

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

AGENDA

DATE September 24, 2002
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at the beginning of the meeting will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

- A. PUBLIC HEARINGS (Action to be taken after each public hearing item.)
 - 1. MR. ALAN L. UNEMORI on behalf of CRAIG M. and JACQUELINE S. MUKAI requesting a change in zoning from R-1 Residential District to the B-2 Community Business District for property situated at 2112 Kaohu Street, TMK: 3-4-008: 030, Wailuku, Island of Maui. (CIZ 20020001) (A. Cua)
 - a. Public Hearing
 - b. Action
 - 2. MR. ALBERT C. BURKHALTER requesting a Shoreline Setback Variance for the replacement of an existing drainline at 291 East Front Street, TMK: 4-6-003: 004, Lahaina, Island of Maui. (SSV 2001/0003) (M. Niles)
 - a. Public Hearing
 - b. Action
- B. APPROVAL OF MINUTES OF THE MAY 28, 2002 MEETING
- C. PENDING LITIGATION MATTERS

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1. Deputy Corporation Counsel Victoria Takayesu providing an update on the Hale O Kaula Church et. al. v. Maui Planning Commission et. al., Civil No. CV 01-0615 SPK KSC (Appeal of the denial of the Land Use Commission Special Use Permit request)

NOTE: With reference to this agenda item, one or more executive meetings, pursuant to Section 92-5(a)(4), HRS, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the Maui Planning Commission.

D. DIRECTOR'S REPORT

1. SMA Minor Permit Report (see attached)
2. SMA Exemptions Report (see attached)

E. NEXT REGULAR MEETING DATE: October 8, 2002

F. ADJOURNMENT

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS, DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-77 35 (Maui) OR 1-800-272-0117 (From Molokai) OR 1-800-272-0125 (From Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST SIX (6) DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

* **An Executive Session may be called in order for the Commission to consult with their attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.**

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one working day prior to the meeting date. Thank you for your cooperation. (S:\all\carolyn\092402.age)