

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

Members: Howard S. K. Kihune (Chair), Raymond Sung (Vice-Chair),
Chad Fukunaga, William Greig, Juanita Reyher-Colon, Max Kincaid Jr., Ralph Masuda, Jeffrey Borge, William Kamai

AGENDA

DATE: May 25, 2017

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. ADOPTION OF FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER (D&O)

1. Having voted on July 10, 2014, to deny the variance for Douglas J. Albanese & Mary M. Lynch (BVAV 2014/0002), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order.
2. Having voted on October 22, 2015, to approve the variance for Kahonua O Kale LLC (Maui Sunseeker) (BVAV 2015/0017), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order.
3. Having voted on January 14, 2016, to approve the variance for Amori Tract Subdivision (BVAV 2015/0019), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order.
4. Having voted on February 25, 2016, to approve the variance for Friedman Investment Group-Mariners (BVAV 2015/0020), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order.
5. Having voted on February 25, 2016, to approve the variance for Kaiaulu Subdivision (BVAV 2015/0021), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order.

C. COMMUNICATION

1. BVA Draft Letter to Mayor, Requesting that DPW Recommendations With its Staff Reports.
 - a. The Board may approve, revised and transmit its draft letter to the Mayor, requesting that the Department of Public Works provide recommendations with its Staff Reports on variances.

D. APPROVAL OF THE JUNE 9, 2016 BVA MEETING MINUTES

E. NEXT MEETING DATE: JUNE 8, 2017

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5 (a)(4), HRS.

DOCUMENTS ARE ON FILE WITH THE DEPARTMENT OF PLANNING. THE ADDRESS OF THE BOARD IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE BOARD MUST CONFORM TO RULE 12-801-18, RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF VARIANCES AND APPEALS, AND BE FILED WITH THE BOARD AND SERVED UPON THE APPLICANT WITHIN A REASONABLE TIME BEFORE THE MEETING IN WHICH THE SUBJECT MATTER OF THE INTERVENTION IS TO BE HEARD. THE ADDRESS OF THE BOARD IS NOTED ABOVE.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE BOARD'S RULES OF PRACTICE AND PROCEDURE, EXCEPT FOR CONTESTED CASES UNDER CHAPTER 91, HRS, AS NOTED ABOVE.

WRITTEN TESTIMONY AND FAXES SHOULD BE RECEIVED AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE REQUESTED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (MAUI) OR 1-800-272-0117 (MOLOKAI) OR 1-800-272-0125 (LANAI) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR BY FAX NUMBER 270-7634 AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

PLEASE NOTE: If any member of the Board is unable to attend the scheduled meeting, please contact the Department of Planning at least one day prior to the meeting date. Thank you for your cooperation.