

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
DEPARTMENT OF PUBLIC WORKS,)
COUNTY OF MAUI)
)
For a Special Permit to Establish a)
Sanitary Landfill on Approximately)
34 Acres of Land Situate Within the)
Agricultural District at)
Kaumalapau, Lanai, Lahaina, County)
of Maui, Tax Map Key Number:)
4-9-02: Portion of 1)
_____)

DOCKET NO. SP88-368

ORDER GRANTING
TERMINATION OF SPECIAL
PERMIT

APR 19 10 45 AM '95
LAND USE COMMISSION
STATE OF HAWAII

ORDER GRANTING TERMINATION OF SPECIAL PERMIT

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. SP88-368
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DEPARTMENT OF PUBLIC WORKS,)	ORDER GRANTING
COUNTY OF MAUI)	TERMINATION OF SPECIAL
)	PERMIT
For a Special Permit to Establish a)	
Sanitary Landfill on Approximately)	
34 Acres of Land Situate Within the)	
Agricultural District at)	
Kaumalapau, Lanai, Lahaina, County)	
of Maui, Tax Map Key Number:)	
4-9-02: Portion of 1)	
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ORDER GRANTING TERMINATION OF SPECIAL PERMIT

On October 3, 1994, the Department of Public Works and Waste Management, County of Maui ("Petitioner"), filed it's Request to Vacate Special Use Permit for Lanai Landfill Issued in LUC Docket No. SP88-368 ("Request") with the County of Maui Planning Department. The request sought to terminate a special permit approved by the Land Use Commission ("LUC") on October 3, 1988 in this docket. The Request was filed pursuant to Condition No. 3 that was imposed by the LUC in its Findings of Fact, Conclusions of Law, and Decision and Order filed in LUC Docket No. SP94-386/Department of Public Works and Waste Management, County of Maui, on September 13, 1994.

Condition No. 3 required the Petitioner to initiate proceedings to terminate the special permit issued in this docket within 30 days of the issuance of the decision and order for LUC Docket No. SP94-386.

On November 17, 1994, and upon further continuance to December 15, 1994, the Lanai Planning Commission conducted a public hearing on the Request. There were no public testimony offered before the Lanai Planning Commission.

After due deliberation, the Lanai Planning Commission adopted a motion to recommend to the LUC the termination of the special permit previously issued in this docket.

On March 10, 1995, the LUC received and accepted for consideration the entire record of the Lanai Planning Commission's proceedings to recommend approval of the Request.

Petitioner's Request, having come on for hearing before the LUC at its meeting at Lihue, Kauai, on April 6, 1995, and the LUC, having considered the entire record on this matter, and for good cause,

HEREBY GRANTS Petitioner's Request and orders that the special permit previously issued on October 3, 1988 in this docket is hereby terminated.

Done at Honolulu, Hawaii, this 19th day of April 1995,
per motion April 6, 1995.

LAND USE COMMISSION
STATE OF HAWAII

By Allen K. Hoe
ALLEN K. HOE
Chairperson and Commissioner

By (absent)
EUSEBIO LAPENIA, JR.
Vice Chairperson and Commissioner

By M. Casey Jarman
M. CASEY JARMAN
Commissioner

By Lloyd F. Kawakami
LLOYD F. KAWAKAMI
Commissioner

By (absent)
JOANN N. MATTSON
Commissioner

By (absent)
RENTON L. K. NIP
Commissioner

By Trudy K. Senda
TRUDY K. SENDA
Commissioner

Filed and effective on
April 19, 1995

Certified by:

Elton Wada
Executive Officer

By Elton Wada
ELTON WADA
Commissioner

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. SP88-368
)	
DEPARTMENT OF PUBLIC WORKS,)	CERTIFICATE OF SERVICE
COUNTY OF MAUI)	
)	
For a Special Permit to Establish a)	
Sanitary Landfill on Approximately)	
34 Acres of Land Situate Within the)	
Agricultural District at)	
Kaumalapau, Lanai, Lahaina, County)	
of Maui, Tax Map Key Number:)	
4-9-02: Portion of 1)	

CERTIFICATE OF SERVICE

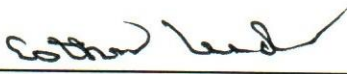
I hereby certify that a copy of the Order Granting Termination of Special Permit was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT. BRIAN MISKAE, Planning Director
Planning Department, County of Maui
250 South High Street
Wailuku, Hawaii 96793

CERT. JEFFREY SCHMIDT, ESQ.
Corporation Counsel
Office of the Corporation Counsel
County of Maui
200 South High Street
Wailuku, Hawaii 96793

CERT. DAVID WISSMAR, CHIEF
Solid Waste Division
Department of Public Works
County of Maui
200 South High Street
Wailuku, Hawaii 96793

DATED: Honolulu, Hawaii, this 19th day of April 1995.



ESTHER UEDA
Executive Officer