

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: MAY 11, 2021
TIME: 9:00 A.M.
PLACE: Online only via BlueJeans; **Meeting ID: 680 254 859**

Members: Christian Tackett (Chairperson), P Denise La Costa (Vice-Chairperson), Jerry Edlao, Kawika Freitas, Mel Hipolito, Jr., Ashley Lindsey, 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: 680 254 859**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/680254859>

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.

The Chat function shall not be used to make comments.

B. UNFINISHED BUSINESS

1. Ms. Sharon Wright of Michael Wright & Associates, Inc., on behalf of the Harry and Jeanette Weinberg Foundation, Inc. requesting a Shoreline Setback Variance for an after-the-fact installation of 1,500-gallon grease interceptor and sample box, installation of lift station and sample box and drywell for condensate for Waikiki Brew Company within the Outlets of Maui, located at 900 Front Street, Lahaina, Island of Maui, TMK (2) 4-5-002:009 (SSV 2019/0001) (C. Thackerson) (Matter was deferred after public hearing from the April 27, 2021 agenda.)
[\(Report\)](#) [\(Application\)](#) [\(Documents received after posting\)](#)

2. MS. YUKINO UCHIYAMA OF MUNEKIYO HIRAGA on behalf of WAILEA RESORT SF-S PARTNERS LP requesting an Environmental Assessment determination on the Final Environmental Assessment prepared for the Proposed Wailea Resort SF-S Residential Project on approximately 23.1 acres of land located at Kapili Street, Wailea, Maui, Hawaii: TMK: (2) 2-1-008:145 (SM1 2020/0007) (PD2 2020/0001) (EA 2020/0002) (T. Furukawa) (The Commission commented on the Draft Environmental Assessment at its September 8, 2020 meeting.)(The matter was recessed from the April 27, 2021 meeting.)
[\(Memorandum\)](#) [\(Summary\)](#)

[\(Documents received after posting\)](#) [\(Documents received after posting 2\)](#)

The Chapter 343 trigger is the use of County land. The Commission is the accepting authority of the Final EA.

The Applicant also filed for a Special Management Area Use Permit and Planned Development Step II approval. The public hearing on those applications will be scheduled after the Chapter 343, HRS process has been completed.

The Commission may accept the Final EA and issue a Finding of No Significant Impact (FONSI), or take some other action.

AS THE MATTER WAS RECESSED FROM THE APRIL 27, 2021 AGENDA NO PUBLIC TESTIMONY WILL BE TAKEN WHEN IT IS RECONVENED.

Links to the Final Environmental Assessment:

Volume I

<https://www.mauicounty.gov/DocumentCenter/View/126273/Proposed-Wailea-Resort-SF-S-Residential-Project-Volume-I-March2021>

Volume II

<https://www.mauicounty.gov/DocumentCenter/View/126274/Proposed-Wailea-Resort-SF-S-Residential-Project-Volume-II-March2021>

3. Maui County Charter Commission requesting submittal of proposed Charter Amendments and/or Recommendations from the Maui Planning Commission by May 28, 2021 (Matter was deferred from the April 13, 2021 agenda).
[\(Memorandum\)](#) [\(Documents received after posting\)](#)

C. DIRECTOR'S REPORT

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1. MS. MICHELE MCLEAN, Planning Director, notifying the Maui Planning Commission pursuant to the provisions of the Maui Planning Commission's SMA Rules of the issuance of the following Special Management Area Emergency Permits:
 - a) MR. RICK COPLEY, President, ROYAL KAHANA AOA, approval of a Special Management Area (SMA) Emergency Permit plus expedited SMA Exemption for fire line replacement located outside of the shoreline setback area to an excavation depth of approximately three feet necessary for fire protection for Royal Kahana, a 236-unit condominium located at 4365 Lower Honoapiilani Road, Lahaina, Island of Maui, TMK: (2) 4-3-010:007. (SM3 2020/0016)(SM5 2021/0088) (J. Buika) ([Letter](#))
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. May 25, 2021 agenda items

D. NEXT REGULAR MEETING DATE: May 25, 2021

E. 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 May 11, 2021 was on April, 27 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.

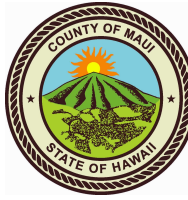
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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.

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

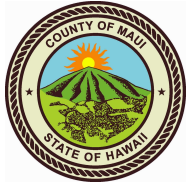
PD-Approved SMA Minor Projects for Maui

04/28/2021

Permit Completion Date: 04/14/2021 - 04/28/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20210002	WAILEA POINT 2403	CONDO RENOVATIONS	WAILEA POINT UNIT 2403 RENOVATIONS/KIHEI	JERRY SMITH		04/16/2021	A W/COND-APPROVED WITH CONDITIONS	2210230040045
SM2 - 20210030	SCHURZ REMODEL	SCHURZ REMODEL & ADDITION	SMX APP/HOME REMODEL/2 NEW OHANA-KIHEI	SCHURZ, KARL B.		04/16/2021	A W/COND-APPROVED WITH CONDITIONS	2390110470000
SM2 - 20210031	HALE KAI CONDO	INSTALL SHEET PILE IN GROUND INLAND AND BEHIND A ROCK REVETMENT TO STABILIZE SINKHOLES AND PROTECT THE CONDO BUILDING	HALE KAI CONDO FOUNDATION STABIL/LAHAINA	HALE KAI		04/16/2021	A W/COND-APPROVED WITH CONDITIONS	2440010420000
SM2 - 20210032	BESSASO ROCK WALL	ROCK WALL 250' LONG X 6' TALL X 1' WIDE	SMX/BESSASO ROCK WALL/HAIKU	MATIAS BESASSO		04/21/2021	A W/COND-APPROVED WITH CONDITIONS	2270360370000
SM2 - 20210033	CHARLES NIX POOL	CONSTRUCT SWIMMING POLL & RELATED IMPROVEMENTS	SMX/CHARLES NIX POOL/HAIKU	MICHELLE COCKETT		04/22/2021	A W/COND-APPROVED WITH CONDITIONS	2280060220000
SM2 - 20210034	MAUI SUNSET	MAUI SUNSET - CONDO MASTER	MAUI SUNSET\KIHEI	BRENDA BRAUN		04/23/2021	A W/COND-APPROVED WITH CONDITIONS	2390010020000
SM2 - 20210035	BALDWIN HOUSE GRAPE	LOW DECK/CEMENT PIERS/LAH	LOW DECK UNDER BALDWIN HOUSE GRAPE ARBOR	THE LAHAINA RESTORATION FONDATION		04/28/2021	A W/COND-APPROVED WITH CONDITIONS	2460080070000

Grand Total : 7



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

PD-Approved SMA Exempt Projects for Maui

04/28/2021

Permit Completion Date: 04/14/2021 - 04/28/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210089	HERMANSON, MIKE	SMA APP/OHANA-WAILUKU	HERMANSON, MIKE		04/14/2021	A-APPROVED	2330010620000
SM5 - 20210090	STEPHANIE YAN HOUSE	SMA/RENO TO 2ND STRY/NEW COTTAGE-WAILUKU	STEPHANIE YAN		04/15/2021	A-APPROVED	2320190320000
SM5 - 20210091	WAILEA POINT 1401	WAILEA POINT UNIT 1401 RENOVATIONS/KIHEI	STEVE LENTZ		04/16/2021	A-APPROVED	2210230050057
SM5 - 20210092	ULULANIS HAWAIIAN	ULULANIS HAWAIIAN SHAVE ICE/PAIA	ULULANIS HAWAIIAN SHAVE ICE LLC		04/19/2021	A-APPROVED	2260040160000
SM5 - 20210094	MAUI LIFE REALTY	SMA/BUILD NEW OFFICE/INTERIOR-LAHAINA	STEVEN GATCHELL		04/22/2021	A-APPROVED	2440010020000
SM5 - 20210095	POOL AND SPA	SMA/POOL AND SPA-PAIA	RYAN MEYER		04/23/2021	A-APPROVED	2250130880000
SM5 - 20210097	LOMICKA, DECK	SMA APP/ADDING 2ND FLOOR DECK-KIHEI	JOSEPH LOMICKA		04/26/2021	A-APPROVED	2210220350000
SM5 - 20210098	ROMANO POOL & GARAGE	SMX/ROMANO POOL & GARAGE/KIHEI	HAWAII OFF GRID LLC	CORTEZ	04/27/2021	A-APPROVED	2390110440000
SM5 - 20210099	ANGELA BROWN SOLAR	SMX/BROWN SOLAR/KIHEI	RISING SUN SOLAR		04/28/2021	A-APPROVED	2390560020000
SM5 - 20210100	KIHEI GARDEN ESTATES	SMX/KIHEI GARDENS ESTATES/KIHEI	KIHEI GARDEN ESTATES-CONDO MASTER		04/28/2021	A-APPROVED	2390080110000

Grand Total : 10