

# MAUI PLANNING COMMISSION

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:** OCTOBER 25, 2022

**TIME:** 9:00 A.M.

**REMOTE MEETING LOCATION:** Interactive conference technology via BlueJeans  
Videoconferencing: **Meeting ID: 967 966 372**

**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, Dr. Mark Deakos

### A. CALL TO ORDER AND ROLL CALL

Public testimony will be taken when each agenda item is discussed. **Testimony will be limited to a maximum of three minutes.**

**To watch the meeting** or provide video testimony: Click on or use meeting link: <https://maui.bluejeans.com/967966372>

**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: 967 966 372**

Testifiers via video are asked to sign-up using the Chat function providing their names and the item they wish to testify on. Testifiers via phone will be called by the Chair after in-person and video testimony is finished.

Testifiers will be called by the Chair to offer their testimony, those participating by phone or video are asked to **mute** their audio and video when they are not testifying.

**To provide written testimony:** Email testimony to [planning@mauicounty.gov](mailto:planning@mauicounty.gov) or submit written testimony by mail to the Maui Planning Commission 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.

Commissioners **shall not** be contacted by the Chat function; the Chat function shall not be used to provide testimony or comments.

B. COMMUNICATIONS

BRETT DAVIS of CHRIS HART & PARTNERS on behalf of WAILEA GOLF, LLC is requesting to amend a Conditional Permit and Planned Development Step II approval for proposed Wailea Tennis Center offsite parking improvements on TMK: (2) 2-1-008:141, Wailea Ike Place, Wailea, Island of Maui. (CP990007) (PD22022-00001) (T. Furukawa).  
[\(Report\)](#)                      [\(Application\)](#)                      [\(Documents Received After Posting\)](#)

C. REVIEW OF PROPOSED SETTLEMENT AGREEMENT FOR ALLEGED SPECIAL MANAGEMENT AREA AND SHORELINE VIOLATIONS.

[Proposed Settlement Agreement](#) between the COUNTY OF MAUI and MERRITT KAUFMAN for unpermitted improvements within the Special Management Area and Shoreline Setback Area without first receiving SMA and Shoreline Setback determinations or permits for such improvements on property located at 545 Linekona Place, Wailuku, Island of Maui. SMA Notice of Violation: NOV 2019/0115; Shoreline Notice of Violation: 2019/0114. (J. Takakura)

D. SPECIAL MANAGEMENT AREA AND SHORELINE RULES WORKSHOP

Proposed rules can be found under Proposed Special Management Area and Shoreline Rules Amendments at: <https://www.mauicounty.gov/416/Coastal-Zone-Management-Program>  
[Documents received after posting](#)

E. DIRECTOR'S REPORT

1. SMA Minor Permit Report

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

2. SMA Exemptions Report

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

3. Discussion of Future Maui Planning Commission Agendas

a. November 7, 2022 (MONDAY) agenda items

F. NEXT REGULAR MEETING DATE: NOVEMBER 7, 2022 (MONDAY)

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

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

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 Sec. 92-5(a)(4), Hawaii Revised Statutes.

**Documents** relating to this meeting may be found by clicking on the links provided on this Agenda, on the County of Maui official website at <https://www.mauicounty.gov>, under Boards and Commissions, Maui Planning Commission, and are on file with the Department of Planning.

**The address of the Commission to provide written testimony is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793, phone number is 808-270-7735, and email is [planning@mauicounty.gov](mailto:planning@mauicounty.gov).**

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 is needed if testimony is presented immediately prior to or at the meeting.

The links for documents received after posting will be updated periodically when testimony or documents is received, up to 12:00 p.m. on business day prior to the meeting.

**Petitions to Intervene:** 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.) Filing of all documents to the Commission is c/o the Department of Planning, 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 October 25, 2022 was on October 11, 2022.**

**Oral testimony** will be received on any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes, 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 oral 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, will 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

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.

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**SPECIAL ASSISTANCE:** 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  
 Kalana O Maui Building  
 200 South High Street  
 Wailuku, HI 96793-2155

# PD - Approved Projects for Maui

10/12/2022

Permit Completion Date: 09/28/2022 - 10/12/2022

## CP Special Management Area Minor Permit - Maui

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
SM22022-00046	4885 Lower Honoapiilani Road Seawall Repair	Seawall Removal and landscaping.	Anders Lyons	James A. Buika	10/04/2022	Completed	2430150010000-43576
SM22022-00030	BOZICH RENOVATION	Renovation and repairs to single family dwelling and accessory structure	ARCHITECTURAL DESIGN & CONSTRUCTION	Erin Derrington	10/04/2022	Approved	2430030920000-40887
SM22022-00050	B1 Maui DMAP Mineral Sunscreen Dispensers Project	Sunscreen dispenser installation at 17 locations.	Meagan DeGaia	Collette Cardoza	10/11/2022	Approved	2380011190000-23949 2430090520000-200347 2380050320000-24425 2390040480000-33328 2480020410000-50748 2390011470000-32020 2470010170000-50709 2390050290000-34555 2390041520000-84767 2250040250000-12637 2440080010000-46558 2250050460000-12702 2390050300000-34556
SM22022-00049	Koholā Brewery	Interior alt, install sidewalk and Grease interceptor.	Sean Kendig	Collette Cardoza	10/11/2022	Approved	2210081180000-90752 2210081180001-90550

**Grand Total: 4**



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# PD - Approved Projects for Maui

10/12/2022

Permit Completion Date: 09/28/2022 - 10/12/2022

## ZAED Special Management Area Exemption

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
SM52022-000100	Liner PV Installation	The project involves the addition of 18 PV panels and a Tesla Powerwall along with all associated electrical work on property with an existing	RISING SUN SOLAR ELECTRIC LLC	Danny A. Dias	09/30/2022	Approved	2390400740000-38247
SM52022-000098		WHALERS VILLAGE IMPR: SHOPPING CENTER NEW HYDRANT, ATF WORK, ETC. IMPROVEMENTS	BROOKFIELD PROPERTIES RETAIL	Wesley Bradshaw	10/03/2022	Completed	2440080010000-46558
SM52022-000094	BOZICH REPAIR & RENOVATION	Conduct interior and exterior repairs and renovations to an existing single-family dwelling. This includes roof repairs, limited structural	ARCHITECTURAL DESIGN & CONSTRUCTION	Erin Derrington	10/04/2022	Approved	2430030920000-40887
SM52022-000092	Napili Surf Propane Tank Exchange	Replace existing propane tank	NAPILI SURF	Laury Sanger	10/05/2022	Approved	2430020480001-40407
SM52022-000105	Dalmon Swimming Pool	The project involves the construction of a new swimming pool on a property with an existing single-family dwelling in Kihei. The pool will be	DAVID SELLERS	Danny A. Dias	10/06/2022	Approved	2390600710000-79595
SM52022-000102	Exterior Painting of House	Exterior painting and cosmetic stucco repairs to an existing single-family home.	Thomas Croly	Collette Cardoza	10/11/2022	Approved	2210060850000-2103

Grand Total: 6