

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

AGENDA

NOTE: The Maui Planning Commission agenda filed on November 30, 2001 for a meeting on December 11, 2001 has been cancelled. This new agenda filed on December 4, 2001 replaces the cancelled agenda.

DATE: DECEMBER 11, 2001

TIME: 9:00 A.M.

PLACE: Council Chambers, 8th Floor, Kalana O Maui Building, 200 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. MS. CATHERINE HURLOCK of the Maalaea Beach Villa requesting a Conditional Permit in order to rent a single family home for vacation rental purposes of less than 180 days at 4025 Maalaea Bay Place, TMK: 3-6-001:005, Maalaea, Wailuku, Island of Maui. (CP 2001/0013) (W. Spence)
 - a. Public Hearing
 - b. Action

B. COMMUNICATIONS

1. MS. MAE GOUVEIA, Director/Teacher of the CENTRAL MAUI PRESCHOOL requesting a five-year time extension on the County Special Use Permit in order to continue to operate the Central Maui Preschool at 398 Kanaloa Avenue, TMK: 3-8-025: 007, Kahului, Island of Maui. (S. Bosco)

2. TERRY and DON DUDA requesting an amendment to a condition of their Offsite Parking approval for two (2) parking stalls located at the adjacent parking lot at TMK: 4-5-001: 041 for the Four Winds building located at TMK: 4-5-001:011, Lahaina, Island of Maui. (OSP 2001/0001) (W. Spence)
3. PASTOR LARRY ELIES of the LAHAINA CHRISTIAN FELLOWSHIP requesting amendments to Conditions 14 and 15 of the State Land Use Commission Special Use Permit in order to incorporate a temporary tent for the church and to extend the time to complete traffic improvements for the Lahaina Christian Fellowship at TMK: 4-3-010: 031, Kahana, Island of Maui. (95/SUP-0005) (S. Bosco)
4. MR. ROBERT E. ROWLAND of MANCINI ROWLAND & WELCH requesting a time extension on the Land Use Commission Special Use Permit for the Makawao Animal Boarding Kennel at TMK: 2-4-009:001, Makawao, Island of Maui. (92/SUP-008) (J. Higa)

D. UNFINISHED BUSINESS

1. Reopening of the Special Management Area Use Permit request by MR. DOYLE BETSILL of BETSILL BROTHERS CONSTRUCTION, INC., in order to construct the Kenolio Place project and related improvements, an R-0 Lot Line Overlay development consisting of twelve (12) single-family residences with supporting infrastructure at 411 Kenolio Road, TMK: 3-9-028: 021, Kihei, Island of Maui. (SM1 2001/0014) (M. Niles) for the purpose of reexamining the traffic impact fee condition(s). (Action taken at the November 13, 2001 meeting and motion to reconsider made at the November 27, 2001 meeting.)

E. PENDING LITIGATION MATTERS

1. 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, an executive session, pursuant to Section 92-5(a)(4), HRS, is anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the Maui Planning Commission

F. WORKSHOP ON AMENDMENTS TO THE MAUI PLANNING COMMISSION'S
SPECIAL MANAGEMENT AREA (SMA) RULES CONCERNING PROCEDURES
FOR APPEALS (B. Moto)

G. DIRECTOR'S REPORT

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

H. NEXT REGULAR MEETING DATE: JANUARY 8, 2002

I. 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 270-7735 (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\121101.2age)