

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

AGENDA

DATE: May 13, 2008 (Tuesday)
TIME: 8:30 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Jonathan Starr (Chair), John Guard IV (Vice-Chair), William Iaconetti, Wayne Hedani, Bruce U'u, Kent Hiranaga, Joan Pawsat, Ward Mardfin, Donna Domingo

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 this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. UNFINISHED BUSINESS

1. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 08-05 containing A Draft Bill to Authorize Home Occupations in Various Zoning Districts to the Lanai, Maui, and Molokai Planning Commissions. (J. Alueta) (Public Hearing conducted on April 22, 2008.)

The Commission may take action on this request.

C. PUBLIC HEARING (Action to be taken after public hearing.)

1. MR. DAVE TAYLOR, Division Chief, Wastewater Reclamation Division, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT requesting a Shoreline Setback Variance for the Wailuku Wastewater Pump Station Force Main Replacement project consisting of the installation of approximately an 850 ft. section of 24-inch PVC sewer main pressure pipe located makai of Kahului Beach Road at TMK: 3-4-027: 026, 036, & 001; 3-7-001: 016, Wailuku, Island of Maui. (SSV 2008/0004) (T. Abbott)
 - a. Public Hearing
 - b. Action

D. COMMUNICATIONS

1. MS. KAUI KANAKAOLE, Chair of the Hana Advisory Committee to the Maui Planning Commission transmitting the recommendations of the Hana Advisory Committee on the request by ROGER K. WILLIAMS, Trustee and RUTH W. WILLIAMS, Trustee et al. for a Change in Zoning from the Interim District to the Rural -0.5 District in order to build a 5th dwelling at the front portion of the lot at 6756 Hana Highway located 3 miles outside on the Kipahulu side of Hana Town at TMK: 1-4-010: 022, Island of Maui. (CIZ 2007/0007) (P. Fasi)

The Commission may take action on the request.

2. MR. WILFRED TAVARES, JR. requesting a 10-year time extension on the State Land Use Commission Special Use Permit and Conditional Permit in order to continue to operate the Hana Tropical Waterworks Purifying and Bottling Company in the State Agricultural District on approximately 5.9 acres of land at TMK: 1-3-009: 085, Hana, Island of Maui. (SUP 980009) (CP 980005) (S. Bosco)

The Commission may take action on these requests.

3. MAUI BEACH RESORT LIMITED PARTNERSHIP submitting their annual report on the disbursement of the funds in the Settlement Agreement between the developer and the CHARLES D. FOX III, Intervenor, as called for in Condition No. 32 of the Special Management Area Use Permit approval for the proposed Honua Kai Resort, North Beach Park, and related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Kaanapali, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (J. Prutch)

Condition No. 32 of the subject SMA approval states:

“That an annual report shall be filed with the Maui Planning Commission on the disbursement of the funds in the Settlement Agreements for their information.”

The Commission may review and comment on the annual report.

4. MAUI BEACH RESORT LIMITED PARTNERSHIP submitting their annual report on the disbursement of the funds in the Settlement Agreement between the developer and the WEST MAUI PRESERVATION ASSOCIATION, INC., Intervenor, as called for in Condition No. 32 of the Special Management Area Use Permit approval for the proposed Honua Kai Resort, North Beach Park, and related improvements at TMK: 4-4-014: 006 and 008 and 4-4-001: 010, Kaanapali, Lahaina, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (J. Prutch)

Condition No. 32 of the subject SMA approval states:

“That an annual report shall be filed with the Maui Planning Commission on the disbursement of the funds in the Settlement Agreements for their information.”

The Commission may review and comment on the annual report.

5. MR. ANTHONY PLITT on behalf of INTRAWEST requesting a Step 3 Planned Development Approval for the North Beach, Lot 4, Honua Kai Project, which involves the development of the Luana Enclave (72 townhouse units), North Park Road and Comfort Station and related improvements on 34.8 acres of land at TMK: 4-4-014: 006 and 4-4-014: 008, Kaanapali, Island of Maui. (PD3 2008/0002) (J. Prutch)

The Commission may take action on this request.

6. MR. ANTHONY PLITT of INTRAWEST PLACEMAKING requesting a determination that the restaurant re-design (Duke’s Canoe Club) is a non-substantive modification to the Special Management Area Use Permit and Planned Development Permit - Step 2 Approval for the Honua Kai Project and that amendments to the Special Management Area Use Permit and Step 2 Planned Development Approval are not required for the Honua Kai property situated at TMK: 4-4-014: 006 and 4-4-014: 008, Kaanapali, Island of Maui. (SM1 2004/0017) (PD2 2004/0005) (J. Prutch)

The Commission may take action on this request.

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- E. APPROVAL OF MINUTES AND ACTION MINUTES OF FEBRUARY 26, 2008, MARCH 11, 2008 and MARCH 17, 2008 MEETINGS

- F. DIRECTOR'S REPORT
 - 1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the April 22, 2008 meeting.
 - 2. Planning Commission Projects/Issues
 - 3. EA/EIS Report
 - 4. SMA Minor Permit Report
 - 5. SMA Exemptions Report

- G. NEXT REGULAR MEETING DATE: May 27, 2008

- 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 the filing of a timely Petition to Intervene was on April 29, 2008.

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 (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\051308.agenda)