

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

Members: Stephen West (Chairman), Trisha Egge (Vice-Chairman), Raymond Sung, Jeffrey Borge, William Kamai, Ray Shimabuku, Emmanuel Baltazar, Ivan Lay, Caron Green

AGENDA

DATE: December 10, 2020
TIME: 1:30 pm
PLACE: Online only via BlueJeans; Meeting ID: 207 450 474

This is a public meeting, so members of the public may view or listen. The agenda items are appeals of directors' decisions which are contested case hearings that do not require a public hearing, therefore no public testimony will be received.

To listen to the meeting via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter code 694 414 296.

To watch the meeting online, use meeting link:
<https://bluejeans.com/207450474>

ALL PARTICIPANTS MUST KEEP THEIR MICROPHONE AND CAMERA/VIDEO MUTED AT ALL TIMES, EXCEPT WHEN THE CHAIR OR BOARD SECRETARY CALLS UPON YOU TO TESTIFY OR SPEAK. WHEN FINISHED SPEAKING, PLEASE MUTE YOUR MICROPHONE AND CAMERA/VIDEO.

The CHAT function may not be used to contact Board Members, or other meeting participants, for commenting on the agenda items, or other matters.

- A. CALL TO ORDER
- B. ADOPTION OF FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER (D&O)
 - 1. Having voted on November 25, 2020, to deny the appeal for **PAIA BAY PROPERTIES LLC** appealing the Department of Planning letter dated January 23, 2020 denying the use of a P-1 Public/quasi-public zoned lot located at TMK (2) 2-6-002:011 to provide parking spaces on this lot, to be used in order to help satisfy the business use parking requirements on TMK (2) 2-6-002:010, on properties located in Paia, Maui, Hawaii; TMK: (2) 2-6-002:010 and 011 (BVAA 2020/0002), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order. (P. Critchlow)

[Findings of Fact, Conclusions of Law and Decision and Order](#)

- 2. Having voted on November 25, 2020, to deny the appeal for **PAIA BAY PROPERTIES LLC** appealing the Department of Planning letter dated April 17, 2020 denying a parking reduction request for property located

in Paia, Maui, Hawaii; TMK: (2) 2-6-002:010 (BVAA 2020/0007), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order. (P. Critchlow)

[Findings of Fact, Conclusions of Law and Decision and Order](#)

3. Having voted on September 10, 2020, to approve **KIPA CENTENNIAL, LLC's** Application requesting a variance from §19.30A.030.G "District standards"; to allow a two-lot consolidation and resubdivision with one of the resulting parcels being 22.164 acres; whereas the code requires the parcel to be 25 acres, for Makila Ranches Phase I, Subdivision File No. 4.1017; Lahaina, Maui, Hawaii, TMK (2) 4-7-013:001 & 002 (BVAV 2020/0001), the Board will consider and may adopt the draft Findings of Fact, Conclusions of Law and Decision and Order. (P. Critchlow)

[Findings of Fact, Conclusions of Law and Decision and Order
September 10, 2020 BVA Meeting BlueJeans Recording Link](#)

C. NEXT REGULAR MEETING DATE: January 14, 2021

D. 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.

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.