

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: JULY 8, 2003
TIME: 9:00 A .M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Star Medeiros (Chair), Randy Piltz (Vice-Chair), Bernice Lu, Susan Moikeha, Suzanne Freitas, Patricia Eason, Grelyn Rosario, Johanna Amarin, Diane Shepherd.

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at the beginning of the meeting will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

A. CALL TO ORDER

B. PUBLIC HEARINGS (Action to be taken after each public hearing)

1. MR. MICHAEL FOLEY, Planning Director requesting that the zoning be changed from R-3 Residential District to Rural 0.5 District due to a mapping error during the comprehensive zoning project for the Makawao-Pukalani-Kula Community Plan area at TMK: 2-4-009: 008, 015, 070, and 071, Makawao, Island of Maui. (CIZ 20030003) (J. Higa)
 - a. Public Hearing
 - b. Action
2. MR. WILDER W. HORNERMAN, Vice-President of Concrete & Aggregate Operations of HAWAIIAN CEMENT requesting a County Special Use Permit for the continued use of the property for quarrying, concrete and asphalt batching, and related products in the County Agriculture District at TMK: 3-8-004: 001 and 002, Pulehunui, Wailuku, Island of Maui. Hawaiian Cement is also requesting a 15-year time extension on the State Land Use Commission Special Use Permit to continue these activities, SP 92-380. (CUP 2003/0003) (R. Loudermilk)

- a. Public Hearing
- b. Action

C. COMMUNICATIONS

1. MR. W. W. HORNERMAN on behalf of HAWAIIAN CEMENT requesting a State Land Use Commission Special Use Permit 15-year time extension to continue to operate a rock quarry and concrete aggregate operations in the State Agricultural District on approximately 105.957 acres at TMK: 3-8-004: 001 (por.) & 002 (por.), 3-8-008: 001 (por.) & 031 (por.), Pulehunui, Wailuku, Island of Maui. (SUP 91/0013) (SP2-380) (R. Loudermilk)

2. Selection of Hearings Officer for the Following Contested Case Hearing:

James W. Geiger of Mancini, Welch, & Geiger, attorney for Douglas Richard White submitting a Notice of Appeal to the Planning Commission from the determination by the Director, Department of Planning by letter dated January 24, 2003 rescinding the Special Management Area (SMA) Assessment determination dated August 8, 2002 regarding the construction of a single family dwelling at 1377 Front Street, TMK: 4-5-012: 018, Lahaina, Island of Maui. (SM5 2002/0289) (APPL 2003/0004) (M. Niles)

Intervention of JAMES RICHARD MCCARTY, attorney for MOMI KEAHI, KAI KEAHI, and KALANI KAPU on this appeal.

3. MR. MIKE WHITE, General Manager of the KAA NAPALI BEACH HOTEL requesting an Environmental Assessment Determination on the following (A. Cua):

MR. MIKE WHITE, General Manager of the Community Plan Amendment from Business/ Commercial (B) to Hotel (H) for the Plantation Inn Phase III project at 144 Lahainaluna Road, TMK: 4-6-009: 044, Lahaina, Island of Maui. (EA 20020004) (A. Cua) The Environmental Assessment (EA) triggers are the community plan amendment and the location of the project in the Lahaina National Historic Landmark District.

The applicant has also submitted requests for a Change in Zoning and amendments to their Special Management Area Use Permit. Public

hearings and decision making on the Community Plan Amendment, Change in Zoning, and amendments to the Special Management Area Use Permit will be scheduled for a later date.

4. June 12, 2003 Letter from JACK R. NAIDITCH, attorney for applicant CB MAUI, LLC regarding the Planning Department's requirement to conduct a new public hearing for the Change in Zoning and Special Management Area Use Permit applications for the Puu Kahana project, a 33-lot residential subdivision and related improvements at TMK: 4-3-001: 039, Kahana, Island of Maui. The Applicant is asking that the Maui Planning Commission confirm that no new hearings are required for the Change in Zoning and Special Management Area applications for the Puu Kahana project. (CIZ 2001/0015) (SM1 2001/0021) (A. Cua)
- D. MINUTES OF THE MAY 13, 2003 AND JUNE 10, 2003 (Including transcript by court reporter for the Bill 84 section.) MEETINGS
- E. DIRECTOR'S REPORT
1. SMA Minor Permit Report (see attached)
 2. SMA Exemptions Report (see attached)
 3. July 21, 2003 - Special Meeting on the Kapalua Mauka Land Use Requests - 6:30 pm, Lahaina Civic Center Social Hall, Lahaina, Island of Maui.
- F. NEXT REGULAR MEETING DATE: July 22, 2003
- G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS 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 ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD.

Maui Planning Commission Agenda
July 8, 2003
Page 4

FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

* An Executive Session may be called in order for the Commission to consult with their attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

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\070803.age)