

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

AGENDA
([HYPERLINKS TO MEETING MATERIALS ADDED](#))

DATE: MARCH 9, 2021
TIME: 9:00 A.M.
PLACE: Online only via BlueJeans; **Meeting ID: 669 399 692**

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

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: 669 399 692**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/669399692>

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

1. PATRICK ADSUAR requesting a Short-Term Rental Home Permit in order to operate Maluhia Halelo Hale, a four bedroom short-term rental home located in the R-3 Residential District at 77 Halelo Street, TMK: (2) 4-4-009:024, Lahaina, Island of Maui. (STWM T2017/0021) (J. Burkett)

The Commission is reviewing the application because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

PUBLIC HEARING TO BE RENOTICED TO A FUTURE AGENDA DUE TO A NOTICING ERROR.

C. UNFINISHED BUSINESS

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

1. MR. GREGORY KOCH submitting a [Motion for Reconsideration](#) regarding the Commission's final Decision and Order, denying the State Land Use Commission Special Permit to operate the Hana Panoramic Retreat, a two-bedroom short-term rental home, on property located in the State Agricultural District, at 630 Kapia Road, Hana, Island of Maui, TMK: (2) 1-4-011:041 (SUP2 2018/0006) (A. Cua) (Deferred from the 2/9/21 meeting) ([Decision and Order with Exhibits](#)) ([MPC Rules Section 12-210-84](#))

The Maui Planning Commission held a public hearing regarding the subject application on May 26, 2020, at the conclusion of which the Commission voted to deny the subject application. The Commission adopted its written Findings of Fact, Conclusions of Law and Decision and Order denying the application at its regular meeting on December 8, 2020.

*An Executive Session may be called on this item 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.

D. CONSIDERATION AND ADOPTION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER

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

[Proposed Findings of Fact, Conclusions of Law, and Decision and Order](#) denying the request for a State Land Use Commission Special Permit for DR. LEW ABRAMS AND MARIA DE ABRAMS to operate Sacred Earth Assembly, a non-profit, interfaith church in the State and County Agricultural Zoning Districts at 4505 Hana Highway, Haiku, Island of Maui, TMK (2) 2-8-003:075 (SUP1 2019/0001)(SUP2 2017/0011) (T. Furukawa) (Action on the application was taken by the Commission following public hearing at the July 14, 2020 meeting.) ([Exhibits A to C](#)) ([Exhibits D to O](#)) ([Letter from Leslie Iczkovitz, Attorney for the Applicants](#))

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.

E. COMMUNICATIONS

1. MS. MICHELE CHOUTEAU MCLEAN, Planning Director, requesting the Maui Planning Commission's review and comment on a revised proposed bill to create two new advisory committees to the Maui Planning Commission, for Paia-Haiku and Kihei-Makena. The proposed bill was submitted to the County Council by Councilmember Kelly T. King via County Communication No. 21-125, posted on the February 19, 2021 Council agenda. ([Memorandum](#))

County Communication No. 21-125 can be found at:
<https://mauicounty.legistar.com/View.ashx?M=F&ID=9182065&GUID=3CB8529E-153B-4F96-8666-A42437863D0F>

F. DIRECTOR'S REPORT

1. [Resolution No. 21-18](#), Expressing Support for Sustainable Tourism, Emphasizing Quality Over Quantity
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. March 23, 2021 agenda items

G. NEXT REGULAR MEETING DATE: March 23, 2021

H. 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 March 9, 2021 was on February 23, 2021.

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.

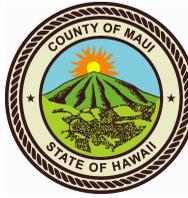
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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.

(S:\all\carolyn\MPC agendas\2021\030921)



County of Maui
 Kalana O Maui Building
 200 South High Street,
 Wailuku, HI 96793-2155

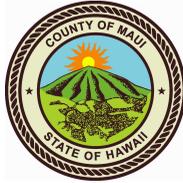
PD-Approved SMA Minor Projects for Maui

02/24/2021

Permit Completion Date: 02/10/2021 - 02/24/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20200099	MCCLLOUD, GORDON	MCCLLOUD, GORDON	NEW SWIMMING POOL/LAHAINA	GORDON MCCLLOUD		02/24/2021	A W/COND-APPROVED WITH CONDITIONS	2460050300000
SM2 - 20210003	SELLERS FARM SHED	NEW FARM ACCESS ROAD, FENCING, GATES, WATER PUMP AND SOLAR PANELS	SMX/SELLERS FARM SHED/HAIKU	DAVID AND SHELLEY SELLERS		02/23/2021	A W/COND-APPROVED WITH CONDITIONS	2290020190000
SM2 - 20210008	ULAINO LOT B FARM	INSALL TWO 20' CONTAINERS TO STORE FARM EQUIPMENTS AND ACT AS A OFFICE/STORAGE OF FARM PRODUCTS.	SMX/ULAINO LOT B FARM/HANA	PRAVEEN KORATALA AND SREE KORATALA		02/16/2021	A W/COND-APPROVED WITH CONDITIONS	2130020490000
SM2 - 20210009	T-MOBILE HI02108A	INSTALLATION OF NEW ANTENNAS/LAHAINA	T-MOBILE HI02108A ROYAL KAHANA/LAHAINA	T-MOBILE C/O SYNERGY		02/16/2021	A W/COND-APPROVED WITH CONDITIONS	2430100070000
SM2 - 20210010	NEW DWELLING	SINGLE FAMILY RESIDENCE WITH CARPORT & RELATED IMPROVEMENTS	SMX/NEW DWELLING/KIHEI	DARRYL BANKS		02/24/2021	A W/COND-APPROVED WITH CONDITIONS	2390350290000

Grand Total : 5



County of Maui
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PD-Approved SMA Exempt Projects for Maui

02/24/2021

Permit Completion Date: 02/10/2021 - 02/24/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210028	WAIEHU DRAINLINE RPL	SMX/WAIEHU DRAINLINE RPLCMNT/WAIEHU	COUNTY OF MAUI DEPT OF PUBLIC WORKS		02/10/2021	A-APPROVED	2330010010000
SM5 - 20210029	PUBLIC BEACH ACCESS	PUBLIC BEACH ACCESS PATH & STAIRS	PAT B LINDQUIST		02/11/2021	A-APPROVED	2430020230000 2430020990000
SM5 - 20210030	LAWSON NEW POOL/SPA	SMX/LAWSON NEW POOL/SPA/WAILUKU	HAWAII OFF GRID ARCHITECTURE		02/13/2021	A-APPROVED	2320200590000
SM5 - 20210031	HI02188A KAHULUI TRU	SMX/HI02188A KAHULUI TRUCKING/KAHULUI	CROWN CASTLE		02/13/2021	A-APPROVED	2370100090000
SM5 - 20210032	PONANA STREET RESIDE	SMX/NEW POOL/KIHEI	CARA SCOFFINGS		02/13/2021	A-APPROVED	2390500490000
SM5 - 20210033	EDWARDS PHOTOVOLTAIC	SMX/EDWARDS PHOTOVOLTAIC/PAIA	RISING SUN		02/16/2021	A-APPROVED	2260130100006
SM5 - 20210034	SABBIONE LANAI	SMX/SABBIONE LANAI/WAILUKU	LUCIA SABBIONE & AGUSTIN FELDBERG		02/16/2021	A-APPROVED	2320200650000
SM5 - 20210035	MIKE & NORA OLIVER	RETAINING WALL & SWIMMING POOL\KIHEI	MARC TARON	THACKERSON	02/16/2021	A-APPROVED	2210070760000
SM5 - 20210036	MARQUEZ SWIMMING POO	SMX/MARQUEZ POOL/LAHAINA	HAWAII OFF GRID		02/17/2021	A-APPROVED	2450080010008
SM5 - 20210037	COFFEY RENOVATIONS	SMX/COFFEY RENOVATIONS/KIHEI	HAWAII OFF GRID		02/19/2021	A-APPROVED	2210070950087
SM5 - 20210038	CATTERICK POOL	SMX/CATTERICK POOL/KIHEI	DAVID SELLERS		02/22/2021	A-APPROVED	2390481180000
SM5 - 20210039	CIVIAN PV PROJECT	SMX/CIVIAN PV PROJECT/KIHEI	MATT FOX		02/22/2021	A-APPROVED	2210081170071
SM5 - 20210040	O'REILLY PLUMBING	SMX/O'REILLY PLUMBING/KIHEI	MICHELLE COCKETT		02/22/2021	A-APPROVED	2390020280000
SM5 - 20210041	KALAMA PARK SKATE	KALAMA PARK SKATE VERT RAMP REPAIRS/KIHEI	SAMUEL MARVEL DEPARTMENT OF PARKS & RECREATION	BRADSHAW	02/22/2021	A-APPROVED	2390050520000
SM5 - 20210042	JACK IN THE BOX#8222	SMA APP/ALT EXISTING & INTERIOR-KIHEI	DOREEN N CANTO		02/24/2021	A-APPROVED	2390020820000

Grand Total : 15