

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: Rick Tanner (Chair), Jacqueline Haraguchi (Vice-Chair), Ray Shimabuku, Bart Santiago, Jr., Patrick De Ponte, Teddy Espeleta, G. Clark Abbott, Chad Fukunaga, Howard S. K. Kihune

AGENDA

DATE: Thursday, May 23, 2013

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 HEARINGS

1. LEILANI PULMANO of MUNEKIYO & HIRAGA, INC. representing LAHAINALUNA HIGH SCHOOL FOUNDATION and the STATE OF HAWAII, DEPARTMENT OF EDUCATION requesting parking variances from Maui County Code, §19.36A.010: (1) To delete the requirement of providing 505 stalls for the proposed Lahainaluna High School Stadium Improvement Project; and (2) To delete the requirements of providing 101 stalls for Lahainaluna High School; 42 stalls for Lahaina Intermediate School; and 25 stalls for Princess Nahienaena Elementary School--168 stalls total--assessed for the after-school use of the school cafeterias as assembly halls, for the three school campuses located at 980 and 871 Lahainaluna Road, and 816 Niheu Street (respectively), Lahaina, Maui, Hawaii; TMK: (2) 4-6-018:005, 011, 012, 013 (BVAV 20130005).

2. LEO K. CAIRES of GEN-X ENERGY DEVELOPMENT, LLC representing the COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, requesting variances from Maui County Code, §19.30A.030(E), for the following (2) non-dwelling structures proposed to be located within the County's Agricultural District, at the County of Maui's Water Treatment Facility located off of Baldwin Avenue, Makawao, Maui, Hawaii; TMK: (2) 2-5-004:080 (BVAV 20130004):

(1) TURBINE "A": A 160'-6" high wind turbine energy system--which includes a 120' high tower, 31'-6" blade radius, and a 9' foundation--to be located approximately:

(a) 2'-1" away (at its blade tip) and 33'-7" away (at its tower base), from the front (southern) property line;

(b) 89'-3" away (at its blade tip) and 57'-9" away (at its tower base), from the side (southwestern) property line; and

(c) 90'-4" away (at its blade tip) and 121'-10" away (at its tower base), from the side (northeastern) property line,

Whereas based on Turbine "A's" total height, a 150'-5" front yard and a 140'-6" side/rear yard is required.

(2) TURBINE "B": A 180'-6" high wind turbine energy system--which includes a 140' high

tower, 31'-6" blade radius, and 9' foundation--to be located approximately:

- (a) 54'-11" away (from its blade tip) and 121'-10" away (from its tower base), from the side (southwestern) property line; and
- (b) 83' away (from its blade tip) and 114'-6" away (from its tower base), from the side (northeastern) property line,

Whereas based on Turbine "B's" total height, a 170'-6" front yard and a 160'-6" side/rear yard is required for non-dwelling structures within the County's Agricultural District.

C. APPROVAL OF THE MAY 9, 2013 MEETING MINUTES

D. DIRECTOR'S REPORT

- 1. Status Update on BVA's Contested Cases

E. NEXT MEETING DATE: Thursday, June 13, 2013, **9:00 a.m.**

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.