

**MAUI PLANNING COMMISSION
SUMMARY MINUTES
APRIL 26, 2022**

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

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

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson La Costa at approximately 9:02 a.m., Tuesday, April 26, 2022, in the Planning Conference Room, 250 South High Street, Wailuku, Hawaii 96768 and online via BlueJeans; **Meeting ID: 327 779 505**

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)

(Item B.1 begins at approximately 00:07:00 of Chapter 1 of the audio recording.)

(Motion was made at approximately 00:51:26 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 00:53:32 of Chapter 1 of the audio recording.)

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

C. PROPOSED SETTLEMENT AGREEMENTS

1. Proposed Settlement Agreement between the COUNTY OF MAUI and JMJN 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)

(Item C.1 begins at approximately 00:54:17 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:08:10 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 01:09:07 of Chapter 1 of the audio recording.)

VOTED: To Accept the Proposed Settlement Agreement.
(Assenting – D. Thompson, W. Greig, K. Freitas, A. Lindsey,
K. Thayer, P D. La Costa)
(Recused – M. Hipolito)
(Excused – K. Pali)

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)

(Item C.2 begins at approximately 01:09:50 of Chapter 1 of the audio recording.)

(Motion was made at approximately 01:19:15 of Chapter 1 of the audio recording.)

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

(Vote was taken at approximately 01:19:59 of Chapter 1 of the audio recording.)

VOTED: To Accept the Proposed Settlement Agreement.
(Assenting – D. Thompson, K. Freitas, M. Hipolito, A. Lindsey,
K. Thayer, W. Grieg)
(Excused – K. Pali)

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

(Item D begins at approximately 00:00:53 of Chapter 2 of the audio recording.)

Ms. Richelle Thomson gave a PowerPoint presentation and went over Items 1 -4. Item 5 was deferred to a future agenda as Planning staff was not available.

E. DIRECTOR'S REPORT

(Item E begins at approximately 00:54:54 of Chapter 2 of the audio recording.)

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

The Commission may discuss issuing a response

Commission deferred the matter until the complainant could be present.

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.

No questions or comments on the SMA Minor and SMA Exemption Reports

4. Discussion of Future Maui Planning Commission Agendas
 - a. May 10, 2022 agenda items

Ms. McLean went over what is scheduled for the May 10, 2022 agenda.

F. NEXT REGULAR MEETING DATE: MAY 10, 2022

G. ADJOURNMENT

The meeting was adjourned at approximately 11:29 a.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Kawika Freitas (via BlueJeans)
P Denise La Costa, Chairperson
Ashley Lindsey (via BlueJeans)
William Greig (via BlueJeans)
Mel Hipolito, Jr. (via BlueJeans) (excused at 11:15 a.m.)
Kim Thayer (via BlueJeans)
Dale Thompson

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Excused

Kellie Pali, Vice-Chairperson

Others

Michele Chouteau McLean, Director, Dept. of Planning

Richelle Thomson, First Deputy Corporation Counsel, Dept. of the Corporation Counsel (via BlueJeans)

Jordan Molina, Director, Dept. of Public Works (via BlueJeans)