

**MAUI PLANNING COMMISSION  
SUMMARY MINUTES  
MARCH 10, 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 9:04 a.m., Tuesday, March 10, 2020, Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui.

**B. NEW BUSINESS**

1. LEILANI PULMANO, H2R, LLC, requesting review and comments on the Draft Environmental Assessment (DEA) in support of the Special Management Area Use Permit for the proposed H-2 Residential Project, consisting of 53 condominium residential lots, beach parking, rock walls, and related infrastructure improvements, located on approximately 28 acres of land along Makena Alanui Road in the H-M Hotel District and the PK-Golf Course District, TMK's: (2) 2-1-005:085 and 120 (portion), Makena, Island of Maui (EA 2020/0001) (SM1 2019/0008) (A.Cua)

The Maui Planning Commission is the approving agency.

Links to the Draft Environmental Assessment:

Volume I

[http://oeqc2.doh.hawaii.gov/Doc\\_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-I.pdf](http://oeqc2.doh.hawaii.gov/Doc_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-I.pdf)

Volume II, Part 1

[http://oeqc2.doh.hawaii.gov/Doc\\_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-II-part-1.pdf](http://oeqc2.doh.hawaii.gov/Doc_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-II-part-1.pdf)

Volume II, Part 2

[http://oeqc2.doh.hawaii.gov/Doc\\_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-II-part-2.pdf](http://oeqc2.doh.hawaii.gov/Doc_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-II-part-2.pdf)

*(Item B.1 begins at 00:01:30 of the audio recording.)*

*(Motion was made at 02:29:03 of the audio recording.)*

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

*(Vote was taken at 02:29:56 of the audio recording.)*

**VOTED: To Submit the Comments as Stated by the Commission and as Repeated by Staff.**

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

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

1. BRADLEY DRESSLER and ANNE PAWSAT-DRESSLER requesting a Short Term Rental Home Permit in order to operate Beach Paradise, a six bedroom STRH located on a .433 acre oceanfront lot in the A-1 Apartment District. The property is located at 1290 Uluniu Road, Kihei, Island of Maui, TMK (2) 3-9-008:005-0002. (STKM T2019/0003) (J. Burkett)

The matter is being brought before the Maui Planning Commission for review because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

*(Item C.1 begins at 02:30:42 of the audio recording.)*

*(Motion was made at 02:43:37 of the audio recording.)*

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

*(Vote was taken at 02:44:56 of the audio recording.)*

**VOTED: To Approve the Short-Term Rental Home Permit as Recommended by the Department.**

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

**D. ADOPTION OF WRITTEN DECISION AND ORDER**

1. Proposed Findings of Fact, Conclusions of Law, and Decision and Order denying the request for a State Land Use Commission Special Permit (SUP2) by MICHAEL and MI RA FINNEGAN to operate Hale O Ka Pua B&B, a two-bedroom bed and breakfast located in the State Agricultural District located at 2350 Aina Mahiai Place, TMK: (2) 4-4-020:036, Lahaina, Island of Maui. (SUP2 2019/0008) (J. Burkett) (Action on the application was taken by the Commission following public hearing at the November 12, 2019 meeting.) (Matter was deferred from the February 25, 2020 meeting)

- a. MICHAEL C. CARROLL, Attorney of BAYS LUNG ROSE & HOLMA on behalf of MICHAEL and MI RA FINNEGAN submitting Petitioner Michael and Mi Ra Finnegan's Statement of Exceptions and Objections to the Proposed Findings of Fact, Conclusions of Law, and Decision and Order Denying a State Land Use Commission Special Permit for Hale O Ka Pua Bed and Breakfast located in the State Agricultural District located at 2350 Aina Mahiai Place, TMK: (2) 4-4-020:036, Lahaina, Island of Maui. (SUP2 2019/0008)

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

*(Item D.1 begins at 02:45:41 of the audio recording.)*

*(Motion was made at 03:01:19 of the audio recording.)*

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

*(Vote was taken at 03:02:02 of the audio recording.)*

**VOTED: That the Commission Having Reviewed the Applicant's Statement of Exceptions and Objections and Motion to Vacate Adopt the Decision and Order with the Amendment on Page 7 to Add the Effective Date of March 10, 2020 to the Decision and Order.**

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

**(Dissenting – D. Thompson)**

**(Excused – T. Gomes)**

## **E. DIRECTOR'S REPORT**

*(Item E begins at 03:02:46 of the audio recording.)*

Ms. McLean noted in regards to a status update regarding the Grand Wailea matter the correspondence that was distributed to the Commission indicates that mediation was not successful and also circulated was the disclosure document from the hearing officer.

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.

Ms. La Costa asked for more information regarding the SMA requirement for the Wind and Sea Residence in Paia on the SMA Exemption Report.

3. Discussion of Future Maui Planning Commission Agendas
  - a. March 24, 2020 agenda items

Ms. McLean went over the items scheduled for the March 24, 2020 agenda.

Mr. Carnicelli asked that a resolution thanking Commissioner Robinson for his service be added as it is his last meeting.

**F. NEXT REGULAR MEETING DATE: MARCH 24, 2020**

**G. ADJOURNMENT**

The meeting was adjourned at 1:00 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  
P Denise La Costa  
Kellie Pali  
Keaka Robinson  
Christian Tackett, Vice Chair  
Dale Thompson

**Excused**

Tina Gomes

**Others**

Michele McLean, Director, Department of Planning  
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel  
Jordan Molina, Deputy Director, Department of Public Works