

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

AGENDA

DATE: September 9, 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. PETER KLINT MARTIN requesting a State Land Use Commission Special Use Permit for the proposed Hoomoana Campground in the State Agricultural District at TMK: 3-8-001: 003(por.), Spreckelsville, Island of Maui. (SUP2 2007/0007) (L. Callentine) (Public hearing conducted on August 26, 2008.)

The Commission may take action on the request.

C. PUBLIC HEARINGS (Action to be taken after each public hearing item.)

1. THE FAMILY LIFE CENTER requesting a County Special Use Permit in order to construct improvements to an existing homeless shelter facility including interior alterations to an existing building and construction of a 600 square foot freestanding shower and restroom facility at 95 S. Kane Street, TMK: 3-7-005: 015, Kahului, Island of Maui. (CUP 2007/0003) (L. Callentine)

_____ a. Public Hearing

b. Action

2. MAUI FAMILY YMCA requesting a Special Management Area Use Permit in order to expand the Central Maui Facility at 250 Kanaloa Avenue at TMK 3-8-007: 127, Kahului, Island of Maui. (SM1 2007/0009) (J. Buika)
 - a. Public Hearing
 - b. Action

3. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 08-48 containing A Bill for an Ordinance to Change the Zoning from A-2 Apartment District to PK-4 Golf Course Subdistrict for the Kaanapali Golf Courses Property at TMK: 4-4-013: 003, 4-4-008: 009, 4-4-008: 010, and 4-4-008: 014, Kaanapali, Island of Maui. (CIZ 2008/0007) (R. Loudermilk)
 - a. Public Hearing
 - b. Action

4. ROBIN and JUDIE VIVIAN requesting a Conditional Permit in order to continue to operate a short-term vacation rental in the R-1 Residential District at 81 Aleiki Place, TMK: 2-6-011: 014, Kuau, Island of Maui. (CP 2005/0008) (P. Fasi)
 - a. Public Hearing
 - b. Action

D. ACTION MINUTES OF THE AUGUST 26, 2008 MEETING

E. NEW BUSINESS

1. J. ROBERT BREWER requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the proposed demolition of a one-story single family residential structure constructed in 1951 and its replacement with a two-story residence located in the National Historic Landmark District at 459 Front Street, TMK: 4-6-002: 017, Lahaina, Island of Maui. (EA 2007/0010) (SMX 2007/0306)(J. Prutch)

The EA trigger is the location of the property within the Lahaina National Historic Landmark District. The Maui Planning Commission is the accepting authority for the EA.

The Commission may make a Findings of No Significant Impact (FONSI) determination or make some other determination.

The review of the Special Management Area Assessment will be conducted at a future date after the Chapter 343 process has been completed.

F. ADOPTION OF WRITTEN FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND DECISION AND ORDERS (No public testimony will be taken as the Commission will be completing their adjudicatory function.)

1. Adoption of Written Decision and Order prepared by BRIAN T. MOTO, Corporation Counsel and MARY BLAINE JOHNSTON, Deputy Corporation Counsel on behalf of JEFFREY S. HUNT, Director, Department of Planning, County of Maui Dismissing the Appeal filed by LANCE COLLINS, attorney for the Appellants WILLIAM KNOWLTON and CATHERINE KNOWLTON of the Planning Director's Decision to grant a special management area exemption (SM5 2008/0061) to LUDMILA GUTERMAN-REEVES for a parking barrier, three storage sheds and three garden structures on property located at 530 North Holokai Place, TMK: (2) 2-8-011:007, Peahi, Hamakualoa, Island of Maui. (APPL 2008/0001) (T. Kapuaala) (Action taken on the Motion to Dismiss at the July 22, 2008 meeting.)

The Commission may act to adopt or modify the proposed written decision and order.

- a. MR. LANCE D. COLLINS, Attorney for the Appellants WILLIAM KNOWLTON and CATHERINE KNOWLTON submitting a letter of objection dated August 18, 2008.

G. COMMUNICATIONS

1. KAK II, LLC requesting to amend Condition Nos. 4 and 11 of a Special Management Area Use Permit to provide twelve (12) after-the-fact and three (3) proposed retaining walls in conjunction with the 90-lot Ke Alii Kai II Subdivision single family residences on approximately 28.57 acres of land at TMK: 3-9-019:004, Kihei, Island of Maui. (SM1 2003/0013) (L. Callentine)

The Commission may take action on this request.

H. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Discussion of Future Maui Planning Commission Agendas
3. EA/EIS Report
4. SMA Minor Permit Report
5. SMA Exemptions Report
6. 2008 HCPO Conference, September 10-12, 2008 - Grand Wailea Resort
7. Date and Time of the Central Maui Landfill/ Ameron and Maui Lani VMX Site Visits

I. NEXT REGULAR MEETING DATE: September 23, 2008

J. 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 is August 25, 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\090908.agenda)