

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 26, 2022

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans
Videoconferencing: **Meeting ID: 327 779 505**

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 (Chairperson), Kellie Pali (Vice-Chairperson), Kawika Freitas, Dale Thompson, Mel Hipolito, Jr., Ashley Lindsey, Kim Thayer, William Greig

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: 327 779 505**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/327779505>

Written testimony can be provided via email at 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. COMMUNICATIONS

1. HALE KAIOLA LLC requesting Amendment of the Special Management Area Use Permit for the Hale Kaiola Affordable Housing Project to remove Condition 14, stating that the Applicant is responsible for construction of frontage improvements along Ohukai Road via construction or cost-contribution. The project is located on three acres of land at the corner of Kaiola Place and Ohukai Road in Kihei, Island of Maui, TMK: (2) 3-9-029:049. (SM1 2019/0009) (T. Furukawa) ([Report](#))
([Application](#)) ([Documents Received After Posting](#))

C. PROPOSED SETTLEMENT AGREEMENTS

1. [Proposed Settlement Agreement](#) between the COUNTY OF MAUI and JMKN ENTERPRISES LLC for violations for building a food truck hub including the placement of gravel, picnic tables and other features without a Special Management Area permit on property located at TMK: (2) 3-8-008:005 at Maalaea, NOV 2021/0059 (J. Takakura)
2. [Proposed Settlement Agreement](#) between COUNTY OF MAUI and TERI LARRONDE, DAVIDE A. FARRINGTON TRUST, LOIS M. FARRINGTON TRUST AND JOHN LEE HEW for installing improvements without a Special Management Area permit on property located at 76 Hana Highway, Paia, TMK: (2) 2-6-003:043 (Nuage Bleu), NOV 2019/0113 (J. Takakura)

D. ORIENTATION WORKSHOP NO. 1

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. [Complaint filed](#) against former Commission Chair (Rescheduled from the 4/12/22 agenda)

The Commission may discuss issuing a response

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. May 10, 2022 agenda items

F. NEXT REGULAR MEETING DATE: MAY 10, 2022

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 April 26, 2022 was on April 11, 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.

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April 26, 2022
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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 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
Kahala O Maui Building
200 South High Street,
Wailuku, HI 96793-2155

PD-Approved SMA Minor Projects for Maui

Permit Completion Date: 03/29/2022 - 03/31/2022

04/13/2022

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20210089	NAPILI SUNSET REPAIR	NAPILI SUNSET SHORELINE PROTECTION REPAIRS	NAPILI SUNSET SHORELINE REPAIRS	NAPILI SUNSET CONDOMINIUM ASSOCIATION	HUIKA	03/29/2022	A W/COND-APPROVED WITH CONDITIONS	2430020530000 2430020540000
SM2 - 20220018	E PAEPAE KA PUKOA	ATF_VEGEATATION&BEACH ACCESS MAINT/PAIA	E PAEPAE KA PUKOA ASSOCIATION/PAIA	E PAEPAE KA PUKOA ASSOCIATION		03/31/2022	A W/COND-APPROVED WITH CONDITIONS	2389950200000
SM2 - 20220021	1670 HALAMA LLC	1670 HALAMA LLC	1670 HALAMA LLC-STONE PRIVACY FENCE	MIKAL TORGENSON		03/31/2022	A W/COND-APPROVED WITH CONDITIONS	2390110100000
SM2 - 20220022	N.O.R.W ACCESS	ALL IMPROVEMENTS FOR VEHICULAR ACCESS/HAIKU	N.O.R.W ACCESS IMPROVEMENTS/HAIKU	DOMINIC CROSARIO, P. E.		03/30/2022	A W/COND-APPROVED WITH CONDITIONS	2270040220000 2270040490000 2270040520000
SM2 - 20220025	RING CENTRAL	TEMP SETUP FOR EVENT 4/7/22- WAILEA	RING CENTRAL/WAILEA	ENVISIONS ENTERTAINMENT AND PRODUCTIONS INC		03/31/2022	A W/COND-APPROVED WITH CONDITIONS	2210081400000
SM2 - 20220026	MANI HTC HANA LLC	DEMO OF EXISTING OUTDOOR DINING PAVILION	SMX/MANI HTC HANA LLC/HANA	MANI HTC HANA (DE)LLC		03/31/2022	A W/COND-APPROVED WITH CONDITIONS	2140030560000
SM2 - 20220027	FARMER'S MUTUAL HAIL	SPECIAL EVENT FOR FARMERS MUTUAL HAIL CO 5/5/22/KIHEI	FARMER'S MUTUAL HAIL EVENT/KIHEI	MC&A INC		05/31/2022	A W/COND-APPROVED WITH CONDITIONS	2210081400000
SM2 - 20220028	IIONOKOWAI BEACH PARK	IIONOKOWAI BEACH PARK PLAYGROUND IMPROVEMENTS	SMA/PLAYGROUND IMPROVEMENTS- LAIAINA	KRISTOFER BAPTIST		05/31/2022	A W/COND-APPROVED WITH CONDITIONS	2440010460000 2440010470000

Grand Total : 8

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 03/29/2022 - 03/31/2022



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

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20220068	SARAH TAN	SMA/INTERIOR RENO TO EXTG REST-LAIIAINA	WAYNE PAK		03/31/2022	A-APPROVED	2450010500000
SM5 - 20220069	COMMERCIAL BUILDING	COMMERCIAL BUILDING RENOVATION	MEYER BUILT LLC		03/31/2022	A-APPROVED	2460080300000
SM5 - 20220070	KA1103/STEPHENS	KA1103/STEPHENS/LAHAINA	BRIAN VOLK		03/31/2022	A-APPROVED	2440080220057
SM5 - 20220071	PACYGA RESIDENCE	SMX/PACYGARESIDENCE/LAHAINA	JAMES & SACHA PACYGA		03/31/2022	A-APPROVED	2420030750000
SM5 - 20220072	MR2-12 UNIT 8 FARM	SMX/MR2-12 UNIT 8 FARM/LAHAINA	JOHN ASTILLA		03/31/2022	A-APPROVED	2470140120000
SM5 - 20220073	KA 326_DYER	KA 326_DYER/LAHAINA	BRIAN VOLK	KANAE	03/31/2022	A-APPROVED	2440080220144
SM5 - 20220074	BEAU LAUGHLIN PV	SMX/BEAU LAUGHLIN PV/KIHEI	COLEMAN PIBURN		03/31/2022	A-APPROVED	2390460410000
SM5 - 20220075	ISLAND VINTAGE COFFE	SMX/ISLAND VINTAGE COFFEE/KIHEI	DOREEN CANTO		03/31/2022	A-APPROVED	2210080740000
SM5 - 20220076	KNIGHT RESIDENCE	SMX/KNIGHT RESIDENCE NEW DWELLING/KIHEI	DAVID SELLERS		03/31/2022	A-APPROVED	2210360860000
SM5 - 20220077	ARLIDGE CARPORT	SMX/ARLIDGE CARPORT/KIHEI	ARLIDGE,ROSS CHARLES & JANINE		03/31/2022	A-APPROVED	2390170900000
SM5 - 20220078	HUNTSMAN MANA KAI	HUNTSMAN MANA KAI 407/KIHEI	DENNIS VENTURA	KANAE	03/31/2022	A-APPROVED	2390040230035
SM5 - 20220079	MORRIONE ROOF DECK	SMX/MORRIONE ROOF DECK/KIHEI	JAMES MORRIONE		03/31/2022	A-APPROVED	2390420750000
SM5 - 20220080	WATER WELL & FENCE	SMX/WATER WELL & FENCE/HAIKU	STEVE RODGERS FREY		03/31/2022	A-APPROVED	2280040090000
SM5 - 20220081	NICKS FISHMARKET	NICKS FISHMARKET INTERIOR RENOVATION/WAI	PILI DESIGN BUILD LLC	KANAE	03/31/2022	A-APPROVED	2210230030001
SM5 - 20220082	COCONUT GROVE #30	COCONUT GROVE #30 RENOVATIONS/LAHAINA	STEVE LENTZ	KANAE	03/31/2022	A-APPROVED	2420060010030
SM5 - 20220083	KAPALUA ITTS IIP5/6	KAPALUA GOLF VILLA STRUCTURAL REPAIR/LAH	THE KAPALUA GOLF VILLAS AOAO	KANAE	03/31/2022	A-APPROVED	2420010280007
SM5 - 20220084	MAUI PARKSHORE	MAUI PARKSHORE EXT REPAIRS & PAINT PROJ	SHARON WIGHT MWA INC	KANAE	03/31/2022	A-APPROVED	2390040980001

Grand Total : 17