

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
AUGUST 14, 2018**

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

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Keaka Robinson at approximately 9:03 a.m., Tuesday, August 14, 2018, 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. INTRODUCTION OF NEW MEMBER – KELLIE PALI

C. PUBLIC TESTIMONY - Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three (3) minutes.**

D. PUBLIC HEARING (Action to be taken after conclusion of public hearing.)

1. MS. HEATHER HARDE and MR. PAVEL HLADIS requesting a Bed & Breakfast Home Permit in order to operate the Kulani Maui, a six (6)-bedroom bed & breakfast home located in the R-2 Residential District at 441 Ilikahi Street, TMK: 4-6-006:004, Lahaina, Island of Maui, Hawaii (BBWM T2017/0004) (L. Callentine)

The application is subject for review to Maui Planning Commission review because there is at least one (1) permitted bed and breakfast home operation located within 500 ft. of the subject property.

(Discussion begins at 00:01:30 of the audio recording.)

(Motion was made at 00:50:45 of the audio recording.)

It was moved by Mr. Carnicelli, seconded by Kahu Hill, then

(Vote was taken at 00:52:55 of the audio recording.)

**VOTED: To Approve the Bed and Breakfast Home Permit as Recommended by the Department with 18 Conditions.
(Assenting – L. Carnicelli, A. Hill, K. Pali, L. Hudson, C. Tackett,
S. Castro, P.D. La Costa)
(Excused – T. Gomes)**

E. COMMUNICATIONS

1. JOHN DUNBAR requesting a 5-year time extension on the Land Use Commission Special Permit and the Bed and Breakfast Home Permit in order to continue to operate the Maui Adventure Villa, a bed and breakfast home located

in the State Agricultural District at 192 Kaokoa Way, TMK: 2-8-002: 034, Haiku, Island of Maui. (SUP2 2016/0008) (BBPH 2017/0001) (K. Willenbrink)

The Commission may take action on this request.

(Discussion begins at 00:53:23 of the audio recording.)

(Motion was made at 01:18:53 of the audio recording.)

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

(Vote was taken at 01:20:58 of the audio recording.)

VOTED: To Approve the Five-Year Time Extension of the Land Use Commission Special Permit Bed with 7 Conditions and Breakfast Home Permit with 18 Conditions as Recommended by the Department.
(Assenting – L. Carnicelli, S. Castro, A. Hill, K. Pali, L. Hudson, C. Tackett, P.D. La Costa)
(Excused – T. Gomes)

2. MR. GALE NOTESTONE, Chair of the Hana Advisory Committee, transmitting its recommendations on the following:
 - a. WILLIAM SPENCE, then-Planning Director, transmitting the following requests for the proposed Nahiku Community Center to be located on approximately 1.9 acres of land at 0 Nahiku Road, TMK: (2) 1-2-002:023, Nahiku, Hana, Island of Maui (P. Fasi) (Public hearing conducted on October 26, 2017)
 - 1) Community Plan Amendment from Agriculture to Public/Quasi-Public, (CPA 2017/0002);
 - 2) State Land Use District Boundary Amendment from State Agriculture District to State Rural District, (DBA 2017/0002);
 - 3) Change of Zoning from Agriculture to P-1 Public\Quasi-Public, (CIZ 2017/0002);
 - b. 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: (2) 1-2-002: 023, Nahiku, Hana, Island of Maui. (SM1 2017/0002) (P. Fasi) (Public hearing conducted on October 26, 2017)

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.

- c. TERRY KRISTIANSEN, IRENE PAVAO, and JOHN BLUMER BUELL submitted a Petition to intervene on the applications for the Nahiku Community Center on the land use entitlement requests by the Planning Director and the Special Management Area Use Permit request by the Parks Department by intervention request received on October 10, 2017. They represent themselves and MOKE BERGAU, ELLEN KAHOOKELE, JEAN MARY KAHOOKELE, JEFFREY C. PAISNER, MAX MATTSON, JAMES KAHOOKELE III, TERESA ALLRED, and SHARON KAHOOKELE.

The Commission needs to take action on the Petition to Intervene request before taking action on the Planning Department initiated land use entitlement requests and the Parks Department Special Management Area Use Permit request.

Should the Commission act to grant the Petition to Intervene then the Commission may act to select a Hearings Officer/Hearings Panel and Mediator.

Should the Commission act to deny the Petition to Intervene on either the land use entitlement request or the Special Management Use Permit request then the Commission could take action on that request.

(Discussion begins at 01:21:17 of the audio recording.)

- b. 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: (2) 1-2-002: 023, Nahiku, Hana, Island of Maui. (SM1 2017/0002) (P. Fasi) (Public hearing conducted on October 26, 2017)

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.

- c. TERRY KRISTIANSEN, IRENE PAVAO, and JOHN BLUMER BUELL submitted a Petition to intervene on the applications for the Nahiku Community Center on the land use entitlement requests by the Planning Director and the Special Management Area Use Permit request by the Parks Department by intervention request received on October 10, 2017. They represent themselves and MOKE BERGAU, ELLEN KAHOOKELE, JEAN MARY KAHOOKELE, JEFFREY C. PAISNER, MAX MATTSON,

JAMES KAHOOKELE III, TERESA ALLRED, and SHARON KAHOOKELE.

(Motion was made at 02:41:20 of the audio recording.)

It was moved by Ms. La Costa, seconded by Mr. Carnicelli, then

(Vote was taken at 02:41:57 of the audio recording.)

**VOTED: To Defer Action on the Petition to Intervene Until Either the County Council Takes Action on the Community Plan Amendment, District Boundary Amendment and Change of Zoning or Either or Both Parties Request the Petition to Intervene to be Considered.
(Assenting – P D. La Costa, L. Carnicelli, S. Castro, A. Hill, K. Pali, C. Tackett)
(Excused – T. Gomes, L. Hudson)**

(Motion was made at 02:46:18 of the audio recording.)

A Motion was made by Mr. Carnicelli to Deny the Petition to Intervene Regarding the Community Plan Amendment, District Boundary Amendment and Change of Zoning Which He Withdrew His Motion After No Second was Received.

After further discussion:

(Motion was made at 02:51:27 of the audio recording.)

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

(Vote was taken at 02:56:42 of the audio recording.)

**VOTED: To Deny the Petition to Intervene on the Community Plan Amendment, District Boundary Amendment, and Change of Zoning.
(Assenting – C. Tackett, L. Carnicelli, A. Hill, K. Pali, S. Castro – Abstain, P.D. La Costa - Abstain)
(Excused – T. Gomes, L. Hudson)**

- a. WILLIAM SPENCE, then-Planning Director, transmitting the following requests for the proposed Nahiku Community Center to be located on approximately 1.9 acres of land at 0 Nahiku Road, TMK: (2) 1-2-002:023, Nahiku, Hana, Island of Maui (P. Fasi) (Public hearing conducted on October 26, 2017)
- 1) Community Plan Amendment from Agriculture to Public/Quasi-Public, (CPA 2017/0002);
 - 2) State Land Use District Boundary Amendment from State Agriculture District to State Rural District, (DBA 2017/0002);
 - 3) Change of Zoning from Agriculture to P-1 Public\Quasi-Public, (CIZ 2017/0002);

(Discussion begins at 02:57:47 of the audio recording.)

(Motion was made at 04:59:18 of the audio recording.)

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

(Vote was taken at 04:59:40 of the audio recording.)

**VOTED: To Recommend Approval of the Community Plan Amendment, District Boundary Amendment, and Change of Zoning to the County Council as Recommended by the Department and with the Commission's Comments Noted.
(Assenting – C. Tackett, L. Carnicelli, A. Hill, K. Pali, S. Castro, P.D. La Costa)
(Excused – T. Gomes, L. Hudson)**

- b. 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: (2) 1-2-002: 023, Nahiku, Hana, Island of Maui. (SM1 2017/0002) (P. Fasi) (Public hearing conducted on October 26, 2017)

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.

(Motion was made at 05:01:31 of the audio recording.)

It was moved by Ms. Pali, seconded by Mr. Carnicelli, then

(Vote was taken at 05:01:50 of the audio recording.)

**VOTED: To Defer Action on Special Management Area Use Permit.
(Assenting – K. Pali, L. Carnicelli, S. Castro, A. Hill, C. Tackett, P D. La Costa)
(Excused – T. Gomes, L. Hudson)**

F. DIRECTOR'S REPORT

1. MS. MICHELE MCLEAN, Planning Director, notifying the Maui Planning Commission pursuant to the provision's of the Maui Planning Commission's SMA Rules of the issuance of the following Special Management Area Emergency Permit:

MR. CARL HARDIN, President of the HONO KOA CONDOMINIUM ASSOCIATION receiving an SMA Emergency Permit approval letter dated July 17, 2018 for the demolition of the existing sun deck and to clear the cavity walls and remove overburden by hand and shovel; line the cavity with two (2) layers of geotextile fabric; place sand in the cavity up to the grade of the adjacent grassy area and landscape with salt-tolerant vegetation for property located at 3801 Lower Honoapiilani Road, TMK: (4-3-006: 014, Lahaina, Island of Maui. (SM2 2018/0009) (K. Scott)

This is for notification and review purposes.

The Commission had no questions.

(Discussion begins at 05:03:08 of the audio recording.)

2. Designation of the Hana Advisory Committee to conduct the public hearing and provide a recommendation on the following application:

RICHARD LEE LOPEZ and DEVIN LOPEZ requesting a Bed and Breakfast Home Permit in order to operate the Hana Aloha Hale, a two (2)-bedroom bed and breakfast located in the Interim District at 6820 Hana Highway, TMK: (2) 1-4-010: 018, Hana, Island of Maui. (BBHA T2018/0001) (R. Quigless)

There is at least one permitted bed and breakfast home operation located within 500 feet of the subject property.

The Commission may take action to designate that the Hana Advisory Committee conduct the public hearing and provide a recommendation on the subject application request or take some other action.

(Motion was made at 05:03:37 of the audio recording.)

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

(Vote was taken at 05:03:41 of the audio recording.)

VOTED: To Designate the Hana Advisory Committee to Conduct the Public Hearing.
(Assenting – L. Carnicelli, C. Tackett, S. Castro, A. Hill, K. Pali, P D. La Costa)
(Excused – T. Gomes, L. Hudson)

(Discussion begins at 05:03:53 of the audio recording.)

3. SMA Minor Permit Report

This is for notification and review purposes. No action is anticipated.

4. SMA Exemptions Report

This is for notification and review purposes. No action is anticipated.

Commission had no questions on the SMA Minor and SMA Exemption Reports.

5. Proposed Meeting Schedule for Calendar Year 2019

The Commission may take action to approve or modify the meeting schedule.

Item deferred to the next agenda to check on date in May

6. Discussion of Future Maui Planning Commission Agendas

a. August 28, 2018 agenda items

G. NEXT REGULAR MEETING DATE: AUGUST 28, 2018

H. ADJOURNMENT

The meeting was adjourned at approximately 3:58 p.m.

Submitted by,

Carolyn Takayama-Corden
Secretary to Boards & Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli
Steven Castro
Kahu Alalani Hill
Larry Hudson, Vice-Chairperson
P. Denise La Costa
K. Pali
Keaka Robinson, Chairperson
Christian Tackett

Excused

Tina Gomes

Others

Michele McLean, Director, Planning Department
David Galazin, Deputy Corporation Counsel, Department of the Corporation Counsel