

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: DECEMBER 13, 2022

TIME: 9:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans
Videoconferencing: **Meeting ID: 589 713 515**

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/589713515>

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: 589 713 515**

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 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. RESOLUTION THANKING OUTGOING PLANNING DIRECTOR MICHELE CHOUTEAU MCLEAN

C. PUBLIC HEARINGS

1. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, referring to the Maui Planning Commission a proposed bill to amend Maui County Code Chapter 19.36B – Off-Street Parking and Loading, to regulate the number of cars allowed to be parked on a residential property operating as an automobile rental or car sharing service. (J. Takakura) ([Report](#)) ([Documents Received After Posting](#))

The entire text of the proposed bill for ordinance is available at <https://www.mauicounty.gov/DocumentCenter/View/136485/Resolution-22-151-CD1-Amending-1936B-Relating-to-Off-Street-Parking-and-Loading>

2. MICHELE CHOUTEAU MCLEAN, AICP, Planning Director, pursuant to Sec. 19.510.020.B, Maui County Code, on behalf of WAIKAPU PROPERTIES, LLC; MTP LAND PARTNERS, LLC; WILLIAM S. FILIOS, Trustee of the William S. Filios Separate Property Trust dated April 3, 2000, and WAIALE 905 PARTNERS, LLC, requesting amendments to conditions of zoning of Ordinance No. 4998 relating to changes in zoning for the Waikapu Country Town project, and to Chapter 19.96, Maui County Code, relating to Waikapu Country Town District, located at 1670 Honoapiilani Highway, TMKs: (2) 3-6-002:003 (POR), (2) 3-6-004:003 (POR), (2) 3-6-004:006, (2) 3-6-005:007, and (2) 3-6-006:036, Waikapu, District of Wailuku, Island and County of Maui. (ZPA 2022/0006) (K. Wollenhaupt) ([Report – Part 1](#)) ([Report – Part 2](#))
([August 28, 2018 Maui PC Agenda](#)) ([Documents Received After Posting](#))

D. PROPOSED SETTLEMENT AGREEMENT RELATING TO SPECIAL MANAGEMENT AREA AND SHORELINE VIOLATIONS

[Proposed Settlement Agreement](#) between the County of Maui and A&B Properties, Roger Thorson and Hugh Starr relating to SMA and Shoreline violations and subsequent restoration at Kealakai Place, Paia, Hawaii, TMK: (2) 3-8-001: 072, known as Wawau Point or Baby Beach. (NOV 2019/0074) (NOV 2019/0075)

E. COMMUNICATIONS

D. WARD MARDFIN, Chair of the HANA ADVISORY COMMITTEE transmitting the Committee's Recommendation:

MR. GARY STICE and HANA BEACHFRONT ASSOCIATES requesting a Special Management Area (SMA) Use Permit in order to build two single-family residences and related improvements that are located outside of the shoreline setback area on

1.478 acres of land in the Interim District at 175 Haneoo Road, TMK: (2) 1-4-008:001, Hana, Island of Maui. (SM1 2013/0010) (J. Buika) ([Transmittal](#)) ([Exhibits](#))

One residence is planned to be a three-bedroom single-family residence, totaling 2,500 square feet (1,850 square foot house and 650 square foot covered lanai), and the other residence is planned to be a two-bedroom single-family residence totaling 1,600 square foot (1,200 square foot house with a 400 square foot lanai)

The public hearing was held on October 29, 2018 and the Committee deferred the matter. It was then taken up at its June 9, 2022, July 26, 2022 (site inspection), and September 8, 2022 meetings.

[\(Documents Received After Posting\)](#)

F. 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. January 10, 2023 agenda items

G. NEXT REGULAR MEETING DATE: January 10, 2023

H. 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.

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 December 13, 2022 was on November 29, 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.

SPECIAL ASSISTANCE: If any person needs an auxiliary aid/service or other accommodation due to a disability, contact the Planning Department at 808-270-7735 (Maui), 1-800-272-0177 (Molokai) or 1-800-272-0125 (Lanai), or planning@mauicounty.gov, as soon as possible. Requests made as early as possible will allow adequate time to fulfill the request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

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. (S:\all\carolyn\MPC agendas\2022\121322_age.doc)



COUNTY OF MAUI
 Kalana O Maui Building
 200 South High Street
 Wailuku, HI 96793-2155

PD - Approved Projects for Maui

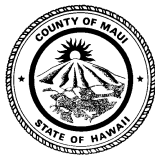
11/30/2022

Permit Completion Date: 11/09/2022 - 11/30/2022

CP Special Management Area Minor Permit - Maui

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
SM22022-00055	3 H & S LLC GRUBBING	Remove all kiawe trees (except the ones along the property line to remain as a "natural fence") and replace with 4" of gravel per the Fire Department's	3 H & S LLC	Laury Sanger	11/14/2022	Approved	2390021040000-32220 2390021030000-32219
SM22022-00057	Calkins Residence	Retaining wall, pool, spa and BBQ		Tara Furukawa	11/17/2022	Completed	2390021020000-32218 2210081560003-91904
SM22022-00058	HI02201C KIHEI SOUTH	Add new telecommunication facility including antennas on rooftop, equipment platform and emergency generator on ground space.	Danette Martin	Laury Sanger	11/22/2022	Completed	2390200010000-67270
SM22022-00054	Beach Restoration and landscaping at Kuau Cove.	Beach Restoration and Landscaping at Kuau Cove	Floyd Christenson	James A. Buika	11/28/2022	Approved	2250040850000-86341
SM22022-00059	Maui Sunset Sewer Manhole	Installation of a sewer manhole over an existing 8" sewer line.	BRENDA BRAUN Emma Kaimiola	Collette Cardoza	11/28/2022	Approved	2390010020000-68659
SM22022-00060	DRAMISINO/GUICHET	FENCE-WATER TANK- DRIVEWAY-STORAGE CARGO CONTAINER- SHED - GRUBBING & GRADING	Nicolas Dramisino	Collette Cardoza	11/28/2022	Approved	2280041220000-93782

Grand Total: 6



COUNTY OF MAUI
Kalana O Maui Building
200 South High Street
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PD - Approved Projects for Maui

11/30/2022

Permit Completion Date: 11/09/2022 - 11/30/2022

ZAED Special Management Area Exemption

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
SM52022-000104		PAPAKEA RESORT: PLUMBING REPLACEMENT/LAHAINA	BRAD WELLS	Wesley Bradshaw	11/09/2022	Approved	2440010550000-66615
SM52022-000121		WORLDMARK INT RENO: INTERIOR RENOVATIONS 200 UNITS ON PROPERTY	WORLDMARK, THE CLUB	Wesley Bradshaw	11/09/2022	Approved	2390180170000-36230
SM52022-000125	Neal Residence	Construction of a Single-Family dwelling, detached bedroom, pool, retaining walls & related site improvements	MICHELLE COCKETT	Collette Cardoza	11/10/2022	Approved	2210250360000-4957
SM52022-000124	University of Hawaii Maui College Pilina Building Improvements	The proposed project will involve interior renovation of the existing Multi-Purpose room to a Student Lounge. Repainting, replace existing	Munekiyo Hiraga	Collette Cardoza	11/10/2022	Approved	2380070400000-24481 2370020110000-23258
SM52022-000126	Bank of Hawaii - Lahaina Branch and Post Office - Exterior CMU Pilaster and Column Repairs	The proposed project involves exterior structural spall repair to CMU pilasters and columns on selected areas of the building. To be repaired to	Trenton Lum	Scott Forsythe	11/10/2022	Approved	2450010440000-47796
SM52022-000133	Moore Swimming Pool and Spa	The project involves the construction of a new swimming pool and spa on property with an existing single-family dwelling in Kihei. The pool	MICHELLE COCKETT	Danny A. Dias	11/10/2022	Approved	2390501030000-78137
SM52022-000130	REITER, MICHAEL	Proposed work is all being done on the existing single family dwelling with no addition to existing square footage.	RISING SUN SOLAR ELECTRIC LLC	Sybil Lopez	11/15/2022	Approved	2320100170000-64914
SM52022-000132	Costco food service HVAC	HVAC replacement	SHIRLEY CHRISTIANSEN	Laury Sanger	11/15/2022	Approved	2380790220000-30483
SM52022-000135	The Ritz-Carlton Kapalua Fire Alarm System	Install new fire alarm system to replace existing systems and increase coverage throughout the resort in 6 guest building and the Front Main Building of	SHIRLEY CHRISTIANSEN	Collette Cardoza	11/18/2022	Approved	2420040210000-84517
SM52022-000141	KAHANA VILLAS MANHOLE	Install new sewer manhole 2' from the property line over existing 6" sewer line (6' deep) servicing the villas. Replace existing clean out with distribution	BRANDON MURR	Laury Sanger	11/23/2022	Approved	2430100130000-64695
SM52022-000143	U-HAUL MOVING & STORAGE OF KAHULUI ADDITIONAL SELF-STORAGE	Infill in existing building shell to create two floors of self-storage units, and installation of an elevator.	BRANDIS SARICH	Collette Cardoza	11/28/2022	Approved	2380790120000-30473

Grand Total: 11