

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: MAY 24, 2022

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans
Videoconferencing: **Meeting ID: 938 467 059**

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.

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: 938 467 059**

To watch the meeting or provide video testimony, use meeting link: <https://maui.bluejeans.com/938467059>

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. PUBLIC HEARINGS

1. MR. DAVID GOMES of HAWAIIAN CEMENT (PUUNENE) requesting an amendment to a State Land Use Commission Special Permit and County Special Use Permit to increase the permit area by approximately 45.4 acres, from 226.42 acres to 271.82 acres, in the State and County Agricultural Districts, Puunene, Island of Maui, TMK: (2) 3-8-004:001 (por.) (SP 92-380) (CUP 2006/0002) (P. Fasi) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))

2. NEW CINGULAR WIRELESS PCS, LLC, DOING BUSINESS AS AT&T, requesting a County Special Use Permit to build a new 50-foot wireless communications tower and support facility to provide both cellphone coverage as well as to support coverage to first responders, located in the County Agricultural District off of Upper Kanaio Road, Kula, Island of Maui, on a portion of the 5,891.64 acre Ulupalakua Ranch parcel, TMK: (2) 2-1-009:010. (CUP 2022/0002) (J. Burkett)
Matter to be rescheduled to a future agenda.

C. COMMUNICATIONS

1. MR. ARTURO WESLEY and MS. TIARE ROBERSON, requesting an amendment to a State Land Use Commission Special Permit to reflect an update to the Site Plan to include after-the-fact structures for a neighborhood market operation, aka the Jaws Country Store. A three-year permit time extension is also being sought for continued commercial use in the State and County Agricultural Districts on 2.376 acres of land at 4320 Hana Highway in Haiku, Island of Maui, TMK: (2) 2-8-002:016. (SUP2 2014/0012) (T. Furukawa) ([Report](#)) ([Application](#)) ([Documents Received After Posting](#))

D. DIRECTOR'S REPORT

1. [Complaint filed](#) against former Commission Chair
(Rescheduled from the 4/12/22, 4/26/22 and 5/10/22 agendas)

The Commission may discuss issuing a response

2. SMA Minor Permit Report – **(Report not available due to transition from KIVA to MAPPS)**

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

3. SMA Exemptions Report - **(Report not available due to transition from KIVA to MAPPS)**

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

4. Discussion of Future Maui Planning Commission Agendas
 - a. June 14, 2022 agenda items

E. NEXT REGULAR MEETING DATE: JUNE 14, 2022

F. 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 May 24, 2022 was on May 10, 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, 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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