

PURSUANT TO CHAPTERS 91 AND 92, PART I, HAWAI'I 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), William Kamai, Rachel Ball Phillips, Stephen Castro, Sr., Ray Shimabuku, Bart Santiago, Jr., Rick Tanner, Bernice Vadla

AGENDA

DATE: July 29, 2010, Thursday

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

1. JAMES and KATHLEEN WISTHOFF, AMY MARTIN-WISTHOFF and DAN MARTIN requesting a variance from Maui County Code, §19.30A.030 to allow an electrical pedestal wall within the agricultural setback area to exceed the 4 feet height limit by 2 feet, 7 inches for property located at 130 Awaiku Street, Launiupoko, Lahaina, Maui, Hawaii; TMK: (2) 4-7-009:023 (BVAV 20100007) **(Rescheduled from the May 13, 2010 meeting. Members, please bring previously distributed material with you to the meeting.)**

- a. Department of Planning, County of Maui's Hearing Memorandum
- b. Department of Planning, County of Maui's Witness List
- c. Department of Planning, County of Maui's Exhibit List; Exhibits "A" - "F"

C. UNFINISHED BUSINESS

1. RICHARD LOPEZ, JULIE VERMAAS, JOHN & SHARON KEVAN & BROWN REVOCABLE TRUST requesting a variance from Maui County Code, §19.30A.030 to allow an electrical utility pedestal wall within the 25-foot front yard and 15-foot side yard to exceed the 4-foot height limit in the County's agricultural district by 3 feet for property located at 70 Paia Pohaku Street, Launiupoko, Lahaina, Maui, Hawaii; TMK: (2) 4-7-009:061 (BVAV 20100012) **(Deferred from the July 8, 2010 meeting. Members, please bring previously distributed material with you to the meeting.)**

D. COMMUNICATIONS

1. MICHAEL GRONEMEYER, MICHAEL MCDONALD & PHILIP SEGURA requesting a variance from Maui County Code, §19.30A.030 to allow an electrical pedestal wall within the 25 feet front yard setback to exceed the 4 feet height limit by 1-foot-10-inches to 3-feet-6-inches for an agricultural property located at 105 Awaiku Street, Launiupoko, Lahaina, Maui, Hawaii; TMK: (2) 4-7-009:050 (BVAV

20100010)

- a. Letter dated July 12, 2010, from Kathleen Ross Aoki, Planning Director, to Michael J. Gronemeyer, Michael McDonald, and Philip Segura confirming wall/structure violations have been rectified.

E. APPROVAL OF THE JULY 8, 2010 MEETING MINUTES

F. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

G. NEXT MEETING DATE: August 12, 2010, Thursday

H. 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.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF VARIANCES AND APPEALS. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE 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.