

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: Juanita Reyher-Colon (Chair), Raymond Sung (Vice-Chair), Max Kincaid Jr., Jeffrey Borge, William Kamai, Trisha Egge, Ray Shimabuku, Emmanuel Baltazar, Stephen West

AGENDA
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: **September 26, 2019**

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

1. Motion to comply with Decision and Order of Remand entered in CIVIL NO. 17-1-0496(1) by the Second Circuit Court regarding the following variance request heard by the BVA in 2014:

WAYNE I. ARAKAKI representing **KENNETH W. REDSTONE** requesting variances from Maui County Code (MCC), §16.04B.140 to delete the requirement of providing standpipes every 500 feet along Easement 1; MCC, §18.20.040 to allow a 12 foot wide roadway instead of installing 20 foot wide pavement; and MCC, §19.30A.030 to allow two (2) water tanks to be located within the required 15 foot side/rear yard area, for the Hoolawa-Iki Subdivision (DSA File No. 2.3192) located at 156 Loomis Road, Haiku, Maui, Hawaii; TMK: (2) 2-9-003:028 (BVAV 20130015)

[Motion to Comply with Decision and Order of Remand Entered in Civil No. 17-1-0496 \(1\)](#)

C. COMMUNICATION

1. Review and Approval of 2020 BVA Meeting Schedule

[2020 Schedule](#)

D. 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.

a. Board Member Introductions

2. BVA discussion on possible amendment to BVA Administrative Rules, considering delegation of authority to the Planning Director to issue certain Board decisions. No action will be taken.

Public testimony may be received by the Board.

D. NEXT MEETING DATE: October 10, 2019

E. ADJOURNMENT

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.

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.