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COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

May 18, 2022

Ms. Moana Lutey, Corporation Counsel
Department of the Corporation Counsel
County of Maui
Wailuku, Hawaii 96793

Dear Ms. Lutey:

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

The Government Relations, Ethics, and Transparency Committee received various inquiries from the public related to construction on property located at 5385 Lower Honoapiilani Road, Napili, Maui, Hawaii, and identified for real property tax purposes as tax map key (2) 4-3-002:057.

May I please request your response to the following question based on public information and questions received:

Building Permit B20200448 was entered on May 14, 2019, and issued on May 19, 2020. Construction commenced, and questions on the validity of the approved plans were brought to the attention of the Department of Planning in March 2021. After numerous months, a Stop Work Order was issued by the Department of Public Works in December 2021. Under Chapter 16.26B, Section 105.4, Maui County Code, relating to Validity of Permit, "The issuance or granting of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, a violation of any of the provisions of the Maui County Code. Permits presuming to give authority to violate or cancel the provisions of the Maui County Code shall not be valid." Could the application for Building Permit B20200448 be considered fraudulent?

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May I please request you transmit your response to great.committee@mauicounty.us **no later than 9:00 a.m. on May 24, 2022**, and include the relevant Committee item number in the subject line of your response.

May I further request that you or a designated representative attend the Government Relations, Ethics, and Transparency Committee meeting at 9:00 a.m. on May 24, 2022, via the BlueJeans online platform for this item.

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".

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

great:ltr:036acc01:brs

cc: Mayor Michael P. Victorino