

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

AGENDA

DATE: August 9, 2005 (Tuesday)
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Susan Moikeha (Chair), Suzanne Freitas (Vice-Chair), Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti, Wayne Hedani, Bruce U'u

Public testimony will be taken 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. MAJID "MIKE" DEZAHD requesting a Special Management Area Use Permit in order to construct the Kihei Hanalei Condominium, a proposed two-story 5,272 square foot building at the south end of Iliili Street, TMK: 3-9-005: 019, Kihei, Island of Maui. (SM1 20040037) (R. Loudermilk)

- a. Public Hearing
- b. Action

2. DOUGLAS & MAUREEN LEVIN requesting a Type 3 Bed and Breakfast Permit for the Wailuku Guesthouse in order to use up to six bedrooms for bed and breakfast purposes for a home at 210 South Market Street, TMK: 3-4-009: 007, Wailuku, Island of Maui. (BB3 20010001) (R. Loudermilk)

- a. Public Hearing
- b. Action

C. NEW BUSINESS

1. MS. GRACE CONDOS, Managing Member of 120 HANNA HIGHWAY LLC requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Community Plan Amendment for the Paia Town Center project from Single Family Residential to Business/Commercial at 120 and 142 Hana Highway and 20 and 24 Luna Place, TMK: 2-6-005: 004, 109, 025, and 033, Paia, Island of Maui. (EA 2004/0004) (CPA 2004/0004)(CIZ 2004/0010) (SM1 2004/0006) (CTB 2004/0010)(K. Caigoy)(C. Suyama) (The draft EA was reviewed at the January 11, 2005 Maui Planning Commission meeting.)

The Paia Town Center project consists of the construction of two commercial buildings and related improvements and the consolidation and resubdivision of the project area from four (4) lots to three (3) lots at 120 and 124 Hana Highway and 20 and 24 Luna Place, Paia, Island of Maui.

The EA trigger is the Community Plan Amendment.

The applicant also submitted applications for a change in zoning and a Special Management Area Use Permit.

The public hearing on the Community Plan Amendment, Change in Zoning, and the Special Management Area Use Permit requests will be at a later date after the Environmental Assessment process has been completed.

D. UNFINISHED BUSINESS

1. OLD STABLE LLC requesting a Special Management Area Use Permit for the E Paepae Ka Pukoa project, a 16-unit rural subdivision, open space conservation easement, and County/ State donation project on Old Stable Road, TMK: 3-8-001: 003 and 3-8-002: 009 and 010, Spreckelsville, Island of Maui. (SM1 2004/0021) (C. Suyama) (Public hearing conducted on February 8, 2005)
 - a. ISAAC HALL, attorney for ANNIE and WILLIE NELSON, JOHN and LOUISE SEVERSON, and JENNA DEROSNAY submitting a Petition to Intervene dated January 24, 2005 on the Special Management Area Use Permit request for the E Paepae Ka Pukoa project at Spreckelsville, Island of Maui. (SM1 2004/0021) (EA 2004/0006) (CPA 2004/0007) (CIZ 2004/0015) (C. Suyama)
 - 1) ISAAC HALL, attorney for ANNIE and WILLIE NELSON, JOHN and LOUISE SEVERSON, and JENNA DEROSNAY submitting a Notice of Withdrawal of Petition to Intervene on the Special

Management Area Use Permit request for the E Paepae Ka
Pukoa project at Spreckelsville, Island of Maui.

b) Action on Special Management Area Use Permit request

E. APPROVAL OF THE MINUTES OF THE JUNE 28, 2005

F. DIRECTOR'S REPORT

1. Notification to the Maui Planning Commission of the transfer of the following Special Management Area Use Permit pursuant to the provisions of Section 12-202-17(d) of the Commission's Special Management Area Use Permit Rules: (P. Fasi)

Transfer of the Special Management Area Use Permit for the office and shop facility project from Patrick J. O'Brien and Kandi S. O'Brien on behalf of themselves and Pat's Quality Roofing, Inc. and Discover Maui Property, Inc. to Blink LLC (Colleen and Gerard Noah-Marti) for property situated at 2680 Wai Wai Place, TMK: 3-9-051: 042, Kihei, Island of Maui. (SM1 2004/0014)

2. EA/EIS Status Report
3. SMA Minor Permit Report
4. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: August 23, 2005

H. 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. 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.

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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\080905.age)