

PURSUANT TO CHAPTERS 91 AND 92, PART I, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING/HEARING OF THE MAUI COUNTY BOARD OF VARIANCES AND APPEALS (BVA)

Members: Randall Endo - Chairman, Kevin Tanaka - Vice-Chairman, Harjinder Ajmani, James Shefte, William Kamai, Rachel Ball Phillips, Stephen Castro, Sr., Sandra Duvauchelle.

### AGENDA

DATE: **June 10, 2009, Wednesday**

TIME: 1:30 p.m.

PLACE: Planning Department Conference Room, First Floor,  
Kalana Pakui Building, 250 South High Street, Wailuku, Hawaii

A. CALL TO ORDER

B. PUBLIC HEARING - VARIANCES

1. LAWRENCE ING of ING & JORGENSEN representing FRANKLYN L. SILVA and VALERIE E. SILVA TRUSTEES of THE FRANKLYN L. SILVA & VALERIE E. SILVA FAMILY TRUST requesting variances from Maui County Code, Chapter 18.20 and §16.26.3304 to defer the required road improvements such as street widening, construction of curbs, gutters, sidewalks and drainage improvements, relocation of utilities and the installation of underground utilities for a portion of Kealaloo Avenue for property located at 180 Kealaloo Avenue, Makawao, Maui, Hawaii; TMK: (2) 2-4-038:002. (BVAV 20090003)

C. APPEALS

1. MAUI LAND & PINEAPPLE COMPANY, INC. appealing the Director of Water Supply's requirement to provide information on the proposed water source since the exemptions of Maui County Code Section 14.12.030 are not applicable to the Mahinahina Large Lot Subdivision, DSA No. 4.955, formerly known as Pulelehua Large Lot Subdivision, located off of Honoapiilani Highway, Mahinahina, Lahaina, Maui, Hawaii; TMK: (2) 4-3-001:031. (BVAA 20080001)
  - a. Hearing Officer Judge E. John McConnell's Report

D. APPROVAL OF THE MAY 28, 2009 MEETING MINUTES

E. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

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F. NEXT MEETING DATE: **Thursday, June 25, 2009 - Molokai**

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

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

INFORMATION RELATIVE TO THE ABOVE APPLICATIONS ARE AVAILABLE FOR REVIEW AT THE PLANNING DEPARTMENT'S OFFICE LOCATED AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAI'I.

ANY PERSONS REQUESTING ACCOMMODATION DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7253, OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAI'I 96793, OR BY FAX NUMBER 270-7634 AT LEAST SIX (6) DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 4:30 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at 270-7253 at least one day prior to the meeting date.