

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: MAY 25, 2021
TIME: 9:00 A.M.
PLACE: Online only via BlueJeans; **Meeting ID: 295 312 335**

Members: Christian Tackett (Chairperson), P Denise La Costa (Vice-Chairperson), Jerry Edlao, Kawika Freitas, Mel Hipolito, Jr., Ashley Lindsey, Kellie Pali, Kim Thayer, Dale Thompson

Agenda Item C.1.b – Applicant Paeahu Solar, LLC Opposition to the Petition to Intervene added and Agenda Item C.1.c – Additional filings submitted after posting

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: 295 312 335**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/295312335>

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. INTRODUCTION OF NEW COMMISSION MEMBER - KIMBERLY THAYER

C. PUBLIC HEARINGS

1. PAEAHU SOLAR, LLC, requesting a County Special Use Permit for construction and operation of the Paeahu Solar Project, a 15-megawatt (MW) ground mounted solar photovoltaic system coupled with a 60 MW-hour (MWh) battery energy storage system, as well as ancillary support infrastructure, located in the County Agricultural District approximately 0.6 miles east of Pi'ilani Highway,

mauka of the Maui Meadows subdivision, near Wailea, Hawaii, on a portion (approximately 150 acres) of the 2,564 acre parcel of land identified by Tax Map Key (2) 2-1-008:001 (POR).

Paeahu Solar, LLC is also requesting a Project District Phase 2 Development Approval for improvements to an existing ranch road located on the 56-acre parcel of land identified by TMK (2) 2-1-008:056 (POR) located in the County Kihei-Makena Project District 9 (Maui Wailea 670), in the Wailea area of Maui, Hawaii. The existing ranch road extends from near Pi'ilani Highway mauka to the proposed solar project site and will be used for temporary access. (CUP 2020/0008) (PH2 2021/0001) (K. Wollenhaupt) ([Report](#))

[\(Application – part 1\)](#)

[\(Application – part 2\)](#)

[\(Application – part 3\)](#)

[\(Application – part 4\)](#)

[\(Application – part 5\)](#)

[Documents Received After Posting](#)

a) LINDA J. NYE and CHRISTINA LIZZI, attorneys for intervenors, PONO POWER COALITION and MAUI MEADOWS NEIGHBORHOOD ASSOCIATION, submitting a [PETITION TO INTERVENE](#) dated May 10, 2021 on the above listed application from PAEAHU SOLAR, LLC.

1) Action on the Petition to Intervene

2) If the Commission grants the Petition to Intervene, then the Commission may select a Mediator and a Hearing Officer. If the Commission denies the Petition to Intervene, then it may take action on the permit request.

b) CALVERT G. CHIPCHASE and CHRISTOPHER T. GOODIN, attorneys for Applicant, PAEAHU SOLAR LLC submitting an [OPPOSITION TO MAUI MEADOWS NEIGHBORHOOD ASSOCIATION AND PONO POWER COALITION'S PETITION TO INTERVENE](#)

c) [Additional filings submitted after posting](#)

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.

D. COMMUNICATIONS

1. MAUI ELECTRIC COMPANY, LTD., requesting a time extension to permit term and site plan modification to an existing Maui Electric Company switchyard

facility approved under County Special Use Permit CUP 2011/0003 and located on 0.6-acres of the 2,564 acre parcel of land identified by TMK: (2) 2 1-008:001 (POR) located in the County Agricultural District, near the Wailea area of Maui, Hawai'i. Maui Electric Company proposes to make necessary modifications to the existing switchyard to accommodate the interconnection of the proposed Paeahu Solar Project to be located approximately 0.5 miles north of the existing switchyard facility on TMK (2) 2 1-008:001. In addition to the modifications at the existing switchyard, Maui Electric Company proposes to extend the CUP approval time period to expire April 30, 2049. TMK (2) 2-1-008:001 (POR) (CUP 2011/0003) (K. Wollenhaupt) ([Report](#)) ([Documents Received After Posting](#))

The Commission may consider deferring this item until the Commission takes final action on the Paeahu Solar, LLC CUP, noted in item C.

E. DIRECTOR'S REPORT

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 Permit:
 - a) MR. RAYMOND CABEBE OF CHRIS HART AND PARTNERS, authorized representative for the LAHAINA ROADS APARTMENTS AOAO, approval of a Special Management Area (SMA) Emergency Permit for Lahaina Roads Apartments emergency shoreline stabilization measures to include temporary seawall stabilization and filling of a growing sinkhole mauka of the existing seawall located in the shoreline setback area at 1403 Front Street, Lahaina, Island of Maui, TMK: (2) 4-5-013:027 (SM3 2021/0004) (J. Buika) ([Letter](#)) ([Documents Received After Posting](#))

This is for notification and review purposes. No action is anticipated.

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. June 8, 2021 agenda items

F. NEXT REGULAR MEETING DATE: June 8, 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 May 25, 2021 was on May 11, 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.

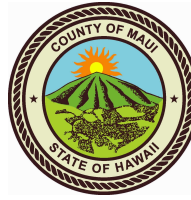
THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

Maui Planning Commission Agenda
May 25, 2021
Page 5

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\052521



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

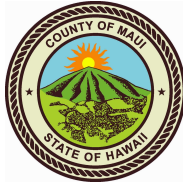
PD-Approved SMA Minor Projects for Maui

05/12/2021

Permit Completion Date: 04/28/2021 - 05/12/2021

| Permit # | Project | Description | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|---------------------|----------------------------------|--|-----------------------------------|---------|----------------|-----------------------------------|---------------|
| 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 |
| SM2 - 20210036 | ALAHELE LLC, KIHEI | ALAHELE TECHNICAL STUDIES, KIHEI | ALAHELE TECHNICAL STUDIES, KIHEI | ALAHELE LLC | | 05/10/2021 | A W/COND-APPROVED WITH CONDITIONS | 2390170340000 |

Grand Total : 2



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

PD-Approved SMA Exempt Projects for Maui

05/12/2021

Permit Completion Date: 04/28/2021 - 05/12/2021

| Permit # | Project | Permit Name | Applicant Name | Planner | Completed Date | Decision | TMK(s) |
|----------------|----------------------|--|---------------------------------------|---------|----------------|------------|---------------|
| 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 |
| SM5 - 20210101 | KAI DENTAL | SMX/KAI DENTAL/KIHEI | EVERETT FLANDERS | CORTEZ | 04/30/2021 | A-APPROVED | 2390020830000 |
| SM5 - 20210102 | MAUI HILL ROOF TILE | MAUI HILL ROOF TILE & PV PANEL/KIHEI | SHARON WRIGHT MWA INC | FASI | 04/30/2021 | A-APPROVED | 2390040810001 |
| SM5 - 20210103 | CLEMENS | SMA/REMOVE TRELLIS/PATIO/DECK-KIHEI | PAMELA CLEMENS | | 05/05/2021 | A-APPROVED | 2390540090000 |
| SM5 - 20210105 | COSTCO MAUI | SMA/EMPLOYEE LOCKER ROOM REMODEL- KAHULUI | COSTCO WHOLESALE | | 05/06/2021 | A-APPROVED | 2380790220000 |
| SM5 - 20210107 | PERRY, FRANK M. | MAIN DWELLING - ADDITION/LAHAINA | REMINGTON, ANTHONY | | 05/10/2021 | A-APPROVED | 2450040390000 |
| SM5 - 20210108 | LAHAINA SHORES | LAHAINA SHORES/EXT. WATERPROOFING | FISHER, LORI | | 05/10/2021 | A-APPROVED | 2460020070000 |
| SM5 - 20210109 | MAKILA10&11 FARM | MAKILA10&11 FARM PLANS/LAUNIUPOKO | PACIFIC RIM LAND INC | | 05/11/2021 | A-APPROVED | 2470140120000 |
| SM5 - 20210110 | VALLEY ISLE | VALLEY ISLE WATERLINE RECONST/LAHAINA | SHARON WRIGHT MWA INC | | 05/11/2021 | A-APPROVED | 2430100040000 |

Grand Total : 10