

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: JUNE 22, 2021  
TIME: 9:00 A.M.  
PLACE: Online only via BlueJeans; **Meeting ID: 873 274 565**  
**Participant Passcode: 8045**

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

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 **Meeting ID: 873 274 565**  
**Participant Passcode: 8045**

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/873274565/8045>

To provide written testimony, email comments to [planning@mauicounty.gov](mailto: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. ORIENTATION WORKSHOP NO. 2

1. State Office of Planning - Coastal Zone Management Program - Justine Nihipali, Program Manager and Shichao Li, Planner
2. Managing Maui's Shorelines in the Face of Sea Level Rise.
3. Special Management Area Rules and Shoreline Setback Rules

C. COMMUNICATIONS

1. Presentation on Kahana Bay Steering Committee Draft Environmental Impact Statement dated April 2021 to outline preferred alternatives for the Kahana Bay erosion mitigation in order for the commission to provide comments. The project involves ten TMKs along the Kahana Bay shoreline. The Draft EIS is an informational document only supporting and informing of future permits. In the future, the Maui Planning Commission may hear SMA Use permits and Shoreline Setback Assessment permits associated with the final project. (J. Buika) [\(Memorandum\)](#) [\(Documents Received After Posting\)](#)

The entire text of the Draft Environmental Impact Statement is available at:

[http://oegc2.doh.hawaii.gov/EA\\_EIS\\_Library/2021-04-23-MA-DEIS-Kahana-Bay-Erosion-Mitigation.pdf](http://oegc2.doh.hawaii.gov/EA_EIS_Library/2021-04-23-MA-DEIS-Kahana-Bay-Erosion-Mitigation.pdf)

Fact Sheets regarding the DEIS can be found at:

<https://www.oceanit.com/project/kahana-bay-erosion-mitigation-eis/>

The State of Hawaii, Department of Land and Natural Resources, Office of Conservation and Coastal Lands is the approving agency of the Draft Environmental Impact Statement.

No deliberations or actions will be taken at this meeting.

2. Lipoa Kahaleuahi, Chair of the Hana Advisory Committee to the Maui Planning Commission transmitting the Committee's recommendation on MS. SHARON JAHNS, requesting a Land Use Commission Special Permit in order to operate JJs Hana Hale, a one-bedroom short-term rental home, in the State Agricultural and County Agricultural Districts on 5.82 acres located at 215 Maia Road, Hana, Island of Maui, TMK: (2) 1-3-009:084. (SUP2 2020/0009) (K. Willenbrink) [\(Report\)](#) [\(Documents Received After Posting\)](#)
3. Full review of MR. RYAN SCHULTZ, VICE-PRESIDENT OF DEVELOPMENT OF VERSA REAL ESTATE representing MAKAI V, LLC, requesting a two-year time extension on the Special Management Area Use Permit condition to initiate construction of the Nalu Ola West Subdivision at TMK 2-5 -004: 055, 068, 069, and 022, 2 7-004: 007, 048, 049, 052, 053, 054, 055, 056, and 058, Haiku, Island of Maui (SM1 2014/0004) (C. Thackerson) [\(Report\)](#)  
[\(Documents Received After Posting\)](#)

D. ORIENTATION WORKSHOP NO. 1 (Deferred from the June 8, 2021 agenda)

1. Sunshine Law
2. Ethics
3. Contested Cases
4. Rational Nexus and Rough Proportionality
5. County's Policy against Discrimination

E. DIRECTOR'S REPORT

1. SMA Minor Permit Report

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

2. SMA Exemptions Report

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

3. Discussion of Future Maui Planning Commission Agendas

- a. July 13, 2021 agenda items

F. NEXT REGULAR MEETING DATE: July 13, 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 June 22, 2021 was on June 7, 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.

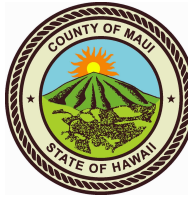
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT [www.mauicounty.gov](http://www.mauicounty.gov), UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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

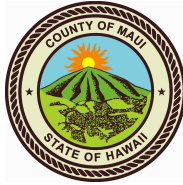
## PD-Approved SMA Minor Projects for Maui

06/09/2021

Permit Completion Date: 05/26/2021 - 06/09/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20210042	CHRISTOPHER WILLIAMS	LESSEN PRE-EXISTING ROOF TO 54" AND ADD TWO WOODEN POSTS - ATF	SMX/CHRISTOPHER WILLIAMS/KIHEI	WILLIAMS,CHRISTOPHER JAMES	FASI	05/28/2021	A W/COND-APPROVED WITH CONDITIONS	2220300060000
SM2 - 20210044	MAKAI-0412016-S	ROOFTOP TELECOMMUNICATIONS FACILITY	SMX/INSTALL ANTENNAS/HYBRID CABLES-KIHEI	ADRIAN CATALAN		06/09/2021	A W/COND-APPROVED WITH CONDITIONS	2390010750000

**Grand Total : 2**



County of Maui  
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## PD-Approved SMA Exempt Projects for Maui

06/09/2021

Permit Completion Date: 05/26/2021 - 06/09/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210119	WHITBECK	WHITBECK/LAHAINA	ROXANNE WHITBECK		05/26/2021	A-APPROVED	2460290250000
SM5 - 20210120	HAMMAN ADU	SMA/CONSTRUCT 720 SF 1STRY ADU-KIHEI	CHRISTOPHER HAMMAN	CORTEZ	05/27/2021	A-APPROVED	2390460210000
SM5 - 20210121	COSTCO-RESTROOM	SMA/RESTROOM REMODEL-KAHULUI	COSTCO WHOLESALE		05/27/2021	A-APPROVED	2380790220000
SM5 - 20210122	SANDRA BURNEY	SMA/INSTL CHASE FOR EXT'G AC-WAILEA	SANDRA GIBSON BURNEY		06/01/2021	A-APPROVED	2210080820108
SM5 - 20210123	ALAN FUJIO IWASAKI	SMA/INSTL CHASE FOR EXT'G AC-WAILEA	ALAN FUJIO IWASAKI		06/01/2021	A-APPROVED	2210080820002
SM5 - 20210124	KOA LAGOON	KOA LAGOON LANAI REPAIRS/KIHEI	KOA LAGOON AOA	KANAE	06/02/2021	A-APPROVED	2390010130020
SM5 - 20210125	BANK OF HAWAII	BANK OF HAWAII KAHULUI ROOF MOUNT PV/KAH	JAMES C POLK		06/02/2021	A-APPROVED	2370090060000
SM5 - 20210126	BROWN RETAINING WALL	SMX/BROWN RETAINING WALL & FENCE/KIHEI	ALIKI BINIARIS		06/03/2021	A-APPROVED	2390560020000
SM5 - 20210127	ZMAN LLC	SMX/ZMAN LLC ADDITION/KIHEI	RHONDA AYERS- HAFlich		06/03/2021	A-APPROVED	2390370580000
SM5 - 20210128	WESTIN MAUI RESORT	WESTIN MAUI RESORT & SPA/LAHAINA	EVENT NETWORK	CUA	06/04/2021	A-APPROVED	2440080190000
SM5 - 20210129	AQUINO POOL	SMX/AQUINO POOL/KIHEI	KEVIN AQUINO		06/08/2021	A-APPROVED	2390481550000

**Grand Total : 11**