

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 22, 2006
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Wayne Hedani (Chair), Diane Shepherd (Vice-Chair), Suzanne Freitas, Patricia Eason, Johanna Amorin, William Iaconetti, Bruce U'u, John Guard IV, Jonathan Starr

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 item.)

1. CHRIS HART & PARTNERS, INC. on behalf of the following land owners requesting a State Land Use District Boundary Amendment from the State Agricultural District to the State Rural District and a Change in Zoning from the County Agricultural District to the RU-0.5 Rural District at Makaena Place, TMK: 2-3-032: 005, 006, 007, 008, 010, 011, 012, 014, 015, & 016, Kula, Island of Maui.

The individual landowners making the request for the land use changes and their parcels involved are as follows at TMK: 2-3-032:

Leonard Paul Gomes Sr. (parcel 005)	DBA 2004/0009 & CIZ 2004/0020
Sibyl Padgett (parcel 006)	DBA 2004/0010 & CIZ 2004/0022
Frank Padgett (parcel 007)	DBA 2004/0011 & CIZ 2004/0023
Patricia Matsumoto (parcel 008)	DBA 2004/0012 & CIZ 2004/0024
Louis J. Cambra, Jr. (parcel 010)	DBA 2004/0013 & CIZ 2004/0025
Steven J. Sadler (parcel 011)	DBA 2004/0014 & CIZ 2004/0026
Robert Kimball (parcel 012)	DBA 2004/0015 & CIZ 2004/0027
Eugene P. Carvalho (parcel 014)	DBA 2004/0016 & CIZ 2004/0028
Frank Carvalho (parcel 015)	DBA 2004/0017 & CIZ 2004/0029
Robert Watanabe (parcel 016)	DBA 2004/0018 & CIZ 2004/0030

- a. Public Hearing
- b. Action

C. NEW BUSINESS

1. KEAKA LLC requesting an Environmental Assessment (EA) Determination on the Final Environmental Assessment (FEA) prepared in support of a Special Management Area Use Permit for the proposed 71-unit condominium project and related improvements at TMK: 2-1-006: 037, 056 (por.), and 2-1-005: 084, Makena, Island of Maui. (EA 2006/0012) (SM1 2005/0015) (K. Caigoy) (C. Suyama) (Draft Environmental Assessment was reviewed at the June 27, 2006 meeting.)

The EA trigger is the use of county lands for infrastructural improvements.

The public hearing date for the Special Management Area Use Permit application will be scheduled for a future date after the Chapter 343 process has been completed.

D. UNFINISHED BUSINESS

1. MR. CHRISTOPHER L. HART of CHRIS HART & PARTNERS on behalf of MARTY HERLING of BANYAN TREE BED & BREAKFAST to obtain a State Land Use Commission Special Use Permit for the continued operation of the Banyan Tree Bed and Breakfast on approximately 2.20 acres of land in the State Rural District at 3256 Baldwin Avenue, TMK: 2-4-002: 002, Hamakuapoko-Makawao, Island of Maui. (SUP2 2000/0007) (R. Loudermilk) (The public hearing on this application was held on July 24, 2001 and action was deferred until the Maui County Council had acted on the State Land Use District Boundary Amendment, a Change in Zoning, and the Conditional Permit.)

E. MINUTES OF THE JULY 25, 2006 MEETING (Volumes 1 and 2)

F. DIRECTOR'S REPORT

1. Scheduling of a public hearing date, time, and place for a special meeting in the West Maui Community Plan region on the following applications because a Phase II Project District application is involved:

MR. ROBERT MCNATT, Executive Vice-President of MAUI LAND & PINEAPPLE COMPANY requesting the following: (A. Cua)

- a. A Phase II Project District Approval for the Kapalua Mauka Phase One project consisting of 51 rural residential lots (half acre minimum lot size), redesigned golf course, new clubhouse, utilities installation, and related improvements at TMK: 4-2-001: 042, 4-3-001: 008 (portion), 4-3-001: 006 (portion), 4-2-004: 036, and 4-2-004: 037, Kapalua, Lahaina, Island of Maui. (PH2 2006/0004)
 - b. A Special Management Area Use Permit for the proposed Waterlines and Sewer lines Installation for the Kapalua Mauka Phase One project consisting of the installation of a PVC sewer line, and electrical, cable, and television ductlines at TMK: 4-2-004: 036 and potable and non-potable waterlines, a PVC sewerline, and electrical, cable, and telephone ductlines at TMK: 4-2-004: 037, Kapalua, Lahaina, Island of Maui. (SM1 2006/0013)
2. EA/EIS Report
 3. SMA Minor Permit Report
 4. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: September 12, 2006

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. The deadline for filing a timely Petition to Intervene was on July 25, 2006

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

Maui Planning Commission Agenda
August 22, 2006
Page 4

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.

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\082206.age)