

BOARD OF APPEALS
COUNTY OF HAWAI‘I

MINUTES
October 10, 2025

The County of Hawai‘i Board of Appeals met in regular session at 9:31 a.m. in the West Hawai‘i Civic Center Council Chambers, Building A, 74-5044 Ane Keohokālōle Highway, Kailua-Kona, Hawai‘i 96740 and via the Zoom online platform. The meeting was called to order with Chair Cathy Lewis presiding. A quorum was established with four members in attendance.

The full YouTube video of this hearing can be found here:
<https://www.youtube.com/watch?v=MIATLCecQ3A>

MEMBERS PRESENT IN PERSON: Cathy Lewis (Chair), Rachel Able (Vice Chair), John Kimura, and Scott Martin.

ALSO IN ATTENDANCE: Sylvia Wan, Esq. (Deputy Corporation Counsel for the Board), Bethany Morrison (Staff to the Board), and Ashley DeVera (Board Secretary).

There were no members of the public in attendance.

Chair Lewis reviewed online meeting protocols and procedures.

Introductions of board members and staff were made.

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

At 9:33 a.m., Chair Lewis called for statements from the public. There were no members of the public in attendance to provide testimony.

[SEE YOUTUBE TIMESTAMP 1:45]

Testimony closed at 9:33 a.m.

OLD BUSINESS

1. ERIN GALLOGLY (PL-BOA-2024-000110)

PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER
Appeal of Decision by the Planning Director Dated July 2, 2024, Regarding Closure Letter for Notice of Violation and Order (PL-PCV-2024-00676) Relating to Unpermitted Events/Weddings.

Location: 75-5785 Pikake Place, Kailua-Kona, HI 96740

TMK: (3) 7-5-011:014

PARTIES PRESENT: Patrick Wong (Representative for Landowner) and Jean Campbell (Deputy Corporation Counsel for the Planning Department).

This item was called to order at 9:33 a.m. There were no members of the public in attendance, and no public testimony was provided.

[*SEE YOUTUBE TIMESTAMP 3:13*] Chair Lewis asked whether the Board had reviewed the proposed findings of fact, conclusions of law, decision and order; all Board Members affirmed.

[*SEE YOUTUBE TIMESTAMP 3:49*] Board Member Martin motioned to approve the findings of fact, conclusions of law, decision and order; Board Member Kimura seconded. No discussion occurred. A roll-call vote was taken and the motion passed with four ayes (Martin, Kimura, Able, Lewis).

This item concluded at 9:36 a.m.

2. LARRY RUTKOWSKI (PL-BOA-2025-000122)

PROPOSED ORDER REJECTING DEFECTIVE PETITION

Appeal of Decision by the Planning Director, Date Unknown, Regarding Commercial Activity.

Location: 524 Kalanikoa Street, Hilo, HI 96720

TMK: (3) 2-2-035:032

This item was called to order at 9:36 a.m. There were no parties present, no members of the public in attendance, and no public testimony was provided.

[*SEE YOUTUBE TIMESTAMP 5:50*] Chair Lewis asked whether the Board had reviewed the proposed order rejecting the defective petition; all Board Members affirmed.

[*SEE YOUTUBE TIMESTAMP 6:13*] Board Member Martin motioned to approve the order rejecting the defective petition; Board Member Kimura seconded. No discussion occurred. A roll-call vote was taken and the motion passed with four ayes (Martin, Kimura, Able, Lewis).

This item concluded at 9:38 a.m.

NEW BUSINESS

3. CRAIG WHITE (PL-BOA-2022-000027)

Appeal of Decision by the Planning Director Dated June 22, 2022, Regarding Notice of Violation and Order (PL-PCV-2022-00190) Relating to Unpermitted Junkyard.

Location: 64-422 Laleaka Loop, Kamuela, HI 96743

TMK: (3) 6-4-011:044

This item was called to order at 9:39 a.m. There were no parties present, no members of the public in attendance, and no public testimony was provided.

[*SEE YOUTUBE TIMESTAMP 7:05*] Chair Lewis mentioned this matter had been continued to the April 10, 2026, hearing at the request of the parties.

4. JEFFREY BLANEY (PL-BOA-2025-000118)

Appeal of Decision by the Planning Director Dated March 21, 2025, Regarding Approval of Variance (PL-ZVAR-2025-000077).

Location: 65-1239 Puuki Place, Kamuela, HI 96743

TMK: (3) 6-5-010:027

This item was called to order at 9:39 a.m. There were no parties present, no members of the public in attendance, and no public testimony was provided.

[*SEE YOUTUBE TIMESTAMP 7:30*] Chair Lewis mentioned that the matter had been withdrawn and the case was closed.

MINUTES

[*SEE YOUTUBE TIMESTAMP 8:14*] Chair Lewis asked whether the Board had reviewed the August 8, 2025, minutes, and all Board Members affirmed. A motion was made by Board Member Martin to approve the August 8, 2025, minutes as circulated. The motion was seconded by Board Member Kimura. No discussion occurred. An all-in favor voice vote carried the motion unanimously.

ADMINISTRATIVE MATTERS

Status of appeals filed on Board of Appeals decisions – Corporation Counsel

[*SEE YOUTUBE TIMESTAMP 9:19*] Ms. Wan reported on two matters that had been suspended before the Board. The first, AOPOOKOVP Incorporated, was before the Circuit Court and remained pending motions, with the next hearing scheduled for October 25th. The second matter, Claudia Rohr, Case No. PL-BOA-2022-000057, involved a collateral appeal that was before the Federal Court and remained pending trial.

Ms. Wan further reported on two other direct appeals: 1250 Oceanside LLC and Joaquin Belisario. Both cases had been heard, and findings of fact and conclusions of law had been issued; however, the Board was awaiting final judgments. Regarding 1250 Oceanside LLC, based on the findings of fact and conclusions of law, it appeared that the case might return to the Board on remand to include additional language in the Board's order, and would be placed on a future agenda. As to Joaquin Belisario, the findings of fact and conclusions of law indicated that the Court might sustain the Board's order, pending the final judgment.

Status of outstanding petitions – Staff

[*SEE YOUTUBE TIMESTAMP 12:00*] Ms. Morrison reported that there would be a new Board Member at the next hearing and that orientation for Maci Wilson would be conducted the following week.

ADJOURNMENT

Board Member Able motioned to adjourn the hearing. Board Member Martin seconded the motion. An all-in favor voice vote carried the motion unanimously.

The hearing was adjourned at 9:44 a.m.

Respectfully Submitted,

Ashley DeVera, Board Secretary

A T T E S T :

Cathy Lewis, Chair
Board of Appeals