

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: November 25, 2020 (*Wednesday*)  
TIME: 1:30 pm  
PLACE: Online only via BlueJeans; Meeting ID: 797 390 549

This is a public meeting, so members of the public may view or listen. The agenda items are appeals of director's decisions which are contested case hearings that do not require a public hearing, therefore no public testimony will be received. Because the agenda items are appeals of director's decisions, which are contested cases that do not require a public hearing, no public testimony will be received. The parties of the appeals may call witnesses in accordance with the BVA's Rules of Practice and Procedure.

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/797390549>

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, other meeting participants, for commenting on the agenda items, or other matters.

A. CALL TO ORDER

B. CONTESTED CASE (***continued from November 12, 2020 meeting***)

1. **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) (P. Critchlow)

[Appeal Application](#)

[County of Maui, Director of Planning's Witness and Exhibit List](#)

[Appellants' List of Witnesses, List of Exhibits A-W & Certificate of Service](#)

[County of Maui, Director of Planning's Supplemental Briefing \(Rcvd 11-18-20\)](#)

[Appellants' Post Hearing Memorandum in Support of the Notices of Appeal](#)

[BVAA 2020/0002 & BVAA 2020/0007 \(Rcvd 11-18-20\)](#)

2. **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) (P. Critchlow)

[Appeal Application](#)

[County of Maui, Director of Planning's Witness and Exhibit List](#)

[Appellants' List of Witnesses, List of Exhibits A-W & Certificate of Service](#)

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[BVAA 2020/0002 & BVAA 2020/0007 \(Rcvd 11-18-20\)](#)

C. NEXT REGULAR MEETING DATE: December 10, 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.

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