stairway), NOV 20150068 (Trellis), NOV 20150070 (Barbecue grills), NOV 20150072 (seawalls)

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SEC. 92-5(a)(4), HRS

The Commission may take final action on the proposed Settlement Agreement pursuant to the provisions of Section 12-202-23(d)(3) of the Maui Planning Commission's Special Management Area Rules.

F. ACCEPTANCE OF THE ACTION MINUTES OF THE OCTOBER 10, 2017 MINUTES AND PORTION OF THE REGULAR MINUTES OF THE SEPTEMBER 26, 2017 MEETING – ITEM C-1.

G. DIRECTOR'S REPORT

1. Notification of September 27, 2017 Special Management Area (SMA) Use Permit and Shoreline Setback Variance (SSV) transfer approval letter from JAMES AGYROPOULUS to MAUI CAMELOT LLC in order to construct a hybrid revetment retaining wall fronting the shoreline at 475 Hana Highway, TMK: 2-6-009: 005, Kuau, Island of Maui. (SM1 2013/0015) (SSV 2013/0003) (J. Buika)

This is for information purposes.

2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Discussion of Future Maui Planning Commission Agendas
 - a. November 14, 2017 agenda items

H. NEXT REGULAR MEETING DATE: November 14, 2017

I. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SEC. 92-5(a)(4), HRS.

UNLESS OTHERWISE SPECIFIED BY ANOTHER SPECIFIC PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O the DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is on October 24, 2017 was on October 10, 2017.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST TWO MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY.

WRITTEN AND/OR EMAILED TESTIMONY REQUESTED SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA 2200 MAIN STREET SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634 AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES AND/OR EMAILS SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO ENSURE THAT IT IS CIRCULATED TO THE COMMISSION.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.
(S:\all\carolyn\102417.age)

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 09/28/2017 - 10/11/2017



County of Maui
Kalana O Maui Building
200 South High Street,
Wailuku, HI 96793-2155

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20170071	COM WAIPUILANI	COM WAIPUILANI COMFORT STATION OVERHEAD LINE	INSTALL 5' WOOD POLE/KIHEI	MECO	QUIGLESS	10/09/2017	A W/COND-APPROVED WITH CONDITIONS	2390010010000
SM2 - 20170075	HI2 PUUNENE - KAPALUA	HI2 PUUNENE - KAPALUA	CELL TOWER ALTERATIONS/LAHAINA	VERIZON WIRELESS	FASI	10/04/2017	A W/COND-APPROVED WITH CONDITIONS	2420040580000
SM2 - 20170076	WALDROP, VALERIE	WALDROP, VALERIE - RESIDENCE IN PUAMANA	INSTALL LANAI COVER W/CABLE RAIL/LAHAINA	VALERIE WALDROP	SCOTT	10/10/2017	A W/COND-APPROVED WITH CONDITIONS	2460300290000

Grand Total : 3

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 09/28/2017 - 10/11/2017



County of Maui
 Kalana O Maui Building
 200 South High Street,
 Wailuku, HI 96793-2155

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SMS - 20170190	PATRICK SPAULDING	HOUSE, GARAGE, RES, AG/HAIKU	PATRICK SPAULDING AND HOLLY HAINES	SEGUNDO	09/28/2017	A-APPROVED	2290020560000
SMS - 20170191	ALBANESE, DOUGLAS	AG DWELLING, EQUIP. SHED/HAIKU	DOUGLAS ALBANESE & MARY LYNC	WAIKIKI	10/02/2017	A-APPROVED	2280030070000
SMS - 20170192	DILLE, HAROLD & REBE	RENO STAIRS,BATH,LANAI/KIHEI	HAROLD & REBECCA DILLE		10/09/2017	A-APPROVED	2390420690000
SMS - 20170193	AIONA, KAMAUI	ENCLOSE LOWER DWELLING/HANA	KAMAUI AIONA		10/09/2017	A-APPROVED	2140060360000
SMS - 20170194	FULTON, TERRY/ELIZAB	SWIMMING POOL & SPA/KIHEI	ELIZABETH ANNE FULTON		10/09/2017	A-APPROVED	2390550170000

Grand Total : 5