

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, Kip Dunbar

DATE: MAY 9, 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 because of work commitments or other scheduling conflicts. 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 you are able to offer new or additional information to the Commission.

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 APRIL 25, 2007 MEETING
- C. PUBLIC TESTIMONY ON ANY AGENDA ITEM FOR THOSE WHO HAVE TO GET BACK TO WORK OR HAVE OTHER SCHEDULING CONFLICTS

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

1. MS. FRANCES FEETER requesting a State Land Use Commission Special Use Permit and a Conditional Permit to operate the Hale Maluhia, a short term vacation 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)
 - a. Public Hearing
 - b. Action

E. COMMUNICATIONS

1. MR. JEFFREY S. HUNT, Planning Director, requesting concurrence from the Molokai Planning Commission pursuant to their Special Management Area Rules, as amended, that a Special Management Area exemption can be issued for the construction of the Pollack Residence, a farm dwelling at 388 Kaluakoi Road, TMK: 5-1-006: 062, Kaluakoi, Island of Molokai. (SMX 2007/0019) (N. McPherson)

The Commission may act on whether or not to concur with the Planning Director's determination that an SMA exemption be issued.

2. April 25, 2007 Letter Received from Molokai Resident Glenn Teves regarding amending the Maui County Agricultural District Ordinance.

The Commission may act to request a workshop, request that the County amend the County Code regarding ag. subdivisions, request that the County amend Section 19.30A regarding ag. subdivisions, or take some other action.

F. CHAIRPERSON'S REPORT

1. Workshop on the process involved for Molokai agricultural subdivisions. The Commission may request that a workshop be conducted by County officials on the subdivision process for agricultural subdivisions.
2. Format of Molokai Pending and Closed Application Reports
3. Duplicate Files in Molokai Planning Commission Office
4. Format of Master Copy of Minutes filed in Planning Department - Molokai Office
5. Comments on Agenda Format

G. DIRECTOR'S REPORT

1. Planning Department's Follow-up Report on matters raised by the Molokai Planning Commission at its April 25, 2007 meeting concerning legal challenges to Environmental Impact Statements at the Land Use Commission level
2. Pending Molokai Applications
3. Closed Molokai Applications
4. 2007 Hawaii Congress of Planning Officials Conference - September 26-28, 2007, West Hawaii.

The Commission may vote to cancel or reschedule their meeting of September 26, 2007 in order so that members can attend the conference.

H. ANNOUNCEMENTS

I. OTHER BUSINESS

J. NEXT REGULAR MEETING DATE: May 23, 2007

K. ADJOURNMENT

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

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MOLOKAI 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 OR P.O. BOX 526, KAUNAKAKAI, MOLOKAI, HAWAII 96748. The deadline for filing a timely Petition to Intervene was on April 25, 2007.

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.