

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
MAY 25, 2021**

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

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

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

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

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

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

[\(HYPERLINK TO CHAPTER 7 AUDIO RECORDING OF THE MEETING\)](#)

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 25, 2021, online via BlueJeans; **Meeting ID: 295 312 335**

B. INTRODUCTION OF NEW COMMISSION MEMBER - KIMBERLY THAYER

(Item B begins at approximately 0:03:50 of Chapter 1 of the audio recording.)

C. PUBLIC HEARINGS

(Item C.1 begins at approximately 0:06:56 of Chapter 1 of the audio recording.)

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)

- 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.

(Item C.1.a and b begins at approximately 0:00:35 of Chapter 4 of the audio recording.)

(Motion was made at approximately 00:56:10 of Chapter 4 of the audio recording.)

It was moved by Ms. La Costa and seconded by Mr. Edlao to go into executive session.

The regular meeting was recessed at approximately 1:30 p.m., and the Commission went into Executive Session at approximately 1:36 p.m. Upon adjourning the Executive Session at 2:00 p.m., the regular meeting was then reconvened at approximately 2:02 p.m.

(Motion was made at approximately 00:02:20 of Chapter 5 of the audio recording.)

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

(Vote was taken at approximately 00:02:35 of Chapter 5 of the audio recording.)

VOTED: To Deny the Petition to Intervene.
(Assenting – P D. La Costa, J. Edlao, M. Hipolito, A. Lindsey,
K. Pali - Abstain, D. Thompson, C. Tackett)
(Dissenting – K. Freitas)
(Recused - K. Thayer)

The Commission then returned to Item C.1

(Motion was made at approximately 00:58:18 of Chapter 6 of the audio recording.)

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

(Vote was taken at approximately 01:04:29 of Chapter 6 of the audio recording.)

VOTED: To Approve the County Special Use Permit and Project District Phase 2 Development Approval Subject to the Conditions as Recommended by the Department.
(Assenting – D. Thompson, P D. La Costa, J. Edlao, M. Hipolito,
A. Lindsey, K. Pali, C. Tackett)
(Dissenting – K. Freitas)
(Recused - K. Thayer)

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)

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

(Item D.1 begins at approximately 00:00:08 of Chapter 7 of the audio recording.)

(Motion was made at approximately 00:17:15 of Chapter 7 of the audio recording.)

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

(Vote was taken at approximately 00:18:20 of Chapter 7 of the audio recording.)

**VOTED: To Approve the Time Extension and Plan Modification as Recommended by the Department with Conditions.
(Assenting – P D. La Costa, D. Thompson, J. Edlao, K. Freitas,
M. Hipolito, A. Lindsey, K. Pali, K. Thayer, C. Tackett)**

E. DIRECTOR'S REPORT

(Item E begins at approximately 0:19:25 of Chapter 7 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 Permit:
 - a) MR. RAYMOND CABEBE OF CHRIS HART AND PARTNERS, authorized representative for the LAHAINA ROADS APARTMENTS AOA, 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)

For notification purposes. No Action was taken.

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.

Ms. La Costa asked for more information in regards to SM2 2021/0036. Ms. McLean noted it was for site investigative work including trenching and soil boring for the preparation of technical studies, testing for a possible affordable housing project.

4. Discussion of Future Maui Planning Commission Agendas

- a. June 8, 2021 agenda items

Ms. McLean went over the items scheduled for the June 8, 2021 agenda.

F. NEXT REGULAR MEETING DATE: June 8, 2021

G. ADJOURNMENT

The meeting was adjourned at approximately 5:11 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
Kim Thayer
Dale Thompson

Others

Michele McLean, Director, Department of Planning
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Rowena Dagdag-Andaya, Director, Department of Public Works