

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

UNOFFICIAL AGENDA - HYPERLINKS TO MEETING MATERIALS
ADDED FOR INFORMATIONAL PURPOSES ONLY

DATE: NOVEMBER 28, 2017
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui 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

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 HEARING (action to be taken after public hearing.)

1. ANGELA ELIZA GONZALEZ-TROXEL and JON KEITH TROXEL requesting a State Land Use Commission Special Permit in order to operate the Keokea Ranch Estate, a three (3)-bedroom bed and breakfast located in the State Agricultural District at 337 Kealakapu Road, TMK: 2-2-002: 005, Kula, Island of Maui. (SUP2 2017/0018) (K. Willenbrink) [Report](#) [Exhibits](#) [Recommendation](#)

D. 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.) (previously scheduled for the October 24, 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.

E. COMMUNICATIONS

1. MR. WILLIAM SPENCE, Planning Director, notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of his intent to process the following time extension requests administratively:

MR. ALFRED FAIRBANKS requesting a Special Management Area Use Permit [two \(2\)-year time extension](#) to initiate construction of the Alahahele Estates Subdivision a 46-lot single family subdivision with related improvements at 0 Alahahele Place, TMK: 3-9-017: 034, Kihei, Island of Maui. (SM1 2007/0006) (J. Buika)

The Investigative Committee was created at the October 10, 2017 meeting. The Investigative Committee provided their report at the November 14, 2017 meeting.

The Commission may take action on the time extension request.

F. DIRECTOR'S REPORT

1. Designation of the Hana Advisory Committee to conduct the public hearing and provide their recommendation on the following request:

MS. PATRICIA MILLER requesting a State Land Use Commission Special Permit in order to operate the Hana Sanctuary, a two bedroom bed and breakfast home located in the State Agricultural District at 1840 Hana Highway, TMK: 1-3-002: 006, Hana, Island of Maui. (SUP2 2017/0013) (R. Quigless)

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.

2. SMA Minor Permit Report
3. SMA Exemptions Report
4. Discussion of Future Maui Planning Commission Agendas

a. December 12, 2017 agenda items

G. NEXT REGULAR MEETING DATE: December 12, 2017

H. 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 November 28, 2017 was on November 13, 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 RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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.

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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.
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