

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
APRIL 12, 2022**

[\(HYPERLINK TO CHAPTER 1 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 2 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 3 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 4 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 5 AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Planning Director Michele McLean at approximately 9:03 a.m., Tuesday, April 12, 2022, in the Planning Conference Room, 250 South High Street, Wailuku, Hawaii 96768 and online via BlueJeans; **Meeting ID: 830 270 864**

B. WELCOME OF NEW MEMBER WILLIAM GORDON GREIG

Mr. Greig introduced himself to the Commission.

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

Nominations were made for P Denise La Costa and Kellie Pali for Chairperson. Ms. Pali declined the nomination for Chairperson but stated she would be open for Vice-Chairperson. The members unanimously voted P Denise La Costa as Chairperson and Kellie Pali as Vice-Chairperson.

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)

(Item D.1 begins at approximately 00:14:42 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:16:50 of Chapter 1 of the audio recording.)

It was moved by Mr. Hipolito, seconded by Mr. Thompson, then

(Vote was taken at approximately 01:26:05 of Chapter 1 of the audio recording.)

VOTED: To Approve the Special Management Area Use Permit as recommended by the Department with the Additional Conditions as Discussed by the Commission.
(Assenting – M. Hipolito, D. Thompson, K. Freitas, A. Lindsey, K. Thayer, W. Grieg, K. Pali)
(Excused – P D. La Costa)

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)

(Item E.1 begins at approximately 00:00:19 of Chapter 2 of the audio recording.)

(Motion was made at approximately 01:17:26 of Chapter 2 of the audio recording.)

The motion made by Mr. Freitas and seconded by Mr. Hipolito to defer the matter until the Aha Moku Council has been consulted was withdrawn after further discussion. Director McLean noted that a condition could be added to the project that the applicant consult with the Aha Moku Council prior to initiating Phase 2 or Phase 3.

(Motion was made at approximately 01:22:53 of Chapter 2 of the audio recording.)

It was moved by Mr. Freitas, seconded by Mr. Hipolito, then

(Vote was taken at approximately 01:46:35 of Chapter 2 of the audio recording.)

VOTED: To Approve the Amendment to the Special Management Area Use Permit as recommended by the Department with the Additional Conditions as Discussed by the Commission.
(Assenting – K. Freitas, M. Hipolito, D. Thompson, A. Lindsey, K. Thayer, W. Grieg, K. Pali)
(Excused – P D. La Costa)

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)

(Item E.2 begins at approximately 00:00:29 of Chapter 3 of the audio recording.)

(Motion was made at approximately 00:01:27 of Chapter 4 of the audio recording.)

It was moved by Mr. Freitas, seconded by Mr. Thompson, then

(Vote was taken at approximately 00:04:46 of Chapter 4 of the audio recording.)

VOTED: To Defer Acton on the Jurisdictional Motion and Take it Under Advisement and To Grant the Petition to Intervene.
(Assenting – K. Freitas, D. Thompson, M. Hipolito, A. Lindsey, W. Grieg, K. Pali)
(Recused – K. Thayer)
(Excused – P D. La Costa)

The matter of appointing a mediator and hearing officer was then taken up:

(Motion was made at approximately 00:05:58 of Chapter 4 of the audio recording.)

It was moved by Ms. Lindsey, seconded by Mr. Thompson, then

(Vote was taken at approximately 00:7:24 of Chapter 4 of the audio recording.)

VOTED: To Appoint John Rapacz as the Mediator and Glenn Kosaka as the Hearing Officer.
(Assenting – A. Lindsey, D. Thompson, K. Freitas, M. Hipolito, W. Grieg, K. Pali)
(Recused – K. Thayer)
(Excused – P D. La Costa)

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.

Public testimony will be taken on this item.

(Item F begins at approximately 00:00:27 of Chapter 5 of the audio recording.)

The Commission provided their comments.

G. DIRECTOR'S REPORT

(Item G begins at approximately 00:20:48 of Chapter 5 of the audio recording.)

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)

For notification purposes only.

2. Complaint filed against former Commission Chair

The Commission may discuss issuing a response

Due to the complainant having to leave for work, the matter was deferred to the April 26th agenda.

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.

No questions or comments from Commission on the SMA Minor and SMA Exemptions Reports.

5. Discussion of Future Maui Planning Commission Agendas
 - a. April 26, 2022 agenda items

Ms. McLean went over the items scheduled for the April 26, 2022 agenda.

H. NEXT REGULAR MEETING DATE: APRIL 26, 2022

I. ADJOURNMENT

The meeting was adjourned at approximately 2:34 p.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Kawika Freitas (via BlueJeans)
Ashley Lindsey (via BlueJeans)
William Greig (via BlueJeans)
Mel Hipolito, Jr. (via BlueJeans)
Kellie Pali
Kim Thayer
Dale Thompson

Excused

P Denise La Costa, Vice-Chair

Others

Michele Chouteau McLean, Director, Dept. of Planning
Michael Hopper, Deputy Corporation Counsel, Dept. of the Corporation Counsel (via BlueJeans)
Gary Ambrose, Deputy Director, Dept. of Public Works (via BlueJeans)