

Hang Span

Oct 3 - Dec 2

A75-396 - BENJAMIN B. & JOEANN HAMPEL SILVA

P E T I T I O N R E F I L E D

SEE A75-409

7286

LAND USE COMMISSION
LAW OFFICE OF JAMES KRUEGER

JAMES KRUEGER

Nov 24 10 47 AM '75

2119 MAIN STREET
P. O. BOX 989
WAILUKU, MAUI
HAWAII 96793

November 21, 1975

244-7444
AREA CODE 808
CABLE-MAULAW

Land Use Commission
P. O. Box 2359
Honolulu, Hawaii 96804

Re: Benjamin B. Silva and
Joeann Hampel Silva

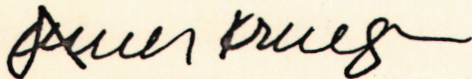
Attn: Ah Sung Leong

Gentlemen:

Pursuant to your letter of October 28, 1975, we are hereby refiling the boundary amendment petition as was originally submitted to you on July 31, 1975. I understand from your letter of October 28, 1975 that the \$50.00 filing fee is waived.

Please advise this office as soon as the hearing has been scheduled.

Very sincerely,



JAMES KRUEGER

JK/jc

Encl.

October 28, 1975

Mr. James Krueger
P.O. Box 989
Wailuku, Maui 96793

Dear Mr. Krueger:

This is in reference to the boundary amendment petition which you filed with our office on August 4, 1975.

During the past legislative session, the State Legislature passed a bill which became Act 193 on June 2, 1975. Act 193 provides that:

1. The Land Use Commission conduct quasi-judicial type hearings and to adopt rules governing the intervention of agencies and persons in boundary amendment proceedings.

2. The Commission observe and comply with the interim statewide land use guidance policies contained in Act 193 pending adoption of the State Plan.

3. The Commission publish notice of boundary amendment hearings at least 30 days prior to such hearings.

4. The notice shall inform all interested persons of their rights to intervene.

Since the new Rules of Practice and Procedure and the District Regulations of the Commission incorporating the provisions of Act 193 will not be effective for some time, it will not be possible to conduct a hearing on your petition prior to the expiration of the 120 day period established by Act 193.

Mr. James Krueger

October 28, 1975

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Therefore, at its meeting on October 23, 1975, the Land Use Commission decided to request the petitioners under Dockets A75-394, A75-395 and A75-396 to refile their petitions. For these refiled petitions, the fifty dollars (\$50.00) filing fee will be waived.

Since the petition you filed is affected, we await your decision to refile the petition as previously submitted or to refile an amended petition if you desire.

Enclosed for your information is the staff memorandum on this matter, a copy of Act 193, and a set of the proposed Rules and Regulations.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Enclosures:

1. Staff Memo
2. Act 193
3. Proposed Rules and Regulations