

MOLOKAI PLANNING COMMISSION
SUMMARY MINUTES
JUNE 27, 2018

[\(HYPERLINK TO AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

The regular meeting of the Molokai Planning Commission was called to order by Chairperson Lori Buchanan at approximately 11:04 a.m., Wednesday, June 27, 2018, at the Department of Accounting and General Services Conference Room, State Building, 45 Makaena Street, Phase I, Kaunakakai, Molokai.

A quorum of the Commission was present. (See Record of Attendance.)

(Agenda item B. begins at 00:00:32 of the Audio Recording)

B. INTRODUCTION OF NEW MEMBERS – JOHN PEREZ III and JOHN SPRINZEL

Chair Buchanan introduced new members John Perez III and John Sprinzel. Both members were in attendance, however, Mr. Perez did not complete his Oath of Office, therefore, he is unable to participate in the meeting.

***** Due to a notification error where the agenda was not posted at the meeting site six days prior to the meeting, Chair Buchanan announced that agenda item E.1. will be the only item reviewed and discussed at this meeting and that the remainder of agenda items will be deferred to the next meeting date. *****

C. 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 unless new or additional information will be offered. **Testimony will be limited to a maximum of three (3) minutes, with 30 seconds to conclude.**

No public testimony taken.

D. DIRECTOR'S REPORT - ***** Deferred - as noted at beginning of meeting *****

1. MR. WILLIAM SPENCE, Planning Director, notifying the Commission pursuant to the provisions of Section 12-302-13.1(a) of the Molokai Planning Commission's Special Management Area Rules that the following proposed action located within the Special Management Area is not a "development" and is therefore exempt from the requirements of the Molokai Planning Commission's Special Management Area Rules:

- a. MR. ROSS TANCAYO is submitting a Special Management Area (SMX) assessment application to construct a new two-story 1,885 sq. ft. single-family dwelling on a 6,000 sq. ft. vacant property located at 255 Kikipua St., Ranch Camp, Kaunakakai, Molokai, TMK (2) 5-3-010:010 (SMX 2018/0112) (Valuation: \$190,000) (S. Lopez)

The Commission may take action to waive or not waive its review.

- b. MR. RICHARD S. YOUNG, on behalf of MSM JOINT VENTURE LLC., is submitting a Special Management Area (SMX) assessment application to remove approximately 1500 sq. ft. of existing wood shake roofing, replace with corrugated metal roofing, remove existing entry door, replace with new wood door, and add a new window on a one story masonry and wood-frame commercial building used for retail shops located in the Kaunakakai Country Town Business District at 130 Ala Malama St., Kaunakakai, Molokai, TMK (2) 5-3-002:093 (SMX 2018/0163) (Valuation: \$4,700) (S. Lopez)

The Commission may take action to waive or not waive its review.

(Agenda item E.1. begins at 00:05:13 of the Audio Recording)

E. ADOPTION OF WRITTEN DECISION AND ORDER

1. Proposed Findings of Fact, Conclusions of Law and Decision and Order denying the request of MR. JON GIVENS for a Short-Term Rental Home Permit to operate a three-bedroom short-term rental home at 10444 Kamehameha V Highway, TMK: (2) 5-7-003: 006, Waialua, Island of Molokai. (STMO T2017/0006) (S. Lopez)

The Commission may take action to adopt, adopt with modifications, or take some other action regarding the proposed Findings of Fact, Conclusions of Law, and Decision and Order.

(A motion was made at 00:07:29 of the Audio Recording)

It was moved by Commissioner Leonora Espaniola, seconded by Commissioner Laakea Poepoe, then

(Vote was taken at 00:16:56 of the Audio Recording)

VOTED: to adopt the Findings of Fact, Conclusions of Law, and Decision and Order with modifications to the Conclusions of Law adding a no. 5 that states the Commissioners did not find evidence to

support the granting of the STRH permit based on (3), (4), (5), (6), and (7), and add a reference to page 42 of the Molokai Planning Commission October 11, 2017 Meeting Minutes to support condition no. 5; and to renumber the second no. 4 of the Conclusions of Law as no. 6, and no. 5 as no. 7.

(Assenting: B. Buchanan; L. Espaniola; L. Lasua; W. Moore; J. Nuesca; L. Poepoe; J. Sprinzel)

(Excused: J. Pele)

F. UNFINISHED BUSINESS - **** Deferred - as noted at beginning of meeting ****

1. MR. WILLIAM SPENCE, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to allow for the temporary extension of any State Special Permit, Conditional Permit, Bed and Breakfast Home Permit, Short-Term Rental Home Permit, or County Special Use Permit while an application for the permit's extension or renewal is being processed, unless the applicant causes substantial delay in processing. (D. Raatz) (Public hearing conducted on June 13, 2018 and documents were distributed for the June 13, 2018 meeting.)

A recommendation can be made to Council on the proposed amendments.

2. MR. WILLIAM SPENCE, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to prohibit or suspend the processing of an application for land use on a parcel that is the subject of a pending enforcement action by the Planning Department. (D. Raatz) (Public hearing conducted on June 13, 2018 and documents were distributed for the June 13, 2018 meeting.)

A recommendation can be made to Council on the proposed amendments.

3. MR. WILLIAM SPENCE, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code to redefine "lot width." (D. Raatz) (Public hearing conducted on June 13, 2018 and documents were distributed for the June 13, 2018 meeting.)

A recommendation can be made to Council on the proposed amendments

G. DIRECTOR'S REPORT - **** Deferred - as noted at beginning of meeting ****

1. Pending Molokai Applications Report generated by the Planning Department with the June 27, 2018 Agenda Packet (Appendix – A)

2. Closed Molokai Applications Report generated by the Planning Department with the June 27, 2018 Agenda Packet (Appendix – B)
 3. Agenda Items for the July 11, 2018 meeting
- H. NEXT SCHEDULED REGULAR MEETING DATE: JULY 11, 2018
- I. ADJOURNMENT

The meeting was adjourned at approximately 11:23 p.m.

Submitted by,

SUZETTE ESMERALDA
Secretary to Boards & Commissions II

RECORD OF ATTENDANCE:

Present:

Lori Buchanan, Chairperson
Lawrence Lasua, Vice-Chairperson
Leonora Espaniola
William Moore
Jaylene Nuesca
John Perez, III (Non-Participating/No Oath of Office)
Laakea Poepoe

Absent(A)/Excused(E):

John Pele (E)

Others:

David Raatz, Administrative Planning Officer
Sybil Lopez, Staff Planner, Molokai
Mimi Desjardins, Deputy Corporation Counsel
Suzette Esmeralda, Secretary to Boards & Commissions II