

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
JANUARY 28, 2020**

(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 Lawrence Carnicelli at approximately 9:03 a.m., Tuesday, January 28, 2020, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

B. PUBLIC HEARING

1. CHRISTINE HELE YASAK NAMAU'U requesting a State Land Use Commission Special Permit to operate Kekihapai, a three-bedroom Bed and Breakfast, on property located in the State Agricultural District, at 950 Pulehu Road, Kula, Island of Maui, Hawaii, TMK: (2) 2-3-060:030 (SUP2 2019/0018) (R. Quigless)

(Item B.1 begins at 00:06:21 of the audio recording.)

(Motion was made at 00:18:08 of the audio recording.)

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

(Vote was taken at 00:18:20 of the audio recording.)

VOTED: To Approve the State Land Use Commission Special Permit as Recommended by the Department.

**(Assenting – K. Freitas, P. D. La Costa, D. Thompson, K. Pali,
C. Tackett, S. Castro, K. Robinson - abstained)
(Excused – T. Gomes)**

C. COMMUNICATIONS

1. BRADLEY and ROBIN NEWTON requesting a State Land Use Commission Special Permit to operate the Hana Nautilus, a three-bedroom short-term rental home, on property located in the State Agricultural District, at 2575A Hana Highway, Hana, Island of Maui, Hawaii, TMK: (2) 1-3-003:015-0001 (SUP2 2019/0006) (R. Quigless)

(Item C.1 begins at 00:18:58 of the audio recording.)

(Motion was made at 00:29:29 of the audio recording.)

It was moved by Mr. Robinson, seconded by Mr. Thompson, then unanimously

(Vote was taken at 00:39:59 of the audio recording.)

VOTED: To Approve the State Land Use Commission Special Permit as Recommended by the Hana Advisory Committee and the Department subject to the eight conditions with the amendment to Condition No. 2, deleting the second sentence.

**(Assenting – K. Robinson, D. Thompson, K. Freitas, K. Pali,
C. Tackett, S. Castro, P. D. La Costa)**

(Excused – T. Gomes)

2. MONYCA and OLAMANA ELEOGRAM requesting a State Land Use Commission Special Permit in order to operate The Farm Cottage, a one bedroom bed and breakfast located on approximately 5.189 acres in the State Agricultural District at 180 Ulaino Road, TMK: (2) 1-3-009: 060, Hana, Island of Maui. (SUP2 2019/0011) (R. Quigless)

(Item C.2 begins at 00:40:35 of the audio recording.)

(Motion was made at 00:47:43 of the audio recording.)

It was moved by Mr. Thompson, seconded by Mr. Castro, then unanimously

(Vote was taken at 00:48:47 of the audio recording.)

VOTED: To Approve the State Land Use Commission Special Permit as Recommended by the Hana Advisory Committee and the Department subject to the eight conditions with the amendment to Condition No. 2, deleting the second sentence.

**(Assenting – D. Thompson, S. Castro, K. Freitas, K. Pali,
K. Robinson, C. Tackett, P. D. La Costa)**

(Excused – T. Gomes)

D. UNFINISHED BUSINESS

1. BRE ICONIC GWR OWNER LLC, requesting a Special Management Area Use Permit, Step 1 Planned Development Approval, and Step 2 Planned Development Approval for the Grand Wailea Resort to transfer “H-2 Hotel” and “OS Open Space” zoning designation areas, update facilities and create 224 new guest room units, renovate and expand the resort swimming pool and restaurant facilities, expand the parking structure from three to five levels to provide 316 additional parking stalls, removal of the Seaside Chapel Structure, addition of approximately 30 public beach parking stalls, and related landscape, utility, and infrastructure improvements at 3850 Wailea Alanui Drive, Wailea, Island of Maui,

TMK (2) 2-1-008:109. (SM1 2018/0011) (PD1 2019/0001) (PD2 2018/0003)
(A. Cua) (Public hearing was held on May 28, 2019)

(Report from the May 28, 2019 meeting) (Members please bring your report from the May 28, 2019 meeting)

- a. MALAMA KAKANILUA represented by its President CLARE H. APANA, PELE DEFENCE FUND represented by its President PALIKAPU DEDMAN, and HO`OPONOPONO O MAKENA represented by its President ASHFORD KALEOLANI DELIMA, submitting a Petition to Intervene dated June 25, 2019 on the above mentioned application from BRE ICONIC GWR OWNER LLC.
 - 1) Action of the Petition to Intervene
 - 2) If the Commission acts to grant the Petition to Intervene, then the Commission may select a Hearing Body/Hearings Officer.
- b. If the Commission denies the Petition to Intervene, then they may take action on the application request.
- c. WILLIAM MEHEULA, ESQ., Attorney for BRE ICONIC GWR OWNER, LLC'S submitting a Statement of No Opposition To Petitioners' Petition To Intervene Filed June 28, 2019.

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 D.1 begins at 00:49:25 of the audio recording.)

(Motion was made at 03:02:03 of the audio recording.)

It was moved by Mr. Tackett, seconded by Mr. Castro, then unanimously

(Vote was taken at 03:20:52 of the audio recording.)

VOTED: To Grant the Petition to Intervene.

**(Assenting – C. Tackett, S. Castro, D. Thompson, K. Freitas, K. Pali,
K. Robinson, P. D. La Costa)**

(Excused – T. Gomes)

(Motion was made at 04:26:40 of the audio recording.)

It was moved by Ms. Pali, seconded by Mr. Robinson, then unanimously

(Vote was taken at 04:27:33 of the audio recording.)

VOTED: To Have Linden H. Joesting as the Hearing Officer.

**(Assenting – K. Pali, K. Robinson, D. Thompson, K. Freitas,
C. Tackett, S. Castro, P. D. La Costa)**

(Excused – T. Gomes)

(Motion was made at 04:31:37 of the audio recording.)

It was moved by Ms. Pali, seconded by Ms. La Costa, then unanimously

(Vote was taken at 04:33:50 of the audio recording.)

VOTED: To Have Gerald Lam as the Mediator.

**(Assenting – K. Pali, P. D. La Costa, D. Thompson, K. Freitas,
K. Robinson, C. Tackett, S. Castro)**

(Excused – T. Gomes)

E. DIRECTOR'S REPORT

(Item E begins at 04:35:23 of the audio recording.)

1. SMA Minor Permit Report

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

2. SMA Exemptions Report

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

There were no questions or comments on the SMA Minor and SMA Exemptions Reports.

3. Discussion of Future Maui Planning Commission Agendas

a. February 11, 2020 agenda items

Ms. McLean went over the items scheduled for the February 11, 2020 agenda.

F. NEXT REGULAR MEETING DATE: FEBRUARY 11, 2020

G. ADJOURNMENT

The meeting was adjourned at 3:02 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli, Chair
Stephen Castro
Kawika Freitas
Tina Gomes (in attendance at 10:38 a.m. and excused at 12:13 p.m.)
P Denise La Costa (excused from 2:01 p.m. to 2:24 p.m.)
Kellie Pali
Keaka Robinson
Christian Tackett, Vice Chair
Dale Thompson

Others

Michele McLean, Director, Department of Planning
David Galazin, Deputy Corporation Counsel, Department of the Corporation Counsel
Jordan Molina, Deputy Director, Department of Public Works