

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: JULY 27, 2021  
TIME: 9:00 A.M.  
PLACE: Online only via BlueJeans; **Meeting ID: 560 230 963**

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: 560 230 963**

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/560230963>

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. PUBLIC HEARINGS

1. MR. WREN WESCOATT OF PULEHU SOLAR, LLC, requesting a County Special Use Permit in order to construct and operate the Pulehu Solar Project, a 40 megawatt alternating current utility-scale solar and energy storage facility with ground-mounted photovoltaic arrays, a 160 megawatt hour Battery Energy Storage System (BESS) comprised of 66 containers, a 69 kilovolt switching station, and associated equipment, located in the County Agricultural District on and south of Pulehu Road in Kula, Hawaii, on a 370 acre portion of the 1,087.65 acre Haleakala Ranch parcel, TMK: (2) 2-5-001:003. (CUP 2020/0009) (J. Burkett) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))

The Maui Planning Commission is reviewing this request because a solar energy facility greater than 15 acres has been proposed.

2. MAUI OCEANVIEW LP, requesting Project District Phase II Development approval for Pulelehua, a 900 Unit, mixed-use development consisting of 400 market rate multi-family units, 300 workforce multi-family units, 100 single family lots with the potential for 100 additional ohana units, approximately 70,000 sq. ft. of commercial, retail floor space, a 13-acre school site and a 10-acre community park site, open spaces, and related infrastructure improvements on approximately 310 acres in West Maui Project District 5, located on Akahahele Street and Honoapiilani Highway, Lahaina, Maui, Hawaii, TMK: (2) 4 3-001:082 and 083. (PH2 2020/0003) (A. Cua)

**PUBLIC HEARING TO BE RENOTICED TO A FUTURE AGENDA DUE TO A NOTICING ERROR BY APPLICANT**

- C. APPEAL OF CLOSURE OF SPECIAL MANAGEMENT AREA (SMA) USE PERMIT for One Wailea Development, LLC, for the proposed "One Wailea" 21-Lot Subdivision and improvements at Wailea, Island of Maui, Hawaii; TMK: (2) 2-1-008:145 (previously TMK: (2) 2-1-008:115) (SM1 99/0010) (K. Wollenhaupt)

[\(Documents Received After Posting\)](#)

- a) [Notice of Appeal by One Wailea Development LLC](#)
- b) [Respondent Department of Planning, County of Maui's Response to Appeal](#)
- c) NATHANIEL A. HIGA and KEKOA KEILEY of CHUN KERR LLP, attorneys for proposed intervenor, WAILEA RESORT SF-S PARTNERS LP, submitting a [PETITION TO INTERVENE](#) dated July 13, 2021 on the above listed appeal by ONE WAILEA DEVELOPMENT, LLC
  - 1) Action on the Petition to Intervene
  - 2) Selection of a hearings officer to conduct the contested case proceeding

**No public testimony will be taken on this matter.**

- D. UNFINISHED BUSINESS

2. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, transmitting Resolution 21-55 referring to the three Planning Commissions a proposed bill to amend Maui County Code Chapter 19.12, Apartment Districts, to establish transient registration numbers. Some minor revisions and updates are also

proposed. (J. Takakura) (Deferred from the 7/13/21 meeting) [\(Report\)](#)  
[\(Documents Received After Posting\)](#)

The entire text of the proposed bill for ordinance is available at  
<https://www.mauicounty.gov/DocumentCenter/View/126257/Draft-Bill-for-Ordinance-Relating-to-Chapter-1912-Apartment-District-Vacation-Rentals?bidId=>

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. BRYAN ESMERALDA OF MUNEKIYO HIRAGA, on behalf of KAAPALI BEACH VACATION RESORT (AKA KAAPALI BEACH CLUB) approval of a Special Management Area (SMA) Emergency Permit for repair of an authorized temporary erosion control structure in a like-for-like manner at the shoreline located at 104 Kaanapali Shores Place, Lahaina, Island of Maui, TMK: (2) 4 4 001:098 (SM3 2020/0014) (SSA 2020/0062) (EAE 2021/0003) (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. August 10, 2021 agenda items

F. NEXT REGULAR MEETING DATE: August 10, 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 July 27, 2021 was on July 13, 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.

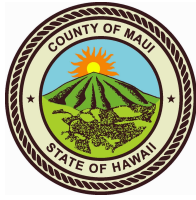
Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office 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.**  
(S:\all\carolyn\MPC agendas\2021\072721



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

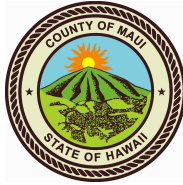
## PD-Approved SMA Minor Projects for Maui

07/14/2021

Permit Completion Date: 06/30/2021 - 07/14/2021

| Permit #       | Project               | Description                             | Permit Name                             | Applicant Name            | Planner | Completed Date | Decision                          | TMK(s)        |
|----------------|-----------------------|-----------------------------------------|-----------------------------------------|---------------------------|---------|----------------|-----------------------------------|---------------|
| SM2 - 20210043 | NICHOLS LIVESTOCK     | SHADE STRUCTURE FOR LIVESTOCK/HAIKU     | NICHOLS LIVESTOCK SHADE STRUCTURE/HAIKU | ROBERT S NICHOLS          |         | 07/08/2021     | A W/COND-APPROVED WITH CONDITIONS | 2270070040000 |
| SM2 - 20210048 | DE RHAM SWIMMING POOL | CONCRETE WALKWAYS, SWIMMING POOL/PAIA   | DE RHAM SWIMMING POOL/PAIA              | JEFFREY A LUNDAHL         |         | 06/30/2021     | A W/COND-APPROVED WITH CONDITIONS | 2380010420001 |
| SM2 - 20210049 | T-MOBILE SHERATON     | T-MOBILE SHERATON MAUI RESORT(HI02151A) | T-MOBILE SHERATON (HI02151A)/LAHAINA    | T-MOBILE WEST LLC         |         | 07/01/2021     | A W/COND-APPROVED WITH CONDITIONS | 2440080050000 |
| SM2 - 20210051 | PERI-KOGAN FARM       | HIRAM G. PERI & YELENA KOGAN PERI       | SMX/PERI-KOGAN FARM/HAIKU               | YELENA KOGAN & HIRAM PERI |         | 07/13/2021     | A W/COND-APPROVED WITH CONDITIONS | 2280041150001 |

**Grand Total : 4**



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

## PD-Approved SMA Exempt Projects for Maui

07/14/2021

Permit Completion Date: 06/30/2021 - 07/14/2021

| Permit #       | Project              | Permit Name                             | Applicant Name              | Planner | Completed Date | Decision   | TMK(s)        |
|----------------|----------------------|-----------------------------------------|-----------------------------|---------|----------------|------------|---------------|
| SM5 - 20210144 | ALOHA PETROLEUM      | ALOHA PETROLEUM KAHULUI TERMINAL REPAIR | ALOHA PETROLEUM LTD         |         | 06/30/2021     | A-APPROVED | 2370110080000 |
| SM5 - 20210146 | KEVIN AQUINO         | SMA/POST & PIER FOUNDATION-KEANAE       | KEVIN AQUINO                |         | 07/02/2021     | A-APPROVED | 2110070030000 |
| SM5 - 20210147 | KULEANA II AOA       | KULEANA II AOA/LAHAINA                  | KRYSTI BUKOSKI              |         | 07/06/2021     | A-APPROVED | 2430080050001 |
| SM5 - 20210148 | JOSH MASSLON         | SMA/INSTALL PV SYSTEM-LAHAINA           | RISING SUN SOLAR            |         | 07/09/2021     | A-APPROVED | 2430170540000 |
| SM5 - 20210149 | PALMER SWIMMING POOL | SMX/PALMER SWIMMING POOL/KIHEI          | DARCIE PALMER               |         | 07/09/2021     | A-APPROVED | 2390460400000 |
| SM5 - 20210150 | FOUR SEASONS RESORT  | FOUR SEASONS RESORT POOL DECK           | FOUR SEASONS RESORT<br>MAUI |         | 07/13/2021     | A-APPROVED | 2210230070000 |
| SM5 - 20210151 | CAMPBELL RENOVATION  | SMX/CAMPBELL RENOVATION/PAIA            | DAVID SELLERS               |         | 07/13/2021     | A-APPROVED | 2260120120000 |

**Grand Total : 7**