

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, AND THE GOVERNOR'S EMERGENCY PROCLAMATIONS RELATED TO THE COVID-19 CRISIS, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AMENDED AGENDA
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: JANUARY 12, 2021
TIME: 9:00 A.M.
PLACE: Online only via BlueJeans; **Meeting ID: 659 243 786**

Members: Lawrence Carnicelli (Chair), Christian Tackett (Vice-Chair), Stephen Castro, Jerry Edlao, Kawika Freitas, Melvin Hipolito, P. Denise La Costa, Kellie Pali, Dale Thompson

ITEM D – Additional Exhibit has been added.

A. CALL TO ORDER

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

To listen to the meeting or provide oral testimony via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter **code: 659 243 786**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/659243786>

To provide written testimony, email comments to planning@mauicounty.gov by noon, one business day before the meeting to ensure distribution to the commission.

Testifiers will be called by the Chair to offer their testimony and are asked to mute their audio and video when they are not testifying.

Testifiers via video are asked to sign-up using the Chat function providing your name and the item you're wishing to testify on. Testifiers via phone will be called by the Chair after video testimony is finished.

Commissioners shall not be contacted by the Chat function

B. NEW BUSINESS

1. Final Environmental Assessment prepared for the Proposed Kahului Harbor Hawaiian Cement Facility Relocation Project located at the Kahului Harbor Facility, Kahului, Maui, Hawaii: TMK: (2) 3 7 010:003 (Por.), 009(Por.), 034(Por.), and 035(Por.) (SM1 2020/0008)(SSV 2020/0001) (SSA 2020/0033) (EA 2020/0003) (K. Wollenhaupt) ([Memorandum](#)) ([Final EA](#))

[\(Documents received after posting\)](#)

C. COMMUNICATIONS

1. The Hana Advisory Committee transmitting their recommendation on the following:
 - a) MS. MICHELE CHOUREAU MCLEAN, AICP, Planning Director, transmitting proposed amendments to Title 19 of the Maui County Code, Chapter 19.69 relating to Urban Reserve District regarding permitted uses, minimum development standards and height regulations. (J. Takakura) [\(Report\)](#) [\(Documents received after posting\)](#)

The Commission may transmit the Hana Advisory Committee's recommendation to the Maui County Council.

2. MS. MICHELE CHOUREAU MCLEAN, Planning Director, notifying the Maui Planning Commission pursuant to Section 12-202-17(e) of the Maui Planning Commission's SMA Rules of her intent to process the following time extension requests administratively:
 - a) MR. RYAN SCHULTZ, VICE-PRESIDENT OF DEVELOPMENT OF VERSA REAL ESTATE representing MAKAI V, LLC, requesting a two-year time extension on the Special Management Area Use Permit condition to initiate construction of the Nalu Ola West Subdivision at TMK 2-5-004: 055, 068, 069, and 022, 2 7-004: 007, 048, 049, 052, 053, 054, 055, 056, and 058, Haiku, Island of Maui (SM1 2014/0004) (C. Thackerson) [\(Request\)](#) [\(Documents received after posting\)](#)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

- b) KAI ANI DEVELOPMENT, INC. requesting a two-year time extension on the Special Management Area Use Permit condition to initiate construction of the Cove Beach Village Apartment Condominium Complex on approximately one acre of land, located at 82 Kanani Road, Kihei, Island of Maui, Hawaii, TMK: (2) 3-9-016:004 (SM1 20014/0005) (P. Fasi) [\(Request\)](#) [\(Documents received after posting\)](#)

The Commission shall acknowledge receipt of the request. The Commission may decide whether to waive its review or review the time extension request at a future meeting.

D. NOTICE OF APPEAL

Pursuant to Chapter 91, Hawaii Revised Statutes, and Maui Planning Commission Rule 12-201-119, no public testimony will be taken for this matter

1. [ASSOCIATION OF APARTMENT OWNERS OF HOLOLANI AND SHARON WRIGHT'S NOTICE OF APPEAL FROM NOTICE OF VIOLATION NO. NOV 2020-0061, AS CORRECTED](#), filed by Paul Alston, Pamela W. Bunn and Timothy H. Irons, Dentons US LLP, attorneys for Appellants Association of Apartment Owners of Hololani and Sharon Wright. (APPL 2020/0005) (J. Dack)
2. [NOTICE OF APPEAL TO THE MAUI PLANNING COMMISSION FROM NOTICE OF VIOLATION 2020/0061, DATED JULY 9, 2020](#), filed by Jeffrey Ueoka, Mancini, Welch & Geiger, attorney for Appellant Goodfellow Bros., LLC. (APPL 2020/0004) (J. Dack)

This matter involves a Notice of Violation issued by the Planning Department for the use of heavy equipment in the shoreline setback area and in the ocean, and failure to implement Best Management Practices, pursuant to Special Management Area Use Permit SM1 2014/0001 and Shoreline Setback Variance SSV 2014/0001, approved on June 14, 2016, and Special Management Area permit exemption SM5 2019/0205 and Shoreline Setback Approval SSA 2019/0050, issued on October 15, 2019, for temporary sandbag repairs and additional maintenance at the shoreline fronting the sheet pile wall for the Hololani Resort Condominiums, located at 4401 Lower Honoapiilani Road and placement of new sandbags. ([Stipulation Regarding Hearing Procedural Matters](#))

[\(County's witness list and exhibits\)](#)

[\(Documents received after posting\)](#)

[\(County's witness list and exhibits - Supplemental Exhibit 8\)](#)

E. DIRECTOR'S REPORT

1. American Planning Association Hawaii Chapter – complimentary Chapter-only membership to members of planning-related boards and commissions at the County of Maui, Department of Planning
2. SMA Minor Permit Report

This is for notification and review purposes. No action is anticipated.
3. SMA Exemptions Report

This is for notification and review purposes. No action is anticipated.
4. Discussion of Future Maui Planning Commission Agendas

a. January 26, 2021 agenda items

F. NEXT REGULAR MEETING DATE: January 26, 2021

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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.

UNLESS OTHERWISE SPECIFIED BY PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN A PROCEEDING BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines of ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O the DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is on January 12, 2021 was on December 28, 2020.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, MAY BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND MAY BE SUBJECT TO LIMITED CROSS-EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

WRITTEN TESTIMONY, WHETHER SENT VIA FAX, EMAIL, OR USPS MAIL SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY NOON, ONE BUSINESS DAY BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

THE LINKS FOR DOCUMENTS RECEIVED AFTER POSTING WILL BE UPDATED PERIODICALLY WHEN TESTIMONY IS RECEIVED, UP TO 12:00 PM ONE BUSINESS DAY PRIOR TO THE MEETING.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

Maui Planning Commission Agenda
January 12, 2021
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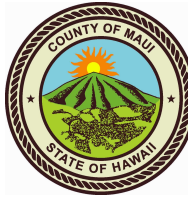
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA 2200 MAIN STREET SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634 AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.

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County of Maui
 Kalana O Maui Building
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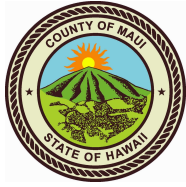
PD-Approved SMA Minor Projects for Maui

12/29/2020

Permit Completion Date: 11/25/2020 - 12/29/2020

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20130114	KAANAPALI INVESTMENT	KAANAPALI INVESTMENTS LLC	FIVE-LOT SUBDIVISION/KAANAPALI	KAANAPALI INVESTMENTS LLC		12/18/2020	A W/COND-APPROVED WITH CONDITIONS	2440080160000
SM2 - 20190034	WCME-MAUI COAST EXPA	WCME - MAUI COAST EXPANSION	COMPLETE TECH STUDIES ONVACANT LAND/KIHE	PACIFIC RIM LAND INC.		12/22/2020	A W/COND-APPROVED WITH CONDITIONS	2390180230000
SM2 - 20200085	D.T. FLEMING BEACH	PARKING LOT AND SIDEWALK IMPROVEMENTS	D.T. FLEMING BEACH PARK	COUNTY OF MAUI DEPT. OF PARKS & RECREATION		12/04/2020	A W/COND-APPROVED WITH CONDITIONS	2420040160000
SM2 - 20200095	MANTOKUJI MISSION	MANTOKUJI MISSION TEMPLE SHORELINE PROTECTION	MANTOKUJI MISSION TEMPLE SHORELINE/PAIA	MANTOKUJI MISSION TEMPLE (ERIC MOTO, PRESIDENT)		12/22/2020	A W/COND-APPROVED WITH CONDITIONS	2260080130000
SM2 - 20200098	MCKIM RESIDENCES	MCKIM RESIDENCES	BUILD NEW HOUSE/WAILUKU	COASTAL PLANNERS		12/01/2020	A W/COND-APPROVED WITH CONDITIONS	2320150050000
SM2 - 20200100	SUNGLASS HUT	BUSINESS ID SIGN - FURTADO BUILDING	SUNGLASS HUT/LAHAINA	SUNGLASS HUT		12/01/2020	A W/COND-APPROVED WITH CONDITIONS	2460090080000
SM2 - 20200101	WHITBECK	INSTALLATION OF SPLIT SYSTEM AIR CONDITIONER W/ 3'X4' PLASTIC PAD	WHITBECK\LAHAINA	PETER WHITBECK		12/07/2020	A W/COND-APPROVED WITH CONDITIONS	2460290240000
SM2 - 20200103	LIGHT POLE INSTALL	INSTALL 12 ADDITIONAL PARKNG LOT LIGHT POLES	SMX/LIGHT POLE INSTALL/KIHEI	VICTORIA REYES, GM		12/11/2020	A W/COND-APPROVED WITH CONDITIONS	2390180030000
SM2 - 20200106	KIHEI HOLIDAY CONDO	STAIR AND LANDING REPAIRS	KIHEI HOLIDAY CONDO STAIR REPAIRS	ROBERT EIKENBERRY		12/18/2020	A W/COND-APPROVED WITH CONDITIONS	2390010440000
SM2 - 20200107	HOOKIPA SEABIRD SIGN	INSTALL 3 FOOT X 2 FOOT SIGN/HANA HWY	HOOKIPA SEABIRD EDUCATIONAL SIGNAGE	DLNR/DOFAW		12/21/2020	A W/COND-APPROVED WITH CONDITIONS	2250040250000
SM2 - 20200108	MAUI LANI TERRACES	REPAIR DRIVEWAY AND PARKING LOT; SEAL COAT, POTHOLE REPAIRS, REMOVAL OF PARKING ISLANDS	SMX/MAUI LANI TERRACES/ LAHAINA	BUD KILMER		12/29/2020	A W/COND-APPROVED WITH CONDITIONS	2430060040000
SM2 - 20200109	HAWAIIAN PADDLE	HAWAIIAN PADDLE SPORTS-STORAGE BLDG	ATF STORAGE BLDG	HAWAIIAN PADDLE SPORTS, LLC		12/29/2020	A W/COND-APPROVED WITH CONDITIONS	2390510060000

Grand Total : 12



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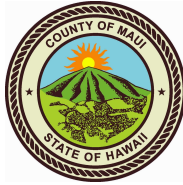
PD-Approved SMA Exempt Projects for Maui

12/29/2020

Permit Completion Date: 11/25/2020 - 12/29/2020

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20200265	COFFEE BEAN & TEA	COFFEE BEAN & TEA LEAF/LAHAINA	MATTHEW M F LUM AIA		11/27/2020	A-APPROVED	2450010180000
SM5 - 20200266	FRANK ALEXANDER PV	SMX/FRANK ALEXANDER PV/KIHEI	RISING SUN SOLAR		12/02/2020	A-APPROVED	2390021890000
SM5 - 20200267	AUGSTIN FELDBERG PV	SMX/AUGSTIN FELDBERG PV/WAILUKU	METTA ELECTRTIC		12/02/2020	A-APPROVED	2320200650000
SM5 - 20200268	RESURF KAH BEACH RD	OLD KAHULUI BEACH ROAD RESURFACE\WAILUKU	DEPT OF ENVIRONMENTAL MANAGEMENT	FASI	12/02/2020	A-APPROVED	2340270360000
SM5 - 20200269	NAPILI WWPS NO. 3	NAPILI WWPS NO. 3 FORCE MAIN REPLACEMENT	COUNTY OF MAUI DEM	FASI	12/02/2020	A-APPROVED	2430050370000
SM5 - 20200270	THOMAS CHRISTENSEN	THOMAS CHRISTENSEN\KIHEI	ANTHONY HONG, E.D.		12/02/2020	A-APPROVED	2390150110000
SM5 - 20200271	KAPLAN RESIDENCE	SECOND FLOOR ADDITION KAPLAN RESID/PAIA	MICHAEL & LAURA KAPLAN		12/02/2020	A-APPROVED	2260120290000
SM5 - 20200272	YACKTMAN REMODEL	SMX/YACKTMAN REMODEL/KIHEI	REICKE SUNNLAND KONO		12/04/2020	A-APPROVED	2210080640006
SM5 - 20200273	CECIL CLEMONS PV	SMX/CECIL CLEMONS PV/HAIKU	RISING SUN SOLAR		12/04/2020	A-APPROVED	2290040500000
SM5 - 20200274	SYLVIA SANTOS	C	SYLVIA SANTOS		12/04/2020	A-APPROVED	2390380210000
SM5 - 20200275	569 HANA HWY GRADING	569 HANA HWY GRADING/KUAU	LEILANI PULMANO	THACKERSON	12/04/2020	A-APPROVED	2260100170000
SM5 - 20200276	PHANTOM FIREWORKS	SMX/PHANTOM FIREWORKS/KAHULUI	PHANTOM FIREWORKS		12/10/2020	A-APPROVED	2370020200000
SM5 - 20200277	IVES & SANDERS PV	SMX/IVES & SANDERS PV/LAHAINA	RISING SUN SOLAR		12/10/2020	A-APPROVED	2460290280000
SM5 - 20200278	MIKE REID	SINGLE FAMILY DWELLING/LAHAINA	JASMINE TURLEY		12/10/2020	A-APPROVED	2430030170012
SM5 - 20200280	GODESS GROVE SOLAR	SMX/GODESS GROVE SOLAR/HAIKU	LORRANE GRACE		12/10/2020	A-APPROVED	2290070560000
SM5 - 20200281	COLLO 2BDRM ADDITION	SMX/COLLO 2BDRM. ADDITION/WAILUKU	COLLO,BRIANNA K		12/10/2020	A-APPROVED	2320230490000
SM5 - 20200282	KASPRZYCKI ADD & ALT	SMX/KASPRZYCKI ADD & ALT/LAHAINA	ATOM KASPRZYCKI		12/10/2020	A-APPROVED	2430150220000
SM5 - 20200283	KIRKLAND SWIM. POOL	SMX/KIRKLAND SWIM POOL/KIHEI	HAWAII OFF GRID		12/14/2020	A-APPROVED	2390431000000
SM5 - 20200285	ROGER ROSS	SMX/ROGER ROSS PV/LAHAINA	KRYSTI BUKOSKI		12/17/2020	A-APPROVED	2430170360000
SM5 - 20200286	AROL FRERKING	SMX/AROL FRERKING PV/HAIKU	KRYSTI BUKOSKI		12/17/2020	A-APPROVED	2270050270000
SM5 - 20200287	THIELEMANN RESIDENCE	SMX/THIELEMANN RESIDENCE/KIHEI	DENNIS VENTURA		12/17/2020	A-APPROVED	2390501110000

* = Shoreline Projects
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PD-Approved SMA Exempt Projects for Maui

12/29/2020

Permit Completion Date: 11/25/2020 - 12/29/2020

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20200288	HARDT, ROLAND/CHERYL	SMX/HARD, ROLAND/CHERLY/KIHEI	HARDT,ROLAND		12/17/2020	A-APPROVED	2390360430000
SM5 - 20200289	SMALES RESIDENCE	SMX/SMALES ELEVATOR/KIHEI	JOHN M SMALES AND KELLY SMALES		12/17/2020	A-APPROVED	2210220390000
SM5 - 20200290	DUONG ACCESSORY DWEL	SMX/DUONG ACCESSORY DWEL/KIHEI	BAO DINH DUONG		12/17/2020	A-APPROVED	2390400870000
SM5 - 20200292	RETOTAL ADDITION	SMX/RETOTAL ADDITION/LAHAINA	FRANK & LUNINGNING RETOTAL	DIAS	12/16/2020	A-APPROVED	2430090840000
SM5 - 20200293	EGANA FELIPE CARPORT	SMX/EGANA FELIPE CARPORT/KIHEI	FELIPE RODRIGUEZ EGANA & SOLANGE DOTRO GAMBOA		12/22/2020	A-APPROVED	2390460300000
SM5 - 20200294	FENCE-AUSTIN	FENCE-AUSTIN/KIHEI	ROBERT R AUSTIN		12/22/2020	A-APPROVED	2390410080000
SM5 - 20200295	MILLER SWIMMING POOL	SMX/MILLER SWMMING POOL/LAHAINA	HAWAII OFF GRID		12/23/2020	A-APPROVED	2450080010064

Grand Total : 28