

**BOARD OF VARIANCES AND APPEALS
REGULAR MEETING
February 28, 2019**

(HYPERLINKS TO AUDIO RECORDING OF THE MEETING)

A. CALL TO ORDER

(Item A begins at 00:00:04 of the Audio Recording)

The regular meeting of the Board of Variances and Appeals (Board) was called to order by Chairman Raymond Sung at approximately, 1:38 p.m., Thursday, February 28 2019, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

A quorum of the Board was present. (See Record of Attendance).

(00:00:49-00:09:06 of the Audio Recording, public testimony is open, taken and closed).

(Item B begins at 00:10:52 of the Audio Recording, Ms. Christi Keliikoa reads item into record).

B. PUBLIC HEARING

WAYNE I. ARAKAKI, ENGINEER representing **TAMURA'S MARKET WAILUKU** is requesting a variance from the following Maui County Code section §12.08.100 (G) "Driveway" for variance request for installation of a second driveway along Halewili Street, located at the rear of the property, to be used mostly for delivery trucks and vans. It will also be used as an emergency exit for the retail store; for property located at 230 Imi Kala Drive, Wailuku, Hawaii 96793 (BVAV 2018/0005). (C. Keliikoa)

1. **Public Hearing:** To avoid unnecessary cumulative evidence or to ensure that each individual has an equal amount of time to testify, testimony is limited to three (3) minutes. Should members of the Board or a Party wish to question a public testifier, seek leave of the Chair.

(00:12:11-00:26:16 of the Audio Recording. Mr. Wayne Arakaki gives presentation, takes questions and further discussions).

(00:26:20-00:30:12 of the Audio Recording, questions and discussion between Board Members, Applicant, Public Works' Staff and Corp Counsel).

(00:30:14-01:28:19 of the Audio Recording, applicant makes more comments and has further discussion with Board).

(01:23:00-01:23:13 of the Audio Recording, motion was made by Vice-Chair Juanita

Reyher-Colon to Approve the applicant's approval for the driveway with the conditions that was stated by Mr. Rapacz and to include the traffic impact statement. (Per Chairman Sung...) and to adopt the Report and Recommendations, subject to the standard conditions).

(01:23:27-01:23:33 of the Audio Recording, Corporation Counsel Richelle Thomson asks for clarification...Is the motion including Item No. 3a and b from page 5 of the report?)

(01:23:34 of the Audio Recording, Vice-Chair Reyher-Colon replies: Yes)

(01:23:48 of the Audio Recording, Member Bill Kamai seconded the motion)

(01:24:00-01:30:48 of the Audio Recording, further discussion taken with the Board)

(01:30:50-01:31:05 of the Audio Recording a vote was taken-5 "ayes", 0 "opposed", 4 "excused")

VOTED: Motion passes to Approve (BVAV 2018/0005)
(Assenting: R. Sung, J. Reyher-Colon, W. Greig, W. Kamai, and R. Shimabuku).

(Excused: M. Kincaid Jr., J. Borge, T. Egge, S. Duvauchelle)

(Item B.1 finishes at 01:31:10 of the Audio Recording)

(01:31:16 of the Audio Recording, Chairman Sung requests for a five minute recess)

(Item C begins at 01:31:28-02:01:27 of the Audio Recording)

C. DISCUSSION

1. Board discussion of Board powers, duties, and/or procedures, including without limitation regarding: contested hearing procedures; hearing officer assignments; status of and anticipated timetable for availability of written minutes (including substantially full transcripts of portions relevant to, and in advance of, anticipated D&O review and discussion and approval) of previous Board meetings; timing and method of distribution of relevant materials to Board members for review in advance of meetings; issues relating to quorum (or lack thereof); miscellaneous questions & answers and/or feedback with Staff and Corporation Counsel.

No public testimony will be received.

(Item D begins at 02:01:30-02:04:04: of the Audio Recording)

D. NEXT MEETING DATE: February 28, 2019

(Item E.02:04:09 of the Audio Recording-Meeting Adjourned)

E. ADJOURNMENT

There being no further discussion brought forward to the Board, the meeting was adjourned at 3:50 p.m.

Respectfully submitted by,

CHALSEY KWON
Secretary to Boards & Commission II

RECORD OF ATTENDANCE

Members Present:

Raymond Sung, Chairman
Juanita Reyher-Colon, Vice Chairman
William Greig
William Kamai
Ray Shimabuku

Excuse:

Max Kincaid Jr.
Jeffrey Borge
Trisha Egge
Sandra Duvauchelle

Others:

John Rapacz, Planning Program Administrator, Department of Planning
Danny Dias; Supervising Planner, Department of Planning
Ana Lilis; Staff Planner, Department of Planning
Christi Keliikoa; Staff Planner, Department of Planning
Chalsey Kwon, Secretary to Boards & Commission II, Department of Planning
Paul Haake, Fire Department
Nolly Yagin, Department of Public Works
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel