

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
JANUARY 12, 2021**

[\(HYPERLINK TO CHAPTER 1 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 2 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 3 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 4 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 5 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 6 AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Lawrence Carnicelli at approximately 9:00 a.m., Tuesday, January 12, 2021, online via BlueJeans; **Meeting ID: 659 243 786**

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)

(Item B.1 begins at approximately 00:03:03 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:35:51 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 00:37:00 of Chapter 1 of the audio recording.)

**VOTED: To Accept the Final Environmental Assessment and Issue a Finding of No Significant Impact (FONSI) Determination.
(Assenting – P. D. La Costa, S. Castro, J. Edlao, K. Freitas,
M. Hipolito, C. Tackett, D. Thompson)
(Excused – K. Pali)**

C. COMMUNICATIONS

1. The Hana Advisory Committee transmitting their recommendation on the following:
 - a) MS. MICHELE CHOUTEAU 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)

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

(Item C.1 begins at approximately 00:37:55 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:45:28 of Chapter 1 of the audio recording.)

It was moved by Mr. Freitas, seconded by Mr. Thompson, then

(Vote was taken at approximately 00:45:39 of Chapter 1 of the audio recording.)

**VOTED: To Approve the Amended Bill and Transmit to the County Council, as Recommended by the Department.
(Assenting – K. Freitas, D. Thompson, S. Castro, J. Edlao,
M. Hipolito, C. Tackett-Abstained)
(Excused – K. Pali, P. D. La Costa)**

2. MS. MICHELE CHOUTEAU 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)

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.

(Item C.2 begins at approximately 00:47:12 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:55:32 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 00:56:49 of Chapter 1 of the audio recording.)

VOTED: For the Commission to Not Waive Its Review of the Time Extension Request and to Review the Time Extension Request at a Future Meeting.
(Assenting – C. Tackett, K. Freitas, S. Castro, J. Edlao, M. Hipolito)
(Dissenting – D. Thompson)
(Excused – K. Pali, P. D. La Costa)

- 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)

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.

(Item C.3 begins at approximately 00:57:57 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:01:25 of Chapter 1 of the audio recording.)

It was moved by Mr. Freitas, seconded by Mr. Hipolito, then

(Vote was taken at approximately 01:03:25 of Chapter 1 of the audio recording.)

VOTED: To Waive Its Review of the Time Extension Request.
(Assenting – K. Freitas, M. Hipolito, S. Castro, D. Thompson, L. Carnicelli)
(Dissenting – J. Edlao, P. D. La Costa, C. Tackett)
(Excused – K. Pali)

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.

(Item D begins at approximately 00:00:15 of Chapter 2 of the audio recording.)

Due to the time restraints, the matter was recessed to Wednesday, January 27, 2021 at 9:00 a.m.

E. DIRECTOR'S REPORT

(Item E begins at approximately 00:08:09 of Chapter 6 of the audio recording.)

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

Members are to contact the Director or Carolyn if they would like to be an APA Hawaii member.

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.

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

4. Discussion of Future Maui Planning Commission Agendas
 - a. January 26, 2021 agenda items

F. NEXT REGULAR MEETING DATE: January 26, 2021

G. ADJOURNMENT

The meeting was adjourned at approximately 3:53 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli, Chair
Stephen Castro
Jerry Edlao
Kawika Freitas
Mel Hipolito
P Denise La Costa
Christian Tackett, Vice Chair
Dale Thompson

Excused

Kellie Pali

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