

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: Rick Tanner (Chair), Jacqueline Haraguchi (Vice-Chair), Ray Shimabuku, Bart Santiago, Jr., Patrick De Ponte, Teddy Espeleta, G. Clark Abbott, Chad Fukunaga, Howard S. K. Kihune

AGENDA

DATE: Thursday, May 9, 2013

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. UNFINISHED BUSINESS

1. MIKAL TORGERSON representing EDWARD STANLEY MELOTT requesting a variance from Maui County Code, §18.16.050 to allow: (1) A 25-foot right-of-way whereas 40-feet is required; and (2) A 16-foot wide pavement whereas 28 feet is required, for a road serving more than three lots (Nanialii Place Subdivision) located at 265 South Kihei Road, Kihei, Maui, Hawaii; TMK: (2) 3-9-006:004 (BVAV 20130003). **(Deferred from the April 25, 2013 meeting. Members, please bring previously distributed material with you to the meeting.)**

C. COMMUNICATIONS

1. TOM PIERCE, ESQ. representing MAUI TOMORROW FOUNDATION INC., SOUTH MAUI CITIZENS FOR RESPONSIBLE GROWTH and DANIEL KANAHELE appealing the Planning Director's decision to not enforce the conditions of approval established by the State of Hawaii, Land Use Commission, for the Piilani Promenade development located at 376, 451 and 524 Kaonoulu Street, Kihei, Maui, Hawaii; TMK: (2) (2) 3-9-001:016, 117, 171, 172, 173, 174 (BVAA 20120008).

a. Stipulation to Continue Hearing

D. APPROVAL OF THE APRIL 25, 2013 MEETING MINUTES.

E. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

- F. NEXT MEETING DATE: Thursday, May 23, 2013
- 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 is available for review at the Planning Department's office located at 250 South High Street, Wailuku, Maui, Hawaii.

Any persons requesting accommodation due to disabilities, please call the Maui Planning Department at 270-7253 (Maui), OR 1-800-272-0117 (from Molokai), or 1-800-272-0125 (from Lanai); or notify the Maui Planning Department in writing at 250 South High Street, Wailuku, Maui, Hawaii 96793, or by fax number 270-7634 at least six (6) days before the scheduled meeting.

Oral or written testimony will be received on each any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes and the Rules of Practice and Procedure for the Board of Variances and Appeals. Written testimony should be received at least two business days before the meeting to insure distribution to the Board. Fifteen (15) Copies of written testimony are needed if testimony is presented immediately prior to or at the 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 issued pertaining to the Board's powers, duties, privileges, immunities and liabilities.

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