

PURSUANT TO CHAPTER 92, PART I, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE **MOLOKAI PLANNING COMMISSION**

AGENDA

(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: **JULY 24, 2024**

TIME: **11:00 AM**

REMOTE MEETING LOCATION: Interactive conference technology via WebEx Videoconferencing: **Meeting No: 2661 850 3097 Password: 072424**

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the Department of Planning's Molokai Office, 100 Ainoa Street, Kaunakakai, Molokai, Hawaii 96748. Note: The Board Members may not be physically present at this location. **Due to physical meeting space constraints, attendees are encouraged to attend virtually, via WebEx Videoconferencing.**

Members: Zhantell Lindo (Chair); Shannon Kaahanui (Vice-Chair); Louella Albino; Kananikala Bishaw-Juario; Keomailani Hirata; John-Russel Phifer, Debra Kelly

A. CALL TO ORDER AND ROLL CALL

Public testimony will be taken when each agenda item is discussed. Testimony will be limited to a maximum of three (3) minutes with 30 seconds to conclude.

To watch the meeting or provide video testimony: Click on or use meeting link:

<https://mauicounty.webex.com/mauicounty/j.php?MTID=m51f290b855f36a8f6a5f081a6b771bc5>

To listen to the meeting or provide oral testimony via phone: Dial: 1-650-479-3208 and enter **Meeting No: 2661 850 3097**

Testifiers via video are asked to sign-up using the Chat function to send a Direct Message to Shantel Nomura, Secretary to Boards and Commissions, providing your name and the item you are testifying on. Testifiers via phone will be called by the Chair after in-person and video testimony are finished.

Testifiers will be called by the Chair to offer their testimony; those participating by phone or video are asked to mute their audio and video when they are not testifying.

To provide written testimony: Email testimony to planning@mauicounty.gov or submit written testimony by mail to the Molokai Planning Commission c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793. While the Commission requests that written testimony be submitted by noon, one business day prior to the meeting, to allow time for it to be transmitted to and reviewed by Commission members, testimony submitted after such date and time must still be accepted by the Commission.

Commissioners **shall not** be contacted by the Chat function.

B. CONTESTED CASES

Pursuant to Chapter 91-10, Hawaii Revised Statutes, and Subchapter 4 of the Molokai Planning Commission Rules of Practice and Procedure, any individual wishing to testify on these items is required to do so under oath, and may be asked questions by the applicant and members of the Commission. The applicant may provide comments in response to each testifier and should notify the Commission if it wishes to do so.

1. UNFINISHED BUSINESS

MS. LEEANA SMITH-RYLAND, on behalf of HAWAII PACIFIC TELEPORT, is requesting a County Special Use Permit to operate a new satellite antenna site within an easement at the Molokai Landfill, TMK (2) 5-2-011:027 (por.), in Hoolehua, island of Molokai Hawaii. (CUP20220003) (T. Furukawa)

The Commission held the public hearing on this item on September 28, 2022, and the Commission closed the public hearing. The Commission voted to defer this item at its September 28, 2022 meeting. This item was scheduled for the Commission's June 14, 2023 meeting and was deferred due to a noticing error. The item was scheduled for the January 10, 2024 meeting, which was canceled.

[\(Staff Report\)](#) [\(Application\)](#) [\(University of Hawaii 03/07/23 Letter\)](#)

[\(Hawaii Pacific Teleport 05/25/23 Response Letter\)](#)

[\(Cultural Resource Survey dated December 2023\)](#)

[\(Documents Received After Posted\)](#)

[\(Testimony\)](#)

The Commission may act to approve or disapprove the County Special Use Permit, or defer.

2. SPECIAL MANAGEMENT AREA (SMA) EXEMPTION

MOLOKA'I COMMUNITY HEALTH CENTER requesting a Special Management Area (SMA) permit for after-the-fact (ATF) ground sign approximately 28 sq. ft. located at 30 Oki Place, Kaunakakai, Island of Moloka'i, Hawaii; TMK: (2) 5-3-006:029 (SMX 2018/0082) (SM6 2022-00002) (Valuation \$4,323) (S. Lopez)

[\(Staff Report\)](#)

[\(Power Point Presentation\)](#)

[\(Documents Received After Posted\)](#)

Pursuant to Section 12-302-13.1 of the Molokai Planning Commission's SMA Rules, the Commission may vote to issue an SMA exemption, not issue an SMA exemption, or defer.

C. DIRECTOR'S REPORT

1. TIG (TEMPORARY INVESTIGATIVE GROUP) TO LOOKING INTO AMENDMENTS TO THE MOLOKAI PLANNING COMMISSION'S SPECIAL MANAGEMENT AREA (SMA) & SHORELINE RULES.
2. AGENDA ITEMS FOR FUTURE MEETINGS.
3. COMPLETED MOLOKAI APPLICATIONS REPORT GENERATED BY PLANNING DEPARTMENT WITH THE JULY 24, 2024- **NONE**

D. NEXT SCHEDULED REGULAR MEETING DATE: AUGUST 14, 2024

E. ADJOURNMENT

Agenda items are subject to cancellation.

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with Commission members participating in the meeting or with the public location identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

An executive session may be called in order for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities, pursuant to Sec. 92-5(a)(4), Hawaii Revised Statutes.

Documents relating to this meeting may be found by clicking on the links provided on this Agenda, on the County of Maui official website at <https://www.mauicounty.gov/>, under Boards and Commissions, Molokai Planning Commission, and are on file with the Department of Planning.

The address of the Commission is c/o Department of Planning, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793, phone number is 808-270-7735, and email is planning@mauicounty.gov.

The links for Documents Received After Posted will be updated periodically when testimony or documents are received.

Petitions to intervene shall be in conformity with Section 12-301-25 of the Rules of Practice and Procedure for the Molokai Planning Commission and shall be filed with the Commission and served upon the applicant no less than ten (10) days before the first contested case hearing date. Filing of all documents to the Commission is c/o the Maui County Department of Planning, 2200 Main Street, Suite 315, Wailuku, Maui, Hawaii 96793 and P.O. Box 526, Kaunakakai, Hawaii 96748.

If the contested case hearing date is JULY 24, 2024, then the deadline to file a timely Petition to Intervene was on JULY 10, 2024.

Oral testimony will be received on any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes, the Commission's Rules of Practice and Procedure. In accordance with these rules, maximum time limits of at least three minutes may be established by the Commission on individual oral testimony. Please note that anyone wishing to provide oral testimony pertaining to an agenda item that is a "contested case" pursuant to Chapter 91, Hawaii Revised Statutes, will be asked to testify under oath or affirmation, and may be subject to limited cross examination in accordance with Section 91-10(3), Hawaii Revised Statutes, and Subchapter 4 of the Molokai Planning Commission Rules of Practice and Procedure.

TESTIFIERS: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional 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.

SPECIAL ASSISTANCE: If any person needs an auxiliary aid/service or other accommodation due to a disability, contact the Planning Department at 808-270-7735 (Maui), 1-800-272-0177 (Molokai) or 1-800-272-0125 (Lanai), or planning@mauicounty.gov, as soon as possible. Requests made as early as possible will allow adequate time to fulfill the request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Department of Planning at least one business day prior to the meeting date. Thank you for your cooperation.