

# 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: Robert Ribao (Chair), DeGray Vanderbilt (Vice-Chair), Janice Kalanihuia, Kip Dunbar, Bill Feeter, Sherman Napoleon, Jr., Lynn DeCoite, Steven Chaikin, Joseph Kalipi

**DATE: APRIL 26, 2006, Wednesday**

**TIME: 1:00 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.

- A. CALL TO ORDER
- B. APPROVAL OF THE MINUTES OF THE MARCH 8, 2006 MEETING
- C. COMMUNITY INPUT ON MATTERS RELATED TO COUNTY PLANNING
- D. ORIENTATION WORKSHOP PART 2
  - 1. Discussion of Boards and Commissions Booklet distributed by the Department of the Corporation Counsel
  - 2. The Sunshine Law
  - 3. Ethics
  - 4. Ex Parte Communications
  - 5. Rules of Practice and Procedure
  - 6. Recent Supreme Court Decisions on Takings Issues
  - 7. Public Access Shoreline Hawaii (PASH) v. Hawaii County Planning Commission
  - 8. Topliss v. Hawaii County Planning Commission SMA Case

E. PUBLIC HEARING (Action to be taken after the public hearing.)

1. MUNEKIYO & HIRAGA, INC. on behalf of NEXTEL requesting a County Special Use Permit in order to inst all and operate cellular phone antennas and related improvements in the B-CT Country Town Business District at the Lucy Wilhelm Center Building, at the corner of Kamehameha V Highway and Mohala Street, TMK: 5-3-001: 082,Kaunakakai, Island of Molokai. (CUP 2005/0011) (P. Fasi)
  - a. Public Hearing
  - b. Action

F. COMMUNICATIONS

1. MUNEKIYO & HIRAGA, INC. on behalf of NEXTEL requesting a Special Management Area Minor Permit in order to install and operate cellular phone antennas and related improvements in the B-CT Country Town Business District at the Lucy Wilhelm Center Building, at the corner of Kamehameha V Highway and Mohala Street, TMK: 5-3-001: 082, Kaunakakai, Island of Molokai. (SMX 2005/0532) (P. Fasi)
2. Commission Chair requesting that the Molokai Planning Commission consider changing the starting time of their meetings from 1 pm. The Molokai Planning Commission may decide to change the starting time of their meetings.
3. Status of the Molokai Planner. The Molokai Planning Commission may have discussion and receive public testimony on this item.

G. UNFINISHED BUSINESS

1. Possible Special Management Area (SMA) Rule Amendment to permit the Molokai Planning Commission to review SMA assessments and exemptions. The Commission may take action to initiate such a rule change. (Previously discussed at April 13, 2005 meeting.)

H. CHAIRPERSON'S REPORT

I. DIRECTOR'S REPORT

1. Scheduling of the public hearing on the Council Resolution relating to a County affordable housing policy. The Planning Commission will only consider the matter of scheduling the public hearing date and time and will not be discussing or taking any comments on the substance of the proposed bill.
2. Scheduling of the public hearing on the Council Resolution relating to regulating transient vacation rentals. The Planning Commission will only consider the matter of scheduling the public hearing date and time and will not be discussing or taking any comments on the substance of the proposed bill.
3. Pending Molokai Applications
4. Closed Molokai Applications
5. Status of new Take's Variety Store project
6. Public hearings scheduled for the May 24 Molokai Planning Commission meeting:
  - a. SMA Permit request for the Molokai General Hospital Phase 2 Project
  - b. State Land Use Commission Special Use Permit and Conditional Permit requests for the Goodfellow Brothers, Inc. rock quarry, concrete batching plant, and asphalt batching operations at Naiwa.

J. ANNOUNCEMENTS

K. NEXT REGULAR MEETING DATE: May 10, 2006

L. 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.

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