

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

## AGENDA

DATE: DECEMBER 14, 2004 (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: Randy Piltz (Chair), Susan Moikeha (Vice-Chair), Bernice Lu, Suzanne Freitas, Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti

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 item.)

1. MR. MARTIN QUILL of WAILEA MF-9 ASSOCIATES, LLC requesting a Special Management Area Use Permit for the Wailea Parcel MF-9, a 120-unit Hotel-Condominium project and related improvements at TMK: 2-1-008: 119, Wailea Alanui Drive, Wailea, Island of Maui. (SM1 2004/0022) (C. Suyama)
  - a. Public Hearing
  - b. Action
  
2. CONSOLIDATED BASEYARDS, LLC requesting a change in zoning from County Ag. District to the M-1 Light Industrial District for the 35-lot light industrial subdivision and related improvements at 345 Waiko Road, TMK: 3-8-007: 089, 143, and 144, Kihei, Island of Maui. (CIZ 2004/0013) (J. Alueta)
  - a. Public Hearing
  - b. Action

3. MS. TANNA JEAN SWANSON requesting a Type 3 Bed and Breakfast Permit for The Guesthouse Bed & Breakfast in order to utilize five (5) bedrooms in the Residential District for Bed and Breakfast Use at 1620 Ainakea Road, TMK: 4-5-027: 022, Lahaina, Island of Maui. (BB3 2004/0005) (Currently has a Type 2 Bed and Breakfast Permit BB2 990001) (S. Bosco)
  - a. Public Hearing
  - b. Action
  
4. MR. MICHAEL W. SULLIVAN, agent/ manager of UPCOUNTRY B & B LLC requesting a Type 2 Bed and Breakfast Permit for the Upcountry Bed and Breakfast to utilize up to four (4) bedrooms for Bed and Breakfast Use at 4925 Lower Kula Road, TMK; 2-2-012: 055, Kula, Island of Maui. (BB2 2003/0001) (S. Bosco)
  - a. Public Hearing
  - b. Action

C. NEW BUSINESS

1. PAPAANUI LLC requesting comments on the draft Environmental Assessment prepared in support of the Community Plan Amendment application from Multi -Family to Single Family for the Papaanui Project. consisting of seven (7) single -family dwellings and seven ohana units and associated infrastructure and site improvements located approximately 3/4 of a mile south of Makena-Keoneio Road and Makena Alanui Road at TMK: 2-1-007: 009, Makena, Honoula, Island of Maui. (EA 20040011) (CPA 20040008) (DBA 20040008) (CIZ 20040016) (SM1 20040023) (K. Caigoy) (R. Loudermilk) (The draft EA document was distributed to the Maui Planning Commission at its November 23, 2004 meeting. Commissioners: Please the document with you.)

The EA trigger is the Community Plan Amendment.

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

The public hearing on the Community Plan Amendment, State Land Use District Boundary 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. COMMUNICATIONS

1. MR. MARTIN QUILL of WAILEA MF-9 ASSOCIATES, LLC requesting a Step 2 Planned Development Approval for the Wailea Parcel MF-9, a 120-unit Hotel- Condominium project and related improvements at TMK: 2-1-008: 119, Wailea Alanui Drive, Wailea, Island of Maui. (PD2 2004/0007) (C. Suyama)
2. MS. B. NALANI SHAMBLIN, Acting Chair of the Hana Advisory Committee to the Maui Planning Commission transmitting the Hana Advisory Committee's recommendations on the STATE OF HAWAII DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES' request for a Special Management Area Use Permit for the addition of a 6-classroom building and related improvements including playground and ballfield improvements and expansion to the parking lot at the Hana High and Elementary School, 4111 Hana Highway, TMK: 1-3-006: 008, Wakiu, Hana, Island of Maui. (SM1 2004/0016) (P. Fasi)
3. MR. ISAAC HALL, attorney for Intervenors GERALD and BARBARA ROMAIN, THOMAS and ELLEN DUNNION, JOE and BARBARA BONN, BRAD and TERRI FRISSELLE, WAYNE DYER, MARSHA LUCAS, DAVE MELLO, RICHARD RALPH, JESSE D. YOHANAN, JOEL GARBARINO, NATHAN COPELAN, EUGENE and JENNIFER ELLING, DELBERT SMART and JERRY and CONSTANCE KILARE, individually and as some of the members of the KAA NAPALI ALII FRIENDS OF THE ENVIRONMENT submitting a Motion dated November 12, 2004 to declare the SMA Application Incomplete for Failure to Notify Marriott Time Share Owners for the following SMA Application ( J. Alueta):

MR. STEVE BUSCH, Regional Vice-President in charge of Construction & Development of MARRIOTT VACATION CLUB INTERNATIONAL requesting a Special Management Area Use Permit for the Maui Vacation Club Sequel Project in order to construct two guestroom buildings (146 units with 292 keys), parking facilities, and pool amenities at Maui Marriott Vacation Club, TMK: 4-4-013: 001, Kaanapali, Island of Maui. (SM1 2002/0026)

- a. Intervenors' Motion dated November 12, 2004.
- b. WILLIAM F. CROCKETT of CROCKETT & NAKAMURA, attorney for applicant MARRIOTT VACATION CLUB INTERNATIONAL submitting December 1, 2004 Applicant's Memorandum in Opposition to

Individual Intervenors ' Motion to declare SMA Application incomplete for failure to notify Marriott time share owners.

4. MR. ISAAC HALL, attorney for Intervenors GERALD and BARBARA ROMAIN, THOMAS and ELLEN DUNNION, JOE and BARBARA BONN, BRAD and TERRI FRISSELLE, WAYNE DYER, MARSHA LUCAS, DAVE MELLO, RICHARD RALPH, JESSE D. YOHANAN, JOEL GARBARINO, NATHAN COPELAN, EUGENE and JENNIFER ELLING, DELBERT SMART and JERRY and CONSTANCE KILARE, individually and as some of the members of the KAA NAPALI ALII FRIENDS OF THE ENVIRONMENT submitting a Motion dated November 12, 2004 to dismiss the ASSOCIATION OF APARTMENT OWNERS OF THE KAA NAPALI ALII and the KAA NAPALI ALII RENTAL OWNERS ASSOCIATION as parties to the contested case proceedings on the following application (J. Alueta):

MR. STEVE BUSCH, Regional Vice-President in charge of Construction & Development of MARRIOTT VACATION CLUB INTERNATIONAL requesting a Special Management Area Use Permit for the Maui Vacation Club Sequel Project in order to construct two guestroom buildings (146 units with 292 keys), parking facilities, and pool amenities at Maui Marriott Vacation Club, TMK: 4-4-013: 001, Kaanapali, Island of Maui. (SM1 2002/0026)

- a. Intervenors' Motion dated November 12, 2004.

#### E. UNFINISHED BUSINESS

1. MR. WILLIAM F. CROCKETT of CROCKETT & NAKAMURA. attorney for MAUI VACATION CLUB INTERNATIONAL submitting Applicant Motion for Determination that the Kaanapali Alii Friends of the Environment is not an Intervenor in the contested case hearing on the following application: ( J. Alueta) (deferred from the November 23, 2004 meeting)

MR. STEVE BUSCH, Regional Vice-President in charge of Construction & Development of MARRIOTT VACATION CLUB INTERNATIONAL requesting a Special Management Area Use Permit for the Maui Vacation Club Sequel Project in order to construct two guestroom buildings (146 units with 292 keys), parking facilities, and pool amenities at Maui Marriott Vacation Club, TMK: 4-4-013: 001, Kaanapali, Island of Maui. (SM1 2002/0026)

- a. Applicant's Motion dated November 9, 2004 (distributed with November 23, 2004 agenda)

- b. Intervenors' Memo in Opposition dated November 17, 2004 (distributed at the November 23, 2004 meeting)
- c. Intervenors' Further Memo in Opposition dated December 1, 2004

F. DIRECTOR'S REPORT

- 1. Planning Department's policy regarding the demolition of structures in the Shoreline Area (T. Abbott)
- 2. Joint Workshop with the Board of Water Supply scheduled for January 25, 2005
- 3. Processing of Environmental Impact Statements (EIS) when the Maui Planning Commission is the Accepting Authority (K. Caigoy)
- 4. EA/ EIS Status Report
- 5. SMA Minor Permit Report
- 6. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: January 11, 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.

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 (Mokai) 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.

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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\121404.age)