

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

AGENDA

DATE: April 11, 2006 (Tuesday)
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Suzanne Freitas, Patricia Eason, Johanna Amorin, Diane Shepherd, Nick Casumpang Jr., William Iaconetti, Wayne Hedani, Bruce U'u, John Guard IV, Jonathan Starr

- A. CALL TO ORDER
- B. INTRODUCTION OF NEW MEMBERS - JOHN GUARD IV and JONATHAN STARR
- C. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2006-2007 YEAR
- D. ORIENTATION WORKSHOP
 - 1. County Policy Against Sexual Harassment
 - 2. The Sunshine Law
 - 3. Ex parte Communications
 - 4. Discussion of Boards and Commissions Booklet Distributed by the Office of the Corporation Counsel
 - 5. Powers and Duties
 - 6. Rules of Practice and Procedures
 - 7. Land Use Regulatory Framework in Maui County
 - 8. Zoning
 - 9. Special Management Area Rules
 - 10. Shoreline Area Rules
 - 11. Country Town Business Design Guidelines - Paia-Haiku, Makawao-Pukalani-Kula, and Hana Community
 - 12. Chapter 343, HRS, The EA/EIS Process
 - 13. Work of the Long Range Planning Division - General Plan and Community Plan Updates
 - 14. Flood Hazard District Ordinance
 - 15. Recent U.S. Supreme Court decisions on takings issues.
 - 16. Public Access Shoreline Hawaii (PASH) v. Hawaii County Planning Commission
 - 17. Hawaii Supreme Court Decision regarding the Topliss case (SMA)
 - 18. Meeting Schedule

Public testimony will be taken at 1:00 p.m. on any remaining 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 this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

F. PUBLIC HEARINGS (Action to be taken after each public hearing.) (To begin no earlier than 1:00 p.m.)

1. MR. EDWIN YOUNG requesting a Conditional Permit for the Nahiku Market Place (fka Blue Pool Market Place) in order to maintain an existing farmers market, café, crafts gallery, snack shop, produce stand, and parking area in the County Agriculture District at 1601 Hana Highway, TMK: 1-3-002: portion of 012, Nahiku, Hana, Island of Maui. (CP 2006/0002)(R. Loudermilk)

- a. Public Hearing
- b. Action

G. COMMUNICATIONS

1. MS. KAUI KANAKAOLE, Chairperson of the HANA ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION submitting the Committee's recommendation on the request by MR. EDWIN YOUNG to obtain an after-the-fact State Land Use Commission Special Use Permit to allow for the continued operation of the Nahiku Market Place (fka Blue Pool Market Place) in the State Agricultural District on approximately one acre of land at TMK: 1-3-002: portion of 012, Nahiku, Hana, Island of Maui. (SUP2 2004/0003) (R. Loudermilk)

H. DIRECTOR'S REPORT

1. April 24, 2006 (Monday) Special Meeting at 6:30 p.m., Lahaina Civic Center Social Hall on Maui Land and Pineapple Company's Pulelehua Land Use Requests (Community Plan Amendment, Change in Zoning, and Phase 1 Project District Approval)(A. Cua)
2. EA/EIS Status Report
3. SMA Minor Permit Report
4. SMA Exemptions Report

I. NEXT REGULAR MEETING DATE: April 25, 2006

J. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

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 (10) 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.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

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 (808)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 (808)270-7634; AT LEAST TWO (2) BUSINESS 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 day prior to the meeting date. Thank you for your cooperation.** (S:\all\cardyn\041106.age)