

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 8, 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: Star Medeiros, Randy Piltz, Bernice Lu, Susan Moikeha, Suzanne Freitas,
Patricia Eason, Grelyn Rosario, Johanna Amorin, Diane Shepherd.

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. INTRODUCTION OF NEW MEMBERS - JOHANNA AMORIN and DIANE SHEPHERD
- C. ELECTION OF OFFICERS FOR 2003-2004 YEAR - CHAIRPERSON and VICE-CHAIRPERSON
- D. ORIENTATION WORKSHOP
 - 1. Role and Responsibilities
 - 2. Parliamentary Procedures
 - 3. County Policy Against Sexual Harassment
 - 4. Discussion of Boards and Commissions Booklet Distributed by the Office of the Corporation Counsel
 - 5. The Sunshine Law
 - 6. Ethics
 - 7. Ex Parte Communications
 - 8. Rules of Practice and Procedures
 - 9. Land Use Regulatory Framework in Maui County
 - 10. Hawaii State Plan
 - 11. General Plan and Community Plans
 - 12. State Land Use Law
 - 13. Zoning
 - 14. Chapter 343, HRS, The EIS Process

15. Special Management Area Rules
16. Shoreline Area Rules
17. Other Related Boards and Commissions
18. Country Town Business Design Guidelines - Paia-Haiku, Makawao-Pukalani-Kula, and Hana Community
19. Meeting Agenda
20. The 2003 Meeting Schedule
21. Recent U.S. Supreme Court decisions on takings issues.
22. Public Access Shoreline Hawaii (PASH) v. Hawaii County Planning Commission

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

1. MR. FERDINAND CAJIGAL, on behalf of the State Department of Transportation, Highway Division, requesting an after-the-fact Special Management Area Use Permit and Shoreline Setback Variance for emergency repairs to a 40-foot section of paved shoulder along Honoapiilani Highway, Milepost 15.8, Olowalu, Maui, Hawaii (SM1 2002/0015)(SSV 2002/0001) (M. Niles)
 - a. Public Hearing
 - b. Action

F. APPROVAL OF MINUTES OF THE DECEMBER 10, 2002, JANUARY 14, 2003, JANUARY 28, 2003 and FEBRUARY 11, 2003 MEETINGS

G. UNFINISHED BUSINESS

1. 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) (deferred from the March 25, 2003 meeting)

H. DIRECTOR'S REPORT

1. March 27, 2003 memo to the Maui Planning Commission from Planning Director Michael Foley regarding Development Projects in South Maui.
2. Scheduling of Workshop for Kapalua Land Company's Kapalua Mauka project. Request letter by Kapalua Land Company for workshop dated March 24, 2003

3. 2003 Hawaii Congress of Planning Officials (HCPO) Conference - October 8-10, 2003, Westin Maui Hotel, Kaanapali, Island of Maui.
4. Status Report on the Revised Shoreline Area Rules
5. SMA Minor Permit Report (see attached)
6. SMA Exemptions Report (see attached)

I. NEXT REGULAR MEETING DATE: APRIL 22, 2003

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 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\carolyn\040803.age)