

**MAUI PLANNING COMMISSION  
SUMMARY MINUTES  
NOVEMBER 22, 2022**

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

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

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

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

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

[\(HYPERLINK TO CHAPTER 6 AUDIO RECORDING OF THE MEETING\)](#)

[\(HYPERLINK TO CHAPTER 7 AUDIO RECORDING OF THE MEETING\)](#)

**A. CALL TO ORDER**

The regular meeting of the Maui Planning Commission was called to order by Chairperson P Denise La Costa at approximately 9:05 a.m., Tuesday, November 22, 2022, in the Planning Conference Room, 250 South High Street, Wailuku, Maui, Hawaii 96768 and online via BlueJeans; **Meeting ID: 111 420 233**

**B. PUBLIC HEARINGS**

1. CHARLENE SHIBUYA FOR MUNEKIYO HIRAGA on behalf of COUNTY OF MAUI DEPARTMENT OF PUBLIC WORKS requesting a Special Management Area Use Permit and Shoreline Setback Variance for proposed improvements in two areas. Area 1: Dickenson Street to Lahainaluna Road includes replacing concrete wave deflector, wooden railings, deteriorated sidewalks, concrete planters, overgrown trees, existing light fixtures and street amenities; repairs to beach access stairs and railings; and removal of wooden bollards. Area 2: Papalaua Road to Baker Street includes replenishing boulders in stacked seawall, located at Front Street, Lahaina, Island of Maui, TMK: (2) 4-5-002: 999 and 002 (por.) and (2) 4 6-009 :999 (SM1 2020/0011) (SSV 2020/0002) (C. Thackerson)

*(Item B.1 begins at approximately 00:04:43 of Chapter 1 of the audio recording.)*

*(Motion was made at approximately 01:15:20 of Chapter 1 of the audio recording.)*

**It was moved by Ms. Pali, seconded by Ms. Thayer, then**

*(Vote was taken at approximately 01:31:30 of Chapter 1 of the audio recording.)*

**VOTED: To Approve the Special Management Area Use Permit and Shoreline Setback Variance as Recommended by the Department, as Amended by the Commission.**  
**(Assenting – M. Hipolito, K. Thayer, M. Deakos, K. Pali, P D. La Costa)**  
**(Recused – K. Freitas, A. Lindsey)**  
**(Excused – D. Thompson)**

2. MICHAEL SUMMERS of PLANNING CONSULTANTS HAWAII, LLC on behalf of R.D. Olson Development, requesting a Special Management Area Use Permit for the proposed Maui Airport Industrial Project involving the development of two one-story buildings comprising of 98,320 square feet of warehouse and 38,000 square feet of office space. Parking, landscaping and related improvements are also proposed. The project will be built on five light industrial lots proposed to be consolidated at TMKs: (2) 3-8-103:014, 015, 016, 017, 018. The lots are located in the Maui Business Park II North Project, Kahului, Island of Maui. (SM12022-00004) (T. Furukawa)

*(Item B.2 begins at approximately 00:00:25 of Chapter 2 of the audio recording.)*

*(Motion was made at approximately 01:58:32 of Chapter 2 of the audio recording.)*

**It was moved by Mr. Hipolito, seconded by Ms. Pali, then**

*(Vote was taken at approximately 0:43:42 of Chapter 3 of the audio recording.)*

**VOTED: To Defer the Matter in Order for the Applicant to Provide Additional Information as Requested by the Commission.**  
**(Assenting – M. Hipolito, K. Thayer, M. Deakos, K. Pali, P D. La Costa)**  
**(Dissenting – K. Freitas, A. Lindsey)**  
**(Excused – D. Thompson)**

3. Proposed amendments to TITLE MC-12, DEPARTMENT OF PLANNING, SUBTITLE 02, MAUI PLANNING COMMISSION, CHAPTER 202, SPECIAL MANAGEMENT AREA RULES and Proposed amendments to TITLE MC-12, DEPARTMENT OF PLANNING, SUBTITLE 02, MAUI PLANNING COMMISSION, CHAPTER 203, SHORELINE RULES FOR THE MAUI PLANNING COMMISSION

The proposed rule amendments are summarized as follows:

SUMMARY OF THE PROPOSED AMENDMENTS TO CHAPTER 202 (SPECIAL MANAGEMENT AREA RULES): provide new and revised definitions; streamline application requirements and procedures; clarify and revise procedures for intervention, enforcement and appeals; require assessments for sea level rise;

revise procedures for emergency permits, requiring a long-term plan and the removal of temporary measures; add “categorical exemptions” that are considered exempt and will not need an assessment.

SUMMARY OF THE PROPOSED AMENDMENTS TO CHAPTER 203 (SHORELINE RULES): provide new and revised definitions; amend how the setback is established, changing the depth in many cases to follow the erosion hazard line (EHL) with 3.2 feet of sea level rise where the EHL is mapped; clarify and expand structures and activities allowed in the setback; prohibit shoreline hardening in most cases while allowing repairs; clarify repairs allowed for nonconforming structures; clarify and revise procedures for enforcement.

*(Item B.3 begins at approximately 00:00:18 of Chapter 5 of the audio recording.)*

**After closing the public testimony portion, the matter was recessed to December 6, 2022 at 11:00 a.m.**

#### **C. DIRECTOR’S REPORT**

*(Item C begins at approximately 00:32:00 of Chapter 7 of the audio recording.)*

1. SMA Minor Permit Report – No SMA Minor Permit Report Generated – No permits issued for the 10/26/22 – 11/07/22 time period

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.

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

3. Discussion of Future Maui Planning Commission Agendas
  - a. December 13, 2022 agenda items

Ms. McLean went over the items scheduled for the December 13, 2022 meeting.

#### **D. NEXT REGULAR MEETING DATE: December 13, 2022**

#### **E. ADJOURNMENT**

The meeting was recessed at approximately 5:50 p.m. Meeting will reconvene on December 6, 2022 at 11:00 a.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN  
Secretary to Boards and Commissions II

**RECORD OF ATTENDANCE**

Present

P Denise La Costa, Chair – in person  
Kawika Freitas – via BlueJeans  
Kellie Pali, Vice-Chair – in person  
Mel Hipolito, Jr. – via BlueJeans  
Ashley Lindsey – via BlueJeans  
Kim Thayer – in person  
Mark Deakos – via BlueJeans

Excused

Dale Thompson

Others

Michele McLean, Director, Dept. of Planning – in person  
Michael Hopper, Deputy Corporation Counsel, Dept. of the Corporation Counsel – in person