

**BOARD OF VARIANCES AND APPEALS
REGULAR MEETING
September 27, 2018**

[\(HYPERLINK TO AUDIO RECORDING OF THE MEETING\)](#)

A. CALL TO ORDER

(Item A begins at 00:00:26 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, September 27, 2018, 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).

(Items B begins at 00:01:06 of the Audio Recording)-Staff Member Paul Critchlow reads Item B into the record)

B. COMMUNICATION

1. **CALVERT G. CHIPCHASE AND CHRISTOPHER T. GOODIN OF CADES SCHUTTE LLLP representing D AND S VENTURES, LLC Appeal of the Planning Director's Notice of Violation (NOV 2014/0013) for the zipline activity within the County's Agricultural District without a Special Use permit pursuant to MCC §19.30A.060 (H) for property located at 2065 Kauhikoa Road, Haiku, Maui, Hawaii; TMK (2) 2-7-012:086 (BVAA 2015/0002), (J. Rapacz/D. Dias)**
 - a. **As requested by the Board, Appellant's counsel and Corporation Counsel will provide an update on the status of this appeal.**
 - b. **Discussion and possible action regarding the Hearing Officer and contested case hearing, including but not limited to: status and schedule of the hearing; status of the hearing officer contract and billing; whether the board or designated members of the board wish to serve as hearing officer.**

No public testimony will be received.

(Audio was lost at 00:13:11)

Further discussion related to Item B. no decisions were made, only communicationOnly request made on record was by Chair Member Raymond Sung to request Counsel parties physical attendance at the October 11, 2018 meeting.

C. NEXT MEETING DATE: October 11, 2018

D. ADJOURNMENT

(Item D. meeting adjourned at 00:42:31 of the Audio Recording.)

There being no further discussion brought forward to the Board, the meeting was adjourned at 2:19 p.m.

Respectfully submitted by,

Chalsey Kwon

CHALSEY KWON

Secretary to Boards & Commission II

RECORD OF ATTENDANCE

Members Present:

Raymond Sung, Chairman
William Greig
Max Kincaid Jr.
Jeffrey Borge
Trisha Egge
Ray Shimabuku

Excused:

Juanita Reyher-Colon, Vice Chairman
William Kamai

Others:

John Rapacz; Planning Program Administrator
Paul Critchlow; Staff Planner
Christi Keliikoa; Staff Planner
Chalsey Kwon, Secretary to Boards & Commission II, Department of Planning
Jennifer Oana, Deputy Corporation Counsel, Department of the Corporation Counsel