

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: DECEMBER 14, 2021
TIME: 9:00 A.M.
PLACE: Online only via BlueJeans; **Meeting ID: 747 159 433**

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 B.1, Leilani Pulmano, H2R, LLC, requesting approval of the Final Environmental Assessment (FEA) in support of the Special Management Area Use Permit for the proposed H-2 Residential Project has been withdrawn and will be resubmitted at a future date. Remaining items have been renumbered accordingly.

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: 747 159 433**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/747159433>

To provide written testimony, email comments to planning@mauicounty.gov by noon, one business day before the meeting to ensure distribution to the commission. The address to provide testimony via USPS mail is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawaii, 96793 and should also be received by the Department of Planning by noon, one business day before the meeting to ensure distribution to the board.

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

The Chat function shall not be used to provide testimony or comments.

B. PUBLIC HEARINGS

1. HAWAIIAN CEMENT, requesting a Special Management Area (SMA) Use Permit and Shoreline Setback Variance (SSV) for the Kahului Harbor Hawaiian Cement Facility Relocation Project, located at the Kahului Harbor Facility, Kahului, Island of Maui, TMKs: (2) 3-7-010:003 (por.), 009 (por.), 034 (por.), and 035 (por.) (SM1 2020/0008) (SSV 2020/0001) (SSA 2020/0033) (EA 2020/0003) (K. Wollenhaupt) ([Report](#)) ([Application 1 of 2](#)) ([Application 2 of 2](#)) ([Final EA](#)) ([SMA Amendment Letter](#)) ([Documents Received After Posting](#))

2. GWENDOLYN RIVERA of MUNEKIYO HIRAGA on behalf of BRE RC MAUI KAPALUA, LLC, requesting a Special Management Area Use Permit and Project District Phase II Approval for the proposed Ritz-Carlton Kapalua Resort Mohala Project. The project will involve various improvements and upgrades to resort facilities and grounds to better improve operations and enhance guest experiences. The project is to be located at 1 Ritz Carlton Drive in Kapalua, Island of Maui at TMKs: (2) 4-2-004:014 (por.), 021 (por.), 047 (por.), 052 (por.) and 053 (por.) (SM1 2020/0014) (PH2 2020/0004) (T. Furukawa) ([Report](#)) ([Application 1 of 2](#)) ([Application 2 of 2](#)) ([Application Updated](#)) ([Documents Received After Posting](#))

C. DIRECTOR'S REPORT

1. Discussion of updated requirements related to the Sunshine Law and Public Meetings for Boards and Commissions.

The Committee may vote on the type of meeting it will conduct to meet the updated requirements.

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. January 11, 2022 agenda items

D. NEXT REGULAR MEETING DATE: January 11, 2022

E. 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 December 14, 2021 was on November 30, 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 ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

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.

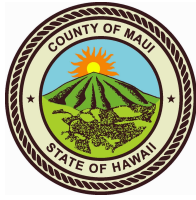
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

IF YOU REQUIRE AN AUXILIARY AID OR SERVICE OR ACCOMMODATION DUE TO A DISABILITY, PLEASE CONTACT THE COMMISSION STAFF NO LATER THAN THREE BUSINESS DAYS PRIOR

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TO THE SCHEDULED MEETING DATE AT (808) 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR
1-800-272-0125 (Lanai)

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

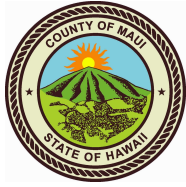
PD-Approved SMA Minor Projects for Maui

12/01/2021

Permit Completion Date: 11/10/2021 - 12/01/2021

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20210088	ATOLL AGRICULTURE	CONSTRUCT TWO SHELTERS FOR STORAGE & AG ACTIVITES	SMX/ATOLL AGRICULTURE/HAIKU	MARCO ROSSI		11/12/2021	A W/COND-APPROVED WITH CONDITIONS	2270360360000

Grand Total : 1



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

PD-Approved SMA Exempt Projects for Maui

12/01/2021

Permit Completion Date: 11/10/2021 - 12/01/2021

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20210254	JOHN ERCK	SMX/JOHNERCK/LAHAINA	ERCK,JOHN		11/10/2021	A-APPROVED	2430030980000
SM5 - 20210255	DENIS & ANNE SWIFT	SMX/DENISANNESWIFT/PAIA	DENIS SWIFT		11/10/2021	A-APPROVED	2380011430000
SM5 - 20210256	DOUGLAS BUTLER	SMX/DOUGLAS BUTLER/KIHEI	DOUGLAS BUTLER		11/10/2021	A-APPROVED	2390290330000
SM5 - 20210257	310 COOK PINE DRIVE	SMA/POOL AND SPA ADDITION-LAHAINA	MICHAEL RAMOS		11/10/2021	A-APPROVED	2420030750000
SM5 - 20210258	DAVID CABACUNGAN	SMA/METAL STORAGE CONTAINER/KIHEI	DAVID CABACUNGAN		11/10/2021	A-APPROVED	2390190050000
SM5 - 20210259	REUVEN GITTER TRUST	SMX/REUVEN GITTER TRUST/KIHEI	REUVEN GITTER TRUST		11/16/2021	A-APPROVED	2210081260023
SM5 - 20210260	NAPILI PLAZA	SMX/NAPILI PLAZA/LAHAINA	MICHAEL OH		11/16/2021	A-APPROVED	2430031090000
SM5 - 20210261	COSTCO ADA PARKING	COSTCO ADA PARKING IMPROVEMENTS/KAHULUI	BARGHAUSEN CONSULTING ENGINEERS		11/17/2021	A-APPROVED	2380790220000
SM5 - 20210262	WALTERS RESIDENCE	SMX/WALTERS RESIDENCE/KIHEI	FRED W. LOESBERG		11/23/2021	A-APPROVED	2210230160000
SM5 - 20210263	WAILEA POINT #2301	WAILEA POINT UNIT 2301 RENOVATIONS/KIHEI	STEVE LENTZ		11/29/2021	A-APPROVED	2210230040033
SM5 - 20210264	EATON POOL	SMX/EATON POOL/KIHEI	BRIAN GENE EATON		11/30/2021	A-APPROVED	2390600200000
SM5 - 20210265	JOHN SUESS	SMX/JOHN SUESS/KIHEI	SUESS,JOHN MICHAEL		11/30/2021	A-APPROVED	2390040970061

Grand Total : 12