

**MAUI PLANNING COMMISSION  
SUMMARY MINUTES  
OCTOBER 23, 2018**

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

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairperson Keaka Robinson at approximately 9:02 a.m., Tuesday, October 23, 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.)

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

*(Motion was made at 00:00:25 of the audio recording.)*

*(Vote was taken at 00:00:40 of the audio recording.)*

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

**VOTED: To Go into Executive Session to Consult with Their Attorney on Questions Pertaining to the Commission's Powers, Duties, Privileges, Immunities and Liabilities, Pursuant to Section 92-5(a)(4), Hawaii Revised Statutes.**

**(Assenting – L. Carnicelli, A. Hill, L. Carnicelli, T. Gomes, C. Tackett,  
P D. La Costa)  
(Excused – L. Hudson, K. Pali)**

*(The Planning Commission recessed the regular meeting at approximately 9:03 a.m. to enter into Executive Session. The Planning Commission reconvened the regular meeting at approximately 9:43 a.m.)*

**B. PUBLIC HEARINGS** (Action to be taken after each public hearing.)

1. MR. DEREK HOYTE of D&S VENTURES, LLC requesting a County Special Use Permit for the Camp Maui Project in order to retain, rehabilitate, and improve a historic site with accessory guided tours including a challenge course, museum, ziplines and onsite parking on 17.519 acres in the County Agricultural District at 2065 Kauhikoa Road, TMK: 2-7-012: 086 (por.), Haiku, Island of Maui. (CUP 2015/0002) (P. Fasi)

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

*(Item B 1 begins at 0:01:25 of the audio recording.)*

Ms. McLean indicated to the Commissioners that this matter is a rehearing on remand based on Judge Lu's decision.

Deputy Corporation Counsel Galazin explained the rules that the Commission would be operating by. He noted there is an Objection to Contested Case Hearing Procedures to which D & S Ventures, LLC Counsel, Cal Chipchase indicated they do not withdraw their objection.

The Commission allowed Mr. Chipchase to present their Objection to the Contested Case Procedures.

*(Motion was made at 00:41:38 of the audio recording.)*

*(Vote was taken at 00:43:00 of the audio recording.)*

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

**VOTED: To Deny the Objection to Contested Case Hearing Procedures.**

**(Assenting – L. Carnicelli, P D. La Costa, A. Hill, T. Gomes,  
C. Tackett, S. Castro)**

**(Excused – L. Hudson, K. Pali)**

A recess was taken at 10:27 a.m., and the meeting was reconvened at 10:40 a.m.

*(The presentation by the Department of the application followed by the applicant begins at 0:46:25 of the audio recording.)*

**At 12:52 p.m., Chair Robinson recessed Item B.1 to December 11, 2018 at 9:00 a. m.**

**C. Workshop on the Planning Department's proposed amendments to the Maui Planning Commission's Special Management Area Rules and Shoreline Area Rules conducted by Planning Department Staff. (M. McLean)**

The workshop is for information purposes.

*(Item C begins at 02:38:53 of the audio recording.)*

**B. CONTINUATION OF PUBLIC HEARINGS** (Action to be taken after each public hearing.)

2. WILLIAM JAMES HEANEY III AND ALEJANDRA HEANEY requesting a Short-Term Rental Home Permit in order to operate a three (3)-bedroom short-term rental home in the R-3 Residential District at 40 Halelo Street, TMK: 4-4-009:001, Lahaina, Island of Maui. (STWM T2017/0029) (L. Callentine)

This application is being referred to the Maui Planning Commission for action because there are at least two (2) permitted short-term rental homes located within 500 feet of the subject property.

*(Item B 2 begins at 04:23:20 of the audio recording.)*

*(Motion was made at 04:43:49 of the audio recording.)*

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

*(Vote was taken at 04:48:33 of the audio recording.)*

**VOTED: To Approve the Short-Term Rental Home Permit as Recommended by the Department with the Additional Condition that the House Rules Shall Include Environmental and Cultural Education for Guests.**

**(Assenting – S. Castro, P D. La Costa, L. Carnicelli, A. Hill, T. Gomes, C. Tackett)  
(Excused – L. Hudson, K. Pali)**

#### **D. DIRECTOR'S REPORT**

*(Item D begins at 04:48:53 of the audio recording.)*

1. Native Hawaiian Law Workshop

Four members will be allowed to attend the next workshop on Maui on December 7, 2018 at the Cameron Center. Information will be forthcoming.

2. SMA Minor Permit Report distributed with the October 9, 2018 agenda packet (The Commission lost quorum before it got to this item.)

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

3. SMA Exemptions Report distributed with the October 9, 2018 agenda packet (The Commission lost quorum before it got to this item.)

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

4. SMA Minor Permit Report

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

5. 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.

6. Discussion of Future Maui Planning Commission Agendas
  - a. November 13, 2018 agenda items

Ms. McLean noted there are five public hearing items scheduled for the November 13, 2018 meeting and that the remaining meetings will also be full agendas.

**E. NEXT REGULAR MEETING DATE: NOVEMBER 13, 2018**

**F. ADJOURNMENT**

The meeting was adjourned at 4:14 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

**Present**

Lawrence Carnicelli  
Stephen Castro  
Tina Gomes  
Kahu Alalani Hill  
P Denise La Costa  
Keaka Robinson, Chair  
Christian Tackett

**Excused**

Larry Hudson, Vice-Chair  
Kellie Pali

**Others**

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