

LANA‘I PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART I, OF THE HAWAII REVISED STATUTES AS AMENDED; NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE LANA‘I PLANNING COMMISSION

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: **NOVEMBER 16, 2022**

TIME: **5:00 P.M.**

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans Videoconferencing: Meeting ID: **878 281 222**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Current Planning Division Conference Room, One Main Plaza, 2200 Main Street, Suite 619, Wailuku, Maui, Hawaii 96793. The Commission Members may not be physically present at this location and COVID-19 pandemic restrictions may limit capacity.

COURTESY TESTIMONY SITE: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Maui County Council, Lanai District Office, 814 Fraser Avenue (entrance on Gay Street), Lanai City, Hawaii 96763. Note: The Commission Members may not be physically present at this location and COVID-19 pandemic restrictions may limit capacity.

Members: Reynold Gima (Chair), Sally Kaye (Vice-Chair), Nicole Alboro, Erin Atacador, Zane de la Cruz, Elisabeth Grove, Sherry Menze, Shelly Preza, Chelsea Trevino

A. CALL TO ORDER

To listen to the meeting or provide oral testimony via phone, dial 1-888-748-9073 (toll-free) or 1-408-915-6290 and enter Meeting ID: 878 281 222

To watch the meeting or provide video testimony, use meeting link: <https://bluejeans.com/878281222> or www.bluejeans.com, click "Join Meeting," and enter Meeting ID: 878 281 222

To provide written testimony: Email testimony to planning@mauicounty.gov or submit written testimony by mail to Lanai Planning Commission, c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793. While the Commission requests that written testimony be submitted by noon, one business day prior to the meeting, to allow time for it to be transmitted and reviewed by the Commission, testimony submitted after such date and time will still be accepted.

Public testimony will be taken when each agenda item is discussed. Testimony will be limited to a maximum of three (3) minutes.

Testifiers will be called by the Chair to offer their testimony and are asked to mute their audio and video when they are not testifying.

Testifiers via video are asked to sign-up using the Chat function by providing your name and the item you're wishing to testify on. Testifiers via phone will be called by the Chair after video and phone testimony are finished.

Commissioners shall not be contacted by the Chat function.

B. ORIENTATION WORKSHOP NO. 2

1. Public Trust Doctrine (Corp Counsel)
2. Water Training (Corp Counsel)

[Topliss v. Planning Commission \(County of Hawaii\)](#)

[Kauai Springs, Inc. v Planning Commission \(County of Kauai\)](#)

[Documents Received After Posting](#)

C. COMMUNICATIONS

1. MS. MICHELE MCLEAN, Planning Director, requesting concurrence from the Lanai Planning Commission pursuant to their Special management Area (SMA) Rules, as amended, that a SMA exemption can be issued for the following:

MS. MEAGAN DEGAIA, on behalf of MAUI VISITORS AND CONVENTION BUREAU, requesting a Special Management Area Assessment for the proposed installation of a wall-mounted, mineral sunscreen dispenser at the existing public restroom located at Hulopo'e Beach Park, Hulopo'e Beach Park Road, Manele, Island of Lanai TMK (2) 4-9-017-002:0000 (SMX 2022-00248) (SM52022-000117) (SSAD 2022-00028) (C. Cardoza)

[Department's Memorandum](#)

[Documents Received After Posting](#)

D. DIRECTOR'S REPORT

1. [Open Lanai Applications Report](#) as distributed by the Planning Department with the November 16, 2022 agenda.

2. Agenda Items for the December 21, 2022.
- E. NEXT REGULAR MEETING DATE: December 21, 2022
- F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

INTERRUPTION IN VIDEO/AUDIO: IF THE CONNECTION BETWEEN ANY TESTIFIER AND THE VIDEO CONFERENCE IS LOST, THE MEETING WILL CONTINUE. A MEETING HELD BY INTERACTIVE CONFERENCE TECHNOLOGY SHALL BE AUTOMATICALLY RECESSED FOR UP TO 30 MINUTES TO RESTORE COMMUNICATION WHEN AUDIOVISUAL COMMUNICATION CANNOT BE MAINTAINED WITH COMMISSION MEMBER PARTICIPATING IN THE MEETING OR WITH THE PUBLIC LOCATION IDENTIFIED ABOVE. IF CONNECTION CANNOT BE RESTORED WITHIN 30 MINUTES, THE MEETING IS AUTOMATICALLY TERMINATED.

AN **EXECUTIVE SESSION** MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5(a)(4), HRS.

DOCUMENTS RELATING TO THIS MEETING ARE ON FILE WITH THE DEPARTMENT OF PLANNING AND MAY BE FOUND BY CLICKING ON THE LINKS PROVIDED ON THIS AGENDA, AND ON THE OFFICIAL COUNTY OF MAUI WEBSITE AT WWW.MAUICOUNTY.GOV UNDER BOARDS AND COMMISSIONS, LANAI PLANNING COMMISSION.

THE **ADDRESS OF THE COMMISSION** IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793, PHONE NUMBER IS 808-270-7735, AND EMAIL IS planning@mauicounty.gov.

THE LINKS FOR DOCUMENTS RECEIVED AFTER POSTING WILL BE UPDATED PERIODICALLY WHEN TESTIMONY OR DOCUMENTS ARE RECEIVED.

UNLESS OTHERWISE SPECIFIED BY ANOTHER PLANNING COMMISSION RULE, ANY **PETITION TO INTERVENE** AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE 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 (10) days or less excludes weekends and State recognized holidays.) THE FILING OF ALL DOCUMENTS TO THE COMMISSION IS NOTED ABOVE.

THE DEADLINE FOR FILING A TIMELY PETITION TO INTERVENE FOR AN ITEM WHERE THE FIRST PUBLIC HEARING DATE WAS ON NOVEMBER 16, 2022 WAS ON OCTOBER 31, 2022.

ORAL TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE BOARD'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES, MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, WILL

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BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND MAYBE BE SUBJECT TO LIMITED CROSS EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

TESTIFIERS: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional 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.

SPECIAL ASSISTANCE: IF ANY PERSON NEEDS AN AUXILIARY AID/SERVICE OR OTHER ACCOMMODATION DUE TO A DISABILITY, CONTACT THE PLANNING DEPARTMENT AT 808-270-7735 (MAUI), 1-800-2720177 (MOLOKAI), or 1-800-272-0125 (LANAI), or planning@mauicounty.gov, AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL THE REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Department of Planning at least one day prior to the meeting date. Thank you for your Cooperation.
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COUNTY OF MAUI
 Kalana O Maui Building
 200 South High Street
 Wailuku, HI 96793-2155

PD - Approved Projects for Lanai

11/02/2022

Permit Completion Date: 09/02/2022 - 11/02/2022

CP Country Town Business Approval

Plan #	Project Name	Short Project Description	Applicant Name	Planner	Completed Date	Plan Status	TMK(s)
CTB2022-00001	Fleet Yard Repair and Maintenance	Fleet Yard Repair and Maintenance	Pulama Lanai	Aliki Biniaris	09/13/2022	Completed	2490050900000-50979

Grand Total: 1



COUNTY OF MAUI
 Kalana O Maui Building
 200 South High Street
 Wailuku, HI 96793-2155

OPEN PD - Projects by TMK Report Lanai

11/01/2022

Entry Date: 11/01/2020 to 11/01/2022

<u>TMK</u>	<u>Project Name</u>	<u>Short Project Description</u>	<u>Permit Number</u>	<u>Applicant Name</u>	<u>Entry Date</u>	<u>Status</u>	<u>Apply Date</u>	<u>Project Lead</u>
2490010210000-50796	KOELE PROJECT	Koele Project District Amendment	PH120210001	LANAI RESORTS LLC	06/08/2021	In Review	06/08/2021	Kurt Wollenhaupt
	KOELE PROJECT	Koele Project District Amendment	CPA20210001	LANAI RESORTS LLC	06/08/2021	In Review	06/08/2021	Kurt Wollenhaupt
	KOELE PROJECT	Koele Project District Amendments	CIZ20210001	LANAI RESORTS LLC	06/08/2021	In Review	06/08/2021	Kurt Wollenhaupt
2490020610000-92104	Miki Basin Industrial Park	Conceptual Master Plan Miki 200 Basin Industrial Park	ZPA2022-00005	Munekiyō Hiraga	10/15/2022	In Review	10/14/2022	Kurt Wollenhaupt
2490060580000-51006	843 Lanai Ave Renovation and Addition	Repair and renovation existing structure	CTB2022-00003	CHARLES PALUMBO	08/09/2022	In Review	08/05/2022	Scott Forsythe
2490170020000-86467	Installation of Mineral-only Sunscreen Dispenser at Hulopo'e Beach Park	Installation of one, wall-mounted, mineral only sunscreen dispenser at the public restroom at Hulopo'e Beach Park.	SMS2022-000117	Meagan DeGaia		In Review	10/17/2022	Collette Cardoza
	Installation of Mineral-only Sunscreen Dispenser at Hulopo'e Beach Park	Installation of one, wall-mounted, mineral only sunscreen dispenser at the public restroom at Hulopo'e Beach Park.	SMX2022-00248	Meagan DeGaia	09/23/2022	In Review	09/21/2022	Collette Cardoza
	Pūlama Lāna'i will mount a mineral-only sunscreen dispenser at the Hulopo'e public bathroom, for free public use. MVCB will provide the materials and installation will consist of wall mount with screws.	Pūlama Lāna'i will mount a mineral-only sunscreen dispenser at the Hulopo'e public bathroom, for free public use. MVCB will provide the materials and installation will consist of wall mount with screws.	SSAD2022-00028	Meagan DeGaia	10/03/2022	In Review	09/28/2022	Collette Cardoza

Grand Total: 8

PERMIT TYPES:
 CIZ - CHANGE IN ZONING
 CPA - COMMUNITY PLAN AMENDMENT
 CTB - COUNTRY TOWN BUSINESS APPROVAL
 PHI - PROJECT DISTRICT PHASE 1
 SM5 - SMA MINOR PERMIT EXEMPT
 SSAD - SHORELINE SETBACK APPROVAL AND/OR DETERMINATION
 SMX - SMA ASSESSMENT
 ZPA - CHANGE OF ZONING/GENERAL PLAN AMENDMENTS/DBA