

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

Members: Randall Endo (Chairman), Warren Shibuya (Vice-Chairman), Harjinder Ajmani, James Shefte, William Kamai, Rachel Ball Phillips, Stephen Castro, Sr., Sandra Duvauchelle, Kevin Tanaka

### AGENDA

DATE: **WEDNESDAY, November 26, 2008**

TIME: 1:30 p. m.

PLACE: Planning Department Conference Room, First Floor,  
Kalana Pakui Building, 250 South High Street, Wailuku, Hawaii`i

A. CALL TO ORDER

B. VARIANCES

1. MICH HIRANO of MUNEKIYO & HIRAGA representing STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES requesting variances from Maui County Code §§19.62.060(A)(3)(a) and 19.62.060(G)(1) to allow development of portions of the ground floor of the Maalaea Small Boat Harbor ferry terminal building, including the ferry passenger waiting room, women's and men's restrooms, storage/janitor room, electrical/communication room, mechanical room and elevator, and three (3) electrical meter buildings to be located below the 11 feet mean sea level base flood elevation for property located at 101 Maalaea Harbor Road, Maalaea, Maui, Hawaii; TMK: (2) 3-6-001:002, 049 and 050 (BVAV 20080004)

C. APPEALS

1. MARK M. MURAKAMI, ESQ. of DAMONKEY LEONG KUPCHAK HASTERT representing TROY AND SUSAN McCASLAND appealing the Director of Planning's Notice of Violation (NOV 20080002) for the operation of a transient vacation rental at property located at 451 'Ilikahi Street, Lahaina, Maui, Hawaii`i; TMK: (2) 4-6-006:039 (BVAA 20080002)

D. APPROVAL OF THE SEPTEMBER 25, 2008 MEETING MINUTES

E. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases
2. 2009 BVA Meeting Schedule

F. NEXT MEETING DATE: December 11, 2008

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

INFORMATION RELATIVE TO THE ABOVE APPLICATIONS ARE AVAILABLE FOR REVIEW AT THE PLANNING DEPARTMENT'S OFFICE LOCATED AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAI'I.

ANY PERSONS REQUESTING ACCOMMODATION DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7253, OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAI'I 96793, OR BY FAX NUMBER 270-7634 AT LEAST SIX (6) DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 4:30 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES.

PLEASE NOTE: If any member of the Board is unable to attend the scheduled meeting, please contact the Planning Department at 270-7253 at least one day prior to the meeting date.