

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

## AGENDA

DATE: November 17, 2004 (Wednesday)  
TIME: 8:30 A.M.  
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,  
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Randy Piltz (Chair), Susan Moikeha (Vice-Chair), Bernice Lu, Susan Moikeha, Suzanne Freitas, Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti

A. CALL TO ORDER

B. Decision making on the reopened contested case hearing conducted by Hearings Officer Guy A. Haywood, Esq. on the following application: (R. Loudermilk)

The contested case hearing previously involved the following parties:

- a. MR. ROBERT POULSON of HALE OKAULA requesting a State Land Use Commission Special Use Permit in order to use an existing structure and construct a second floor to hold church services within the State and County Agricultural Districts at Anuheia Place, TMK: 2-3-008: 032, Pukalani, Island of Maui. (SUP2 990016)
- b. JON DAVERN THURO and CHERYL ANN THURO, FRANK CARAVALHO and MARY CARAVAHLO and their attorney-in fact FRANK CARAVAHLO, JR. and BARBARA LUKE intervening on the abovementioned State Land Use Commission Special Use Permit request.

PURSUANT TO SECTION 92-6(a) (2), HAWAII REVISED STATUTES AS AMENDED, PUBLIC TESTIMONY WILL NOT BE RECEIVED ON THESE ITEMS AS THE MAUI PLANNING COMMISSION WILL BE EXERCISING ITS ADJUDICATORY FUNCTION.

- 1) Maui Planning Department's Final Report Prepared for the Contested Case Hearing Held on September 20 and 21, 2004
- 2) Hearings Officer Guy A. Haywood's Report dated November 1, 2004
- 3) Charles H. Hurd, Esq. of Hurd & Luria, John S. Rapacz, Esq., and Anthony R. Picarello, Jr., attorney for The Becket Fund for Religious Liberty submitting Applicant's November 8, 2004 Exceptions to Hearing Officer's Findings of Fact and Appendices.

- 4) Frank Carvalho, Jr., spokesperson for Intervenors John Thuro, Barbara Luke, and Frank Carvalho, Jr. submitting Intervenors' November 8, 2004 Exceptions to Hearings Officer's Findings of Fact and Recommendations. .

D. DIRECTOR'S REPORT

1. Designation of the Hana Advisory Committee to Maui Planning Commission to conduct the public hearing on the following application:

OHANA HOTEL COMPANY, LLC requesting a Special Management Area Use Permit for the proposed Hana Ranch Store and related improvements to include the development of a new Hana Ranch Store, re-roof the existing store building and related improvements on Mill Road and Hana Highway at TMK: 1-4-003: 056 (por.) , Hana, Island of Maui. (SM1 2004/0020)  
(T. Abbott)

E. NEXT REGULAR MEETING DATE: November 23, 2004

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

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 (Molokai) OR 1-800-272-0125 (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 TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

\*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 day prior to the meeting date. Thank you for your cooperation. (S:\a\cardyn\111704.age)