

PURSUANT TO CHAPTERS 91 AND 92, PART I, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A MEETING 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: February 9, 2012, 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

Amendments to Chapter 801, Rules of Practice and Procedure for the Board of Variances and Appeals:

1. §12-801-18 pertaining to the requirements for filing documents for applications for variances and appeals.
2. §12-801-22 pertaining to the amount of time the board has to render a decision on a variance.
3. §12-801-27 pertaining to the deadline for filing a petition to intervene.
4. §12-801-28 pertaining to the automatic admittance of the appropriate County department in a contested case.
5. §12-801-38 pertaining to the costs of hearing officer services and transcripts for a contested case.
6. §12-801-76 to add new sections pertaining to conditions of approval and its applicability, filing procedure, enforcement, and amendment or deletion.
7. §12-801-78 pertaining to the notice of hearing for a variance.
8. §12-801-112 pertaining to appeals of notices of violation and the payment of penalties, unless a subsequent appeal is filed for judicial review.

C. COMMUNICATIONS

1. Discussion on 120-day and 60-day rules, pursuant to §§12-801-14(d) and 12, 801-22(d) (respectively).

D. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

E. NEXT MEETING DATE: February 23, 2012, Thursday

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 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.