

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

DATE: MARCH 25, 2003

TIME: 9:00 A .M.

PLACE: Planning Department Conference Room , First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Jeremy Kozuki (Chair), Randy Piltz (Vice-Chair), Herman Nascimento, Star
Medeiros, Bernice Lu, Susan Moikeha, Suzanne Freitas, Patricia Eason,
Grelyn Rosario.

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. CALL TO ORDER

B. RESOLUTIONS FOR OUTGOING MEMBERS - JEREMY KOZUKI and HERMAN
NASCIMENTO

C. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. A & B PROPERTIES, INC. requesting a Community Plan Amendment from
Agriculture to Business/Commercial , a State Land Use District Boundary
Reclassification from State Agriculture District to State Urban District,
and Change in Zoning from County Agriculture District and Interim District
to B-CT Country Town Business District for the Paia Post Office Property
at 39 Baldwin Avenue at TMK: 2-5-005: 061, Paia, Island of Maui. (CPA
2002/0012) (DBA 2002/0005) (CIZ 2002/0014) (R. Loudermilk)

a. Public Hearing

b. Action

2. MR. ANTHONY M. MYERS of HRM/BRE MAUI LLC requesting a Special
Management Area Use Permit in order to construct a 700 square foot
"high impact action" beverage bar in visual and physical proximity of the
existing main swimming pool and chaise lounge area at the Maui Hyatt
Regency Hotel, TMK: 4-4-013: 008, Kaanapali, Lahaina, Island of Maui.
(SM1 2002/0022) (K. Caigoy)

- a. Public Hearing
- b. Action

D. APPROVAL OF MINUTES OF THE NOVEMBER 26, 2002.

E. COMMUNICATIONS

1. JAMES RICHARD MCCARTY, attorney for MOMI KEAHI, KAI KEAHI, and KALANI KAPU submitting a Petition to Intervene on the appeal of James W. Geiger of Mancini, Welch, & Geiger, attorney for Douglas Richard White from the determination by the Director, Department of Planning by letter dated January 24, 2003 to rescind the Special Management Area (SMA) Assessment determination dated August 8, 2002 regarding the construction of a single family dwelling at 1377 Front Street, TMK: 4-5-012: 018, Lahaina, Island of Maui. (SM5 2002/0289) (APPL 2003/0004) (M. Niles)
2. WAYNE K. NISHIKI, Chair of the COUNCIL PLANNING AND LAND USE COMMITTEE by letter dated February 21, 2003 transmitting Bill No. 84 (2002) entitled "A Bill For an Ordinance Amending Chapter 2.80A, Maui County Code, Pertaining to the General Plan and Community Plans" to the Planning Commissions for review and comments. (B. Miskae) (matter to be taken up at 1:00 pm or soon thereafter)

(Maui Planning Commission voted at its March 11, 2003 meeting to have the materials distributed as soon as possible and the matter placed on its March 25, 2003 agenda. Planning Department stated that review of this matter at the March 25, 2003 meeting would be premature as a written analysis could not be presented to Maui Planning Commission at that time since the staff member in charge of the matter is on vacation until March 24, 2003.)

F. DIRECTOR'S REPORT

1. Status Report on the Revised Shoreline Area Rules
2. SMA Minor Permit Report (see attached)
3. SMA Exemptions Report (see attached)

G. NEXT REGULAR MEETING DATE: APRIL 8, 2003

H. ADJOURNMENT

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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 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.

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\cardlyn\032503.age)