

MICHAEL P. VICTORINO  
Mayor

JORDAN MOLINA  
Acting Director

GARY L. I. AMBROSE  
Interim Deputy Director

WADE SHIMABUKURO, P.E.  
Development Services Administration

RODRIGO "CHICO" RABARA, P.E.  
Engineering Division

JOHN R. SMITH, P.E.  
Highways Division

Telephone: (808) 270-7845  
Fax: (808) 270-7955



COUNTY OF MAUI  
**DEPARTMENT OF PUBLIC WORKS**  
200 SOUTH HIGH STREET, ROOM 434  
WAILUKU, MAUI, HAWAII 96793

March 15, 2022

Honorable Michael P. Victorino  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Michael P Victorino* 3-15-22  
Mayor Date

For Transmittal to:

Honorable Michael J. Molina, Chair and Members  
of the Government Relations, Ethics, and Transparency  
Committee  
Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Chair Molina and Members:

**SUBJECT: CONSTRUCTION ON LOWER HONOAPIILANI ROAD  
(NAPILI) (GREAT-36)**

Per correspondence dated March 11, 2022, please see following response:

1. *Please provide a copy of the Stop Work Order issued to Napili Beach House, LLC, which required all work on the project to cease as of 4:00 p.m. on December 15, 2021.*

See attached copy of Stop Work Orders issued from Permits B20200447 (pool), B20200448 (house), and G20190075 (site work) for the property at 5385 Lower Honoapiilani Road, Lahaina.

Honorable Michael P. Victorino  
For Transmittal to:  
Honorable Michael Molina, Chair and Members  
of the Government Relations, Ethics, and Transparency  
Committee  
March 15, 2022  
Page 2

2. *Please provide the reasoning and the date the Stop Work Order was lifted to allow work on the project to proceed. What specific violations were corrected to allow the work to resume?*

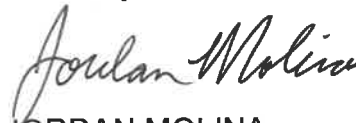
The Stop Work Orders were lifted for Permit G20190075 on February 7, 2022 and for Permits B20200447 and B20200448 on February 8, 2022 upon resolution of the zoning and SMA violations determined to exist by the Planning Director.

3. *A press release was issued when the Stop Work Order was issued. Why was a press release not issued when the Stop Work Order was lifted? Please explain.*

It is not a standard practice of the Department to issue press releases for permit matters. The purpose of the press release issued for issuance of the Stop Work Order was to provide a consistent response to the media inquiries received at the time.

Thank you for the opportunity to respond to your questions. Should you have any further questions, please do not hesitate to contact me at Ext. 7845.

Sincerely,



JORDAN MOLINA  
Acting Director of Public Works

JM:jso

Attachments

cc: Development Services Administration  
Department of Planning

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MICHAEL P. VICTORINO  
Mayor

ROWENA M. DAGDAG-ANDAYA  
Director

JORDAN MOLINA  
Deputy Director

WADE SHIMABUKURO, P.E.  
Development Services Administrator



**COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT SERVICES ADMINISTRATION  
110 ALAIHI STREET, SUITE 214  
KAHULUI, MAUI, HAWAII 96732**

December 17, 2021

Napili Beach House LLC  
Greg Brown  
P.O. Box 1060  
Lahaina, Hawaii 96767

**SUBJECT:** Grading Permit No. G 2019/0075  
Napili Beach House  
5385 Lower Honoapiilani Road, Lahaina, Hawaii  
TMK: (2) 4-3-002:057

Dear Mr. Brown:

This letter is to inform you that the subject grading permit (G 2019/0075) has been suspended per Section 20.08.120(A) of the Maui County Code. This section states that a grading permit may be suspended when grading work is not performed per the provisions of the permit. No further work shall be done under this permit until the suspension is lifted.

Grading done on the project did not follow approved site/grading plans. Your consultant submitted revised plans, but the plans have not been approved. The suspension can be lifted when the revised site/grading plans are approved. Appropriate SMA approval will need to be obtained for the revised perimeter walls in order to approve the revised plans.

Please call me at 808-270-7257 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lance Nakamura".

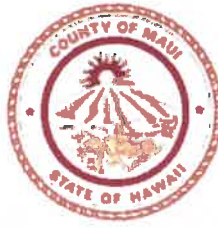
Lance Nakamura  
Assistant Administrator

**MICHAEL P. VICTORINO**  
Mayor

**ROWENA M. DAGDAG-ANDAYA**  
Director

**JORDAN MOLINA**  
Deputy Director

**WADE SHIMABUKURO, P.E.**  
Development Services Administrator



**COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT SERVICES ADMINISTRATION  
110 ALAIHI STREET, SUITE 214  
KAHULUI, MAUI, HAWAII 96732**

**December 15, 2021**

**Certified Mail: 7012 0190 0000 7012 8438**

**Napili Beach House LLC.  
Greg Brown  
PO Box 1060  
Lahaina, Hawaii 96767**

**SUBJECT: Permit: # B-2020/0448  
Stop Work Order 16.26B 114  
at 5385 Lower Honoapiilani Road, Lahaina, Maui, Hawaii  
TMK: (2) 4-3-002:057**

**Dear Mr. Brown:**

**This letter is to notify you that the subject building permit B 2020/0448 has been issued a Stop Work Order under Maui County 16.26B section 114. All work shall immediately cease related to building permit B 2020/0448 no later than 4pm on the 15<sup>th</sup> of December.**

**Reason for the Stop Work Order as follows:**

- 1. Zoning violation relates to MCC Sec. 19.60.030.A which, at the time the building permit was approved, stated that the building height in the Napili Civic Improvement District "shall not exceed two stories." The term "story" is defined in MCC Sec. 19.04.040. The structure currently exceeds two stories.**
- 2. SMA violation relates to HRS Sec. 205A-22, the definition of development, that says "construction or reconstruction of a single-family residence that is less than seven thousand five hundred square feet of floor area...." can be exempt from obtaining a SMA permit. The structure currently exceeds 7,500 sf.**

Napili Beach House LLC.  
Greg Brown  
Stop Work Order 16.26B 114  
TMK: (2) 4-3-002:057

Page 2 of 2

The stop work order can be lifted when the Planning Department and DSA Building Inspections approve the specific actions to be taken by the owner to correct the violations. Your compliance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Derek J. Hyland", with a long, sweeping horizontal line extending to the right.

Derek J. Hyland  
Supervising Building Inspector  
808-270-7375

CC: Brown Development LLC.  
Margaret Judge  
Linda Taylor Engineering Inc.  
Director Rowena M. Dagdag-Andaya  
Director Michele McLean

**MICHAEL P. VICTORINO**  
Mayor

**ROWENA M. DAGDAG-ANDAYA**  
Director

**JORDAN MOLINA**  
Deputy Director

**WADE SHIMABUKURO, P.E.**  
Development Services Administrator



**COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT SERVICES ADMINISTRATION  
110 ALAIHI STREET, SUITE 214  
KAHULUI, MAUI, HAWAII 96732**

**December 15, 2021**

**Certified Mail: 7012 0190 0000 7012 8445**

**Napili Beach House LLC.  
Greg Brown  
PO Box 1060  
Lahaina, Hawaii 96767**

**SUBJECT: Permit: # B-2020/0448  
Stop Work Order 16.26B 114  
at 5385 Lower Honoapiilani Road, Lahaina, Maui, Hawaii  
TMK: (2) 4-3-002:057**

**Dear Mr. Brown:**

**This letter is to notify you that the subject building permit B 2020/0447 has been issued a Stop Work Order under Maui County 16.26B section 114. All work shall immediately cease related to building permit B 2020/0447 no later than 4pm on the 15<sup>th</sup> of December.**

**Reason for the Stop Work Order as follows:**

- 1. Site work has deviated from the approved site plan sheet C-1 of Building Permit B 2020/0448. Building permit B 2020/0447 scope of work is within the affected area of noncompliance.**

Greg Brown  
Stop Work Order 16.26B 114  
TMK: (2) 4-3-002:057

Page 2 of 2

The stop work order can be lifted when the Planning Department and DSA Building Inspections approve the specific actions to be taken by the owner to correct the violations. Your compliance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Derek J. Hyland', with a long horizontal flourish extending to the right.

Derek J. Hyland  
Supervising Building Inspector  
808-270-7375

CC: Brown Development LLC.  
Margaret Judge  
Linda Taylor Engineering Inc.  
Director Rowena M. Dagdag-Andaya  
Director Michele McLean





Council Chair  
Alice L. Lee

Vice-Chair  
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Gabe Johnson  
Kelly Takaya King  
Michael J. Molina  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura



Director of Council Services  
Traci N. T. Fujita, Esq.

Deputy Director of Council Services  
David M. Raatz, Jr., Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

March 11, 2022

Mr. Jordan Molina, Acting Director  
Department of Public Works  
County of Maui  
Wailuku, Hawaii 96793

Dear Mr. Molina:

SUBJECT: **CONSTRUCTION ON LOWER HONOAPIILANI ROAD  
(NAPILI)** (GREAT-36)

May I please request a response to the following in preparation for the Government Relations, Ethics, and Transparency Committee meeting of March 15, 2022, relating to property located at 5385 Lower Honoapiilani Road, Napili, Maui, Hawaii.

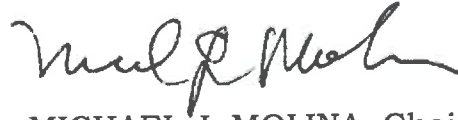
1. Please provide a copy of the Stop Work Order issued to Napili Beach House, LLC, which required all work on the project to cease as of 4:00 p.m. on December 15, 2021.
2. Please provide the reasoning and the date the Stop Work Order was lifted to allow work on the project to proceed. What specific violations were corrected to allow the work to resume?
3. A press release was issued when the Stop Work Order was issued. Why was a press release not issued when the Stop Work Order was lifted? Please explain.

May I further request you transmit your response to [great.committee@mauicounty.us](mailto:great.committee@mauicounty.us) **no later than March 14, 2022**, and include the relevant Committee item number in the subject line of your response.

Mr. Jordan Molina  
March 11, 2022  
Page 2

Should you have any questions, please contact me or the Committee staff (Kasie Apo Takayama at ext. 7665, or Pauline Martins at ext. 8039).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Molina". The signature is fluid and cursive, with the first name "Michael" and last name "Molina" clearly distinguishable.

MICHAEL J. MOLINA, Chair  
Government Relations, Ethics, and  
Transparency Committee

great:ltr:036apw01:ske

cc: Mayor Michael P. Victorino