

PURSUANT TO CHAPTER 92, PART I, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE MAUI PLANNING COMMISSION

AGENDA  
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: APRIL 12, 2022

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans  
Videoconferencing: **Meeting ID: 830 270 864**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Planning Department Conference Room, Kalana Pakui Building 250 South High Street, Wailuku, Maui, Hawaii 96793. Note: The Commission Members may not be physically present at this location and COVID-19 pandemic restrictions may limit capacity.

Members: P Denise La Costa (Vice-Chairperson), Kawika Freitas, William Gordon Greig, 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 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: 830 270 864**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/830270864>

Written testimony can be provided via email at [planning@mauicounty.gov](mailto:planning@mauicounty.gov) or via USPS mail c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Hawaii, 96793. While the Commission requests that written testimony be submitted by noon, one business day before the meeting to ensure distribution to the Commission, testimony submitted after such date and time will still be accepted by the Commission.

Testifiers via video 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 their names and the item they wish to testify on. Commissioners shall not be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

Testifiers via phone will be called by the Chair after video testimony is finished.

Testifiers in the Planning Department Conference Room will be called by the Chair after video and phone testimony are finished.

B. WELCOME OF NEW MEMBER WILLIAM GORDON GREIG

C. ELECTION OF OFFICERS FOR THE 2022-2023 BOARD YEAR – Chair and Vice-Chair

D. PUBLIC HEARINGS

1. WEST MAUI CONSTRUCTION HOLDINGS LLC requesting a Special Management Area Use Permit for the development of a 20,000 s.f. warehouse building and improvements on approximately 4.67 acres, located in the Maui Business Park, at 72 Lauo Loop, Kahului, Island of Maui, TMK: (2) 3-8-103:003 & 004 (por.) (SM1 2021/0004) (P. Fasi) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))

E. COMMUNICATIONS

1. MR. JAMES NIERMANN of R.M. TOWILL CORPORATION, on behalf of the COUNTY OF MAUI DEPARTMENT OF PARKS AND RECREATION, proposing amendments to the South Maui Park Community Park Master Plan. Amendments are being sought to extend the time on Phase I construction completion, and to change the project scope to meet current and future community needs and minimize costs associated with excavation and grading. The park is located at 1501 Liloa Drive, Kihei, Island of Maui at TMK: (2) 2-2-002:042. (SM1 2006/0028) (PH2 2006/0005) (T. Furukawa) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))
2. Adoption of Order Granting Proposed Intervenor Maui Meadows Neighborhood Association, a domestic non-profit association; and Pono Power Coalition's an unincorporated association, Petition to Intervene and Appointing Mediator and Hearing Officer in the matter of Paeahu Solar LLC's Application for a County Special Use Permit and Project District Phase II Development Approval for the Paeahu Solar Project, Wailea, Maui Hawaii, TMK: (2) 1-008:001 AND :056. (CUP 2020/0008) (PD2 2021/0001) (K. Wollenhaupt) ([Findings of Fact, Conclusions of Law and Order](#)) ([Final Judgement](#)) ([Documents Received After Posting](#)) ([Petition to Intervene](#)) ([List of Potential Mediators and Hearing Officers](#))

F. UNFINISHED BUSINESS

1. CHRISTINE FEINHOLZ, GISP of PACIFIC CARTOGRAPHY, and JORDAN E. HART, DEPUTY DIRECTOR on behalf of the DEPARTMENT OF PLANNING presenting information and progress in establishing a methodology and process for the MAUI COUNTY IMPORTANT AGRICULTURAL LANDS STUDY which will identify and map parcels which may be eligible for designation as Important Agricultural Lands on the Island of Maui.

The Commission may provide comments on the methodology and process being established. ([Documents Received After Posting](#))

Public testimony will be taken on this item.

G. DIRECTOR'S REPORT

1. MS. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, notifying the Maui Planning Commission pursuant to the provisions of the Maui Planning Commission's Special Management Area (SMA) Rules of the issuance of the following Special Management Area Emergency Permit:

MR. ROBERT AGAPAY OF THE COUNTY OF MAUI DEPARTMENT OF PARKS AND RECREATION, authorized representative for the County of Maui Department of Parks and Recreation, approval of a Special Management Area Emergency Permit for emergency protective measures to include iwi kupuna reinterment in a constructed pull box, removal of damaged and eroded picnic tables, asphalt, and appurtenant exposed utilities and landscaping for health and safety reasons located in the shoreline setback area at Puamana Beach Park, Pualei Drive, Lahaina, Maui, Hawaii: TMK: (2) 4-6-033:001 (SM3 2022/0001) (J. Buika) ([Letter](#))  
  
([Documents Received After Posting](#))

For notification purposes.

2. [Complaint filed](#) against former Commission Chair

The Commission may discuss issuing a response

3. SMA Minor Permit Report

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

4. SMA Exemptions Report

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

5. Discussion of Future Maui Planning Commission Agendas

- a. April 26, 2022 agenda items

H. NEXT REGULAR MEETING DATE: APRIL 26, 2022

I. 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 April 12, 2022 was on March 29, 2022.**

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 TO PROVIDE WRITTEN TESTIMONY IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, 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](http://www.mauicounty.gov), UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

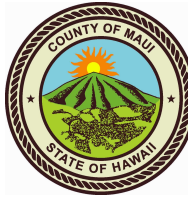
INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with commission members participating in the meeting or with the public location

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April 12, 2022  
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identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

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 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.**  
(S:\all\carolyn\MPC agendas\2022\041222)



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

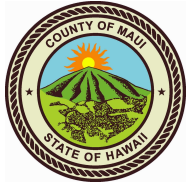
## PD-Approved SMA Minor Projects for Maui

03/29/2022

Permit Completion Date: 03/09/2022 - 03/29/2022

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20210065	PAIA POST OFFICE	PAIA POST OFFICE subdivision 3 lots & 1 roadway.	PAIA POST OFFICE SUBDIVISION 2.3361/PAIA	SAM HIRBOD, EC PAIA LLC		03/23/2022	A W/COND-APPROVED WITH CONDITIONS	2250050180000
SM2 - 20220017	CAMPBELL PARK-MOVIES	LAHAINA RESTORATION FOUNDATION MOVIES IN THE PARK	MOVIES IN CAMPBELL PARK/LAHAINA	LAHAINA RESTORATION FOUNDATION		03/09/2022	A W/COND-APPROVED WITH CONDITIONS	2460080060000
SM2 - 20220019	EARTH GREEN MAUI	CONSTRUCTION OF A 16' X 16' BUILDING	SMX/EARTH GREEN MAUI/HAIKU	NICOLE KENT		03/21/2022	A W/COND-APPROVED WITH CONDITIONS	2290110050000
SM2 - 20220020	MAALAEA STATION	INSTALL FOOD TRUCK/CARTS HUB/MAALAEA	MAALAEA STATION/MAALAEA	JOSHUA MARTEN		03/23/2022	A W/COND-APPROVED WITH CONDITIONS	2360080050000

**Grand Total : 4**



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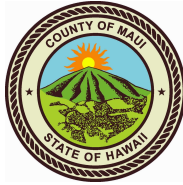
## PD-Approved SMA Exempt Projects for Maui

03/29/2022

Permit Completion Date: 03/09/2022 - 03/29/2022

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20220043	VANC FARM	SMX/VANC FARM/HANA	LIBOR VIC & BONIKA CAROLINE AMARASINGHE		03/10/2022	A-APPROVED	213003050000
SM5 - 20220044	HONUA KAI CONDO	HONUA KAI CONDO ASSOCIATION/LAHAINA	HONUA KAI CONDO AOAO		03/10/2022	A-APPROVED	2440140060638
SM5 - 20220045	KEAWALA'I CHURCH	SMX/KEAWALA'I CHURCH/MAKENA	HAWAII CONFERENCE FOUNDATION	KANAE	03/11/2022	A-APPROVED	2210070020000
SM5 - 20220046	ROSALINDA ESTILLORE	SMX/ROSALINDA ESTILLORE/LAHAINA	ROSALINDA ESTILLORE		03/14/2022	A-APPROVED	2450120230000
SM5 - 20220047	EAST MAUI DISTRICT	SMX/EAST MAUI RESURFACING/KAUPO	COUNTY OF MAUI DEPT OF PUBLIC WORKS		03/14/2022	A-APPROVED	R170020000000
SM5 - 20220048	KA 1116/STEPHENS	KA 1116/STEPHENS/LAHAINA	BRIAN VOLK		03/15/2022	A-APPROVED	2440080220066
SM5 - 20220049	COONEY ADDITIONS	COONEY ADDITIONS/PAIA	COONEY, MICHAEL A		03/17/2022	A-APPROVED	2380780450000 2380780450000
SM5 - 20220050	MONTAGE KAPALUA	MONTAGE KAPALUA BLDG ENVELOPE EMG REP/LA	TRISHA EGGE		03/17/2022	A-APPROVED	2420040270000 2420040280000
SM5 - 20220051	US KANAKANUI INC	SMX/US KANAKANUI/KIHEI	US KANAKANUI LP		03/22/2022	A-APPROVED	2390130060000
SM5 - 20220052	GARNIER RESIDENCE	SMX/GARNIER RESIDENCE POOL/LAHAINA	DAVID SELLERS		03/22/2022	A-APPROVED	2450080010049
SM5 - 20220053	HANSEN LEE POOL	SMX/HANSEN LEE POOL/KIHEI	DAVID SELLERS		03/22/2022	A-APPROVED	2390480820000
SM5 - 20220054	NICOLE WHITTAKER LLC	SMX/NICOLE WHITTAKER LLC/KIHEI	CARA SCOFFINGS		03/22/2022	A-APPROVED	2390011510000
SM5 - 20220056	BEN FISCHER	SMX/2ND FARM DWELLING/HAIKU	BENJAMIN JOHN FISCHER		03/22/2022	A-APPROVED	2280041050000
SM5 - 20220057	ROBIN TORRES	SMX/ROBIN ELIZABETH TORRES/HANA	HUNTON CONRAD		03/22/2022	A-APPROVED	2150030010000
SM5 - 20220058	580 LINEKONA PLACE	580 LINEKONA PLACE/WAILUKU	MERRITT KAUFMAN		03/23/2022	A-APPROVED	2340280780000
SM5 - 20220059	WWATER #8 FORCE MAIN	COM WASTEWATER #8FORCE MAIN REPLACE/KIHEI	COUNTY OF MAUI WASTEWATER RECLAMATION DIVISION		03/23/2022	A-APPROVED	2390041420000
SM5 - 20220060	PUNA POINT ROOF	SMX/PUNA POINT ROOF/LAHAINA	ATOM KASPRZYCKI	FASI	03/28/2022	A-APPROVED	2420020070000

\* = Shoreline Projects  
closedsm5x



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## PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 03/09/2022 - 03/29/2022

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20220061	HAUPT DWELLING	HAUPT DWELLING REPAIRS/WAILUKU	MERRITT KAUFMAN	BRADSHAW	03/28/2022	A-APPROVED	2340280590000
SM5 - 20220062	CAPOVILLA/KA 2102	CAPOVILLA/KA 2102/LAHAINA	BRIAN VOLK	KANAE	03/28/2022	A-APPROVED	2440080220122
SM5 - 20220063	HANA HEALTH RAMP	HANA HEALTH RAMP/HANA	HANA HEALTH, CHERYL VASCONCELLOS		03/28/2022	A-APPROVED	2130060020000
SM5 - 20220064	KOA LAGOON	SMX/KOA LAGOON UNIT 506/KIHEI	BRETT FAHNESTOCK	KANAE	03/28/2022	A-APPROVED	2390010130034
SM5 - 20220065	SOMETHING GREAT	SMX/SOMETHING GREAT HAWAII/KIHEI	RYOTA TAKAHASHI	KANAE	03/28/2022	A-APPROVED	2390030070000
SM5 - 20220066	YMCA FUTURE FARM	YMCA FARM FOR FAMILIES/KAHULUI	MIKE MORRIS		03/28/2022	A-APPROVED	2380070010000
SM5 - 20220067	HOLOLANI WALKWAY	ATF HOLOLANI WALKWAY REPAIRS/LAHAINA	TIM WELCH		03/28/2022	A-APPROVED	2430100090000
<b>Grand Total : 24</b>							