

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

Members: Raymond Sung (Chair), Juanita Reyher-Colon (Vice-Chair), William Greig,
Max Kincaid Jr., Jeffrey Borge, William Kamai, Trisha Egge, Evelyn Kissen,
Ray Shimabuku

AGENDA

DATE: **July 26, 2018**

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. COMMUNICATION (Deferred from July 12, 2018)

1. **CALVERT G. CHIPCHASE AND CHRISTOPHER T. GOODIN OF CADES
SCHUTTE LLLP** representing **D AND S VENTURES, LLC** Appeal of the
Planning Director's Notice of Violation (NOV 2014/0013) for the zipline
activity within the County's Agricultural District without a Special Use permit
pursuant to MCC §19.30A.060 (H) for property located at 2065 Kauhikoa
Road, Haiku, Maui, Hawaii; TMK (2) 2-7-012:086 (BVAA 2015/0002), (J.
Rapacz/D. Dias)

- a. As requested by the Board, Appellant's counsel and
Corporation Counsel will provide an update on the status of
this appeal.
- b. Discussion and possible action regarding the Hearing
Officer and contested case hearing, including but not limited to:
status and schedule of the hearing; status of the hearing
officer contract and billing; whether the board or designated
members of the board wish to serve as hearing officer.

No public testimony will be received.

C. DISCUSSION (Deferred/Continued from July 12, 2018)

- a. Board discussion of Board procedures, including without limitation: Preparation of
written minutes; Procedures for setting agendas; Procedures for canceling Board
meetings.

No public testimony will be received.

D. NEXT MEETING DATE: August 9, 2018

E. ADJOURNMENT

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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 BELOW.

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.

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