

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

AGENDA

NOTE: The Maui Planning Commission agenda filed on April 13, 2007 for a meeting on April 24, 2007 has been canceled. This new agenda filed on April 17, 2007 replaces the canceled agenda.

DATE: April 24, 2007 (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: Johanna Amorin (Chair), Wayne Hedani (Vice-Chair), William Iaconetti, Bruce U'u, John Guard IV, Jonathan Starr, Kent Hiranaga, Joan Pawsat

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

1. DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting a Special Management Area Use Permit for the Wailuku Wastewater Pump Station Force Main Replacement project including the replacement of the existing 21-inch force main with a new 24-inch PVC pipe force main connecting the Wailuku Pump Station to a junction box on Hobron Avenue, at TMK(s): 3-4-027: 001, 3-7-001, 3-8-007: 038, 3-7-003: 003, 3-7-003: 027, 3-7-008: 008, 3-7-001: 016, 3-7-010: 036, 3-7-003: 026, 3-7-003: 028, 3-7-008: 002, 3-7-008: 003, 3-7-008: 006, 3-7-010: 002, 3-7-008: 025, 3-7-008: 017, 3-7-001: 002, and 3-8-007, 125, Kahului, Island of Maui. (SM1 2006/0020) (D. Shupack)

- a. Public Hearing
 - b. Action
2. MR. WILLIAM HORNERMAN of HAWAIIAN CEMENT requesting a State Land Use Commission Special Use Permit and a County Special Use Permit in order to conduct commercial sand extraction operations in the State and County Agricultural Districts on approximately 56.1 acres of land at TMK: 3-8-007: 101 (Portion), Waikapu, Island of Maui. (SUP1 2003/0001) (CUP 2003/0006)
- a. Public Hearing
 - b. Action

C. UNFINISHED BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting comments on the Draft Environmental Assessment prepared in support of the Pali (Papalaua Park) to Puamana Project at TMK: 4-7-001 (various), 4-8-002 (various), and 4-8-003(various), Lahaina District, Island of Maui. (EA 2006/0020) (J. Hunt and K. Aoki) **(Copies of the Draft Environmental Assessment were circulated to the Planning Commission at its November 28, 2006 meeting. Matter was last on the Commission's March 27, 2007 agenda.)**

As stated in the Draft Environmental Assessment, the EA triggers are for the use of County and State lands and County and/or State funds. A Community Plan Amendment is also contemplated as noted in the Draft Environmental Assessment. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The Planning Commission is being asked to:

- a. Provide concurrence on the filing of the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.
- b. Provide comments on the draft Environmental Assessment.

The public hearing on the anticipated Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

The Commission may act on the requests for concurrence and comments

(To be taken up no later than 1:00 p.m. or soon thereafter)

2. MR. E. THOMAS LEWICKE requesting an amendment to a Special Management Area Use Permit to delete Condition No. 6 regarding naming the County of Maui as additional insured for the construction of a second main dwelling on approximately 0.94 acres of land within the R-3 Residential District at 917 S. Kihei Road, TMK: 3-9-034: 027, Kihei, Island of Maui. (SM1 2006/0009) (L. Callentine) **(Matter was last on the April 10, 2007 meeting.) (Commissioners: Please bring your report with you from the April 10, 2007 meeting.)**

The Maui Planning Commission may take action on this request.

3. MR. RYAN CHURCHILL of MAUI LAND & PINEAPPLE COMPANY requesting a Special Management Area Use Permit and a Phase 2 Project District Approval for the Kapalua Central Resort Project and related improvements, the development of a central village which will include a residential/ commercial mixed use component with common amenities, multi-family residential units, administrative facilities, a 15-lot large lot subdivision, and the realignment of Office Road at TMK: 4-2-004: 024 (portion), Kapalua, Lahaina, Island of Maui. (SM1 2006/0029) (PH2 2006/0006) (A. Cua) **(Matter was deferred from the April 16, 2007 meeting.) (Commissioners: Please bring your report with you from the April 16, 2007 meeting.)**

The Maui Planning Commission may take action on this request.

D. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Scheduling of the Site Inspections on May 14, 2007 on the following the applications together with that of the Schloemer Residence EA, SM1 and SSV in Makena, Island of Maui:
 - a. MS. TAMARA HORCAJO, Director, DEPARTMENT OF PARKS AND RECREATION requesting a Special Management Area Use Permit and a Phase 2 Project District Approval for the South Maui Community Park Project for a regional park and related improvements including a 1096-seat gymnasium, three soccer fields, two softball fields, one football field, five tennis courts, pavilion and amphitheater,

three tot lots, three comfort stations, accessory building for park maintenance equipment, and on and off-site improvements at TMK: 2-2-002: 042. Kihei, Island of Maui. (SM1 2006/0028) (PH2 2006/0005) (D. Shupack)

- b. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final t Environmental Assessment prepared in support of the Entitlements Action for Palauea Beach Lots located at TMK: 2-1-011: 013, 014, 015, 016, 017. 018. 019. 020, 021, 022, and 023, Palauea, Kihei, Island of Maui. (EA 2006/0014) (C. Suyama)
- c. MR. PAUL R. MANCINI of MANCINI WELCH & GEIGER, attorney for STEPHEN FINN submitting a Notice of Appeal dated November 17, 2006 of the Determination of the Planning Director that the Finn Project (a single family residence and related improvements) has potential to have an adverse impact on coastal resources and is subject to the Maui Planning Commission's Rules 12-202, et. al and requires a Special Management (Major) Use Permit for property situated at 4500 Makena Road, TMK: 2-1-001: 008, Makena, Island of Maui. (APPL 2006/0001) (SMX 2006/0150)(SSA 2006/0006) (T. Abbott)

The Commission may decide whether or not it wants to conduct site inspections for these applications on May 14, 2007 together with its site inspection of the Schloemer Residence SSV property.

The Commission may select a date and time for the site inspection.

- 4. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the April 10, 2007 meeting.
- 5. EA/EIS Report
- 6. SMA Minor Permit Report
- 7. SMA Exemptions Report

E. NEXT REGULAR MEETING DATE: APRIL 24, 2007

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI

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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 April 10, 2007.

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\041007.age)

