

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: Kevin Tanaka (Chairman), Rick Tanner (Vice-Chairman), Rachel Ball Phillips, Stephen Castro, Sr., Ray Shimabuku, Bart Santiago, Jr., Bernice Vadla, Jacqueline Haraguchi, Patrick De Ponte

AGENDA

DATE: November 10, 2011, 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. DAVID M. JORGENSEN of TAKITANI AGARAN & JORGENSEN, LLLP representing CLARENCE A. TAVARES and C&S LAND, LLC requesting variances from: (1) Maui County Code (MCC), §18.16.060(C) requiring rights-of-way width for access streets to be at least 24 feet; and (2) MCC §18.20.040 requiring pavement on existing access streets to be at least 20 feet in width, for an agricultural subdivision (Land Court Application 342 Subdivision; DSA File No. 2.3053) located at 337 Naele Road, Kula, Maui, Hawaii; TMK: (2) 2-3-003:068 (BVAV 20110014).
2. JAMES W. GEIGER, ESQ. of MANCINI, WELCH & GEIGER representing HANA PLANTATION, LLC requesting variances from Maui County Code (MCC), §§14.05.090 and 16.04B.140 as it pertains to the installation of fire hydrants at 500 foot intervals along Hana Highway and Ulaino Road; and MCC, §18.20.040 as it pertains to the paving and realignment of Ulaino Road, for the Nabors Subdivision located at Honomaele, Hana, Maui, Hawaii; TMK: (2) 1-3-002:002 (BVAV 20110013).

C. APPROVAL OF THE MEETING MINUTES OF THE OCTOBER 27, 2011 MEETING

D. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases
2. 2012 BVA Meeting Schedule

E. NEXT MEETING DATE: November 23, 2011, **WEDNESDAY**

F. ADJOURNMENT

Agenda items are subject to cancellation.

Each applicant is requested to provide responsible representation at the meeting.

Information relative to the above applications is available for review at the Planning Department's office located at 250 South High Street, Wailuku, Maui, Hawaii.

Any persons requesting accommodation due to disabilities, please call the Maui Planning Department at 270-7253 (Maui), OR 1-800-272-0117 (from Molokai), or 1-800-272-0125 (from Lanai); or notify the Maui Planning Department in writing at 250 South High Street, Wailuku, Maui, Hawaii 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 issued 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.