

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
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: June 10, 2020 (*Wednesday*)
TIME: 1:30 pm
PLACE: Online only via BlueJeans; Meeting ID: 720 105 942

Members of the public may view and listen to the meeting; however, public testimony will not be received on any item, as noted below.

To listen to the meeting via phone, dial 1-888-749-9073 and enter code 720 105 942

To watch the meeting, use meeting link:
<https://bluejeans.com/720105942>

Members shall not be contacted by the Chat function.

- A. CALL TO ORDER
- B. VARIANCE APPLICATION

J. KALANI ENGLISH is requesting an after-the-fact variance from the following Maui County Code section §19.02A.030 to allow a portion of the main dwelling to remain in the side yard setback for property located at 442 Haneo'o Road, Hana, Hawaii 96713; **TMK (2) 1-4-008:018 (BVAV 2019/0010)**. (D. Dias) **Item deferred from May 14, 2020 and May 28, 2020 Meetings. Members, please refer to previously distributed material. Any members who were not present for the May 14, 2020 or May 28, 2020 hearing will be provided with the audio/video recording and are requested to be fully familiar with the record prior to the current meeting.**

The public hearing portion of the contested case was conducted on May 14, 2020; therefore, no public testimony will be received on this item.

1. Petition to Intervene filed Thursday, May 21, 2020, by Earle & Mavis Medeiros.

Procedure: The Board will hear the Petition to Intervene, followed by the Applicant's Opposition to the Petition. All witnesses will be sworn in prior to testifying. Each party may cross examine witnesses. The Petitioner may offer closing rebuttal. The Board then will deliberate and make its decision to grant or deny the Petition to Intervene. The Board may call for executive session to consult with its legal advisor.

- a. [Petition to Intervene](#)
 - b. [Supplement to Petition to Intervene](#)
 - c. [Opposition of Applicant J. Kalani English to Untimely Petition to Intervene](#)
2. [Variance Application](#). *Whether the Petition to Intervene is granted or denied, the Board will proceed to hear and determine the merits of the Application.*
 3. [Director's Report and Recommendation](#)

C. NEXT REGULAR MEETING DATE: June 25, 2020

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.