

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

Members: Randall Endo (Chairman), Warren Shibuya (Vice-Chairman), Kathleen Acks, Uwe Schulz, Harjinder Ajmani, James Shefte, William Kamai, Rachel Ball Phillips, Stephen Castro, Sr.

### **AGENDA**

DATE: **WEDNESDAY, DECEMBER 12, 2007**

TIME: **9:00 A.M.**

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

A. CALL TO ORDER

B. UNFINISHED BUSINESS

1. MICHAEL W. FOLEY appealing the DEPARTMENT OF FIRE AND PUBLIC SAFETY's decision to require a 500 gallon per minute fire hydrant and a minimum 20 feet access road, pursuant to Maui County Code, §16.04B, and §§902.2.2.1 and 903.4.2, Uniform Fire Code, for the Pohoula Subdivision (DSA File No. 1.287) located off of Pi'ilani Highway, Pohoula, Kaupo, Maui, Hawai'i; TMK: (2) 1-7-002:026. (BVAA 20070010)
  - a. Appellee Milton Arakawa, Director, Department of Public Works, County of Maui's motion to dismiss for lack of jurisdiction.
  - b. Letter dated November 8, 2007, from Michael W. Foley to Cheryl Tipton and Richard Rost, Deputy Corporation Counsels, County of Maui, regarding the appeal of the Fire and Public Safety's requirements for Pohoula Subdivision.

**(Continued from the November 29, 2007, meeting. Members, please bring your previously distributed materials with you to this meeting.)**

2. Letter of November 6, 2007, from Gladys C. Baisa, Chair, Maui County Council Planning Committee, to Jeff Hunt, Director, Planning Department, regarding parking assessment fees for developments within the B-CT Country Town Business and HD1 and HD2 Historical Districts (PC-13)

**(Continued from the November 29, 2007, meeting. Members, please bring your previously distributed material with you to this meeting.)**

C. APPROVAL OF THE NOVEMBER 29, 2007, MEETING MINUTES

D. NEXT MEETING DATE: December 13, 2007

E. 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, HAWAII.

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, HAWAII 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 Commission is unable to attend the scheduled meeting, please contact Tremaine Balberdi, Planning Department at 270-7253 at least one day prior to the meeting date.