

EPISCOPAL CHURCH IN HAWAIIAN ISLANDS

SP (T) 64-3

PLAT 16  
SEE INSET

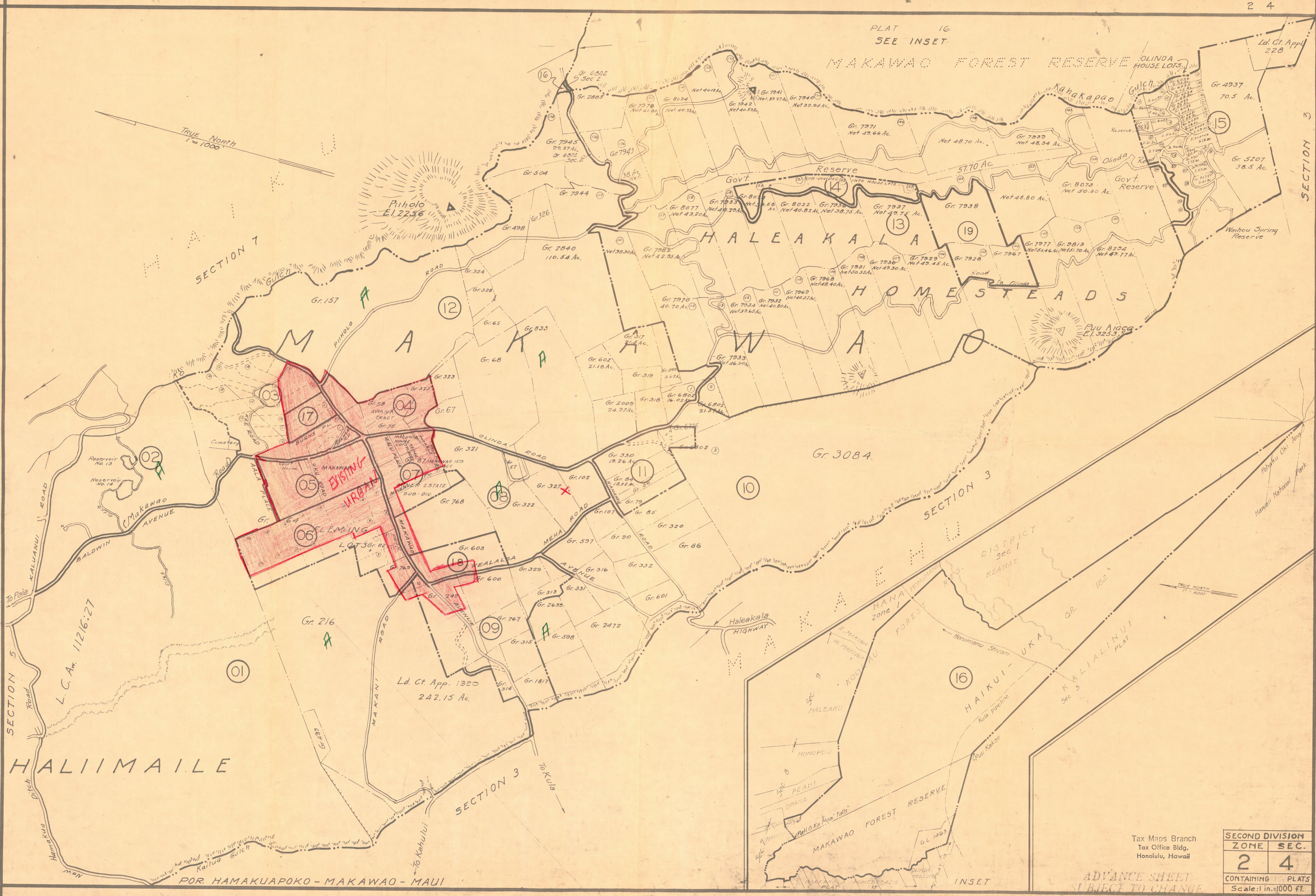
MAKAWAO FOREST RESERVE

HALEAKALA  
HOMESTEADS

HALIIMAILE

POR. HAMAKUAPOKO - MAKAWAO - MAUI

Dwg. No. 587  
Appr. by: S.D.A.  
Revised by: S.D.A.  
Source: Tax Maps Bureau - Survey Dept.  
Appr. by:



Tax Maps Branch  
Tax Office Bldg.  
Honolulu, Hawaii

SECOND DIVISION	
ZONE	SEC.
2	4
CONTAINING 16 PLATS	
Scale: 1 in. = 1000 FT.	

ADVANCE SHEET  
SUBJECT TO CHANGE

PRINTED MAR 13 1954

7455

CORRECTED  
 APR 16 1938  
 FEB 1 1945  
 APR 10 1945  
 NOV 27 1946  
 FEB 20 1947  
 JAN 9 1951



Div. No. 1979 Revised to  
 By N. D. S. C.  
 Source Tax Maps Bureau

Part of HAMAKUAPOKO, MAKAWAO, MAUI

Tax Maps Branch  
 Tax Office Bldg.  
 Honolulu, Hawaii

SECOND DIVISION	
ZONE	SEC. PLAT
2	4 08
CONTAINING PARCELS	
SCALE: 1 in. = 200 ft	

ADVANCE SHEET  
 SUBJECT TO CHANGE

PRINTED MAR 13 1964

7456

December 8, 1981

Mr. James M. Lowson  
Dyck & Lowson, Inc.  
P. O. Box 998  
Lahaina, Maui HI 96761

Dear Mr. Lowson:

Please find enclosed copies of the letters you requested in your letter of December 2, 1981 regarding SP(T) 64-3, Episcopal Church in Hawaiian Islands. Should you have any further questions on this matter, please contact this office.

Sincerely,

GORDAN Y. FURUTANI  
Executive Officer

Encls.

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# DYCK & LOWSON, INC.

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991 Limahana Place

REAL ESTATE BROKERS

Phone 661-8771

December 2, 1981

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

DEC 8 10 36 AM '81  
LAND USE COMMISSION  
STATE OF HAWAII

Re: Special Permit, Episcopal Church In Hawaiian Islands  
to Operate a Girl's Boarding School on Maui (Seabury Hall).

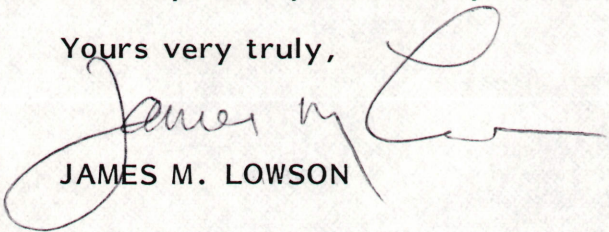
Gentlemen:

As a Trustee of Seabury Hall I have been charged with the responsibility to bring up to date Seabury's position on its land use with both the County and State agencies.

In going through the County's files, I found that a copy of a letter from Tatsuo Fujimoto, Executive Officer, was not in the files and is an important part of the correspondence that occurred between the State, County and Seabury Hall. The particular reference was to Howard Nakamura, Planning Director of the County of Maui and was transmitted to Mr. Nakamura in May or June of 1971. I am enclosing herewith a copy of a letter from Mr. Nakamura to Rev. Roger Melrose indicating that the letter was enclosed. I would appreciate a copy of this letter for our records.

Thank you very much for your assistance.

Yours very truly,

  
JAMES M. LOWSON

JML:jw  
enclosure

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P. O. Box 998 / Lahaina, Maui, Hawaii 96761

CONDOMINIUM SPECIALISTS / DEVELOPMENT CONSULTING / LAND

---

June 8, 1971

Rev. Roger M. Melrose  
Seabury Hall  
Makawao, Hawaii 96768

Dear Mr. Melrose:

Transmitted for your information is a copy of a letter received from Tatsuo Fujimoto, Executive Officer of the Land Use Commission, regarding future construction at Seabury Hall. I believe that the letter is self-explanatory.

However, should additional land area be acquired by the school for expansion, then permission would be required from the Land Use Commission.

If you have any questions, please contact our office at any time.

Very truly yours,

HOWARD K. NAKAMURA  
Planning Director

Encl.

cc: Harold Mizomi

December 8, 1981

Mr. James M. Lawson  
Dyck & Lawson, Inc.  
P. O. Box 998  
Lahaina, Maui HI 96761

Dear Mr. Lawson:

Please find enclosed copies of the letters you requested in your letter of December 2, 1981 regarding SP(T) 64-3, Episcopal Church in Hawaiian Islands. Should you have any further questions on this matter, please contact this office.

Sincerely,

GORDAN Y. FURUTANI  
Executive Officer

Encls.

EXCISE  
RIVER

25  
EXC

July 5, 1974

Planning Commission  
County of Maui  
200 South High Street  
Wailuku, Maui 96793

Attention: Mr. Howard Nakamura  
Planning Director

Gentlemen:

Pursuant to a request from the Reverend Roger M. Melrose on July 3, 1974, we are enclosing herewith a copy of our letter dated March 23, 1964 approving a special permit to the Episcopal Church in Hawaiian Islands for the operation of a boarding school for girls with boy day students together with such accessory uses as may be required and described in the Maui tax map key as 2-4-08: 2 (8.79 acres).

We are also enclosing copies of a letter from the Reverend Roger M. Melrose dated December 19, 1973 and our response dated December 26, 1973 for your information.

Very truly yours,

TATSUO FUJIMOTO  
Executive Officer

Encl.

EXCISE  
RIVER

25  
EXC

December 26, 1973

The Reverend Roger M. Melrose, B.D.  
Headmaster  
Seabury Hall  
P. O. Box 497  
Makawao, Hawaii 96768

Dear Reverend Melrose:

This is in response to your letter of  
December 19, 1973.

Apparently, there is a misunderstanding with  
respect to the statement by Dr. King that the Land Use  
Commission is considering "a blanket policy for all  
schools to be zoned to an urban zoning".

On his visit to this office, my staff informed  
Dr. King that:

1. The Land Use Commission is presently undertaking  
its second comprehensive 5-year review of the  
State Land Use District and Regulations. This  
mandatory review will be completed sometime in  
the latter part of 1974. Requests for consid-  
eration of changes in district boundaries of  
your land during the review may be submitted to  
the Commission at this time.
2. Any changes for reclassification may be considered  
under the formal petition procedure. This involves  
a \$50.00 filing fee and the submittal of appro-  
priate substantiating evidence. The procedure is  
outlined in the literature which we have enclosed.

The Reverend  
Roger M. Melrose, B.D.

-2-

December 26, 1973

3. Any enlargement or increase in the intensity of the use allowed under the special use permit approved by the Commission on March 20, 1964 for a boarding school on 8.79 acres of land by the Episcopal Church (SP(T)64-3) may be considered under a new special permit. In the discussion with Dr. King, this was the procedure we recommended. For your information, the special permit application is initiated with the County Planning Department, and the procedure is also outlined in the enclosed literature.

Should you have any questions on the above, we will be glad to meet with you on January 14 when you are in Honolulu.

Very truly yours,

TATSUO FUJIMOTO  
Executive Officer

Enclosure  
LUC packet

THE REVEREND  
ROGER M. MELROSE, B.D.  
Headmaster



SEABURY HALL

SEABURY HALL  
P. O. Box 497  
MAKAWAO, HAWAII 96768

(Episcopal Church Preparatory School)

December 19, 1973

State Land Use Commission  
Department of Planning  
Kamamalu Building  
250 S. King Street  
Honolulu, Hawaii 96813

Attention: Mr. T. Fujimoto

Gentlemen:

I understand from a telephone conversation with Dr. Robert King, Provost at Maunaolu College, that the State Land Use Commission is considering making a blanket policy for all schools to be zoned to an urban zoning.

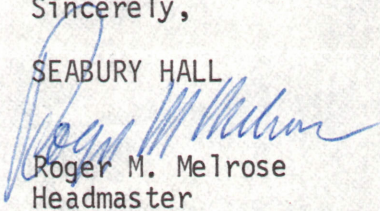
In early 1964, the Maui Planning Commission under Robert Ohata assisted us in getting a special use permit for the 9.35 acres owned by the Episcopal Church, on which Seabury Hall is located. Our Tax Map Key is 2-4-08-2 and 30. The permit was gotten from the State Land Use Commission.

If the State Land Use Commission is now reconsidering to place schools under an urban zoning, I trust that this letter will suffice to place Seabury Hall on that agenda. I would be pleased to discuss the issue with you directly when I am in Honolulu on January 14th.

Please drop me a note, and I shall be glad to arrive equipped with facts and tax maps to offer any assistance.

Sincerely,

SEABURY HALL

  
Roger M. Melrose  
Headmaster

RMM:JKL

cc: Bishop Hanchett

XXXXXXXXXXXX  
XXXXXXXXXXXX

June 1, 1971

Tatsuo Fujimoto  
XXXXXXXXXXXX

Mr. Howard Nakamura  
Planning Director  
Maui Planning Department  
P. O. Box 1487  
Kahului, Maui 96732

Dear Mr. Nakamura:

This is in reference to your letter of May 26, 1971 relative to SP(T)64-3, Episcopal Church in Hawaiian Islands. Inasmuch as the special permit was issued for the operation of a boarding school for girls with boy day students together with such accessory uses as may be required and that no additional acreages are involved, we feel that the request for a duplex dwelling to be used as a faculty residence complies with the provision of the said special permit.

In reference to special permits issued prior to the adoption of the permanent boundary on August 23, 1964, it is our opinion that these special permits are valid specifically to its approved area and use and subject to any conditions imposed either by the County or State.

Should you have any further questions on this matter, please feel free to notify us.

Very truly yours,

TATSUO FUJIMOTO  
Executive Officer

PLANNING COMMISSION

Yoshikazu Matsui, Chairman  
Adrian Hussey, Vice-Chairman  
Young Whee Chun  
Joseph Franco  
G. Alan Freeland  
Kazuo Kage  
George Murashige  
John M. Fernandez, Ex-Officio  
Carl Kaiama, Ex-Officio



9615  
Elmer F. Cravalho  
Mayor

BOARD OF ADJUSTMENT  
& APPEALS

Joseph S. Medeiros, Jr., Chairman  
Peter Matsuoka, Vice-Chairman  
William Hong  
Ralph H. Moltzau  
Thomas Yagi

Howard Nakamura  
Planning Director

COUNTY OF MAUI  
PLANNING DEPARTMENT

P. O. BOX 1487  
KAHULUI, MAUI, HAWAII 96732

May 26, 1971

RECEIVED

MAY 28 1971

State of Hawaii  
LAND USE COMMISSION

Mr. Tatsuo Fujimoto  
Executive Officer  
Land Use Commission  
State of Hawaii  
P. O. Box 2359  
Honolulu, Hawaii 96804

Dear Mr. Fujimoto:

Re: Special Permit to Episcopal Church in  
Hawaiian Islands to operate a girls'  
boarding school on Maui (Seabury Hall)

This communication is in reference to the matter which we discussed recently. In checking our files, we find that the special permit was issued for the "operation of a boarding school for girls with boy day students, together with such accessory uses as may be required..." This special permit was granted by the Land Use Commission on March 20, 1964, prior to adoption of the permanent land use boundaries.

We assume that the action taken by the Land Use Commission is still valid, and that the approval by our department of a building permit for a duplex dwelling to be used as a faculty residence is in order.

Should you have feelings to the contrary, I would appreciate it if you would let me know. In addition, could you confirm our assumption that special permit approvals by the Land Use Commission prior to adoption of the permanent boundaries are nevertheless valid. If not, what procedures should be taken by these parties such as the Episcopal Church to avoid problems arising in the future, should additional expansion be desired? Your early reply would be appreciated.

Very truly yours,

HOWARD K. NAKAMURA  
Planning Director

cc: Rev. Roger Melrose,  
Seabury Hall

STATE OF HAWAII  
 LAND USE COMMISSION

VOTE RECORD

ITEM SP(T)64-3 - Episcopal Church  
 DATE 3/20/64  
 PLACE LUC Hearing Rm.  
 TIME 3:50

NAMES	YES	NO	ABSTAIN	ABSENT
WUNG, L.	✓			
INABA, G.	✓			
OTA, C.	✓			
WENKAM, R.	✓			
BURNS, C.E.S.	✓			
NISHIMURA, S.	✓			
MARK, S.	✓			
FERRY, J.	excused			✓
THOMPSON, M.	✓			

COMMENTS:

Nishimura - approved  
 Inaba - second.

Ref. No. LUC 200

March 23, 1964

Mr. Robert O. Ohata  
Planning Director  
Planning & Traffic Commission  
County of Maui  
Kahului, Maui, Hawaii

Dear Mr. Ohata:

The Land Use Commission, in action taken on March 20, 1964, voted to approve the petition for special permit by Episcopal Church In Hawaiian Islands for the operation of a boarding school for girls with boy day students together with such accessory uses as may be required and described in the Maui tax map key as 2-4-08: 2 (8.79 acres).

It is requested that notice of this approval by the Land Use Commission be served to the petitioner along with such awards and conditional awards as you may have elected to make.

Enclosed is the staff report as presented to the Commissioners on March 20, 1964. Should you have further questions, please feel free to contact us.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Mr. Myron Thompson  
Mr. Roy Takeyas

STATE OF HAWAII  
LAND USE COMMISSION

LUC Hearing Room  
426 Queen Street, Honolulu, Hawaii

2:00 P. M.  
March 20, 1964

STAFF REPORT

SP(T)64-3 - EPISCOPAL CHURCH IN HAWAIIAN ISLANDS Temporary District Classification: AGRICULTURAL

Background

The Planning and Traffic Commission of the County of Maui has referred to the Land Use Commission an application for a special permit by the Episcopal Church In Hawaiian Islands for the operation of a boarding school for girls with boy day students together with such accessory uses as may be needed. Subject property is situated on the west side of the Olinda Road and is approximately 1 mile south from its junction with Makawao Avenue in Makawao and is described on the Maui tax maps as 2-4-08: 2 containing an area of approximately 8.7 acres.

The petitioner's property was formerly owned by a Mrs. Katherin McGrew Cooper. Upon Mrs. Cooper's death, the property was willed to the Episcopal Church subject to the condition "that the church shall maintain and operate on the said property, a good school primarily for girls."<sup>1/</sup>

Prior to the death of Mrs. Cooper, the property was used as an estate type residence which contained one large house, a large garage and servants quarters, and duplexes.<sup>2/</sup> The property has a 400' access road originating from the Olinda

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<sup>1/</sup> See letter dated November 8, 1963 directed to R. Ohata from Bishop Kennedy.

<sup>2/</sup> Staff Report from R. Ohata to Maui Planning & Traffic Commission, February 18, 1964.

Road to the property in question. The property itself is not in agricultural use at the present, however, the adjoining and surrounding areas are mostly in pasture lands.

Soils in the area are classified by the Land Study Bureau as moderately suited for intensive agriculture. Water is served by a 6" main which is considered adequate for the area.<sup>1/</sup>

Rainfall in the general vicinity ranges from 40" - 50" per year. The generalized slope of land in the area is approximately 7% and therefore suited for almost any use, in this respect.

According to the proposed Maui General Plan, the subject property and the surrounding area are being proposed as a rural district while the State General Plan designates the area as an agricultural district.<sup>2/</sup> The property is presently within the agricultural district of the temporary district boundaries and is being proposed in the same district on the final district boundary maps.

On November 12, 1963, Mr. Robert Ohata requested that the Land Use Commission make a declaratory ruling on the subject property. The Land Use Commission, at its meeting on December 26, 1963, discussed the request of Mr. Robert Ohata and suggested that the most appropriate procedure for the Episcopal Church would be the Special Permit. Subsequent to the Land Use Commission meeting on December 26, 1963, the Episcopal Church submitted an application for a special permit which was approved by the Maui Planning and Traffic Commission at a special meeting on March 11, 1964.

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<sup>1/</sup> Ibid.

<sup>2/</sup> See Maui General Plan and State General Plan, p. 65.

The Maui Planning and Traffic Commission approved the special use permit on the following bases:

- "1. It conforms with the General Plan.
2. The school will be an asset for Maui."

Analysis and Recommendation

The particular use stated in the petition may be reasonably considered "unusual and reasonable" and meets the requirements of the law in this respect. The results of the public hearing indicate no adverse effects to adjoining landowners or in any other area. Examination of the site and its characteristics indicate no conflict with any tenets in the State land use law. On these bases, staff recommends approval of this petition for special permit.

RECEIVED

MAR 11 1964

State of Hawaii  
LAND USE COMMISSION

MAUI PLANNING AND TRAFFIC COMMISSION  
PUBLIC HEARING  
SPECIAL USE PERMIT - ACT 205, S.L.H. 1963  
Tuesday, February 25, 1964

APPLICATION NO. 3  
Episcopal Church in the Hawaiian Islands

The public hearing on the following request for SPECIAL USE PERMIT under provisions of SECTION 98H-6, REVISED LAWS OF HAWAII 1955, 1961 SUPPLEMENT, AS AMENDED BY ACT 205, SESSION LAWS OF HAWAII 1963, was opened by Chairman Joseph S. Medeiros at 1:38 p.m. on Tuesday, February 25, 1964, in the Board of Supervisors Chambers, Wailuku, Maui, Hawaii:

**MAKAWAO, MAUI, HAWAII**

Operation of Boarding School for girls with boy day students together with such accessory uses as may be required, to be situated on the westerly side of Olinda Road approximately 1 mile south (mauka) from its junction with Makawao Avenue in Makawao, being the former Katherine McGrew Cooper property in Makawao, Tax Map Key 2-4-08:2.

Applicant: The Protestant Episcopal Church in the Hawaiian Islands  
Area: Approximately 8.7 acres.

A quorum of the Commission was in attendance. (See Record of Attendance.)

The Director read the "Notice of Public Hearing", a copy of which is hereto annexed and made a part hereof with "Affidavit of Publication" published in the Maui News, a newspaper published and circulated in the County of Maui, being the County in which said Commission is located, on February 5, 1964, as required by Section 98H-6 of Act 205, S.L.H. 1963.

The Secretary read the Special Use Permit Application dated January 29, 1964, attached hereto and made a part hereof, signed by H. F. Budd, Treasurer, The Protestant Episcopal Church in the Hawaiian Islands.

The Director pointed out that the area under consideration consists of 9.35 acres rather than 8.7 acres as is listed in the Notice of Public Hearing. He read and circulated to commissioners the Staff Report containing detailed information on the application, attached hereto and made a part hereof.

There were no letters of approval as of 12:45 p.m. this date.

There were no letters of protest as of 12:45 p.m. this date.

The Chairman then opened the public hearing for testimony.

REVEREND ROGER M. MELROSE: "I am Headmaster of Seabury Hall and presently still rector of the Church of the Good Shepherd in Wailuku. This is what we hope and want to do for Maui. We feel there are no schools with secondary boarding facilities in the Hawaiian Islands except Kamehameha and Mid-Pacific. St. Andrews Priory is also a secondary school. We would like to have your permission to open this school as we feel that we can do Maui a great service. Our applicants will come primarily from the outside islands."

No others spoke for the granting of the Special Use Permit.

No one spoke against the granting of the Special Use Permit.

Chairman to Mr. Melrose: "I might point out to you that if this request is denied by the Commission it is appealable to the Circuit Court. By law we cannot take action on this application until 15 days has elapsed."

Rev. Melrose: "In terms of the need for us to build dormitories and proceed with actual groundbreaking, does this mean that we cannot apply for a

Public Hearing, 2/25/64 -- 2  
Special Use Permit - Episcopal Church in Hawaiian Islands

building permit until this is cleared? Or could we get a building permit."

Director Ohata: "I am afraid not. The Land Use Commission has the power to override us."

Rev. Melrose: "We are concerned about our building plans as this application was first brought up in October and it is still pending."

The Chairman closed the public hearing at 1:50 p.m.

EVA M. DUPONTE  
Planning Reporter

RECORD OF ATTENDANCE:

Maui Planning and Traffic Commission

Present: Mr. Joseph S. Medeiros, Chairman  
Mr. Kazuo Kage, Vice-Chairman  
Mr. Willard Eller, Member  
Mr. William Hong, Member  
Mr. Yoshikazu Matsui, Member  
Mr. Robert Ueoka, Member  
Mr. L. C. Fruto, ex-Officio (State Transp. Dept.)  
Mr. Jean R. Lane, ex-Officio  
Mr. Masao Sone, ex-Officio

Absent: Mr. Masao Nagasako, Member (in Honolulu)  
Mr. Koichi Hamada, ex-Officio

In Attendance:

Mr. Robert O. OHata, Planning Director  
Rev. Roger M. Melrose, Church of Good Shepherd  
Mr. Charles Ota, Maui Commissioner, LUC  
Mr. Robert Johnson, Honolulu Advertiser  
Mr. Charles Young, Honolulu Star-Bulletin  
Mr. Bill Takiguchi, Maui News

DECISION OF COMMISSION:

## 'An Evening At Maunalei'

# Benefit Party Planned

Seabury Hall, a new Episcopal girls' school on Maui, will open this September at Maunalei, former home of the late Mrs. Charles B. Cooper who gave it to the Episcopal Church for the purpose of establishing the school there.

The highland chateau at Makawao has been the scene of kamaaina hospitality for four decades since it was built by its first owners, Dr. and Mrs. Will D. Baldwin, in the late 1920s on through the years since World War II when Mrs. Cooper lived there.

A LAST PARTY in the old home will be given April 4 when the Library Committee for Seabury Hall hosts "An Evening at Maunalei."

The party is being given to benefit the new school library and to provide books necessary to the school's accreditation as well as library equipment.

A no-host cocktail hour will begin at 6 p.m. and dinner service from upstairs and downstairs buffets will begin at 7. Dining tables will be arranged in the dining room and enclosed lanai, and the large living room will be used for dancing.

AFTER THE ball is over, Maunalei, now known as Cooper House, will be converted to its next use when it will house the school's chapel, dining hall, lounge, library and headmaster's study. A dormitory for 60 girls is being built nearby. Headmaster at Seabury Hall will be the Rev. Roger Melrose.

Mrs. Jack Crouse is chairman of the benefit event and is assisted by committee chairmen Mrs. Douglas Thompson, Mrs. Melrose and Mrs. William S. Haines.

MRS. MELROSE is also chairman of the Library Committee with Joan Sinex of the Maui County Library serving as chief adviser.

Members of the Library Committee are Mrs. Ronald Gammie, Mrs. Alexander J. W. McBarnet, Mrs. Haines, Mrs. Addison W. Lewis, Mrs. Crouse, Mrs. E. L. Halford, Mrs. Dwight H. Baldwin, Mrs. Bessie Cook, Mrs. Harlow D. Wright, Mrs. C. H. Bond, Mrs. Darrel K. Nielsen and Mary Bloder.



Mrs. Keith B. Tester at the piano and, from left, Mrs. Jack Crouse, Mrs. M. Cecil Dickson and Mrs. Harlow D. Wright in the living room of former Cooper home where benefit party for the new school library will be given April 4.



Mrs. Darrel K. Nielsen, left, and Mrs. Eddie F. Tam admire a corner of the formal court at Maunalei, old Maui home which, with a new dormitory building, will comprise Seabury Hall, a new Episcopal girls' school, this fall.

## Hawaii Girls' School Lists Faculty Members

James A. Doughty has been appointed chairman of the faculty and instructor of history and English for the new Hawaii School for Girls, it has been announced by the school's Board of Trustees and president, Mrs. Richard A. Cooke Jr. The school begins its initial academic year Sept. 9.

Announcement is also made of the selection of six other faculty members and their areas of specialty. They are: Robert S. Burdick, mathematics; Mrs. Sam Clark, science; Mrs. Julie D. Courtney, music and foreign languages; Mrs. G. Cordelia MacLachlan, health and physical education; Richard P. Wirtz, art and English; and Joseph H. Pynchon, headmaster and English instructor.

THE SCHOOL is also making arrangements with three additional private teachers to offer, on the Central Union campus, classes in ballet, instrumental music, and Hawaiian dance, history and culture.

Although the school's "home" is to be located on the Central Union grounds, the Hawaii School for Girls is a non-sectarian school. It will open for about 90 girls in grades 7, 8 and 9 and will add a grade each year for three additional years.

According to Headmaster Pynchon, a modern program of college preparatory courses will enable students to prepare for the nation's best colleges, and the curriculum will include

study in the arts, music, and drama.

FACULTY chairman Doughty received his B.A. and master's degrees from Harvard where his major work was history. After four years of service with the American Field Service and the British Army in Africa and Greece, he returned to teach at the Harvey School in Hawthorne, N.Y., and the Shore Country Day School in Beverly, Mass. He is a visiting teacher of English at Iolani this year.

A graduate of the U.S. Naval Academy and Massachusetts Institute of Technology, mathematics instructor Robert Burdick will return to Honolulu this fall after spending the year on a grant to study mathematics at Wesleyan University, Middletown, Conn. He was formerly head of the mathematics department at Iolani School.

MRS. SAM CLARK, University of Louisville graduate, is the wife of a Honolulu doctor and will teach general science and biology. She has taught at the Kentucky Home School for Girls, a college preparatory school similar to Hawaii School for Girls and has worked as a chemist-researcher.

Foreign languages and musical instruction will be taught by Mrs. Julie D. Courtney who comes from Lincoln, Mass. Academically trained at Vassar College, Radcliffe, and Longy School of Music, Mrs. Courtney has

taught in the public schools of Swarthmore, Pa.

PHYSICAL education and health classes will be directed by Honolulu Mrs. G. Cordelia MacLachlan who is an alumna of San Jose State College, University of Hawaii, University of Washington, and Highland School of Nursing. As an undergraduate she attended Punahou and is now a member of Central Union Church where she teaches Sunday School and directs Girl Scout activities. She has taught health classes to children and to adults.

Another Islander appointed to the faculty is Richard P. Wirtz, son of Judge Cable Wirtz, who grew up on Maui and graduated from Punahou. He received his BS from Tufts University and is currently teaching and completing work in art education at the Museum of Fine Arts, Boston. His teaching experience includes work in a settlement house in Dorchester and in the Newton Public Schools in Massachusetts. He will teach art and English at HSG.

HEADMASTER Joseph Pynchon, with degrees from Carroll College and Harvard University, will

instruct in English. His previous teaching experience includes four years as a teaching-assistant principal in the Newton Public Schools, seven years as a teacher-public relations director at the North Shore Country Day School in Winnetka, Ill., and two years as head of the English department at Iolani.

He is a native of Newton, Mass., and served in Italy and India during World War II with the American Field Service. He began teaching in 1951 after a year of newspaper work and free lance writing.

Ref. No. LUC 153

March 12, 1964

Mr. Robert Ohata  
Planning Director  
Planning & Traffic Commission  
County of Maui  
Kahului, Maui, Hawaii

Dear Mr. Ohata:

Attached is a copy of papers titled Complaint for Declaratory and Other Relief, Affidavit of Plaintiff and Summons served to the Land Use Commission. The affidavit of Plaintiff, by Mr. Ellis, also provides a good summary of events concerning the situation. We are forwarding this copy for your information.

We are also in receipt of your letter to Mr. Myron B. Thompson, dated March 11, 1964, in regards to the special permit by the Episcopal Church of Hawaii. In consideration of your Commission's request for early action, the special permit will be put on the agenda of the next meeting of the Land Use Commission, scheduled for March 20, 1964.

Also enclosed is a schedule of activities by the Land Use Commission for your information.

Very truly yours,

LAND USE COMMISSION

RAYMOND S. YAMASHITA  
Executive Officer

Encl.

cc: Mr. Myron Thompson  
Mr. Roy Takeyama  
Mr. Charles Ota

Ref. No. LUC 182

March 12, 1964

Episcopal Church in the Hawaiian Islands  
Queen Emma Square  
Honolulu 13, Hawaii

Gentlemen:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Oahu on March 20, 1964, in the Land Use Commission hearing room, 426 Queen Street, Honolulu, Hawaii, at 2:00 p.m.

As prescribed by SECTION 98H-6 of Act 205/63, your application for Special Permit has been placed on the agenda for consideration by the Commission at this meeting. Final action may be taken at that time.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Mr. Myron Thompson  
Mr. Roy Takeyama  
Maui Planning & Traffic Commission

JOSEPH S. MEDEIROS, JR., Chairman  
KAZUO KAGE, Vice-Chairman  
WILLARD ELLER, Member  
WILLIAM HONG, Member  
YOSHIKAZU MATSUI, Member  
MASAO NAGASAKO, Member  
ROBERT UEOKA, Member



KOICHI HAMADA, Ex-Officio  
HIDEO HAYASHI, Ex-Officio  
JEAN R. LANE, Ex-Officio  
MASAO SONE, Ex-Officio  
ROBERT O. OHATA, Planning Director  
MRS. EVA M. DUPONTE, Secretary

PLANNING AND TRAFFIC COMMISSION  
COUNTY OF MAUI

P. O. BOX 1487  
KAHULUI, MAUI, HAWAII 96732

March 11, 1964

RECEIVED

MAR 11 1964

State of Hawaii  
LAND USE COMMISSION

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MAR 11

State of Hawaii  
LAND USE COMMISSION

Mr. Myron B. Thompson  
Chairman  
Land Use Commission  
State of Hawaii  
426 Queen Street  
Honolulu 13, Hawaii

Dear Mr. Thompson:

Attached herewith is 1) a copy of Application, Episcopal Church in Hawaii, for a Special Permit to operate boarding school for girls with boy day students together with such accessory uses, 2) Affidavit of Publication, 3) Staff Report, 4) Transcript.

The Maui Planning and Traffic Commission at a special meeting held on March 11, 1964, unanimously approved the special permit pursuant to the Land Use law. Accordingly, final approval by your Commission is necessary. This Commission in its action, urge that the State in turn take early action in an effort to assist the applicant.

Very truly yours,

ROBERT O. OHATA  
Planning Director

Enclosures:

- 1 - Application
- 2 - Affidavit of Pub.
- 3 - Staff Report
- 4 - Transcript

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MAR 11 1964

**AFFIDAVIT OF PUBLICATION** State of Hawaii  
LAND USE COMMISSION

STATE OF HAWAII, }  
County of Maui. } ss.

.....Rose Hill.....being duly sworn  
deposes and says, that he is ...Adv. Traffic Clerk.....of the  
Maui Publishing Co., Ltd., publishers of the MAUI NEWS, a newspaper  
published in Wailuku, County of Maui, State of Hawaii; that the or-  
dered publication as to .....NOTICE OF PUBLIC HEARING.....

.....SPECIAL USE PERMIT.....  
of which the annexed is a true and corrected printed notice, was  
published ...1..... times in the MAUI NEWS, aforesaid, commencing  
on the ...5th.....day of .....February....., 1964..., and ending  
on the...5th.....day of .....February....., 1964..., (both days  
inclusive), to-wit: on .....

.....February 5, 1964.....  
.....  
and that affiant is not a party to or in any way interested in the above  
entitled matter.

*[Signature]*

Subscribed and sworn to before me this  
...5th.....day of .....Feb..... A. D. 1964.....

*[Signature]*  
Notary Public, Second Judicial  
Circuit, State of Hawaii.

My commission expires June 30, 1965

**NOTICE OF PUBLIC HEARING**

**SPECIAL USE PERMIT**

NOTICE IS HEREBY GIVEN of a public hearing to be held  
by the County of Maui Planning and Traffic Commission in the  
Chambers of the Board of Supervisors at the County Building  
in Wailuku, on Tuesday, February 25, 1964, at 1:30 p.m. or soon  
thereafter as those interested may be heard to consider the  
following request for SPECIAL USE PERMIT under provisions  
of SECTION 98H-6, REVISED LAWS OF HAWAII 1955, 1961  
SUPPLEMENT, as amended by Act 205, Session Laws of Ha-  
waii 1963:

**1. MAKAWAO, MAUI**

Operation of boarding school for girls with boy day  
students together with such accessory uses as may  
be required, to be situated on the westerly side of  
Olinda Road approximately 1 mile south (mauka)  
from its junction with Makawao Avenue in Maka-  
wao, being the former Katherine McGrew Cooper  
property in Makawao, Tax Map Key 2-4-08:2.

Applicant: The Protestant Episcopal Church in the  
Hawaiian Islands.

Area: Approximately 8.7 acres.

**2. PUKALANI, MAKAWAO DISTRICT, MAUI**

Subdivision of lot into 2 parcels of 9,293 square feet  
and 9,294 square feet to be situated on Pakolu  
Place, being Lot 102 of Pukalani Lots Subdivision  
in Pukalani, Makawao District, Maui, Tax Map Key  
2-3-30:25.

Applicant: Niconor B. and Encarnacion E. Domingo.  
Area: 18,587 square feet.

Sketch showing the general location is on file in the office  
of the County of Maui Planning and Traffic Commission at  
Naska, Kahului, Maui, Hawaii, and is open to the public for  
inspection during office hours.

All protests against the SPECIAL USE PERMIT should be  
filed in writing to said Commission, P. O. Box 1487, Kahului,  
Maui, Hawaii, before the date of the public hearing or present-  
ed in person at the time of the public hearing.

MAUI PLANNING AND TRAFFIC COMMISSION

JOSEPH S. MEDEIROS, Chairman

By Robert O. Ohata  
County Planning Director

(MN: February 5, 1964)

RECEIVED

MAR 11 1964

INSTRUCTIONS:

- 1. To be filed in triplicate.
- 2. Use black ink or typewriter with black ribbon.
- 3. Use additional sheets if necessary.

MAUI PLANNING & TRAFFIC COMMISSION  
P.O. BOX 1487, KAHULUI, HAWAII

APPLICATION FOR SPECIAL PERMIT  
Special Permit is hereby requested:

DO NOT WRITE IN THIS SPACE

Appl. & fee received	<u>1/29/64</u>
Notice published	<u>2/5/64</u>
Public hearing	<u>2/25/64</u>
Recommendation to LUC	<u>3/11/64</u>
Action by State LUC	_____
County & Appl. notified	_____

A. Description of Property: (1) Tax Map Key No. 2-4-08-002  
(2) Lot Area 8.78A (3) Location Makawao, Maui

B. Ownership: (1) Owner's name The Protestant Episcopal Church in the Hawaiian Islands  
(2) Lessee's name \_\_\_\_\_ (3) Unexpired term \_\_\_\_\_ years

C. Request: (1) State request briefly and exactly: The Episcopal Church requests for a special permit to enable them to use the above described property for use as a boarding school for girls with boy day students.

(2) Reasons justifying granting of request: The Episcopal Church has always been aware of the need for education in the Islands and the Pacific area in general and feels particularly the need in Maui. The late Mrs Katherine McGrew Cooper, who left the above property to the Church requested in her will that the property be used for this purpose.

D. Applicant: (1) Name The Protestant Episcopal Church in the Hawaiian Islands  
(2) Address Queen Emma Square, Honolulu 13, Hawaii Telephone 567619  
(4) Signature H. S. Budd, Treasurer

E. Planning Commission action: \_\_\_\_\_ Date \_\_\_\_\_ Vote: \_\_\_\_\_  
ayes noes

Reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. State Land Use Commission's action: \_\_\_\_\_ Date: \_\_\_\_\_

G. Copies to: State LUC \_\_\_\_\_ Supervisors \_\_\_\_\_ Applicant \_\_\_\_\_ Owner & Lessee \_\_\_\_\_

RECEIVED

MAR 11 1964

State of Hawaii  
LAND USE COMMISSION

February 18, 1964

TO: Maui Planning and Traffic Commission  
FROM: Planning Director Robert O. Ohata  
SUBJECT: Staff Report on Land Use Commission Special Use Permit  
Application No. 3, from Episcopal Church in Hawaii.

LOCATION.

The parcel is 9.35 acres situated on the westerly side of Olinda Road, approximately 1 mile south (mauka) from its junction with Makawao Avenue in Makawao. The site is the former home of Katherine McGrew Cooper and is more popularly known as Maunalei. The parcel presently contains one large main house, a large garage and servants quarters, and duplexes. The land was used as an estate type residence and cannot be considered as in agricultural use. The adjoining areas are mostly in pasture. The land classification may be reasonably considered as good pasture land.

THE REQUEST.

The request by the Episcopal Church is to convert the present facilities, add other facilities for a Girl's Boarding School with boy day students. Within the immediate plans are construction of a two-story dormitory building for 60 students, and 2 units of faculty houses. Eventually more dormitories, faculty houses, additional classrooms, chapel, athletic facilities would be added.

THE GENERAL PLAN OF MAUI shows this area as a rural zone. Water is served by a 6 inch main which is considered adequate. The present Olinda Road is sub-standard in width and grade, however, because this is primarily a boarding school the condition of the road would not be too adverse.

RECOMMENDATION.

The staff recommends approval of the Special Use Permit because:

1. It conforms with the General Plan;
2. The school will be an asset for Maui.

Present zoning regulations permit public schools in the rural area but not private. The staff feels that if public schools are in conformance with the General Plan then private schools should also be in conformance the reservation being only when additional facilities or expenditures are necessary by the public to further private gain. This is not the case in this instance.

The Episcopal Church is well-known in the State of Hawaii in the field of college preparatory schools. Outstanding examples are the Iolani School and the Kamuela Preparatory School. Maui is fortunate to have been selected by the Church as the site of the school for Girls.

*Robert O. Ohata*

ROBERT O. OHATA  
Planning Director

## Red Tape To Delay Maui Girls School

WAILUKU—Start of construction for the new Seabury Hall Episcopal girls boarding school at Makawao will be delayed possibly a month by State land zoning requirements.

A public hearing was held by the Maui County Planning Commission Tuesday on the Episcopal Church application for a special permit to allow use of the proposed school grounds as a private boarding school.

**THE REV. ROGER MELROSE**, who will be Seabury's headmaster, told the commission he hoped the school could be ready for opening by September, start of the next school year.

Melrose was informed that his application, which must finally be approved by the State Land Use Commission, could not be acted on by the local commission, under State law, sooner than 15 days.

Melrose commented, "We started applying for this

permission last October. September is not too far away. We have a problem of time."

\*\*\*  
**GROUND-BREAKING** ceremonies for the new school building were held last week, but no County building permit may be issued until the State Land Use Commission grants a special permit.

Robert Ohata, County planning director, explained that part of the delay was due to his early efforts at cutting red tape by seeking a "declaratory ruling" from the State commission.

Ohata said, "I begged them, but they said no."

Melrose said, "It took 45 days to get a negative answer."

\*\*\*  
**THE MAUI** commissioners decided to hold a special meeting March 11, 15 days from last Tuesday to approve the use permit and forward it to the State commission for the earliest possible action.

Ref. No. LUC 44

January 21, 1964

Mr. Robert O. Ohata, Planning Director  
Planning and Traffic Commission  
County of Maui  
Wailuku, Maui, Hawaii

Dear Mr. Ohata:

This is in reference to your letter dated November 12, 1963 requesting for a declaratory ruling on the property owned by the Episcopal Church in Makawao, Maui. On December 26, 1963, the Land Use Commission met and discussed your request. It was decided by the Commission that a declaratory ruling for the Episcopal Church was not in order at that time. However, the Commission suggested that the most appropriate procedure for the Episcopal Church would be the special permit.

The Commission was advised by Counsel that the issuance of a declaratory ruling was within its legal prerogatives. However, the Commission's action was based primarily on the reason that the effectiveness and objectives of the land use legislation would be better promoted through the procedure of special permit.

Should there be any additional questions on this matter, please feel free to contact us.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Mr. Myron Thompson  
Mr. Charles Ota  
Mr. Roy Takayama

STATE OF HAWAII  
LAND USE COMMISSION

December 13, 1963

STAFF REPORT

Subject: Maui County Planning & Traffic Commission Request for a Declaratory Ruling

Background

The Maui Planning & Traffic Commission, by letter dated November 12, 1963, requests and strongly urges that the Land Use Commission issue a declaratory ruling which would qualify a proposed Episcopal Church girls' school and facilities as a permitted use in the temporary agricultural district under "Public buildings and facilities" as stated in the Interim Regulations. A copy of this letter and another letter from Bishop Kennedy, which initiated this request, are attached as further background.

The property in question was formerly owned by a Mrs. Katherin McGrew Cooper. Upon Mrs. Cooper's death, the property was willed to the Episcopal Church subject to the condition "that the church shall maintain and operate on the said property, a good school primarily for girls." Prior to the death of Mrs. Cooper, the property was used as a private residence. The property has an access road comprising an area of .33 acre. This access road is approximately 400' from the Makawao road and is approximately 4/5 of a mile from the urbanized area of Makawao.

Soils in the area are classified by the Land Study Bureau as moderately suited for intensive agriculture. Water is available for domestic use

but there is reported lack of water for irrigation purposes. Rainfall is approximately 50 inches a year in the general vicinity. The generalized slope of land in this vicinity is approximately 7% and therefore suited for almost any use, in this respect.

According to the proposed Maui General Plan, the subject property and the surrounding area is being proposed as a rural district while the State General Plan has designated the area as an agricultural district. The property is presently within the agricultural district of the temporary district boundaries.

#### Analysis

The basis of the Maui County Planning and Traffic Commission request is that they feel a precedent was established when the previous Land Use Commission ruled that dormitories for the University of Hawaii scientists in the Kula agricultural district was a permitted use under the Interim Regulations, section 2.1(b)(3), "public buildings & facilities". However, the proposed use may be properly considered to be "quasi-public" and the buildings and facilities as "private", and therefore does not qualify under section 2.1(b)(3). There are similarities between the University of Hawaii dormitories and the buildings for the proposed girls' school. However, the major difference is that the school would be privately owned while the University of Hawaii dormitories are publicly owned.

Referring to the Interim Regulations, section 2.1(b)(3) specifically states "public buildings and facilities;" section 2.1(b)(4) states "public, quasi-public and private 'open land' types of recreational uses of land...." and

section 2.1(b)(6) states "public and private utility lines and facilities..." Since the words public, quasi-public and private are so specifically used, and the phrase "quasi-public and "private" are omitted from section 2.1(b)(3), the staff can only conclude that section 2.1(b)(3) must be taken as it is written - that is, quasi-public or private buildings and facilities are not permitted.

Recommendation

The staff recommends denial of the request for the declaratory ruling on the basis that "quasi-public" or "private" buildings and facilities are clearly not a permitted use under the **Interim** Regulations.

A petition for special permit, however, would be applicable in this instance. Such procedure would provide for adequate consideration of the issue and the opportunity for the County to properly exercise its authority to "permit certain unusual and reasonable uses within agricultural and rural districts other than those for which the district is classified" and, to develop "such protective restrictions as may be deemed necessary". The staff recognizes that a declaratory ruling, as requested, would expedite a development which the Planning and Traffic Commission evidently finds desirable. However, the proposed school cannot be construed to qualify under section 2.1(b)(3) of the Interim Regulations. And, although the special permit procedure might appear to be cumbersome in this particular case, there is no doubt that the procedure safeguards the basic tenets of the land use legislation in the long run and in general applications.

EPISCOPAL CHURCH - DECLATORY RULING

WAKAWAO RD

TRUE NORTH  
1" = 200'

Petitioner's LAND

ELIZABETH F. RICE  
10.4 ACS.

HALEAKALA RANCH (15)  
CO. 30.22 AC

Virginia C. BALDWIN  
9.12 AC

A. F. BALDWIN  
19.71 ACS.

TO ULINDA

DEDICATED LANDS

J. V. MARCEL  
& WIFE  
12.96 ACS.

PROTESTANT EPISCOPAL CHURCH  
8.79 AC.

HALEAKALA RANCH CO. (16)  
15.70 ACS

J. V. MARCEL & WF  
ISABELLE + ETC.  
10.81 ACS

0 200 400  
SCALE IN FEET

Ref. No. LUC 745

November 14, 1963

Mr. Robert Chata, Planning Director  
Planning and Traffic Commission  
County of Maui  
Kahului, Maui, Hawaii

Dear Mr. Chata:

This is to acknowledge receipt of your letter of November 12, 1963 regarding the use of the Cooper property (DM 2-4-62: 02) in Mahalo as a school by the Episcopal Church.

We will seek the advice of our legal counsel regarding your request for a declaratory ruling and shall advise you of the results as early as possible.

Very truly yours,

R. YAMASHITA  
Executive Officer

cc: Roy Takayama  
Myron B. Thompson

TSUO KAWA Vice Chairman  
OSHIKAZU MATSUI Member  
MASAO NAGASAKO Member  
RICHARD H. TAYLOR Member  
KUBOYAMA YOSUKE Member



ALAN K. BROWN  
JAMES H. BROWN  
JANET LANE BROWN  
STEPHEN GRADY BROWN  
ROBERT O. ONATA Planning Director  
MRS. SIA M. MONTGOMERY

PLANNING & TRAFFIC COMMISSION

COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII

November 12, 1963

170

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NOV 13 1963

State of Hawaii  
LAND USE COMMISSION

Mr. Raymond Yamashita  
Executive Officer  
Land Use Commission  
Honolulu

Dear Mr. Yamashita:

Enclosed herewith is a copy of a letter from Bishop Kennedy of the Episcopal Church regarding the use of the Cooper property in Makawao as a school. This land is in the State Agricultural District. Your Interim Regulations, Section 2.1(b)3 allows "Public buildings and facilities", although schools are not specifically listed as a permissible use.

This office feels that a precedent has been established when your Land Use Commission ruled that dormitories for the University of Hawaii scientists in the agricultural district in Kula is "Public building and facilities". Accordingly, this office requests and strongly urge as follows:

1. That a declaratory ruling be issued including the subject school and its facilities as qualifying under "Public building and facilities";
2. That such ruling be made as soon as possible, inasmuch as delay would adversely affect the program of the church.

This office is aware of the contributions to education in Hawaii by the Episcopal Church, especially in the area of college preparatory schooling. This new school will be a great asset. May I urge an early favorable decision.

Yours very truly,

Robert O. Onata  
County Planning Director

cc Bishop Kennedy  
cc Mr. Charles Ona

770  
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NOV 13 1963

State of Hawaii  
LAND USE COMMISSION

November 8, 1963

Mr Robert Chata  
Planning Director  
County of Maui  
Maui

Dear Mr Chata:

In accordance with the will of Mrs Katherine McGree Cooper,  
the Episcopal Church has acquired her former home at Makawao, Maui.  
The tax key number on this property is 1 - 4 - 06 - 02.

The seventh provision of Mrs Cooper's will reads, in part, as follows:

"It is the desire and intent of both the said church  
and myself that the church shall maintain and operate  
on the said property a good school primarily for girls."

It is our understanding that the present zoning laws do not  
provide for schools in an agricultural area but does mention  
"public institutions."

Until Mrs Cooper's death, the above property was used as a  
private residence. In keeping with the intent of Mrs Cooper's will,  
the Episcopal Church is making plans to operate a school for girls.  
We would hope to build a dormitory and classroom for the Headmaster.

I am writing requesting your assistance with regard to an  
adjustment in the zoning restrictions, if such adjustment be necessary.

Your favorable consideration of this application will be greatly  
appreciated.

Very truly yours,

W. H. H.

Ref. No. LUC 745

November 14, 1963

Mr. Robert Ohata, Planning Director  
Planning and Traffic Commission  
County of Maui  
Kahului, Maui, Hawaii

Dear Mr. Ohata:

This is to acknowledge receipt of your letter of November 12, 1963 regarding the use of the Cooper property (TMK 2-4-08: 02) in Makawao as a school by the Episcopal Church.

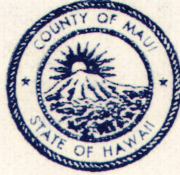
We will seek the advice of our legal counsel regarding your request for a declaratory ruling and shall advise you of the results as early as possible.

Very truly yours,

R. YAMASHITA  
Executive Officer

cc: Roy Takeyama  
Myron B. Thompson

JOSEPH S. MEDEIROS, Jr., Chairman  
KAZUO KAGE, Vice-Chairman  
YOSHIKAZU MATSUI, Member  
MASAO NAGASAKO, Member  
RICHARD H. TAYLOR, Member  
ROBERT UEOKA, Member



KOICHI HAMADA, Ex-Officio  
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STEPHEN OKADA, Ex-Officio  
ROBERT O. OHATA, Planning Director  
MRS. EVA M. DUPONTE, Secretary

PLANNING & TRAFFIC COMMISSION

COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII

November 12, 1963

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NOV 13 1963

State of Hawaii  
LAND USE COMMISSION

Mr. Raymond Yamashita  
Executive Officer  
Land Use Commission  
Honolulu

Dear Mr. Yamashita:

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This office feels that a precedent has been established when your Land Use Commission ruled that dormitories for the University of Hawaii scientists in the agricultural district in Kula is "Public building and facilities". Accordingly, this office requests and strongly urge as follows:

1. That a declaratory ruling be issued including the subject school and its facilities as qualifying under "Public building and facilities";
2. That such ruling be made as soon as possible, inasmuch as delay would adversely affect the program of the church.

This office is aware of the contributions to education in Hawaii by the Episcopal Church, especially in the area of college preparatory schooling. This new school will be a great asset. May I urge an early favorable decision.

Yours very truly,

Robert O. Ohata  
County Planning Director

cc Bishop Kennedy  
cc Mr. Charles Ota

770  
RECEIVED

NOV 13 1963

State of Hawaii  
LAND USE COMMISSION

November 8, 1963

Mr Robert Chata  
Planning Director  
County of Maui  
Maui

Dear Mr Chata:

In accordance with the will of Mrs Katherine McGrew Cooper, the Episcopal Church has acquired her former home at Makawao, Maui. The tax key number on this property is 2 - 4 - 08 - 02.

The seventh provision of Mrs Cooper's will reads, in part, as follows:

"It is the desire and intent of both the said church and myself that the church shall maintain and operate on the said property a good school primarily for girls."

It is our understanding that the present zoning laws do not provide for schools in an agricultural area but does mention "public institutions."

Until Mrs Cooper's death, the above property was used as a private residence. In keeping with the intent of Mrs Cooper's will, the Episcopal Church is making plans to operate a school for girls. We would hope to build a dormitory and residence for the Headmaster.

I am writing requesting your assistance with regard to an adjustment in the zoning restrictions, if such adjustment be necessary.

Your favorable consideration of this application shall be greatly appreciated.

Faithfully,

Bishop

mf

STATE OF HAWAII  
LAND USE COMMISSION

Board of Supervisors Chambers  
Wailuku, Maui, Hawaii

8:00 P.M.  
December 6, 1963

STAFF REPORT

Subject: Bishop Kennedy of the Episcopal Church (Original Requester)  
8.79 Acre Parcel Situated at Makawao Road, Makawao, Maui  
TMK 2-4-08: 02

Request for a Declaratory Ruling to Determine Whether A  
Private Girls' School is a Permitted Use Within An  
Agricultural District

Background

On November 12, 1963 the Land Use Commission received a letter from the Maui Planning and Traffic Commission requesting that the Land Use Commission issue a declaratory ruling on a proposed girls' school by allowing it to operate in an Agricultural district. The Maui Planning Office strongly urged that the proposed school be a permitted use under "Public building and facilities" as allowed in Section 2.1(b)3 of the Interim Regulations.

The property in question was formerly owned by a Mrs. Katherin McGrew Cooper. Upon Mrs. Cooper's death, the property was willed to the Episcopal Church subject to the condition "that the church shall maintain and operate on the said property, a good school primarily for girls." Prior to the death of Mrs. Cooper, the property was used as a private residence. The property has an access road comprising an area of .33 acre. This access road is approximately 400' from the Makawao road and is approximately 4/5 of a mile from the urbanized area of Makawao.

Analysis

Mr. Robert Ohata, Maui Planning Director, feels that a precedent has been established when the earlier Land Use Commission ruled that dormitories for the University of Hawaii scientists in the Kula agricultural district is considered a permitted use as "public buildings and facilities."

However, the staff feels that the proposed girls' school is a quasi-public building and therefore does not come under the permitted use as a public building. There are similarities between the University of Hawaii dormitories and the buildings for the proposed girls' school. The major difference is that the school is privately owned while the dormitories are owned by the University of Hawaii which is a public institution.

Secondly, the question of whether or not the proposed girls' school is a compatible use to the agricultural activities in the Kula area. Since the dormitories of the University of Hawaii was allowed in the Kula area, it can be said that this is a permitted and a compatible use. There are similarities between the dormitories of the University of Hawaii and the proposed girls' school which will also include a dormitory. If this is the case, there is a possibility that the proposed girls' school can be covered under the Interim Regulations of Section 2.1(b)9, "Buildings and uses normally considered directly accessory to the above permitted uses."

Recommendation

The staff of the Land Use Commission recommends that the Land Use Commission make a declaratory ruling that the proposed girls' school is a compatible

and permitted use in the Agricultural district. This recommendation is based on the following:

1. Section 2.1(b)9 of the Interim Regulations covers such a use as the subject school and therefore should be allowed.
2. The proposed school is a compatible use and the staff feels that the proposed use would not harm the agricultural activities in the surrounding area.

Furthermore, should the Land Use Commission decide against the proposed use, the staff recommends that the Episcopal Church submit a petition for a special permit whereby the merits of the subject school can be based on "unusual and reasonable uses".