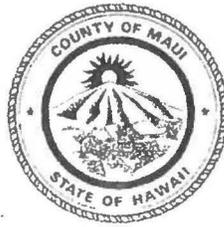


RICHARD T. BISSEN, JR.
Mayor

JACKY TAKAKURA
Acting Director

ANA LILLIS
Deputy Director



**DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAI'I 96793**

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COUNTY CLERK

February 2, 2026

Honorable Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawai'i 96793

APPROVED FOR TRANSMITTAL

For Transmittal to:

Honorable Alice L. Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawai'i 96793

Richard Bissen 2-4-26

Mayor Date

Dear Chair Lee and Members:

SUBJECT: RECOMMENDATION FROM THE MAUI PLANNING COMMISSION FOR APPROVAL USING THE CONDITIONAL PERMIT (CP) PROCESS FOR THE CREATION OF THE KAIO FAMILY FOUR-LOT SUBDIVISION, LOCATED IN THE STATE AND COUNTY AGRICULTURAL DISTRICTS ON 12.834 ACRES OF LAND LOCATED AT 201 HE'AHE'A PLACE, WAILUKU, MAUI, HAWAI'I; TMK: (2) 3-2-008:067 (CP2024-00001)

The Department of Planning (Department) is transmitting for your review and action the application for the creation of the Kaio Family Four-Lot Subdivision. A summary of the application is as follows:

Honorable Richard T. Bissen Jr.
 For Transmittal to:
 Honorable Alice L. Lee, Chair
 February 2, 2026
 Page 2

APPLICATION SUMMARY	
Application	CP2024-00001
Applicant	Rory Frampton Consulting on Behalf of the Andrea M. Kaio Trust and Glavin K. Kaio Trust
Owner	Andrea M. Kaio Trust and Glavin K. Kaio Trust
Tax Map Key	(2) 3-2-008:067
Address	201 He‘ahe‘a Place, Wailuku, Hawai‘i
Area	12.834 Acres
Land Use Designations	State Land Use District: Agricultural Maui Island Plan: Outside Growth Boundaries and Outside Protected Areas Wailuku-Kahului Community Plan: Agriculture Title 19, Zoning: Agricultural NOT located within the Special Management Area (SMA)
Brief Description	The Applicant is Requesting Approval for the Kaio Family Four-Lot Subdivision from One Parcel of a Seven Lot Subdivision on 26.178 Acres in the State and County Agricultural Districts on approximately 12.834 Acres of Land located at 201 He‘ahe‘a Place, Wailuku, Island of Maui, Hawai‘i, Tax Map Key (TMK) No. (2) 3-2-008:067.
Public Hearing	Held by the Maui Planning Commission (Commission) on July 8, 2025, in Wailuku, Maui.
Testimony	Verbal testimony was given on this application at the public hearing.
Recommendation	The Commission recommended approval with six ayes by unanimous vote.

The Commission reviewed the request on July 8, 2025, and recommends the Maui County Council (Council) approve the Kaio Family Four-Lot Subdivision involving the creation of additional agricultural lots for family members. Maui County Code (MCC) 19.30A.040 limits the resubdivision of agricultural lots. If a parcel has been subdivided into the maximum amount of lots (as the original Nā Mala O Waihe‘e Subdivision has been), additional lots may be created for family members with Council approval. MCC 19.30A.040(F) requires that applications for additional lots shall be processed in the same manner as applications for conditional permits.

The Commission recommended approval of the application to the Council. The Conditions of Approval (COA) as defined in the proposed Ordinance are:

1. Full compliance with all applicable governmental requirements must be rendered.
2. The 12.834 acre parcel may be subdivided to create a total of four lots maximum.
3. Lots that are created must be for family members as described in Code Subsections 18.20.280(B)(1) and 18.20.280(B)(2).

Honorable Richard T. Bissen Jr.
For Transmittal to:
Honorable Alice L. Lee, Chair
February 2, 2026
Page 3

As Council approval is required for this application, the Department respectfully transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill titled, "A BILL FOR AN ORDINANCE GRANTING APPROVAL TO ANDREA M. KAIO AS TRUSTEE OF THE ANDREA M, KAIO TRUST, DATED OCTOBER 15, 2023, AND AS TRUSTEE OF THE GLAVIN K. KAIO TRUST, DATED DECEMBER 8, 2023, TO CREATE ADDITIONAL LOTS UNDER SUBSECTION 19.30A.040(F), MAUI COUNTY CODE, ON PROPERTY IN THE AGRICULTURAL DISTRICT, AT 201 HE'AHE'A PLACE, WAILUKU, HAWAII, TAX MAP KEY (2) 3-2-008:067";
2. Letter from Kate L. K. Blystone, Director, to Mr. Rory Frampton, Consultant, dated July 28, 2025, with the Commission's Recommendation for Council approval of the Kaio Family Four-Lot Subdivision on 12.834 acres of land located at 201 He'ahe'a Place, Wailuku, Maui, Hawaii;
3. Department's Staff Report and Recommendation to the Commission, dated July 8, 2025;
4. Minutes of the July 8, 2025 Commission meeting; and
5. CP Application submitted to the Department on July 25, 2024.

Should you have any questions, please feel free to transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



JACKY TAKAKURA
Acting Director

Attachments: Proposed Bill
Letter of Authorization
Maui Planning Commission Recommendation
Staff Report and Recommendation
Maui Planning Commission Minutes
CP Application Report

Honorable Richard T. Bissen Jr.
For Transmittal to:
Honorable Alice L. Lee, Chair
February 2, 2026
Page 4

cc: Danny A. Dias, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Planner (PDF)
Rory Frampton, Consultant (PDF)

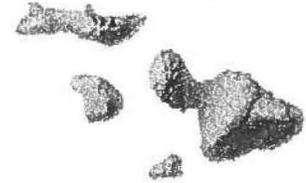
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RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

July 28, 2025

Mr. Rory Frampton
340 Nāpoko Place
Kula, Hawai'i 96790

Dear Mr. Frampton:

SUBJECT: MAUI PLANNING COMMISSION RECOMMENDATION OF APPROVAL FOR THE KAIO FAMILY FOUR-LOT SUBDIVISION IN THE STATE AND COUNTRY AGRICULTURAL DISTRICTS ON 12.834 ACRES OF LAND LOCATED AT 201 HE'AHE'A PLACE, WAILUKU, MAUI, HAWAII; TMK: (2) 3-2-008:067 (CP2024-00001)

At a meeting on April 22, 2025, the Maui Planning Commission (Commission) reviewed the above application, received public testimony, and after due deliberation, recommended the Maui County Council (Council) approve the Kaio Family Four-Lot Subdivision which is being processed under the procedures of a Conditional Permit (CP). This recommendation will be forwarded to the Council for final review and action.

Kaio Family Four-Lot Subdivision

The Commission's recommendation to the Council for approval is subject to the following conditions:

1. That full compliance with all applicable governmental requirements shall be rendered.
2. That the Applicant shall develop the property in substantial compliance with the representations made to the Council in obtaining the project's approval.

Mr. Rory Frampton
July 28, 2025
Page 2

Further, the Commission adopted the attached Staff Report and Recommendations prepared by the Department of Planning for the April 22, 2025, meeting as its Findings of Fact, and Conclusions of Law and authorized the Director to transmit the Commission's recommendation to Council on its behalf. Parties to proceedings before the Commission may obtain judicial review of Decision and Orders issued by the Commission in the manner set forth in Chapter 91-14, Hawai'i Revised Statutes.

Thank you for your cooperation. If additional clarification is required, please contact Planner Kurt Wollenhaupt at kurt.wollenhaupt@mauicounty.gov or at (808) 280-1789.

Sincerely,



KATE L. K. BLYSTONE
Director

cc: Danny A. Dias, Planning Program Administrator (PDF)
Carolyn Cortez, Interim Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Staff Planner (PDF)
Rory Frampton, Consultant (PDF)

KLKB:KFW:lp

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BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

RORY FRAMPTON CONSULTING INC. ON
BEHALF OF THE ANDREA M. AND GLAVIN
K. KAIO FAMILY TRUST

To Obtain Approval for the Kaio Family Four-Lot
Subdivision from One Parcel of a Seven Lot
Subdivision on 26.178 Acres in the State and
County Agricultural Districts on Approximately
12.834 Acres of Land located at 201 He'ahe'a
Place, Wailuku, Island of Maui, Hawai'i, Tax
Map Key (TMK) No. (2) 3-2-008:067.

DOCKET NO. CP2024-00001

Rory Frampton Consulting, Inc. on Behalf of
the Andrea M. and Glavin K. Kaio Family Trust

(T. Furukawa)

DEPARTMENT OF PLANNING
REPORT AND
RECOMMENDATION JULY 8, 2025
MEETING

COUNTY OF MAUI
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

RORY FRAMPTON CONSULTING INC. ON
BEHALF OF THE ANDREA M. AND GLAVIN
K. KAIO FAMILY TRUST

To Obtain Approval for the Kaio Family Four-Lot
Subdivision from One Parcel of a Seven Lot
Subdivision on 26.178 Acres in the State and
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12.834 Acres of Land located at 201 He'ahe'a
Place, Wailuku, Island of Maui, Hawai'i, Tax
Map Key (TMK) No. (2) 3-2-008:067.

DOCKET NO. CP2024-00001

Rory Frampton Consulting, Inc. on Behalf of the
Andrea M. and Glavin K. Kaio Family Trust

(T. Furukawa)

PURPOSE OF THE APPLICATION

Maui County Code (MCC), Chapter 19.30A.030 provides standards for the maximum amount of lots that can be created from subdivisions on Agriculturally zoned properties in the County of Maui. The Nā Mala O Waihe'e Subdivision was created in 2007 from a 26.178-acre parcel. The Maui County Code restricts parcels that range from 2 to 31 acres from being subdivided into more than seven lots. Therefore, the Nā Mala O Waihe'e Subdivision was approved for the maximum of seven lots.

The Applicant is requesting additional lots for family members. MCC 19.30A.040 limits the resubdivision of agricultural lots. If a parcel has been subdivided into the maximum amount of lots (as the original Nā Mala O Waihe'e Subdivision has been), additional lots may be created for family members with Maui County Council (Council) approval. MCC 19.30A.040(F) requires that applications for additional lots shall be processed in the same manner as applications for conditional permits.

It is uncertain if this type of request has ever been made before, so there is no formal permit type for this application. While the Department is following the procedure for conditional permits, this request is technically not a conditional permit.

DESCRIPTION OF THE PROJECT

This matter arises from an application submitted by Rory Frampton Consulting Inc. on behalf of the Andrea M. and Glavin K. Kaio Family Trust (Applicant), which owns a 12.834-acre parcel on

State and County Agricultural land at 201 He'ahe'a Place in Wailuku, Island of Maui, Hawai'i, TMK (2) 3-2-008:067. A location map, subdivision plan, and photos of the lot are attached (**Exhibits 1-3**). The Applicant is proposing to subdivide the parcel into four separate agricultural lots for the couple and their children. This approval is being sought because the maximum number of lots has been reached, as per Agricultural zoning standards set forth in MCC, Section 19.30A.040 (F).

There are no development plans, so there is no estimated project valuation or construction timeframe.

As per MCC, Section 19.40.070, the Maui Planning Commission (Commission) must review the application and recommend conditions of approval to the Council. The Council has final decision-making authority.

DESCRIPTION OF THE PROPERTY

1. Land Use Designations --

- | | | |
|----|--------------------------------|---|
| a. | State Land Use District | Agricultural |
| b. | Maui Island Plan | Outside Growth Boundaries/
Outside Protected Areas |
| c. | Wailuku-Kahului Community Plan | Agriculture |
| d. | County Zoning | Agricultural |
| e. | Other | Not in the Special Management Area |

2. Surrounding Uses --

- | | |
|-------|--|
| North | Agricultural lot 6 of the Nā Mala O Waihe'e Subdivision, urban residential lots, and St. Ann's Church. |
| South | Agricultural lot and macadamia tree orchard. |
| East | Urban residential lots, Kahekili Highway, Richard Pablo Caldito Park |
| West | He'ahe'a Place and Lots 2 through 5 of the Nā Mala O Waihe'e Subdivision. |

3. The parcel is located in Flood Hazard Area Zone X, an area with minimal flooding (**Exhibit 5**).
4. The parcel lies outside of the 3.2-foot level sea level rise area (**Exhibit 6**).
5. The parcel lies outside of the tsunami evacuation and extreme tsunami evacuation areas (**Exhibit 7**).
6. There are no open "Request for Service" on the property indicating that no one has filed a report or complaint with the Department of Planning (Department).
7. There are no reports or complaints filed with the Police Department.

PROCEDURAL MATTERS

1. On March 7, 2025, 45 days prior to the hearing, the Department emailed a notice to the Applicant and appropriate State and County agencies notifying them of the scheduled public hearing.
2. On March 14, 2025, the Applicant mailed a letter of notification and location map to all owners and recorded lessees within 500 ft. of the subject property describing the application and notifying them of the scheduled hearing date, time, and place by certified mail receipt. Copies of the letter, location map, list of owners and recorded lessees, and mail receipts are on file with the Department.
3. On March 20, 2025, a Notice of Public Hearing on the application was published in the *Maui News*. On March 21, 2025, a Notice of Public Hearing was published in the *Star Advertiser* by the Department.
4. The subject action does not involve an action that triggers compliance with Chapter 343, Hawai'i Revised Statutes, relating to Environmental Impact Statements.

REVIEWING AGENCIES

County Agencies:	Comment	Exhibit Number
Department of Environmental Management – Solid Waste Division	No	8
Department of Environmental Management – Wastewater Division	No	9
Department of Fire & Public Safety	Yes	10
Response to Comments	Yes	10a
Department of Parks and Recreation	Yes	11
Response to Comments	Yes	11a
Department of Transportation	No	12
Department of Water Supply	Yes	13
Response to Comments	Yes	13a

State Agencies:	Comment	Exhibit Number
School Facilities Authority	Yes	14
Response to Comments	Yes	14a
Department of Health – Environmental Health Services Division	No	15
Response to Comments	Yes	15a
Department of Land and Natural Resources – April 13, 2006	Yes	16
Department of Land and Natural Resources – June 28, 2005	Yes	17
Department of Parks and Recreation	Yes	18
Department of Transportation	No	19

ANALYSIS

LAND USE

1. **Hawai'i State Plan:** The proposed project is in conformance with the goals, objectives and policies of the Hawai'i State Plan. It will provide additional opportunities for agriculture and housing.
2. **State Land Use:** The subject property is in the State Agricultural District. The proposed use is consistent with the land use designation of the property. No change to the land use designation is being sought at this time. No development plans were provided, so the project will be reviewed again for compliance with the State Land Use District designation when plans are submitted for building permit review.
3. **Countywide Policy Plan:** The proposal is consistent with the following Countywide Policy Plan goals, objectives and policies:

THEME: Expand Housing Opportunities for Residents

Goal: Quality, island-appropriate housing will be available to all residents.

Objective: Reduce the affordable housing deficit for residents.

- b. Seek innovative ways to lower housing costs without compromising the quality of our island lifestyle.

Objective: Increase the mix of housing types in towns and neighborhoods to promote sustainable land use planning, expand consumer choice, and protect the County's rural and smalltown character.

THEME: Promote Sustainable Land Use and Growth Management

Goal: Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.

Objective: Improve land use management and implement a directed-growth strategy.

- h. Direct new development in and around communities with existing infrastructure and service capacity, and protect natural, scenic, shoreline, and cultural resources.

- l. Enable existing and future communities to be self-sufficient through sustainable land use planning and management practices.

Objective: Improve planning for and management of agricultural lands and rural areas.

- a. Protect prime, productive, and potentially productive agricultural lands to maintain the islands' agricultural and rural identities and economies.
 - b. Provide opportunities and incentives for self-sufficient and subsistence homesteads and farms.
4. **Maui Island Plan:** The subject parcel is outside of Growth Boundaries and Protected Areas identified within the Maui Island Plan.
5. **Wailuku-Kahului Community Plan:** The property is identified as Agriculture in the Wailuku-Kahului Community Plan and an agricultural subdivision is consistent with this designation. The proposed action is consistent with the following Community Plan goals, objectives and policies:

Economic Activity

Goal: A clean and attractive physical and natural environment in which man-made developments or alterations to the natural environment relate to sound environmental and ecological practices, and important scenic and open space resources are maintained for public use and enjoyment.

Land Use

Goal: An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

3. The direct and cumulative impacts of agricultural subdivisions and the impacts on the community shall be assessed and considered.
6. **Zoning:** As mentioned previously, the lot proposed for the four-lot subdivision is zoned Agricultural. Given that the lot proposed for subdivision was previously subdivided from a larger parcel, and the maximum number of lots were already created per MCC, Section 19.30A.040(F), approval from the Commission and Council must be obtained.
7. **Conditional Permit Review:** Although this permit request is not technically for a CP, MCC 19.30A.040.D states that lots that have been subdivided the maximum amount of times must follow the CP application procedure if additional lots are being sought for family members. CPs are reviewed pursuant to Title 19, Zoning, Chapter 19.40 MCC, 1980, as amended. The intent of this approval is to provide the opportunity to consider establishing uses not specifically permitted within a given use zone where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. The proposed subdivision is not a proposed use therefore this standard is not relevant to the application.

In processing this request in the same manner as applications for conditional permits, this approval shall be conditioned upon the proposed development fully complying with all requirements of Title 19 and other applicable governmental requirements.

5. **Special Management Area:** The subject property is located outside of the Special Management Area.

AGRICULTURE

According to the United States Department of Agriculture Natural Resources Conservation Service, the soils underlying the properties are 'Āo Clay (IcB), 3 to 7 percent slopes and Wailuku silty clay (WVC), 7 to 15 percent slopes. Both soil types were designated as medium runoff and moderate erosion hazard.

According to the Hawai'i Land Study Bureau, the properties are designated "C" on a scale of "A" to "E," reflecting land productivity characteristics. Land designated "A" have highest productivity and "E" have the lowest. The property has a "B" designation.

The Hawai'i State Office of Planning has established three categories of Agricultural Lands of Importance to the State of Hawai'i (ALISH) with land rated as Prime, Unique or Other, based on their underlying soils. The parcel is designated Prime, which means that it is of Statewide or local agricultural importance.

The subject property is not designated as Important Agricultural Lands (IAL). As per Hawai'i Revised Statutes, Section 205-42, IAL land can produce high yield, sustainable agricultural, will contribute to the State's economy, be available for export or locally consumed, and are needed for future income.

There should be minimal adverse impact to the agricultural use of the property. The existing macadamia tree orchard operator will likely continue to farm until the area needs to be cleared for farm dwelling construction. The family will also have an opportunity to farm, if they wish.

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

The property has been in agricultural use as a macadamia tree orchard since 1979, and formerly in sugar cultivation, as per the Archaeological Inventory Survey prepared by Rechtman Consulting, LLC in 2004 (**Exhibit 20**). Five earthen terraces were identified onsite and recorded as SIHP Site 50-50-04-5685. The terraces predate the former sugarcane production. The Site is considered significant under Criterion D for information yielded relative to historic, and possible pre-contact land use of the project area.

A map of the northern half of the project area that identified 19th century lo'i kalo or taro farming was where the project archaeologist trenched in seven locations using a backhoe. Six trenches did not contain any cultural material or features but one, BT-3, indicates there was a change from lo'i to kula lands, as there was a charcoal lens with a few cobbles intermixed located 50 centimeters below the surface. The charcoal was analyzed by Beta Analytic, Inc. to determine the age and it is believed to be dated between 1490 to 1660 AD. It indicates there was a burn event associated with either a natural fire or traditional agricultural practices. The date range is

In processing this request in the same manner as applications for conditional permits, this approval shall be conditioned upon the proposed development fully complying with all requirements of Title 19 and other applicable governmental requirements.

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consistent with other dates from the Waihe'e area that indicate a population expansion at the end of the 16th century. No other archaeological or historic sites were found within the subject project area, and no known cultural activities were conducted in the area. In their letter dated June 28, 2005, SHPD stated that the charcoal date range was consistent with other samples from the area (**Exhibit 17**). The Criterion D yielded information to understanding Waihe'e history. Given area history, the monitoring plan was deemed to be appropriate mitigation during ground altering activities. On April 13, 2006, SHPD acknowledged that their Department reviewed the archaeological monitoring plan and it was determined that there will be "no historic properties affected" by the proposed plan (**Exhibit 16**).

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

1. **Water** — The subject property is currently serviced by the County of Maui's water system. There is an 8-inch water line installed as part of the Nā Mala O Waihe'e Subdivision. Non-potable water is available for agricultural purposes. There will be an increase in domestic water when the farm dwellings are constructed in the future. The County Department of Water Supply (DWS) commented that estimated demand for agricultural zoned land is 64,000 gallons per day (**Exhibit 13**). Three additional water meters will be needed during the subdivision process. The water meters will be assessed at 600 gallons per day. The Applicant met with the DWS Director and engineering staff to discuss the possibility of modifying the 2007 agreement to allow for the three additional lots (**Exhibit 13a**).

DWS also recommended Best Management Practices (BMPs) to conserve water for future water development. BMPs include the use of EPA WaterSense labeled plumbing fixtures, the installation of dual flush toilets with high efficiency models that use 1.28 gallons per flush, or less, the installation of bathroom sink faucets with fixtures that do not exceed 1 gallon per minute at 60 psi. In addition, the use of reclaimed water for dust control was recommended, as well as the use of WaterMark irrigation products, water timing, a refraining of fertilizing and pruning and a limit on turf use was also recommended. Also recommended was a use of native plants for landscaping that are adapted to conserve water and an adoption of landscape irrigation conservation BMPs endorsed by the Landscape Industry Council of Hawai'i.

A fire hydrant is located on the adjacent property. The Department of Fire & Public Safety (Fire Department) said that fire protection water supply shall have at least 500 GPM with hydrant spacing no greater than 500 feet and 250 feet to any dead end (**Exhibit 10**). The current fire hydrant spacing on He'ahe'a is compliant with the requirement, and the applicant understands the requirement. There should be no adverse impacts associated with the proposed water use.

2. **Sewer** — Because the property will not be able to be serviced by the County wastewater treatment system, Individual Wastewater Systems (IWS) will need to be developed once farm dwellings are constructed. There should be no adverse impacts associated with the IWS systems, as they will need to be approved by the Department of Health (DOH) (**Exhibit 15**). The DOH did not have any comments on the proposed subdivision. The Applicant will be submitting plans for each IWS at the time of building permit review (**Exhibit 15a**).
3. **Drainage** — The subject property is relatively flat, gently sloping towards the ocean. The

highest elevation is at 180 feet and the lowest is at 122 feet, with a slope of approximately six percent. Existing runoff sheet flows from west to east. As part of the Nā Mala O Waihe'e Subdivision, drainage inlets were installed along He'ahe'a Place and Kuhunia Street, and the inlets catch flow and transmit to a basin at the eastern side of the property. There is currently no construction proposed, however, drainage impacts will be reviewed at the time of grading and building permit approval for each farm dwelling, as the owners will have to contain all runoff generated onsite from the construction of any impervious surfaces. There are no anticipated adverse drainage impacts at this time in association with the proposed subdivision.

4. **Roadways, Curbs, Gutters and Sidewalks** — Access to the project site is from a driveway off He'ahe'a Place, a 40-foot two-lane, two-way right-of-way with a 20-foot pavement width, that is designed to agricultural standards, with no curbs, gutters or sidewalks. He'ahe'a Place extends to Kuhinia Street, a two-lane, two-way road with access to Kahekili Highway. The County Department of Transportation commented that the proposed subdivision will not impact any of its project or facilities, and therefore did not have any comments (**Exhibit 12**). The State Department of Transportation had no comments on the proposed subdivision (**Exhibit 19**). Currently, no roadway improvements are anticipated. Existing traffic is relatively low, and three additional agricultural lots will not have any significant impact on traffic in or around the site. The Fire Department commented that access roadways shall have a 20-foot minimum clear width of an all-weather surface to the frontage of all parcels (**Exhibit 10**). The Applicant will comply with the requirement (**Exhibit 10a**).

There should be no adverse impacts to roadways, curbs, gutters or sidewalks associated with the proposed subdivision request.

5. **Electrical, Telephone, Cable** — Existing electrical, telephone and cable services were installed in the He'ahe'a Place right of way as part of the Nā Mala O Waihe'e Subdivision. No adverse impacts are anticipated from this project.
6. **Parks** — There is a County multi-use park across from Kahekili Highway, the Richard Pablo Caldito, Sr. Ballpark, also known as the Waihe'e Park. The park has baseball and softball fields, basketball courts, street parking, picnic areas and a comfort station. The other nearest park facility is the 'Īao Valley State Monument with walking paths, parking, picnic areas, restrooms. The Haleki'i-Pihana Heiau State Monument is also in Waiehu. The Department of Parks and Recreation asked that the developer provide a cash contribution to satisfy park dedication requirements for compliance with Maui County Code 18.16.320 (**Exhibit 11**). The assessment fee will be \$27,847.50 and the assessment rate for the Wailuku-Kahului Community Plan Area is \$9,282.50 that is valid through June 30, 2025. The applicant understands that the amount will be due prior to final subdivision approval (**Exhibit 11a**). No anticipated adverse impacts are anticipated to park facilities.
7. **Schools** — The region is served by public schools that include the Waihe'e Elementary School, 'Īao Intermediate School and Baldwin High Schools. According to the State of Hawai'i School Facilities Authority, the planned subdivision is located within a school impact district and proposes future dwellings (**Exhibit 14**). The fee is \$5,373 per single family unit. The Applicant understands that school impact fees must be paid prior to

building issuance (**Exhibit 14a**). There should be no adverse impacts to existing school services in association with the creation of three more agricultural lots.

8. **Solid Waste** — The subdivision will be serviced by the County for solid waste disposal. The nearest landfill site is Central Maui Sanitary Landfill in Pu'unēnē. The existing facility has adequate capacity to serve the proposed project. Agricultural products will be recycled and reused onsite. The Department of Environmental Management Solid Waste Division did not have any comments on the proposed subdivision (**Exhibit 8**). There should be no adverse impact on solid waste services.
9. **Fire, Police, Medical** — Currently, there is a fire hydrant located adjacent to He'ahe'a Place. Existing fire protection is from the Wailuku Fire Station, located on Kinipōpō Street near Wells Park, approximately four miles away. The site is served by the Wailuku Police Station on Mahalani Street, five miles away. The nearest hospital facility, Maui Memorial Medical Center, is located just southwest of the police station along Mahalani Street, also about five miles away. No adverse impacts on police and fire protection services, and medical services are anticipated.

SOCIO ECONOMIC IMPACTS

On a short-term basis, the project will support construction and construction-related employment. In the long-term, the proposed project will alleviate the need for housing amongst the Kaio family, as they will each have their own agricultural lot to someday reside on. The three additional lots will not really have an impact on the existing population or the greater local economy. As a result of the proposed project, there should be no adverse socio-economic impacts.

ENVIRONMENTAL IMPACTS

There will be short term noise and air quality impacts associated with construction as development occurs. In the long-term, there will be no anticipated noise or air quality impacts, not other than from farming equipment that may result in dust generation. BMPs should be incorporated into the project in accordance with Federal, State and County standards.

The project is not anticipated to have negative impacts on the marine ecosystem. There are no Environmentally Sensitive Areas, including shoreline, wetlands, streams, other fresh waters, estuaries, coastal waters, and sea level rise exposure area. The property is located approximately half a mile from the coastline and is separated from the ocean by the town of Waihe'e. There are no known significant natural features on the property. In addition, there are no other erosion prone areas, geologically hazardous land, tsunami zone, flood plain, rock outcroppings, endangered plants and animals and exceptional trees existing on the property.

Views of the property from Kahekili Highway are blocked by single family homes or existing vegetation. The property is not part of an identified scenic view corridor, nor does it contain scenic resources. Once building permit plans are submitted for farm dwellings, they will be regulated utilizing the development standards in the Agricultural zoning district section of the Maui County Code.

The only flora onsite are the macadamia nut trees occupying the property. Feral animals are the only known fauna. There should be no adverse impacts to flora and fauna as a result of the

subdivision. As a result of the proposed mitigation, there should be no adverse environmental impacts.

OTHER GOVERNMENTAL APPROVALS

The application must be approved by ordinance from the Council. No other permits will be necessary at this time.

TESTIMONY

As of March 24, 2025, the Department has not received any correspondence regarding the proposed project.

ALTERNATIVES

1. **Deferral.** The Commission may defer action to another meeting date to obtain additional information that will assist in their deliberations on the request.
2. **Recommend Approval with no Conditions.** The Commission may take action to recommend to the Council approval of the subdivision without imposing any conditions.
3. **Recommend Approval with Conditions.** The Commission may take action to recommend to the Council approval of the subdivision with conditions.
4. **Denial.** The Commission may take action to recommend to the Council denial of the subdivision.

CONCLUSIONS OF LAW

The applications comply with the applicable standards for a Conditional Permit, as found in MCC, Chapter 19.40.

RECOMMENDATION

1. That full compliance with all applicable governmental requirements shall be rendered.
2. That the approval shall be non-transferrable unless the Council approves the transfer by ordinance.
3. That the Applicant shall develop the property in substantial compliance with the representations made to the Council in obtaining the project's approval.
4. That any lighting installed onsite shall be down-shielded.

In consideration of the forgoing, the Department recommends to the Commission that it recommend approval of the proposed subdivision to the Council with the conditions listed above. Further, that the Commission authorize the Planning Director to transmit said recommendations and record to the Council for further action.

APPROVED:

A handwritten signature in black ink, appearing to read 'K.L.K. Blystone', is written over a solid horizontal line.

KATE L.K. BLYSTONE
Planning Director

**MAUI PLANNING COMMISSION
REGULAR MEETING
JULY 8, 2025**

CALL TO ORDER AND ROLL CALL

The regular meeting of the Maui Planning Commission was called to order by Chair Kim Thayer at approximately 9:04 a.m., Tuesday, July 8, 2025, in the Planning Department Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793 and online via TEAMS Meeting ID: 262 130 983 892 7 Password: us72eB3u

Roll call was taken by Planning Director Kate Blystone. Chair Thayer, Vice-Chair Lindsey and Commissioner Ward, and Elizares were in attendance in-person. Commissioner Deakos, Kealoha, and Lind were in attendance via TEAMS.

Mr. Quemado: We're good. My end says recording.

(Inaudible)

Ms. Nomura: I see that it's recording.

Ms. Thayer: OK. Good to go now. OK, Aloha, kakahiaka kakou. (Inaudible)... Aloha, welcome everybody to our Maui Planning Commission meeting of Tuesday, July 8th, 2025. Director, roll call please.

Ms. Blystone: Aloha, Hi. Commissioner Elizares.

Mr. Elizares: Present.

Ms. Blystone: Commissioner Lind.

Mr. Lind: Present, in Kīpahulu.

Ms. Blystone: Can you tell us if anyone's in the room with you?

Mr. Lind: So (inaudible)...Nobody's here with me. I'm in my office. Yeah, by myself.

Ms. Blystone: Mahalo Commissioner. Commissioner Deakos.

Mr. Deakos: Good morning, everybody. I am in my home office in Napili, and my wife may come in once in a while throughout the day.

Ms. Blystone: Mahalo Commissioner. Commissioner Kealoha.

It was moved by Mr. Ward., seconded by Mr. Lindsey, then

VOTED: *To recommend approval to the Council with a friendly amendment to include the six comments as discussed.*

(Assenting: C. Elizares, C. Lind, B. Ward, A. Lindsey, K. Thayer)

(Dissenting: M. Deakos, A. Kealoha)

(Motion carries.)

Ms. Thayer: Ok. Thank you, everybody. Good discussion. I appreciate all of your mana'o very much. It is now 12:05. We have been going for three solid hours. I believe our lunch is on the way soon, but I think we should take a recess for everybody to get up and stretch their legs. And take a step outside. So, can we recess until 12:30 and hopefully we get our lunch within this time? We might have to have an eating meeting as we go along but let us recess now at 12:05 and we'll come back at 12:30.

Ms. Thayer: Ok. It is 12:34 PM. Welcome back, everybody to our Maui Planning Commission meeting of Tuesday, July 8th, 2025. We are about to head into item a A.2. Conditional Permit, which we'll hear more explanation from from the Department. I just want to note for everybody, some of us may be finishing our lunch. Oh, and we don't have Commissioner Ward here. But I think Director, you can read us into the record.

Ms. Blystone: At least I can read, think so. There's no problem even...

Ms. Thayer: ...until Commissioner Ward comes back.

Mr. Hopper: This is a recommendation to Council

Ms. Blystone: Yeah. So. (Inaudible)

Mr. Hopper: ...contested case.

Ms. Thayer: Ok. Yes, Director, please read us into the record.

2. CONDITIONAL PERMIT

RORY FRAMPTON CONSULTING INC. on behalf of the ANDREA M. AND GLAVIN K. KAIO FAMILY TRUST to request a Conditional Permit to create a four parcel State and County zoned 'Agricultural' subdivision from a 12.834- acre parcel that was previously subdivided from a seven-lot subdivision of a 26.178-acre parcel. A Conditional Permit is required for the new subdivision because it cannot be conventionally subdivided per Maui County Code, Section 19.30A.040 (F), as it exceeds the maximum number of lots allowed per 'Agricultural' zoning. The parcel is identified as Tax Map Key (2) 3-2-008:067 and located at 201 He'ahe'a Place in Waihe'e, Maui, Hawai'i

(CP2024-00001) (T. Furukawa / K. Wollenhaupt) (Item was scheduled on the 04/22/25 MPC agenda. Commissioners, please refer to materials provided in the 04/22/25 MPC meeting packet.)

(Report)

(Exhibits)

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

Ms. Blystone: All right, Rory Frampton Consulting Inc. on behalf of Andrea and Glavin K. Kaio Family Trust in. To request a conditional permit to create a four-parcel State and County zoned agricultural subdivision from a 12.834-acre parcel that was previously subdivided from a seven-lot subdivision of a 26.178-acre parcel. A conditional permit is required for the new subdivision because it cannot be conventionally subdivided per Maui County Code section 19.30A.040 (F), as it exceeds the maximum number lots allowed per agricultural zoning. The parcel is identified as Tax Map Key (2) 3-2-008:067 and located at 201 He'ahe'a Place in Waihe'e, Maui, Hawai'i, (CP2024-00001) and Kurt will be your planner for this item. I will note at this time to Chair, that this is not a traditional conditional permit. It is a conditional. It is a. We have to use the conditional process in order to process this request. So, you won't be issuing a conditional permit at the close of this. Kurt.

Mr. Wollenhaupt: Oh, good. Good afternoon. Members of the Maui Planning Commission.

Ms. Thayer: Oh, sorry. Can I just one note for everybody following and watching online? We'll have the presentation from Planner and the applicant, and then we'll do public testimony, and then we'll have questions from the Commission. Sorry, please go ahead.

Mr. Wollenhaupt: Good afternoon. Members of the Maui Planning Commission and for those people in the audience today. My name is Kurt. I'm from the Planning Department and I do swear to tell the truth cause that does come up occasionally. So, today we do have Mr. Rory Frampton, of Rory Frampton Consulting, who will be doing a in-depth review of the project and also all the members of the Kaio family. Just one note, I was told that the applicant really is the Andrea M. Kaio Trust and the Galvin K. Kaeo Trust. So, we have two trusts just to get that straightened out at the very beginning here. Now we'll have to take a little turn into history here and that's because there is no history. This is the first time that the Department can ever remember processing a subdivision. As through the process of the conditional permit but not being a conditional permit. So that first thing takes us into. Where is this located? Well, it's located on agriculturally zoned lands. Now, why is that important? That's important. Have a little ringing. Now. So why? Why is it important that this is agriculturally zoned land, and why is it important to know the history behind the size of the land and the subdivisions? And that's because the Maui County Code restricts parcels that range from two to thirty-one acres from being subdivided into more than seven lots. So, we have to go back to the beginning, and we find ourselves in 2007 and a twenty-six-acre lot. So, the agricultural zoning code allows then a subdivision into seven lots. So,

what we ended up having here in this subdivision is we have six, two acre lots and then we have one large lot which is the lot under consideration today for further subdivision of 12.834-acres. So, what we're concerned about today is this 12.834-acre lot. Normally the code says that's it. We're done. That that's the size of the lot. It was already subdivided. No further subdivision, however. If you go into zoning code. The Department recognizes, and I'll read out the section because it is sort of important to know where that we find this. 19.30A.040 Section (F). So, I'm going to read it. You have to bear with me here, if the original lot has been subdivided into the maximum number of lots permitted. Additional lots and that's what we're here for today to think about three additional lots. May be created for family members as described, in subsection 18.20.280 B1 and B2. Now if you go to 18.20.280, that's family subdivision law and that talks about exactly who these immediate family members may be. Persons related to the applicant by blood adoption or marriage, spouse, children, brothers and sisters. The intended transferees shall be designated by the applicants at the time of application. And proof of the relationship shall be required by the director. So, what we are here for today, is to determine if three additional lots can be made from this large 12.834-acre parcel. And Rory Frampton is going to be showing you where this is located, giving him, giving the reasons for their request for approval. And the department will be here to answer any other questions. So, without. Any further questions? Unless you have them, we'll let Rory go on to this presentation. Experts (inaudible).

Ms. Blystone: Are trying to do...

(Inaudible)

Ms. Cardoza: Oh, Ok. Is Jacob a planner or a secretary? Oh, Ok.

(Inaudible)

Ms. Blystone: Good for one thing. Thank you.

Mr. Frampton: Ok. Thank you very much, Planning Director for helping us out with the technical difficulties. I'm Rory Frampton here on behalf of the Andrea Kaio Trust and the Galvin K. Kaio Trust. They're with us here today, and we're gonna. I'm gonna talk, give a little bit more intro to the family in a few slides, a few slides from now. But as Kurt mentioned, we're here to respectfully request the Planning Commission's recommendation for approval of a four lots family. Subdivision pursuant to the section on the code that Kurt Read. And the parcel? Is located in Waihe'e. It's off of it's accessed by He'ahe'a St. It's also accessed by Kahekili Highway. And it's He'ahe'a Street is is off of Kunia St. which is the same street where St. Ann's Church is. And then just makai of this area that you have Hawaiian homelands, Waiehu Kou and then the road to the golf course is right in that same vicinity. As Kurt mentioned, the the maximum number of lots that can be created from an agricultural lot is established via what's called the sliding scale, and

it's based on the number of acres that the parcel that the original lot had as of March of 1988 and as Kurt mentioned the law, so the law does provide that if you've used up the maximum number of lots. You can apply to get additional lots for family members, but you have to go through this process that we're going through now, which is it's similar to the conditional permit process, but it's not quite a conditional permit as was described. And the conditions are that you know it has to be a parent who intends to transfer the property owner to a spouse or children, and that's what our case is. And the transfer shall be immediate. And at the time of the final subdivision approval. The as Kurt mentioned, the project background was the Na Mala O Waihee subdivision in June of 19 of June of 2007 was approved. The original parcel was twenty-six acres. And there was allocated a maximum number of seven lots, which could be as small as two acres each, and the subdivision. This is a slide of the subdivision, a little blurry, but they, as Kurt mentioned, they created six lots at the minimum two acres, and the remaining lot was a twelve-acre parcel. That's the subject of the proposed subdivision. This just shows a little more of a zoom in showing the He'ahe'a Place, which was constructed as potter, as part of that subdivision. So He'ahe'a Place has the water lines, the utility lines and such to service all these parcels. This is looking down Kunia Street. towards the ocean with He'ahe'a Place on the right. That's He'ahe'a Place that was constructed as part of the Na Mala O Waihee subdivision, that's looking at it from the intersection with Kuhunia Place. That's the cul-de-sac at the end of He'ahe'a Place, with 201 He'ahe'a just on the left. And this is again looking from the cul-de-sac towards the property which a big chunk of the property right now is still in macadamia nut trees and the the previous owner still has an agreement to to farm and take care of those trees. So, there is AG use going on on the property now. That's looking back He'ahe'a Place. Looking basically northward. So, the proposed project roughly is going to follow these lines. It would take lot seven and create seven lots, 7A through 7D, roughly 3 acres each. With one additional access off of He'ahe'a. And then two accesses off the one access assured access off the highway for lots 7C and 7D. So, the purpose and need for the project the the main purpose is to provide housing opportunities for the Kaio family and their three children, and Andrea and Kaala. Kaala used to work for the Water Department. Before he had a medical incident that has left him disabled, unfortunately, and the but the the as part of that incident, there was a settlement, and the settlement provided the family with some money and that's what they've used to buy this property. So that's how they came, came across the funds to get this property. They saw the provision in the code which allows for the family subdivisions and that's that's why we're here today to provide the three additional lots for their three daughters. Andrea has been a teacher at Emanuel Lutheran for over thirty years. Their daughter Lihau is the preschool director at Emmanuel Lutheran. They're here today, Lihau and Andrea Kaala and also Gina Kaala. Who's gonna be starting as a seventh-grade homeroom teacher at Emmanuel Lutheran this September. And they're the third daughter Anuhea. I believe she's online, but she's in the mainland. She has four kids. She also has a teaching background but is a a stay-at-home mom for now, hoping to get back in the teaching field. So, four teachers out of the four four family members, so. So the idea is to

create a family compound. The girls really want to help take care of their father and they want to provide Andrea and Kaala want to provide opportunities for their children to have housing. The rationale and support is well, #1. It's allowed for by the County's agricultural ordinance, and this is consistent with the intent of purpose of the ordinance, which is to allow for additional AG lots for family members. It's compatible with existing uses in the area. The other two acre lots that are nearby on He'ahe'a. And there's also residential uses on the to the east and north side of the project. It's relatively small. Just three new lots with minimal impacts to the surrounding area and the infrastructure is readily available from He'ahe'a Place. The next steps, if the Council? Well, it'll this will go to Council. If the Council does approve the request, then a subdivision following the normal requirements in Title 18 would proceed. So, we'd we would, that would entail the provision of infrastructure and utility hookups and the payment of necessary fees for parks and schools and that and the like. So that's a quick summary of of the request and we we respectfully request your recommendation for approval of this subdivision and we're available, and Andrea's also available here if you have any questions for the Kaio family themselves and their intent and purpose. So that's that's my summary and open for any questions.

Ms. Thayer: Ok. Thank you very much. We'll go into public testimony first and then questions from the Commission. I think we have somebody signed up to testify.

Ms. Ramoran-Quemado: Pamela Martin.

Ms. Thayer: Pamela Martin, Ok.

Ms. Martin: Aloha Pamela Martin, 24 He'ahe'a Place. H.E.A.H.E.A. Place. I never say it right. I'm here to give testimony on saying that I didn't find anything in zoning for this and that I have a police report number is 23-030304. And I would also like to say that. We had given testimony already written testimony on April 24, 2025, and we will stick with our written testimony. Thank you. Any questions for the testifier? Commissioner Kealoha, are you raising your hand? Yeah, go ahead.

Ms. Kealoha: Yeah, I guess my question. Well, I don't have tests. I don't see the testimony for this, so maybe. If the Testifier can briefly summarize that testimony.

Ms. Martin: Hello. We give the testimony. I walked it in on April 21st. When the first meeting was there, and we also emailed it into the Planning Department. Through your e-mail address. Thank you.

Ms. Kealoha: OK. Thank you.

Ms. Thayer: I think were checking on that. Commissioner Deakos, do you have a question?

Mr. Deakos Yeah, I was also struggling to find that testimony. Can you just briefly, are you in support or opposed to the project?

Ms. Martin: Opposed to the project. That was what our written testimony was.

Mr. Deakos. Ok. I hope we can find it. Thank you.

Ms. Martin: Would you like me to turn it back in? And then I would ask, why wasn't it in the in the documents considering that I did walk it in, and we did e-mail it in on April the 21st, 2025.

Ms. Thayer: I guess if you could hold one second while we find that and we you don't have it either, OK. Yeah, if you have the time. We may take a brief recess while we find that and give everybody. Chance to review. In case we have questions. That was prior to the drop. OK. Yeah. Can we take a recess of a few minutes? It's 12:55. 5 minutes, OK. We'll take a 5-minute recess until 1:00.

(Meeting recessed from approximately 12:55 PM, meeting reconvened at approximately 1:00 PM.)

Ms. Thayer: For the Commissioners online and for everybody for that matter, the testimony, the piece of written testimony is uploaded into the Dropbox. So, if you go to today's agenda for this item A.2. and you click on view testimony received, it should take you straight to the Dropbox that has this piece of testimony. Ok. And it's 1:00 or 1:01 now? So, we are back from our recess and back in session with our July 8th, 2025 Planning Commission meeting and continuing on item A.2. We have just received a copy of the piece of written testimony that the current Testifier referred to. So, we'll give everybody a couple of minutes to review this.

Ok, Commissioners, has everybody been able to find this piece of written testimony and have you been able to read it? See a thumbs up from Commissioner Deakos. Vice-chair Lindsey. You got it, Commissioner Elizares. Commissioner Ward, we have the piece of testimony now.

Mr. Ward: Thank you.

Ms. Thayer: It's in the drop box. Well, thank you for everybody's patience as we make sure our Commissioners are able to find and review this piece of written testimony. So just checking. Does anybody have any questions for the testifier?

Mr. Elizares: I do.

Ms. Thayer: Ok Commissioner Elizares and Miss Martin, if you could come back up to the podium, please.

Mr. Elizares: So, this might be an error on our side. So, Miss Martin?

Ms. Martin: Yes.

Mr. Elizares: I don't see your name on this on this testimony.

Ms. Martin: My partner. I, this is my partner, and he is picking up our children today, coming in from the airport. So, I was just making sure that his testimony had gotten in. And then the last time I was here, they said if I wanted to read it, but it would have taken my 3 minutes. So, I was doing my 3 minutes under Pamela Martin, but also, clarifying that his testimony has made it in also. Because we are both at the same address.

Mr. Elizares: Ok, so your your testimony is in lines with with...

Ms. Martin: I didn't find anything in zoning, and then I gave the police report number that I'm still dealing with till this very day. And so, and then I wanted to make sure that the. That we that the testimony, the written testimony was in place. And that we were going with what written testimony was, I am following the owner of the land and his he is in oppose.

Mr. Elizares: Thank you.

Ms. Thayer: And just to clarify, what do you mean when you said you found nothing in the zoning?

Ms. Martin: When I went to go look or ask about the zoning for this project that I didn't see anything, so I wasn't quite sure how you were going to get a conditional use permit off of it. So, it's just not sure cause it wasn't in zoning, yeah. And then I did notice that they had put in the police report that there had not been any police reports made, and this is agricultural area and there has been well over eighty-five police reports for agricultural theft, trespassing and other. No right of entry. I could go on, but we only put the testimony, the written testimony to keep it small. And just to say that we weren't in approval of it. Just because of how much grief we have received. Throughout the years since 2006, seven. We are the original owners. From the beginning.

Ms. Thayer: Ok. Thank you.

Ms. Martin: Thank you. Anything else? No?

Ms. Thayer: Commissioners any further questions, Commissioner Deakos.

Mr. Deakos: Thank you, Chair. Thank you for testifying today. I'm trying to understand the written testimony mentions water meters, so it sounds like you were charged. And you just mentioned. I'm a little confused with the water meter situation you had has to do with this property's application.

Ms. Martin: We had an original building office that was with us for well over fifteen years or twelve years or something that would have been JS management properties and. Throughout that time, our water, our private water. Company was ran efficiently. We even acquired maintenance fees, so for improvements in other things. And then before I knew it, during the first year of pandemic. I have a flip phone. We have a flip phone, so we're not really, we're farmers. We're in the dirt. We don't have time to be on the phone, so during pandemic it was like heaven. We made money. We were not bothered. It was beautiful after pandemic was over. I have a police report number that I give in to you folks and it is still going on to this very day and nothing is being done about it and this is the subdivision that we are speaking of. So, I'm in now my second billing office from my original, so I'm in a third billing office now.

Mr. Deakos: So, you're actively farming.

Ms. Martin: Which is keep costing money.

Mr. Deakos: So, you're actively farming on this property under the new ownership?

Ms. Martin: No, no. We've been always DML plants and produce. Thomas M Pascual, LLC. Thomas Pascual is your sole proprietor of this property. We, we have a conservation plan. We had everything and that was my concerns when I went to the Planning Department was, is that my farming permit number is the same as the applicant's number. So, our numbers are are matching up with each other, but we're two different people, so. I went to the Planning Department to ask about these things and he, Kurt said to me that I was outdated, just like my phone is outdated. So, we were just trying to get back up to understanding what was going on around us. And at this time, I had also found out that. My private water company also became a utility which neither one of my new billing offices bothered to tell me, which should have been open, you know?

Mr. Deakos: OK. OK.

Ms. Martin: And so as far as the property, lot seven goes, there's conditions on that because there's drainage in that area. I do not know of lot seven being able to access the highway because there's no right of entry from the highway to this property that that was from the very beginning. So, I don't know when that changed. I mean, there's just a whole lot of things that have. Happened and then my billing department or no one else has

bothered to take the time out to come over and knock on my door and tell me what's going on and then to send me letters wanting me to testify for them when I'm already opposing what's happening in my subdivision and we only have seven lots.

Mr. Deakos OK, understood. Thank you. Thank you, Chair.

Ms. Thayer. Thank you. Commissioners, any further questions for the testifier? Ok, seeing none. Thank you for your testimony.

Ms. Martin: Thank you.

Ms. Thayer: Is there anybody else? I don't see anybody else signed up to testify and nobody else here in the gallery is. This will be a last call for testimony for anybody online. You can write to staff in the chat, or I think there's a raise your hand function. Otherwise, testimony will close in 3-2-1. Commissioner's questions for the planner, the applicant or the department. What questions do you have? There is a recommendation from the department, yes. But nobody has anything they want to clarify before we get there, Commissioner Kealoha.

Ms. Kealoha Thank you, Chair. I actually have a question maybe for Mr. Hopper. Is there like a legal mechanism that's already in place to make sure that the subdivided lots aren't sold to other people.

Mr. Hopper: Yeah, not that I know of. My understanding is once the lots are subdivided, they can be sold to anybody, but the applicant can correct that.

Ms. Kealoha: Ok.

Mr. Hopper: But there's no, they have to be initially transferred to family members. But there's nothing long term in place that I know of that would require them to be held by family members forever.

Ms. Kealoha: Ok. Thank you.

Ms. Thayer: Vice-Chair Lindsey. This subdivision has water access for all the lots.

Mr. Frampton: Thank you for that question. Rory Frampton again, on behalf of the applicants, we're currently in discussions with the Water Department to establish an agreement similar to how the first seven lots got water. There is an AG water system, but there's also the each one of those lots have a County water meter and we're in an having discussions with the Water Department so that lot seven could be have a similar arrangement that the rest of the lots had, and we've had good discussions with them. The

we have to follow the rules right now under the water. Under their current capacity, the current system capacity. They're limited to only providing up to 1200 gallons per day per request, so that's just two meters. Under their standards of six hundred gallons per day. So, we're we're hoping that in this agreement baked into this agreement, you know we could get the two meters up front and then the third meter we could get three years after the issuance of the first two. So, that's what we're hoping to do and the agreement that we're doing with the County Water Department is just with us. It's not going to impact the other six lots of the previous subdivision.

Ms. Lindsey: Ok, great. That was my second question. Thank you.

Ms. Thayer: Commissioners. Further questions. Commissioner Deakos.

Mr. Deakos: Thank you, Mr. Frampton. So. There's a lot of property here, so it's all still same ownership. It's just been divided.

Mr. Frampton: So, to clarify, the testifier is the owner of one of the lots that was created by the subdivision in 2007. So, she they're there. They occupy one of those seven lots. They're not on the parcel. That's the subject of this project. This project is twelve acres. I think there are lots two acres or somewhere thereabouts, so they're separate parcels. She was talking about the farm that they have on their property. Which is not the same as this property. So, they're they are separate lots.

Mr. Deakos: Ok. So, but we're talking about the twelve acres that this applicant owns that would like to subdivide into four.

Mr. Frampton: Correct.

Mr. Deakos: And it's actively being farmed now.

Mr. Frampton: It's currently in pineapple, mac nuts and that will be go for the considerable future, but once the subdivision is completed and the lots are transferred, it's envisioned that each one of the owners, each one of the daughters, as well as Andrea and Kaala, they'd like to do some farming of themselves for themselves on the property, and that's basically their intention. But for now, for the foreseeable future, the the Mac nuts will be on the property.

Mr. Deakos: Ok. And you, you're just limited in the number of dwellings you could put on there if it was all farmed under the same TMK?

Mr. Frampton: Yes, yes.

Mr. Deakos: What's the, what's the current max?

Mr. Frampton: The current AG zoning ordinance allows for a house. (Inaudible) It's called a farm dwelling, a main farm dwelling, and then an accessory farm dwelling which is limited in size. And then there's the possibility of doing farm labor dwellings, if you can meet the requirements of that section. But most people will tell you, you can do a main dwelling and an accessory dwelling. They both have to be farm dwellings in the Ag District. On one parcel.

Mr. Deakos: Ok.

Mr. Frampton: So that's that's why this would allow for the creation of three lots, each one of the daughters would have their own lot and the ability to have their dwelling on that lot. And then ideally their kids could possibly build on the parcels too in the future.

Mr. Deakos: Ok. But that's limited. As farm dwellings, it would be harder to have family members have a farm dwelling while they're actively farming.

Mr. Frampton: I'm sorry, could you repeat that?

Mr. Deakos: I guess I'm just trying to understand why the subdivision is needed for three people to farm. But you're saying if you had, if you had the farm dwellings on the existing lot, you would run out of the number of farm dwellings for family members to live in.

Mr. Frampton: Essentially yes. Yes. So, the idea here is to provide an opportunity for a lot ownership for each of the three children. And we all know the housing situation on Maui's pretty rough. This is a unique way to to to address, to provide housing for their family. And, and that's our request.

Mr. Deakos: Ok And then once I think that was already answered, but once it was subdivided, they could sell those parcels off.

Mr. Frampton: They could, but it's certainly not.

Mr. Dakos: And farm them.

Mr. Frampton: It's certainly not their intent, and if you would like to hear from Andrea Kaio, on what their intent is, she could express that at your.

Mr. Deakos: Ok. I'll let other Commissioners ask questions. Thank you. Thank you, Chair.

Ms. Thayer: Commissioners, any further questions for the applicant? Sure, Elizares.

Mr. Elizares: Thanks. I'd like to hear from Andrea.

Mr. Frampton: Ok.

Ms. Kaio: Hi, my name's Andrea Kaio. My two of my three daughters are back here. Gina Kaala and Lihao and her husband Jermaine, and then my husband Kaala. He's he's the reason that we have the property. Unfortunately, he had a massive stroke in 2018, and we were awarded a settlement for it. We've been living in a studio for last six years. So, we're really excited to be almost moving on to this new property and have an accessible home for him. But with his stroke he needs twenty-four/seven care. And our family is super close. When he had the stroke, all three of the daughters were there. They they went to Oahu. We were there six months in and out of Queens and and. Skilled nursing facilities and my daughter stayed with me for for five weeks over there. And then Kaala actually moved home in twenty, nineteen-twenty or twenty-one. In twenty, twenty-one, 2020 to help me caregive for for him. So, she lives in the house. Where we were before, we used to be in our house, which is on the second floor, a three-bedroom house and we couldn't go back to that house because he can't do steps and so she and her two daughters live up there. We live in the studio below and she's been caring for him. So, this property and our house is gonna be accessible but, our daughters were very interested in living with us and helping us care for their dad. They love him and they want to be with him and that when I found about this, this part of the code that said we can do this for our family. That's that's. That was the reason that we got the lot so that we could have our family there and and hopefully for generations. That's our intent is that not only these girls can have a place they can barely afford to live on Maui right now and my other daughter that's in Texas moved there because she couldn't afford to have her family of six live in Maui. So, our our intent is to be on the property. We've all agreed that we're not going to sell it outside of the family and they want to be there to help support their dad. Thank you.

Mr. Elizares: Mahalo.

Ms. Thayer: Mm-hmm. Any further questions, commissioners? OK, seeing none, I think we can have the recommendation from the department.

Mr. Wollenhaupt: The recommendation is to recommend approval to the County Council. There were conditions put on to this, four in particular, at least at this time. One was full compliance with government requirements. That the approval would be non-transferable unless the Council would approve the transfer. The applicant would develop the property in substantial compliance with the representations made to the Council. And that any

lighting installed would be downward shielded. So, that is what was in the original staff report back in April.

Mr. Hopper: Ask a question.

Ms. Thayer: Yeah, Mr. Hopper.

Mr. Hopper: How could the approval be non-transferable? You're creating lots. You're. I mean, are you saying that you're going, that there's a plan to put something in that says the property can never be sold in perpetuity?

Mr. Wollenhaupt: Well, this is a report I inherited.

Mr. Hopper: That's right.

Mr. Wollenhaupt: But I'm not sure. I'm not sure these these are the recommendations would all be subject for your review today and to have good questions like you're answering. Since this is a very one-off sort of an idea, it's not a conditional permit. What are we exactly giving to these people? What's transferable? What's not transferable? So, that merits good discussion. So, I would I. Welcome any debate that you may have. In crafting or taking off when you recommend. Any conditions at all.

Mr. Hopper: Yeah, I I just. I'm trying to think of how the Council would be able to do something like that, and if that's still the department's recommendation or. Or or or not, because if it was a conditional permit they would have like a time frame. That's one thing, but this is going to be a permanent change. Correct?

Mr. Wollenhaupt: That's right. See again. It's processed in the manner as a conditional permit. What does that mean? That essentially means we have a public hearing today. We talked about duration issues after this report was done, but duration doesn't does. Does that even make sense in this case because you're doing? A subdivision that that's that's permanent. Reallocation, then. So, you're you're allowing these people to do three more units. So, what kind of duration would even make sense? That would be hard to even contemplate. So again, we're in uncharted territory knowing about as Director had indicated, this is to be processed like a conditional permit, but it's not even though it's called a CP. And even though in maps it's under a conditional permit, it's not. So unfairly, we have a number of the questions beget more questions. As to exactly what we're doing here.

Mr. Hopper: So so, for the Commissioners, I just wanted them to be aware, I don't. I can't right now think of a way where you could make this non-transferable in perpetuity, because you're creating, you're creating or you're talking to the Council about potentially creating

new lots. And so that would be something that I'm not sure how you would do that so. I just wanted to call that out as an issue. I had a concern about for the discussion.

Ms. Thayer: Based on that, Commissioners, you have clarified questions to make sure we understand the process. Commissioner Elizares.

Mr. Elizares: I'm not sure that. Mr. Wollenhaupt? Finish making the the rest of the recommendations.

Mr. Wollenhaupt: Oh, the the original report did have those four. So, it was the four and that's where we are that we recommended approval of this proposed recommended approval that you would send it on to the Council. So, it would be a matter of this transferability issue would appear that condition #2 would be struck and out. So, it would be then three conditions full compliance with government requirements. It's that's development and substantial compliance, although this is simply a subdivision and then downward shielded lighting, mostly for marine birds. But I'm not precisely sure if that would even go into this. This seemingly is a straightforward subdivision and the subdivision, when they go in for their full subdivision, they'll be meeting with. They'll be having to meet extensive requirements far more than we're going to be able to condition here. So perhaps. There's no conditions, it's just a recommendation for a subdivision.

Ms. Thayer: Yeah. So similar to our last item, we are providing a recommendation to County Council and then County Council approves. At least, they were approved conditional permit by ordinance so. Vice-Chair.

Ms. Lindsey: Can I have a recommendation? I move to recommend to Council. The recommendation of approval of this item. Without any conditions.

Ms. Thayer: Ok. So not even 1,2,3,4. Or like one...

Ms. Lindsey: One with with. 1.

Ms. Thayer: 1 and 3.

Ms. Lindsey: Can I get? A. Can I have a question first? The question is for #3 recommendation #3. What does substantial compliance with representatives? What does that mean? To the applicant?

Mr. Wollenhaupt: Well, I I would think that that would be. We're limited to the total of four lots, three additional that they wouldn't be able in the AG. You can go down to two acres. So theoretically we get six times two is twelve, so we wouldn't be. We wouldn't be wanting the people to say, well, we we really wanted two or three, but now we know we can get 6.

So, I think the representations would be that the model subdivision that Mr. Frampton showed up on the screen would be the number and approximate size of the lots.

Ms. Lindsey: Yes, OK. So, I moved to recommend to Council. To approve this. With. Including recommendation #1. And #3. I'm open to striking #4. That's it.

Ms. Thayer: Ok, #4 might be required by law. Anyway. I think condition or not.

Ms. Lindsey: Ok, that's fine, I just don't want to make it super confusing.

Ms. Thayer: Yep, Ok. So, recommend approval with conditions #1 and 3 from the staff report. Commissioner Deakos.

Mr. Deakos: Yeah, sorry, I I didn't know we were done with the questions for I still had a question for Mr. (inaudible).

Ms. Thayer: Wollenhaupt. Oh Ok. Hold on to your thought, Vice-Chair.

Mr. Deakos: Sorry if I'm butchering the name, I apologize.

Ms. Thayer: No worries, we all. We all hold it all straight. So yes, go ahead.

Mr. Deakos: So, the question. I'm just trying to wrap my head around it. Obviously, this is prime AG. We have the the subdivision regulations to prevent sort of this subdividing of AG lands from happening when and we want to ensure that AG lands are being farmed. So, it sounds like there are macadamia trees here, but there's never been any farming. There's no farm plan that you've seen. Or farm plans for the the four subdivisions. And is there any of that come into play in this application?

Mr. Wollenhaupt: My understanding in the AG that they need to do a farm declaration. Then when they were to build, if they were to build the second farm dwelling, then the farm actually has to be implemented. So, then you'd have to have fifty percent of the acreage of each of the lots in a legitimate farming operation. So that's if they wanted to build their own second farm dwelling. The first farm dwelling requires a declaration. They go to zoning ZAED and enforcement. They say what they're going to do. It's a declaration. Then we move on, but upon the building permit for the second farm dwelling, that farm has to be up and running. So. That's why it works.

Mr. Deakos: Right. And yeah. And that's what I thought. So, there's no dwellings anywhere at this point.

Mr. Wollenhaupt: No, no dwellings on this property.

Mr. Deakos: Ok.

Mr. Wollenhaupt: Oh, but, but. But we have, I think Mr. Frampton is going to illuminate us a little more. There is something else.

Mr. Frampton: Sorry, Mr. Frampton. Again, there is one dwelling under construction, the dwelling, the dwelling. That Andrea referred to that is going to be handicapped accessible.

Mr. Deakos: Ok. So that required. A declaration of farming to allow that.

Mr. Frampton: That's correct. That's correct.

Mr. Deakos: Ok. Thank you. Thank you, Chair.

Ms. Thayer: Ok. Last call for questions from the Commission. Any further? Ok. Hearing none, we've heard the recommendation from the department and Vice-Chair Lindsay was putting forth a motion to recommend approval to County Council with conditions number one and three in the staff report. So that is her motion.

Ms. Lindsey: Yes.

Ms. Thayer: Ok. Is there a second?

Mr. Ward: Second.

Ms. Thayer: Second from Commissioner Ward? Would you like to speak to your motion Vice-Chair?

Ms. Lindsey: This is. A local family. And. It's important. To for Hawaiians to get back to āina. It's it's an easy decision. I I don't know. Something. That would become a bad about this. Thank you.

Ms. Thayer: Thank you, Commissioner Ward, as a second.

Mr. Ward: Thank you, Chair. I would echo Commissioner Lindsey's comments. I think it's important that we're providing homes and land to families that are here. And actually, want to come back to the island. So, I think that's for me, one of the critical pieces it's trying to bring people back is one thing that. People might want to leave, but it's trying to have families be united and I would also commend you for stepping up and taking care of your dad. So, I think that's also an important message that you can't lose sight of.

Ms. Thayer: Thank you. Further discussion, commissioners. Commissioner Deakos.

Mr. Deakos: I. I apologize. I know it sounds like the bad guy today, but, I just, I don't understand why subdividing is necessary. I mean, there's nothing with preventing the families from coming back twelve-acre parcels, a lot of land. To subdivide, the only thing I could think of. The only reason you'd subdivide is to sell those parcels off so. I'm really struggling to. I don't think denial this permit does anything to prevent the goals. A mission of farming and bringing family and providing them a place to live and farm. And I think all of that can move forward. It doesn't restrict any of that. But, So, I I you know. I apologize if if. I'm not seeing the connection here of the necessity to subdivide. I do know we've got to be conscientious of what can happen. And the subdivision. That's why we have the rules in place. So, concerned about that? Thank you, Chair.

Ms. Thayer: Thank you, Commissioner Deakos. Oh, you're not on the screen anymore. Is he still in the meeting?

Ms. Blystone: He's in the meeting. Yes, he's in the meeting. He may have just turned his camera off.

Ms. Thayer: Ok, Commissioner Deakos. You may have turned your camera off maybe. Oh, there you are. Yeah, I guess I just noting, I think I heard the from the planner and Mr. Frampton that they without subdividing they would not be able to build enough dwellings to house everybody. So that's the limitation they're coming up against. Through the subdivision, they would be able to have enough farm lots to build enough dwellings to house. The parent's family and then one for each of the three daughters. They would not be able to do that otherwise. I'm... Commissioner Deakos.

Mr. Deakos: Sorry, just to clarify. And I know those farm dwelling rules. I get confused. But if you're actively farm farming. Maybe Corp Council. Can I? I think it was mentioned how many farm dwellings you could have on a twelve-acre parcel for actively farming people. Was it not? More than four.

Ms. Thayer: It's not even four.

Mr. Deakos: Oh, Ok.

Ms. Thayer: Yeah, it's not even four.

Mr. Deakos: So, an accessory dwelling is something else. That's for the farming activities, but to actually house people, you're limited to, anybody know how many?

Ms. Thayer: Mr. Wollenhaupt is here

I guess, for like residential (inaudible), AG land, I think this is kind of a unique. There this families in a unique position with a large lot and and so I like I said, super supportive of keeping our local families here. And providing for them. So. I would support the motion on the floor

Ms. Thayer: Thank you, Commissioner Kealoha. I also want to add that the resulting lots are still at least as larger larger than the minimum lot size for agricultural lands. So, we still have sufficiently sized parcels as a result. Any further discussion? Seeing none, let us call for the vote.

Ms. Blystone: Commissioner Decos.

Mr. Deakos: Aye

Ms. Blystone: Commissioner Elizarres,

Mr. Elizares: Yes.

Ms. Blystone: Commissioner Kealoha.

Ms. Kealoha: Aye.

Ms. Blystone: Commissioner Lind.

Mr. Lind: Yes.

Ms. Blystone: Commissioner Ward

Mr. Ward: Aye.

Ms. Blystone: Vice-Chair Lindsey.

Ms. Lindsey: Aye.

Ms. Blystone: Chair that six votes in favor the motion.

Ms. Thayer: Motion carries. OK, thank you, everybody. Moving right along.

It was moved by Ms. Lindsey., seconded by Mr. Ward, then

VOTED: To recommend approval with conditions #1 and #3 from the staff report to Council.

(Assenting: M. Deakos, C. Elizares, A. Kealoha, C. Lind, B. Ward, A. Lindsey)

(Motion carries.)

Mr. Frampton: Thank you, Commissioners, on behalf of the family, thank you very much.

Ms. Thayer: Ok. Does anybody need a break real fast, or can we go right into our third item? Hey, moving right along. Let us go into item A.3. Director, please read us into the record,

3. **A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.30A (AGRICULTURAL DISTRICT), MAUI COUNTY CODE, WHICH WOULD AMEND THE DEFINITIONS OF "AGRICULTURAL RETAIL STRUCTURE" AND "FARMER'S MARKET" TO INCLUDE "VEHICLE" AND "STRUCTURE ON WHEELS" AS TYPES OF AGRICULTURAL RETAIL STRUCTURES**

Ms. Kate L. K. Blystone, Planning Director, referring to the Maui, Molokai and Lanai Planning Commissions, a proposed bill to amend Maui County Code Chapter 19.30A; allowing "vehicle" and "structure on wheels" to be added as types of agricultural retail structures to the definition of "Agricultural Retail Structure." The bill would allow "vehicle" and "structure on wheels" to be considered as types of agricultural retail structures, thereby allowing them, under certain provisions, to be considered as permitted accessory uses in the Agricultural District. Note that County Council Resolution No. 25-60, FD1, referring this bill to the Planning Commissions for their review, findings and recommendations to the County Council also included a proposed change to Section 16.25.105.2 "Work exempt from permit." The Planning Commissions are only responsible for reviewing and providing recommendations on proposed land use ordinances affecting Title 19 – Zoning Code and not Title 16 – Buildings and Construction. (G. Pfof)

The entire text of the proposed bill for ordinance is available at: <https://www.mauicounty.gov/DocumentCenter/View/152042/Reso-25-60-FD1>

(Staff Report)

(Reso 25-60)

(Council Meeting 02-21-25 Transcript)

(Documents Received After Posting)

(Submit Testimony)

(View Testimony Received)

Ms. Blystone: Mahalo Chair. Item, A.3. A bill for an ordinance amending chapter 19.30A, agricultural district, Maui County Code, which would amend the definition of agricultural

Ms. Thayer: Ok. Thank you for bringing that up, all right. Seeing no further questions and lots of brain action today. Thank you, Commissioners for your time. Thank you everybody online for being with us and staff of course for all of your hard work and support. We will see everybody again on July 22nd, two weeks from now. Tuesday. Ok. Mahalo. Nui loa. A hui hou. Meeting adjourned.

The meeting adjourned at 3:43 PM.

Respectfully Submitted by,

GENO QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present:

Kim Thayer, Chairperson – in person
Ashley Lindsey, Vice-Chairperson – in person
Brian Ward – in-person
Andrea Kealoha – via Webex
Mark Deakos – via Webex
Christopher Elizares – in person
Crichton Lind – via Webex

Others

Kate Blystone, Planning Director, in person
Danny Dias , Planning Program Administrator, Current Division, in person
Candace Thackerson, Planner VI, Supervisor to Boards and Commission, in person
Kurt Wollenhaupt, Planner VI, in person
Wilton Leaunae, Planner V, in person
Greg Pfost, Administrative Planning Officer, via TEAMS
Sybil Lopez, Molokai Planner V, via TEAMS
Collette Cardoza, Planner V, via TEAMS
Robin Lilies, Planner IV, via TEAMS
Carly Watanabe, Planner III, via TEAMS
Brailey Gonzales, Planner II, via TEAMS
Aliko Biniaris, Planner V, via TEAMS
Michael Hopper, Deputy Corporation Counsel, in person
Adrian Reifsnnyder, Corporation Counsel, via TEAMS
Michelle McOmber, Secretary to Boards and Commission II, via TEAMS
Michael Petersen, Deputy Director of DEM, via TEAMS
Kekai Robinson, Deputy Director of 'Ōiwi Resources, via TEAMS
Paul Barany, Deputy Director of Public Works, via TEAMS
John Stufflebean, Water Director, via TEAMS
Shantel Nomura, Secretary to Boards and Commissions II, Current Planning Division, via TEAMS
Geno Quemado, Secretary to Boards and Commissions II, Current Planning Division, in person

Leilani Ramoran-Quemado, Secretary to Boards and Commissions II, Current Planning Division, in person
Jacob Alison, Secretary to Boards and Commission I, Current Planning Division, in person

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Current Planning Application Report (CP2024-00001)

Plan Type: CP Conditional Permit	Project:	App Date: 07/25/2024
Work Class: Review	District: Kahului-Wailuku	Exp Date: NOT AVAILABLE
Status: In Review	Square Feet:	Completed: NOT COMPLETED
Valuation: \$125,000.00	Assigned To: Wollenhaupt, Kurt	Approval
Description: Kaio Family Subdivision		Expire Date:

Parcel: 2320080670000-83054	Main	Address: 201 Heahea Pl Wailuku, HI 96793	Main	Zone: 00_RSSF(Community Plan: 00_RSSF) 00_AGRC(Community Plan: 00_AGRC) X(Flood Zone: X) Small Town(Maui Island Plan: Small Town) 500(Zoning Class: AG Agriculture)
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Applicant
Rory M Frampton
340 Napoko Place
Kula, HI 96790
Business: (808) 298-4956

Plan Custom Fields

I. Project Information

APPLICATION DOCUMENTS

Please use the below hyperlinks to open and/or download forms to be used while preparing and submitting your application

Outline of CP Questions

You can use this outline to help navigate within the set of questions below and refer to any specific one.

Required Attachments for Conditional Permit

Upload all the listed documents in the "Attachments" section

Sample of Basic Answers to Questions

You can review this first sample to help you frame less complex answers to most of the questions below except those in Section V. Most should be appropriate for a less complex application and/or project. Most sample answers are drawn from actual reports to Commissions.

Sample of Moderately Complex Answers to Questions

You can review this second sample to help you frame more complex answers to most of the questions below except those in Section V. Many should be appropriate for a more complex application and/or project. Most sample answers are drawn from actual reports to Commissions.

Sample Answers to Section V. Questions

You can review this third sample to help you frame answers to questions in Section V. Section V. is specific to only this particular type of application. The questions in the other two samples above are common to a variety of applications which require a public hearing by a County Commission.

Notice of Public Hearing - CP

Fill out the Notice of Public Hearing and upload it in the "Attachments" section. Do not mail it out until you are asked to do so later.

Notarized Affidavit Mailing Notice Public Hearing

After mailing out the Notice of Public Hearing, fill out the Affidavit, have it notarized, and upload it in MAPPS.

Notice of Application - CP

If you are submitting an application requesting a Conditional Permit Time Extension fill out the Notice of Application and send and submit it as instructed.

Notarized Affidavit Mailing-Notice of Application

If you have mailed a Notice of Application for Conditional Permit Time Extension, fill out the Affidavit, have it notarized, and submit it to the assigned planner.

Chapter 19.40, MCC, Conditional Permits

Chapter 19.40 includes minimum provisions for a Conditional Permit. Section 19.40.010 states "The intent of the conditional permit is to provide the opportunity to consider establishing uses not specifically permitted within a given use zone where the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location."

QUESTIONS

If a question below does not apply to your project, enter NA as your answer and if the question requires a count, enter 0.

Current Planning Application Report (CP2024-00001)

I. Project Information

A. GENERAL INFORMATION

1. What other application(s) are you applying for related to this project?

Four lot subdivision

2. Associated application number(s), if known.

NA

3. Is this application for a Maui county agency project?

No

4. Project Name

Andrea M. and Glavin K. Kaio Family Trust Subdivision

5. Total Area of Lot(s) - acreage of TMK parcel(s) where use is proposed

12.834

6. Project Site Area [Enter only if different from Total Area of Lot(s)] - sq. ft. of area where use is proposed.

7. Valuation of Project*

125000

* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of the Dept. of Public Works, Development Services Administration.

8. Physical Address/Location of Project

201 Heahea Place, Waihee, Island of Maui

9. Additional Location Information

10. Describe the Existing Use.

vacant agricultural lot, macadamia nut orchard

11. Briefly describe the Proposed Development/Use.

Four lot family subdivision pursuant to Section 19.30A.040.F, MCC.

12. No. of Parking Spaces now on the site

0

13. No. of Parking Spaces on the site after development

0

14. Building Permit Application No.

NA

15. Has the proposed use or any work related to it already been started or completed for this project?

No

16. If (Y) describe after-the-fact use or work

NA

B. DESCRIPTION OF PROPOSED ACTIVITY OR DEVELOPMENT

1. Describe in detail the nature of the request.

The Kaio family owns a 12.834 acre parcel in Waihee, see attached location map. The parcel was created by the subdivision of a larger 27 acre parcel into 7 Ag lots in 2007. That subdivision used up the available lot allocations for the 27 acre parcel established by the Ag zoning ordinance's "sliding scale". Therefore, the Kaio's 12 acre parcel cannot be further subdivided through the conventional subdivision process.

However, section 19.30A.040.F of the Agricultural zoning ordinance contains a provision that allows for further subdivision beyond the sliding scale's maximum lot allocation in order to create additional lots for family members, with the approval of the Council. The request would be processed in the same manner as applications for Conditional Permits.

The Kaio's have 3 children and would like to submit an application to subdivide their 12 acre parcel into 4 lots, one for them and one for each of their children.

2. Provide reasons justifying the request.

The project will provide an opportunity for Andrea and Kaala Kaio to provide a lot to each of their three children in a manner allowed for by the Agricultural Zoning Ordinance. The lots will be consistent with the size of the neighboring parcels on Heahea Place. It will be a relatively small project and will have minimal impacts on infrastructure or the environment.

C. DESCRIBE THE FOLLOWING SITE CONDITIONS

1. Elevations (highest and lowest points)

Lowest: approximately 122 ft

Highest: approximately 180 ft

2. Slopes

approximately 6%

3. Topography

Relatively flat, gently sloping towards ocean.

Current Planning Application Report (CP2024-00001)

4. Soil Types

loam Clay (IcB) and Wailuku Silty Clay (WvB), source: websoilsurvey.nrcs.usda.gov

5. Natural Features

The property is gently sloping with no other significant natural features.

6. Vegetation

Most of the property is planted as a macadamia tree orchard.

7. Existing Development

The property is currently vacant.

D. LIST THE ADJACENT AND SURROUNDING LAND USES

1. North

Lot 6 of the Na Mala O Waihee Subdivision, urban residential lots on Kuhinia Street and St. Ann's Church.

2. East

Urban residential lots on Kahekili Highway.

3. South

3-2-009: 001, a 73 acre Agricultural zoned lot currently planted as a macadamia tree orchard.

4. West

Heahea Place and Lots 2 through 5 of the Na Mala O Waihee Subdivision.

E. HISTORIC PROPERTIES CHECK/HRS 6E

1. If any of the following apply, check this box

No

Does the site include a registered Historic property?

Does the site include any buildings/structures 50 or more years old?

Is there ground altering activity proposed?

F. CHAPTER 343, HRS (HAWAII ENVIRONMENTAL POLICY ACT) COMPLIANCE

1. If any of the following apply, check this box

No

Is there a Chapter 343 trigger?

Has an EA or EIS already been submitted to the County?

Is the project exempt under Chapter 343?

II. Impacts

A. SELECT THE RELEVANT THEMES, GOALS, OBJECTIVES, AND POLICIES FROM THE COUNTYWIDE POLICY PLAN AND DESCRIBE HOW YOUR PROJECT IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss other section of the plan that is relevant to the proposed request. Consult the relevant goals, objectives, policies, and implementing actions of the Countywide Policy Plan for guidance.

B. SELECT THE RELEVANT CORE VALUES, GOALS, OBJECTIVES, POLICIES, AND IMPLEMENTING ACTIONS (CH. 1-7) FROM THE MAUI ISLAND PLAN THE DIRECTED GROWTH PLAN (CH. 8) AND DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the plan that is relevant to the proposed request. Consult the goals, objectives, policies, implementing actions, and Table 8-2 in Chapter 8 of the Maui Island Plan for guidance.

Core Values: To achieve our island's vision, we will be guided by the following values: a) Adopt responsible stewardship principles by applying sound natural resource management practices. b) Respect and protect our heritage, traditions, and multi-cultural resources. c) Plan and build communities that include a diversity of housing. d) Retain and enhance the unique identity and sense of place. e) Preserve rural and agricultural lands and encourage sustainable agriculture. f) Secure necessary infrastructure concurrently with future development. g) Support efforts that contribute to a sustainable and diverse economy for Maui. h) Create a political climate that seeks and responds to citizen input. i) Respect and acknowledge the dignity of those who live on Maui. j) Establish a sustainable transportation system that includes multiple modes, including walking, biking, and mass transit, as well as automobile-based modes. k) Recognize and be sensitive to landownership issues and work towards resolution.

2. If your project falls within a Maui Island Plan Protected Area, address how your project or proposal impacts the Protected Area. Discuss any mitigation measures intended to protect the area. Consult the Protected Area Diagrams and Table 8-2 in Chapter 8 of the Maui Island Plan for guidance. If your request does not fall within a Maui Island Plan Protected Area, answer N/A and go on to the next section.

NA

3. If your project falls within a Maui Island Plan Growth Boundary, address how your project is consistent with Chapter 8 of the Maui Island Plan, Directed Growth chapter. If your project falls within a Planned Growth Area, address how your project is consistent with the Planned Growth Area description in Chapter 8. Consult Chapter 7 and 8 of the Maui Island Plan for guidance. If your request does not fall within a Maui Island Plan Growth Boundary, answer N/A and go on to the next question.

NA

C. SELECT THE RELEVANT SUBJECTS, GOALS, OBJECTIVES AND POLICIES, AND IMPLEMENTING ACTIONS FROM THE RELEVANT COMMUNITY PLAN. DESCRIBE HOW YOUR PROPOSAL IS OR IS NOT CONSISTENT WITH THEM. WHERE IT IS NOT CONSISTENT, DISCUSS WHY YOUR PROPOSAL IS JUSTIFIED. You may also list and discuss any other section of the applicable community plan that is relevant to the proposed request. Community plan areas are defined by geographic boundaries. Consult the relevant goals, objectives, policies, and implementing actions in the relevant Community Plan for guidance.

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D. DESCRIBE HOW YOUR PROPOSAL IS CONSISTENT AND CONFORMING WITH EACH OF THE APPLICABLE FOLLOWING TYPES OF MAPPED LAND DESIGNATIONS FOR THE SITE:

1. State Land Use Districts

The proposed use is consistent with the State Land Use designation. The resultant properties will be used in a manner consistent with the State law.

2. Maui Island Plan Growth Boundaries

The proposed use is adjacent to the MIP Small Town Growth Boundary for Waihee.

(N/A if project on Molokai or Lana'i)

3. Maui Island Plan Protected Areas

The project area is not identified as a protected area.

(N/A if project on Molokai or Lana'i)

4. Community Plan Land Use Designations

The proposed project is consistent with the Community Plan Agricultural designation.

5. Zoning Designations

The proposed use is consistent with Section 19.30A.040.F which allows for family subdivisions to create additional lots for original lots which have utilized the maximum number of lots. The lots will meet the standards of the Chapter 19.30A and will all be above the minimum 2-acre size requirement.

DEVELOPMENT IMPACTS

E. ARCHAEOLOGICAL, HISTORICAL, AND CULTURAL RESOURCES IMPACTS:

1. Describe any archaeological impacts.

The property has been in agricultural use for a number of decades, originally under sugar cultivation and then as a macadamia tree orchard. An archaeological inventory survey was conducted on the original 27 acre parcel in 2004. Five parallel earthen terraces associated with former sugarcane cultivation were found on the larger parcel. There were no other archaeological or historic sites found within the subject project area. No impacts to archaeological resources are anticipated.

2. Describe any impacts on historic resources.

There are no anticipated impacts to historic resources.

3. Describe any impacts on cultural resources.

There are no known cultural resources or practices occurring on the property.

4. List any comments/recommendations received from State Historic Preservation Division.

NA

F. SOCIO ECONOMIC IMPACTS

1. Identify social and economic impacts (such as need for affordable housing, impacts on population, impacts on labor, local economy, etc.)

The heightened need for housing for Maui residents is well documented. The proposed request will provide additional Agricultural lots for members of the Kaio Family. The three additional lots will have a negligible impact on the population or the economy, but there will be huge positive benefits for the Kaio Family.

G. ENVIRONMENTAL IMPACTS

Describe any impacts to the following:

1. Environmentally Sensitive Areas, including shoreline, wetlands, streams, other fresh wastewaters, estuaries, coastal waters, sea level rise exposure area, other erosion prone areas, geologically hazardous land, tsunami zone, flood plain, rock outcroppings, endangered plants and animals and exceptional trees. For proposals on Maui Island, consult the Protected Area sections in Chapter 8 of the Maui Island Plan (MIP) and discuss how the area will be protected from adverse actions. Include any mitigation measures if applicable. Please consult Table 8-2 in the MIP for guidance.

There are no Environmentally Sensitive Areas, including shoreline, wetlands, streams, other fresh wastewaters, estuaries, coastal waters, sea level rise exposure area, other erosion prone areas, geologically hazardous land, tsunami zone, flood plain, rock outcroppings, endangered plants and animals and exceptional trees existing on the property.

2. View corridors and scenic resources impacts

The property is not part of an identified scenic view corridor nor does it contain scenic resources.

3. Flora impacts

The property consists of an existing macadamia tree orchard. It is likely that some of the macadamia trees will be cleared for eventual farm dwelling construction. It is anticipated that the properties will continue to be used for Ag uses, either as macadamia trees or some other Ag use.

4. Fauna impacts

There are no anticipated impacts to fauna.

5. Dune ecosystems impacts

There are no dunes on the property.

6. Stream ecosystems impacts

There are no streams on or near to the property.

7. Marine ecosystem impacts

The property is located approximately .5 miles from the coastline and is separated from the ocean by the town of Waihee. The project is not anticipated to have negative impacts on the marine ecosystem.

8. Natural features impacts

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There are no known significant natural features on the property.

9. Open space impacts

The proposed project will result in 3 additional Ag lots in an area that is substantially developed. Views of the property from Kahekili Highway are blocked by single family homes or existing vegetation.

10. Noise Impacts

There will be no anticipated noise impacts.

11. Air Quality Impacts

There will be no anticipated air quality impacts.

12. List any comments/recommendations received from government agencies.

NA

H. OTHER IMPACTS, MEETINGS, APPROVALS AND ZONING

1. Describe any other impacts.

NA

2. List the dates of any community meetings held regarding the project and summarize the feedback. Have your neighbors been made aware of your project and what has been their general feedback?

NA

3. If applicable, provide an assessment of the impact the proposed use may have on agricultural use of the property with comments from the Department of Agriculture (DOA) and Natural Resources Conversation Service (NRCS).

There will be minimal impacts to Agricultural use of the property. The existing operator of the macadamia tree orchard will likely continue to farm portions of the property. Opportunities for alternative future Agricultural endeavors will be provided to members of the Kaio Family.

4. Identify other governmental approvals that the development will be subject to.

Subdivision

5. Describe the relationship of the proposed project to the Maui County Code Title 19, Zoning Code.

The proposed subdivision is allowed as a Family Subdivision pursuant to Section 19.30a.040.F, MCC.

6. Describe the relationship of the proposed project to any other relevant regulatory controls, best management practices, policies, plans, technical studies, guidelines, or studies.

The project will be consistent with the zoning design standards for Agricultural lots.

1. Table - Countywide Policy Plan

Theme 1: Expand Housing Opportunities for Residents

Goal 1: Quality, island-appropriate housing will be available to all residents.

Objective 1: Reduce the affordable housing deficit for residents.

Policies 1: Seek innovative ways to lower housing costs without compromising the quality of our island lifestyle.

Implementing Actions 1: NA - There are no implementing actions for this objective.

Other 1: NA

Relevance 1: NA

1. Table - Maui Island Plan

Goal 1: Maui will have safe, decent, appropriate, and affordable housing for all residents developed in a way that contributes to strong neighborhoods and a thriving island community.

Objective 1: More livable communities that provide for a mix of housing types, land uses, income levels, and age.

Policy 1: Use planning and regulatory approaches to provide higher housing densities.

Implementing Actions 1: Amend development codes to facilitate different types of housing, including mixed use, mixed housing types, clustering, and conservation subdivisions.

Chapter 8, Directed Growth Plan 1: Maui will maintain opportunities for agriculture and rural communities through sound planning and clearly defined development expectations.

Relevance 1: The proposed subdivision will allow for Agricultural use and farm dwellings opportunities for members of the Kaio Family.

Other, including Core Values 1: NA

1. Table - Community Plan

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Topical Subject 1: Land Use

Goal 1: An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives 1: The direct and cumulative impacts of agricultural subdivisions and the impacts on the community shall be assessed and considered.

Policies 1: Ensure that adequate lands are available to support the region's present and future agricultural activities.

Implementing Actions 1: NA - There is no relevant implementing action for this goal.

Relevance 1: The proposal will keep the land in agricultural use while also providing housing opportunities for members of the Kaio Family.

Other 1: NA

III. Infrastructure

A. WATER

1. Identify existing water source and current usage.

The property is serviced by the County's Central Maui Water system, non-potable water is also available for agricultural purposes.

2. Describe any water transmission lines currently serving the site.

The parcel is served by a 8" water line installed as part of the Na Mala o Waihee Subdivision.

3. Describe the adequacy of the water supply to meet fire protection requirements.

A fire hydrant is located adjacent to the property on Heahea Place.

4. Describe any anticipated increase in water demand and if necessary, any subsequent improvements.

Eventually there will be an increase in domestic water usage when the farm dwellings are constructed in the future. Three additional water meters will be requested at the time of subdivision.

5. List any comments/recommendations received from government agencies.

NA

B. SEWERS

1. Identify existing sewage service (treatment plants, transmission lines, etc.).

The property is not served by the County's wastewater treatment system.

2. Identify current wastewater usage

NA

3. Describe any anticipated increase in wastewater demand and if necessary, any subsequent improvements.

Individual Wastewater Systems will be utilized to dispose of wastewater from the future farm dwellings.

4. List any comments/recommendations received from government agencies.

NA

C. DRAINAGE

1. Describe existing drainage pattern

Existing runoff sheet flows to the east.

2. Describe existing drainage structures

As part of the Na Mala o Waihee Subdivision intake inlets were installed on Heahea Place and Kuhunia Street. The inlets catch flows and transmit to a basin constructed on the eastern portion of the property.

3. Describe any anticipated increase in drainage and if necessary, any subsequent improvements.

The proposed subdivision will not result in any increase in impervious surfaces.

4. Describe any flood hazard impact

There are no anticipated flood impacts from the project.

D. ROADWAYS, CURBS, GUTTERS AND SIDEWALKS

1. Describe existing roadway conditions including width of right-of-way, pavement width, improvements such as curbs, gutters, sidewalks, deceleration/acceleration lanes.

Heahea Place is a 40 ft. right of way designed to agricultural standards, with no curbs, gutters or sidewalks. The pavement width is a minimum of 20 ft.

2. Describe existing and proposed ingress and egress into and from the site.

Existing access is provided to the site via a driveway from Heahea Place. Access to the new lots will be provided via driveways from Heahea Place.

3. Describe any proposed roadway condition improvements.

No roadway improvements are anticipated.

4. Comprehensively describe traffic impacts in and around the project site.

Existing traffic on Heahea Place and Kuhunia Street are relatively low and the addition of three additional Ag lots are not anticipated to have significant impacts on traffic in or around the project site.

5. List any comments/recommendations received from Department of Public Works or State DOT.

NA

Current Planning Application Report (CP2024-00001)

E. ELECTRICAL, TELEPHONE AND CABLE

1. Describe existing and proposed utilities

Existing electrical, telephone and cable services were installed in the Heahea Place right of way as part of the Na Mala O Waihee Subdivision.

F. SOLID WASTE

1. Solid Waste Landfill Site

Central Maui Sanitary Landfill in Puunene

2. Solid Waste Facilities Adequacy

The existing facility is adequate to serve the proposed project.

3. Describe your plans for solid waste disposal and recycling.

Ag products will be recycled and reused on site. The future lots will be served by the county's refuse collection program.

4. List any comments/recommendations received from government agencies

NA

G. OTHER

1. Describe any other infrastructure requirements

NA

IV. Services Agencies

A. PARKS

1. List any County or other local community/recreational facilities that serve your site.

Richard Pablo Caldito Sr. Park (Waihee Park)

2. Select the State community/recreational facilities that serve your site.

Halekii-Pihana Heiau State Monument, Iao Valley State Monument

3. Identify any impacts of your proposed project to those facilities.

There are no anticipated impacts to park facilities.

4. Describe any additional public facility requirements to serve your site.

NA

B. SCHOOLS

1. Select the Public School Facilities which serve your site.

Wailuku Schools

2. Identify any impacts of your proposed project to those facilities.

There will be negligible impacts to school facilities.

C. PUBLIC SERVICES

1. Select the fire station that serves your area.

Wailuku Fire Station

2. Describe the fire protection for your site.

A fire hydrant is adjacent to the property on Heahea Place.

3. Select the library that serves your area.

Maui Public Library in Wailuku

4. Select the police station that serves your area.

Wailuku District Substations, Wailuku Police Station on Mahalani Road

5. Select the hospital that serves your area.

Maui Memorial Medical Center - Wailuku

6. Describe any additional public services to serve your site.

NA

V. CP Criteria

A. CRITERIA FROM CHAPTER 19.40

1. Describe how the proposed use is similar, related or compatible to those permitted uses and which has some special impact or uniqueness such that its effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location.

The proposed subdivision will create 3 additional agricultural lots which will be similar to the adjacent lots that were created as part of the Na Mala o Waihee Subdivision. The owners are seeking approval to create additional lots beyond the lot allocation established in Chapter 19.30A, which is allowed for family subdivisions provided the request is approved by the County Council.

2. Describe how the proposed use would not be significantly detrimental to the public interest, convenience and welfare, and will be in harmony with the area in which it is to be located.

The request would have a positive impact to the public interest by providing an opportunity for the Kaio children to own property on Maui where they were born and raised.

3. Describe how the proposed use is not substantially different from those uses permitted in the use zone.

The lots and use of the lots will conform to the uses permitted in the Agricultural zone.

VI. Long Range Planning Info

A. PERMITS REQUESTED

Current Planning Application Report (CP2024-00001)

1. What Permits Are You Applying For

- Family Subdivision approval pursuant to 19.30A.040.F
- Subdivision

B. RESIDENTIAL PROJECTS

1. How many single-family units?

4

2. Will any accessory dwellings be permitted?

Yes

3. If yes, how many?

4

4. How many multi-family units are you building?

0

5. Are you subdividing your property?

Yes

6. If yes, how many buildable lots are you requesting to create?

4

7. How many acres, or square feet, is the project site?

12.834

8. If only a portion of the property is going to be used for this project, how many acres or square feet will be used just for the project?

12.834

C. LAND USE ENTITLEMENTS

Will This Project Require Land Use Amendments? (Check All That Apply)

1. Change of Zoning (COZ)

No

2. Change of Zoning (COZ) From:

NA

3. Change of Zoning (COZ) To

NA

4. Community Plan Amendment

No

5. Community Plan Amendment From

NA

6. Community Plan Amendment To:

NA

7. State Land Use District Boundary Amendment

No

8. State Land Use District Boundary Amendment From:

NA

9. State Land Use District Boundary Amendment To:

NA

10. Maui Island Plan Designation Change

No

11. Maui Island Plan Designation Change From

NA

12. Maui Island Plan Designation Change To:

NA

13. Will you be selling any of the units as "affordable" as defined under HUD guidelines?

No

14. If yes, how many units, or percentage of units will fall under this category?

0

15. From the date of filing the application with the Planning Dept., how long do you estimate the project to reach complete build-out?

0-5 years

D. INDUSTRIAL / COMMERCIAL PROJECTS

WILL THIS PROPERTY BE USED FOR: (List all that apply by providing the square footage proposed)?

1. Retail Purposes

NA

2. Office Space/Lease

NA

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3. Industrial Purposes

NA

E. BED AND BREAKFAST (B&B), SHORT-TERM RENTAL (STRH) AND TRANSIENT VACATION RENTALS (TVRs)

1. Will the project have a B&B, STRH, or TVR component?

No

2. Will (any of) the unit(s) be owner occupied?

Yes

3. How many bedrooms are proposed for rental?

N/A

4. Will this project be newly constructed?

Yes

5. How many dwellings are entirely rented to visitors?

0

F. VISITOR ACCOMMODATIONS

1. Table 1: Hotels and Timeshares

Accommodation 1: N/A

Units/Rooms 1: 0

Lock-offs 1: N/A

of Units with Lock-Offs 1: 0

Attachment File Name	Added On	Added By	Attachment Group	Notes
500 ft list and map_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	500 Foot Ownership List/Map
Community Plan Details Form_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Community Plan Details Form
Concept Site Plan - Kaio Family Subdivision_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Architectural Plans
Concept Subd Plan - Kaio Family Subdivision_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Site Plan
Countywide Policy Plan Details Form_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Countywide Policy Plan Details Form
Heahea Property Deed_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Ownership Documents
Letter of Authorization signed_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Letter of Authorization
Location Map - Kaio Family Subd_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Location Map
Maui Island Plan Details Form_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Maui Island Plan Details Form
Notice of Public Hearing signed_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Notice of Public Hearing
photos - Kaio Family Subdivision_v1.pdf	11/07/2024 14:53	Furukawa, Tara	EnerGov CSS	Photographs
CP2024-00001 201 Heahea Pl Wailuku - Memo to File_MAPPS.pdf	11/27/2024 16:13	Hill, Georgette	Supporting Doc	Fee Required
MFD Resposnde Kaio Subdivision.pdf	02/06/2025 16:20	Liu, Bradley	Supporting Doc	FD - Comments Letter
SHPD_AIS_Acceptance.pdf	02/12/2025 13:56	Furukawa, Tara		
32008067_Kaio_Family_Subd_cp.pdf	04/16/2025 10:16	Hao, Caryan	Application Docs	DPW Comment Memo
RoryFrampton CertMailReceipt_Signed.pdf	06/25/2025 15:34	Poaipuni, Loriann	Supporting Doc	
affidavit of mailing public hearing 6.26.25.pdf	06/26/2025 10:18	Wollenhaupt, Kurt	Supporting Doc	
070825_TEAMS_mins.pdf	08/07/2025 9:56	Wollenhaupt, Kurt	Supporting Doc	

Attachment File Name	Added On	Added By	File Category
Notice of Public Hearing signed.pdf	07/25/2024	Tara Furukawa	Notice of Public Hearing
Community Plan Details Form.pdf	07/25/2024	Tara Furukawa	Community Plan Details Form
Concept Subd Plan - Kaio Family Subdivision.pdf	07/25/2024	Tara Furukawa	Site Plan
Heahea Property Deed.pdf	07/25/2024	Tara Furukawa	Ownership Documents
Location Map - Kaio Family Subd.pdf	07/25/2024	Tara Furukawa	Location Map
photos - Kaio Family Subdivision.pdf	07/25/2024	Tara Furukawa	Photographs
Letter of Authorization signed.pdf	07/25/2024	Tara Furukawa	Letter of Authorization
500 ft list and map.pdf	07/25/2024	Tara Furukawa	500 Foot Ownership List/Map

Current Planning Application Report (CP2024-00001)

Concept Site Plan - Kaio Family Subdivision.pdf	07/25/2024	Tara Furukawa	Architectural Plans
Countywide Policy Plan Details Form.pdf	07/25/2024	Tara Furukawa	Countywide Policy Plan Details Form
Maui Island Plan Details Form.pdf	07/25/2024	Tara Furukawa	Maui Island Plan Details Form

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00025457	Application Fee	\$2,978.00	\$2,978.00
		Total for Invoice INV-00025457	\$2,978.00
		Grand Total for Plan	\$2,978.00

**Andrea M. Kaio Trust
Glavin K. Kaio Trust**

2211 Keanu St.
Wailuku, HI 96793

July 24, 2023

Kate Blystone, Director
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

SUBJECT: Letter of Authorization for the Kaio Family Subdivision at
201 Heahea Place, Waihee, Maui, Hawaii; TMK No. (2) 3-2-008: 067

Dear Mrs. Aoki:

Andrea M. Kaio Trust and Galvin K. Kaio Trust, as owners of the parcel identified as TMK No. (2) 3-2-008: 067 and applicant for the Kaio Family Subdivision, hereby authorize Rory Frampton to prepare, file, process and obtain all necessary approvals for the subject project including, but not limited to, approval via the Conditional Permit process as specified in Section 19.30A.040.F.

This authorization also permits Rory Frampton to sign applications, forms, and notices on our behalf in connection with obtaining the necessary approvals.

Should you have any questions or require additional information, please do not hesitate to call Andrea Kaio at (808) 281-7046.

Sincerely,



Andrea M. Kaio, Trustee
Andrea M. Kaio Trust

Andrea M. Kaio, Trustee
Glavin K. Kaio Trust