

# MOLOKAI PLANNING COMMISSION

NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MOLOKAI PLANNING COMMISSION

## AGENDA

Members: Mikiala Pescaia (Chair), John Sprinzel (Vice-Chair), Nathaniel Bacon, Lori Buchanan, Ron Davis, Zhantell Dudoit, Janice Kalanihuia, Debra Kelly

**DATE:** October 12, 2011 (*Wednesday*)

**TIME:** 12:00 p.m.

**PLACE:** Mitchell Pauole Center, Meeting Hall  
Kaunakakai, Molokai

- A. CALL TO ORDER
- B. PUBLIC TESTIMONY ON ANY PLANNING OR LAND USE ISSUE
- C. APPROVAL OF MINUTES OF THE JULY 13, 2011 AND JULY 27, 2011 MEETINGS
- D. COMMUNICATIONS
  - 1. a. KAMEHAMEHA SCHOOLS requesting a Special Management Area (SMA) Minor Permit for after-the-fact (ATF) improvements for an aquaculture operation of a former lessee D&J OCEAN FARMS consisting of construction of a 1,680 square foot storage building and hatchery, 160 square foot pump house structure, and 2200 linear feet of road improvements at TMK: 5-6-006: 008, 024, and 034, Keawanui, Island of Molokai. (SMX 2011/0002) (Valuation: \$26,400) (N. McPherson); and
  - b. MR. WILLIAM SPENCE, Planning Director, requesting concurrence from the Molokai Planning Commission pursuant to their Special Management Area Rules, as amended, that Special Management Area (SMA) exemption can be issued to KAMEHAMEHA SCHOOLS for the balance of the ATF improvements of D&J OCEAN FARMS not covered by the SMA Minor Permit comprised of the construction of an ancillary groundwater well; grading for shrimp ponds, ditches, and drainage improvements; construction of a two story, one bedroom, two bathroom, 3,344 square foot farm dwelling with carport, a 1,000 square foot accessory storage structure, and two 3,300 square foot shade structures dismantled and removed in 2007 at TMK: 5-6-006: 008, 024, and 034, Keawanui, Island of Molokai. (SMX 2011/0002) (Valuation: \$190,000) (N. McPherson)

*The Commission may take actions on these requests.*

E. UNFINISHED BUSINESS

1. MR. WILLIAM SPENCE, Planning Director, requesting concurrence from the Molokai Planning Commission pursuant to their Special Management Area Rules, as amended, that a Special Management Area (SMA) exemption can be issued for the following:

MR. RICHARD S. YOUNG, architect, on behalf of the MR. JOHN COMSTOCK submitting a Special Management Area Assessment for a 480 sq. ft. bedroom addition, carport, and 116 linear feet of property line retaining wall, site improvements to include 85 cubic yards of fill and grubbing area of approximately 4,040 square feet, excavation to a maximum dept of twelve (12) inches for ten (10) footings and retaining wall on 7,356 square feet of land in the Interim District at 406 Ala Malama Street, TMK: 5-3-011: 098, Kaunakakai, Island of Molokai. (SMX 2011/0315) (Valuation: \$110,000) (N. McPherson) (Deferred at the September 28, 2011 meeting.)

***The Commission may take action on this request to concur or not concur with the recommendation for SMA exemption.***

2. KE NANI KAI AOA requesting a Special Management Area (SMA) Minor Permit for relocation of thirty two (32) solar photovoltaic panels from the north-facing roof of the AOA office building to the roof of Building "I" above units 245 and 246, excavation of a trench ninety-five feet (95') in length and twelve inches (12") in width running in a direct line from the utility meter to the adjacent residential building, and installation of approximately one hundred thirty (130) feet of two inch (2") wide electrical conduit connecting to the relocated solar panels. The proposed action is designated to mitigate glare affecting Building "I" at 50 Kepuhi Place, TMK: 5-1-003: 013, Kaluakoi, Island of Molokai. (SMX 2010/0445) (Valuation: \$10,000) (N. McPherson) (Previously discussed on July 27, 2011 in the context of an application with a larger scope and also on August 10, 2011 . **Commissioners: Please bring your documents.**)

***The Commission may take action on this request.***

F. CHAIRPERSON'S REPORT

1. Status of the Commission's Subcommittee on Rule Changes Report
  - a. Rules of Practice and Procedure

- b. Special Management Rules
- c. Rules Regarding Special Uses in the State Agricultural and Rural Districts
- d. Shoreline Area Rules

***The Subcommittee's Report was presented to the Molokai Planning Commission at the March 9, 2011 meeting. Public testimony will be taken. The Commission may take action on the Subcommittee's Report.***

***Commissioners: Please bring your copies of the draft rules presented at the March 23, 2011 meeting and the current Molokai Planning Commission Rules contained in your orientation binder given to you when you first started on the Commission with you to the meeting.***

G. DIRECTOR'S REPORT

1. Pending Molokai Applications
2. Closed Molokai Applications
3. Discussions with Maui Electric Company on liability for power pole installations on private property. (N. McPherson)
4. Status of the Molokai Planning Commission vacancy
5. Scheduling of the public hearing on the following Council Resolution:

MR. WILLIAM SPENCE, Planning Director, transmitting Council Resolution No. 11-97 referring to the Lanai, Maui, and Molokai Planning Commissions A Draft Bill Amending Title 19, Maui County Code, and Section 3.48.305 of the Maui County Code Relating to Home-Based Businesses. (J. Alueta ) (9/20/11)

6. Agenda items for the October 26, 2011 meeting

H. NEXT MEETING DATE: OCTOBER 12, 2011

I. ADJOURNMENT

- Agenda items are subject to cancellation
- Maximum time limits on individual testimony may be established by the commission.
- Each applicant is requested to provide responsible representation at the meeting.
- Documents are on file with the Molokai and Maui Department of Planning offices.

- Oral, written, e-mailed, or faxed testimony will be received on any agenda item subject to the provisions of chapter 92, Hawaii Revised Statutes, and the Molokai Planning Commission Rules of Practice and Procedure. Written, e-mailed, or faxed testimony should be submitted at least two business days prior to the meeting to ensure distribution to the commission. If written testimony is presented within two days of the meeting, fifteen (15) copies are needed to ensure distribution at the meeting to the commissioners.
- Those persons requesting special accommodations due to disabilities, please call the Maui Department of Planning at least two (2) business days before the scheduled meeting.
- Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.
- Commission members: If you are unable to attend the scheduled meeting, please contact the Department of Planning at least **two** days prior to the meeting date.
- Mahalo for your cooperation.

**Molokai Planning Commission Contact Information:**

(Molokai)

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The Molokai Planning Commission's office is located in the Mitchell Pauole Center and is open from 8:00 a.m. to 4:30 p.m, Monday through Friday except holidays.