

# MOLOKAI PLANNING COMMISSION

PURSUANT TO CHAPTER 92, PART 1, OF THE HAWAII REVISED STATUTES AS AMENDED; NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MOLOKAI PLANNING COMMISSION

## AGENDA

Members: DeGray Vanderbilt (Chair), Steven Chaikin (Vice-Chair), Bill Feeter, Sherman Napoleon, Jr., Lynn DeCoite, Joseph Kalipi, Linda Kauhane, Michelle Pescaia

**DATE: APRIL 25, 2007, Wednesday**

**TIME: 12:30 p.m.**

**PLACE: Mitchell Pauole Center, Kaunakakai, Molokai**

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 Molokai Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Molokai 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.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793

A. CALL TO ORDER

B. APPROVAL OF MINUTES OF THE MARCH 28, 2007 MEETING

C. ORIENTATION WORKSHOP PART 2

1. Powers and Duties
2. Discussion of Boards and Commissions Booklet distributed by the Department of the Corporation Counsel
3. The Sunshine Law
4. Ethics
5. Ex Parte Communications
6. Rules of Practice and Procedure

7. Recent Supreme Court Decisions on Takings Issues
8. Public Access Shoreline Hawaii (PASH) v. Hawaii County Planning Commission
9. Topliss v. Hawaii County Planning Commission SMA Case
10. General Plan and Community Plan Updates - Chapter 2.80 B Maui County Code
11. Chapter 343, HRS - Environmental Assessments and Environmental Impact Statements
12. Meeting Schedule

D. CHAIRPERSON'S REPORT

E. DIRECTOR'S REPORT

1. May 9, 2007 Public Hearing Item:

MS. FRANCES FEETER requesting a State Land Use Commission Special Use Permit and a Conditional Permit to operate the Hale Maluhia, a short term rental in the State Rural District and the RU0.5 Rural District at 8770 Kamehameha V Highway, TMK: 5-7-007: 011, Pukoo, Island of Molokai. (SUP2 2001/0024) (CP 2001/0031) (N. McPherson)

2. Pending Molokai Applications (report circulated for April 11, 2007 meeting.)
3. Pending Molokai Applications
4. Closed Molokai Applications (report circulated for April 11, 2007 meeting)
5. Closed Molokai Applications
6. 2007 Hawaii State Association of Counties (HSAC) Conference on Maui

F. ANNOUNCEMENTS

G. OTHER BUSINESS

H. NEXT REGULAR MEETING DATE: May 9, 2007

I. ADJOURNMENT

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MOLOKAI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE SUBMITTED 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 MAUI AND MOLOKAI PLANNING DEPARTMENT.

**THE ADDRESS OF THE COMMISSION IS P.O. BOX 526, KAUNAKAKAI, MOLOKAI, HAWAII 96748.**

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 553-3221 (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 270-7634 (Maui), 553-5050 (Molokai), 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.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least **two days** prior to the meeting date. Thank you for your cooperation. S:\ALL\SUZETTE\MoPC\2007.Agendas\042507.age.wpd