

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
MAY 11, 2021**

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

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

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

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Christian Tackett at approximately 9:00 a.m., Tuesday, May 11, 2021, online via BlueJeans; **Meeting ID: 680 254 859**

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.)

(Item B.1 begins at approximately 0:04:28 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:13:01 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 01:20:16 of Chapter 1 of the audio recording.)

**VOTED: To Approve the Shoreline Setback Variance as Recommended by the Department with the Additional Condition as Discussed.
(Assenting – P D. La Costa, D. Thompson, J. Edlao, K. Freitas,
M. Hipolito, A. Lindsey, K. Pali)**

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.)

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>

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

(Motion was made at approximately 00:58:32 of Chapter 2 of the audio recording.)

It was moved by Mr. Freitas, seconded by Ms. Lindsey, and

(Vote was taken at approximately 01:06:02 of Chapter 2 of the audio recording.)

The Motion for a Environmental Impact Statement to be Prepared, FAILED.

(Assenting – K. Freitas, A. Lindsey)

(Dissenting – P D. La Costa, K. Pali, J. Edlao, M. Hipolito, D. Thompson)

The following motion was then made:

(Motion was made at approximately 01:06:50 of Chapter 2 of the audio recording.)

It was moved by Ms. La Costa, seconded by Ms. Pali, then

(Vote was taken at approximately 01:15:20 of Chapter 2 of the audio recording.)

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

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).

(Item B.3 begins at approximately 01:17:43 of Chapter 2 of the audio recording.)

(Motion was made at approximately 00:56:50 of Chapter 2 of the audio recording.)

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

(Vote was taken at approximately 00:56:57 of Chapter 2 of the audio recording.)

VOTED: Under Article 3, recommends that a new subsection be added to require that Council members must pass a proficiency test or receive basic introductory training in the following subjects: economics, Native Hawaiian law, coastal processes, and hazards and real estate law.
(Assenting – D. Thompson, P D. La Costa, M. Hipolito, K. Freitas, A. Lindsey, K. Pali, C. Tackett)
(Dissenting – J. Edlao)

It was moved by Ms. Pali, seconded by Mr. Thompson, then

VOTED: Under Article 8, County Departments, Section 8-8.5, General Plan and Community Plans, recommends that subsection 4 be deleted and subsection 5 be appropriately revised to eliminate the citizen advisory committee from the process. Alternatively, if the citizen advisory committee is retained in subsection 4, recommends that the council appoint six of its members and the mayor appoint seven of its members.
(Assenting – K. Pali, D. Thompson, J. Edlao, M. Hipolito, P D. La Costa, C. Tackett)
(Dissenting – K. Freitas, A. Lindsey)

It was moved by Ms. Pali, seconded by P D. La Costa, then

VOTED: Recommends that to be eligible to be an elected official (mayor or council member), a person must not have been adjudicated guilty of a felony.

**(Assenting – K. Pali, P D. La Costa, J. Edlao, M. Hipolito, K. Freitas,
A. Lindsey, D. Thompson, C. Tackett)**

It was moved by Ms. Pali, seconded by Ms. Lindsey, then

**VOTED: Section 8, recommends as described in Section 5-7.5, Hawaii Revised Statutes, that each director shall be responsible for creating, maintaining and cultivating friendliness, customer service and the spirit of aloha within their staff and departments.
(Assenting – K. Pali, A. Lindsey, K. Freitas, M. Hipolito,
P D. La Costa, D. Thompson, C. Tackett)
(Dissenting – J. Edlao)**

It was moved by Ms. La Costa, seconded by Ms. Pali, and

The Recommendation to require all votes on motions shall be by verbal roll call for all boards and commissions, FAILED.

(Assenting – P D. La Costa, A. Lindsey, K. Pali, C. Tackett-abstained)

(Dissenting – J. Edlao, K. Freitas, M. Hipolito, D. Thompson)

C. DIRECTOR'S REPORT

(Item C begins at approximately 00:27:07 of Chapter 3 of the audio recording.)

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)

For notification purposes only. No action was taken.

2. SMA Minor Permit Report
3. SMA Exemptions Report

Mr. Freitas asked for clarification of the scope of work for SM2 2021/0031 Hale Kai Condo after testimony was presented by Kai Nishiki which Ms. McLean provided.

4. Discussion of Future Maui Planning Commission Agendas
 - a. May 25, 2021 agenda items

Ms. McLean went over the memorandum of the items scheduled for the May 25, 2021 agenda.

D. NEXT REGULAR MEETING DATE: May 25, 2021

E. ADJOURNMENT

The meeting was adjourned at approximately 1:20 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Jerry Edlao
Kawika Freitas
Mel Hipolito, Jr.
P Denise La Costa, Vice-Chair
Ashley Lindsey
Kellie Pali
Christian Tackett, Chair
Dale Thompson

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