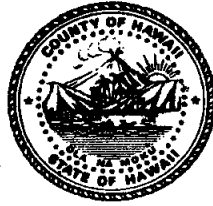


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

March 11, 2011

Messrs. John Goble and Gary L. Goble
P.O. Box 984
Kapaau, HI 96755

Dear Messrs. Goble:

SUBJECT: **Additional Farm Dwelling Agreement Application (FDA-11-000292)**
Applicant: **John Goble and Gary L. Goble**
Owners: **John Goble and Gary L. Goble**
State Land Use: **Agricultural**
County Zoning: **Agricultural (A-20a)**
Land Area: **3.161 Acres**
TMK: **(3) 5-3-007:037**

Pursuant to authority conferred to the Planning Director by Chapter 25, Article 5, Division 7, Section 25-5-77 of the Zoning Code and Planning Department Rule 13, Farm Dwellings, we have reviewed your request for an additional farm dwelling on the subject property. Your submittals included the following information:

1. Name and address of the landowner(s) or lessee(s), if the latter has a lease on the building site with a term exceeding one year from the date of the farm dwelling agreement.
2. Written authorization of the landowner(s) if the lessee filed the request.
3. A farm plan or evidence of the applicant's continual agricultural productivity or farming operation within the County, including an explanation of why this additional farm dwelling is needed in connection with the agricultural productivity or farming operation. Your farm plan included the following ongoing income-producing agricultural activities:
 - (a) Existing, ongoing agricultural activities, comprising various gardens, fruit orchards and macadamia nut trees, are identified on the farm site plan but are not included as an income-producing part of the farm plan associated with the requested additional farm dwelling.

(b) Proposed agricultural activities include the following:

1. Planting and establishment of approximately 476 Kava plants over approximately 17,331 square feet, at a planting rate of 119 plants per year for four years (25% loss rate projected from plantings). First planting group to be completed in 2011. First harvest is projected to be four years from first planting.
2. Planting and establishment of 27 Cacao trees over approximately 5,265 square feet. All cacao trees to be planted in 2011.
3. Planting and establishment of 27 coffee trees over approximately 5,265 square feet. All coffee trees to be planted in 2011.
4. Planting and establishment of 400 Moringa trees over approximately 1600 square feet. All moringa trees to be planted in 2011.
5. Total planting area for the above four plantings and orchards under continuous cultivation is to be approximately 0.55 acres.

(c) The labor man-hours for the above proposed activities are projected to average, on an annual basis, twenty (20) or more hours per week.

4. Evidence of engagement in agricultural productivity in the form of agricultural operating a copy of the General Excise Tax Returns for "O Laka Farm Partnership" has also been presented.
5. The applicant's commitment to the farm plan will be shown in the form of the enclosed Additional Farm Dwelling Agreement affidavit, to be notarized and submitted for recordation with the Bureau of Conveyances, which states that the additional dwelling shall be used for farm-related purposes.

Findings:

1. In Chapter 205, Hawaii Revised Statutes (HRS), the State Land Use Law does not authorize residential dwellings as a permitted use in the State Land Use Agricultural district unless the dwelling is related to an agricultural activity or is a farm dwelling. A **farm dwelling** as defined in Section 205-4.5, Chapter 205, HRS, means a **single family dwelling located on and used in connection with a farm**, including clusters of single family farm dwellings permitted within agricultural parks developed by the State, or **where agricultural activity provides income to the family occupying the dwelling.** (emphases added)
2. The subject lot was created by Subdivision No. 06-000319R approved September 25, 2008, which, pursuant to HRS §205-4.5(b), requires the first dwelling on the lot to be a farm dwelling.
3. The Farm Plan, General Excise Tax License, and the agreement to use the dwelling for agricultural or farm-related activity on the building site demonstrate that there is/will be income producing agricultural activity and the income is/will be taxed.

4. In addition, the following agencies have submitted their comments as stated below:

(a) Department of Water Supply (Letter dated March 1, 2011; COR-11-069949):

“We have reviewed the subject application and have the following comments and conditions.

Please be informed that an existing 5/8-inch meter services the subject parcel, which is adequate for only one single-family dwelling and limited to an average usage of 400 gallons per day. Inasmuch as this application is proposing an additional dwelling, the installation of a separate 5/8-inch meter would normally be required in accordance with the Department’s Rules and Regulations. However, the Department’s existing water system in the area cannot support an additional service for the subject parcel. In order to provide an additional water service, extensive offsite water system improvements would be required, which may include, but not be limited to, source, storage, booster pump, transmission, and distribution facilities. Currently funding is not available and no time schedule is set for such improvements by the Department.

Therefore, the Department has no objections to the proposed application, subject to the applicant understanding and accepting that the Department cannot provide service to the proposed additional farm dwelling. Should the application be approved, both dwellings shall not share the existing meter. Although the applicant has not indicated how the proposed additional dwelling will obtain water, we have no objection to the use of a private rainwater catchment system to serve the dwelling; however the plumbing between the Department’s system and the catchment system shall not be interconnected.

The Department will note that the applicant has installed a reduced pressure type backflow prevention assembly within five (5) feet of the meter on private property, as required for the existing agricultural land uses.

Should there be any questions, you may contact Mr. Finn McCall of our Water Resources and Planning Branch at 961-8070, extension 255.”

(b) Real Property Tax Office:

No comments were received.

(c) Department of Health (Memorandum dated February 11, 2011, Correspondence No. COR-11-069607), in relevant part:

“Dispensing site locations and food preparation areas would need to meet the requirements of Chapter 12, Food Establishment Sanitation Code. The applicant may call Ph. 933-0917 to discuss the content of this communication.

“Lands formerly used for sugarcane production are now being developed into communities where residential homes, schools and commercial businesses are being constructed. Chemicals associated with the sugarcane industry persist in soil today and may be a threat to public health and the environment. Elevated arsenic levels were discovered in soil at former sugarcane production areas on the islands. The HEER Office has identified former sugarcane production areas for assessment throughout the State and plans to work with property owners to conduct environmental assessments to identify and address elevated soil arsenic levels prior to finalizing development plans for the properties.

“We recommend that you review all of the Standard Comments on our website: <http://hawaii.gov/health/environmental/env-planning/landuse/landuse.html>. Any comments specifically applicable to this project should be adhered to.”

Decision:

In view of the above, your request to construct a **second** farm dwelling is approved subject to the following conditions:

1. The additional farm dwelling shall only be used to provide shelter for persons involved in the agricultural or farm-related activity on the building site. Family members who are not engaged in agricultural or farm-related activities are allowed to reside in the farm dwelling.
2. The agreement shall run with the land and apply to all persons who may, now or in the future, use or occupy the additional farm dwelling.
3. The enclosed Additional Farm Dwelling Agreement (“AFDA”) must be returned to the Planning Department with the appropriate notarized signatures of all persons comprising the “First Party” to the agreement along with a check made out to the Bureau of Conveyances in the amount of \$30.00 in accordance with the enclosed Additional Farm Dwelling Agreement Instructions. The Planning Department will not approve a building permit application for the additional dwelling until the AFDA document with all required attachments has been recorded at the Bureau of Conveyances.
4. The First Party shall comply with all other applicable rules, regulations, and requirements of the Planning Department (including but not limited to the Zoning Code, Chapter 25, Department of Public Works, Department of Water Supply, Fire Department and State Department of Health and other reviewing agencies/divisions listed on the Building Permit Application.
5. Your Additional Farm Dwelling Agreement has been approved based on both your existing and your proposed agricultural activities as presented in your farm plan and summarized previously in this letter. **It is required that the First Party (owners and their lessees and their successors in interest) to the Agreement shall continue to carry out and maintain this farm plan for the life of the additional farm dwelling.** The Second Party (County of Hawaii Planning Department) of the Agreement may allow modifications for good cause shown by First Party.

Messrs. John Goble and Gary L. Goble
March 11, 2011
Page 5 of 5

6. The First Party shall allow the Second Party or its representative to inspect the farm from time to time upon reasonable prior notice.
7. **The First Party is required to secure a building permit from the Department of Public Works, Building Division, for the construction of the additional farm dwelling on or before March 11, 2013.** Failure to secure a building permit for this additional farm dwelling on or before March 11, 2013 may cause the Director to initiate proceedings to invalidate the AFDA.

With regard to the Department of Water Supply's comment, we suggest the following:

1. Any dwelling not serviced by a County water system should be provided with and maintain a private potable rain-water catchment system with a minimum capacity of 6,000 gallons for domestic consumption or potable uses. This catchment system should adhere to the Department of Public Works, Building Division's "Guidelines for Owners of Rain Catchment Water Systems" as well as the State Department of Health requirements related to water testing and water purifying devices.
2. Any farm dwelling should be provided with and maintain a private water supply system with an additional minimum storage capacity of 3,000 gallons for fire fighting and other emergency purposes. The emergency water supply system, including the necessary compatible connection devices and the location of the water storage unit on the property, should meet with the approval of the Hawaii County Fire Department.

Should you have any questions, please contact Keola Childs of our West Hawaii office at 323-4770.

Sincerely,


BJ LEITHEAD TODD
Planning Director

CKC:ckc
K:\Staff\Childs\AFDA\AFDA Corr\Approval\AFDAapr-53007037 Goble.doc

Enclosure: AFDA document
AFDA document instruction sheet

xc: Mr. Milton Pavao, DWS
Mr. Mike McCall, RPT
Planning Department – West Hawaii Office

Additional Farm Dwelling Agreement Instructions

Attached is the Additional Farm Dwelling Agreement (AFDA) form for your approved application. **It is important that you follow these instructions in completing the AFDA form.** You may make as many extra copies of the AFDA document for your records as necessary. Failure to submit a properly completed agreement form for recordation with the Bureau of Conveyances together with the required recordation fee to the Planning Department may cause your Additional Farm Dwelling Agreement to be rejected by the Bureau and delay approval of your application for a building permit for the additional farm dwelling. Building permit applications for additional farm dwellings will not be approved by the Planning Department until the AFDA form has been recorded by and returned from the Bureau of Conveyances to the Planning Department. A copy of the certified recordation page of the AFDA document will be available upon request from the Planning Department when received back from the Bureau of Conveyances.

1. All persons in the "First Party" must sign before a Public Notary in the appropriate location on the signature page (Page 4). Photocopies of the signature and notary pages may be made, signed separately by any of the persons in the "First Party," and then attached to the **original** AFDA document behind the original signature and notary pages. Facsimiles or FAX copies of signatures will not be accepted.

Note: All signatures must be the same as the typed name. Therefore, if John L. Doe is the name typed the signature must also be John L. Doe. Signing John Doe or Jonathan L. Doe will cause the agreement document to be rejected by the Bureau of Conveyances for recordation purposes.

2. Please leave the document undated (on Page 2), as the Planning Department will date the document when it is signed by the Director.
3. Enclose a check or money order in the amount of **\$30.00**, made out to the **Bureau of Conveyances**, for the Bureau of Conveyances' recordation fee.
4. Return the **original** completed AFDA document with all required signatures and the recordation fee payment to the Planning Department for the Director's signature and submittal to the Bureau of Conveyances for recordation.

AFTER RECORDATION, RETURN BY MAIL TO:

County of Hawaii Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Total Pages: 12

TITLE OF DOCUMENT:

ADDITIONAL FARM DWELLING AGREEMENT

PARTIES TO DOCUMENT:

FIRST PARTY: JOHN GOBLE and GARY L. GOBLE

SECOND PARTY: COUNTY OF HAWAII

PROPERTY DESCRIPTION:

TMK: (3) 5-3-007:037

ADDITIONAL FARM DWELLING AGREEMENT

THIS AGREEMENT made and executed this ____ day of _____, 2011, by and between JOHN GOBLE and GARY L. GOBLE, hereinafter referred to jointly as the "First Party," whose mailing address is P.O. Box 984, Kapaau, Hawaii, 96755, and the COUNTY OF HAWAII, hereinafter referred to as the "Second Party."

IT IS HEREBY AGREED that the First Party may construct a second farm dwelling located on the property described by Tax Map Key (3) 5-3-007:037 situated within the State Land Use Agricultural district and zoned Agricultural (A-20a) (the "Property") by the Second Party.

IT IS HEREBY ACKNOWLEDGED that the First Party is the legal owner of the Property above described.

IT IS HEREBY FURTHER AGREED that this approval to construct one additional farm dwelling is given subject to the following conditions:

1. The additional farm dwelling shall be used to provide shelter to person(s) involved in the agricultural or farm-related activity on the property. Family members who are not engaged in agricultural or farm-related activity are allowed to reside in the farm dwelling.
2. This Agreement shall run with the land and apply to all persons who may now or in the future use or occupy the additional farm dwelling.
3. This Agreement shall include any and all conditions specified in the Additional Farm Dwelling Agreement letter, attached to this Agreement and incorporated herein as Exhibit "A".

IT IS HEREBY FURTHER AGREED that if this Agreement is with a lessee, the legal owner shall be a party to this Agreement.

IT IS HEREBY FURTHER AGREED that should the pertinent provisions of the State of Hawai'i and County laws and rules and regulations change to authorize said farm dwelling, upon request of the First Party, its successors, heirs, personal representatives and assigns, this Agreement may be reconsidered for possible amendment and/or severance.

IT IS HEREBY FURTHER AGREED that if the property is situated within the State Land Use Agricultural district, the Second Party shall impose a fine against the First Party, its successors, heirs, personal representatives and assigns, of not more than \$5,000.00 for violation of any provision under section 205-4.5, Hawaii Revised Statutes. If the First Party fails to remove such violation within six months of such citation and the violation continues to exist, the First Party shall be subject to a citation for a new and separate violation. There shall be a fine of not more than \$5,000 for any additional violation. The Second Party may impose fines for any violation of Chapter 25, Hawaii County Code, as amended, in accordance with the procedures and fine schedule outlined in Section 25-2-35 of said code.

IN CONSIDERATION OF THE AFORESAID, the Second Party hereby approves this Agreement as being in conformity with Sections 205-2 and 205-4.5 of the Hawaii Revised Statutes, relative to permitted uses within the State Land Use Agricultural district. This Agreement is also in conformance with Chapter 25, Hawaii County Code, as amended.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

JOHN GOBLE, Legal Owner

GARY L. GOBLE, Legal Owner

FIRST PARTY

COUNTY OF HAWAII

By _____
BJ LEITHEAD TODD
Its Planning Director

SECOND PARTY

STATE OF HAWAII)
)
COUNTY OF HAWAII) SS.

On _____ before me appeared JOHN GOBLE, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Signature: _____

Name: _____
Notary Public, State of Hawaii

My commission expires: _____

(Official Stamp or Seal)

NOTARY CERTIFICATION STATEMENT	
Document Identification or Description: _____ _____	
Doc. Date: _____	
No. of Pages: _____ [including exhibits]	
Jurisdiction: Third Circuit	
Signature of Notary	Date of Notarization and Certification Statement
_____ (Official Stamp or Seal)	
Printed Name of Notary	

STATE OF HAWAII)
)
COUNTY OF HAWAII) SS.

On _____ before me appeared GARY L. GOBLE, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Signature: _____

Name: _____
Notary Public, State of Hawaii

My commission expires: _____

(Official Stamp or Seal)

NOTARY CERTIFICATION STATEMENT	
Document Identification or Description: _____ _____	
Doc. Date: _____	
No. of Pages: _____ [including exhibits]	
Jurisdiction: Third Circuit	
_____ Signature of Notary	_____ Date of Notarization and Certification Statement
_____ Printed Name of Notary	
(Official Stamp or Seal)	

STATE OF HAWAI'I)
)
COUNTY OF HAWAI'I) SS.

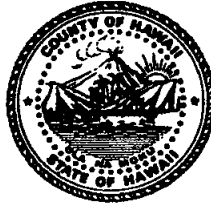
On _____, before me personally appeared BJ Leithead Todd, to me personally known, who, being by me duly sworn, did say that BJ Leithead Todd is the Planning Director of the County of Hawai'i, and that the Planning Department of the County of Hawaii has no corporate seal; and that the instrument was signed on behalf of the Planning Department of the County of Hawaii, a government agency, and said BJ Leithead Todd acknowledged the instrument to be the free act and deed of said Planning Department, County of Hawaii.

CHERYL T. TORRISON
Notary Public, State of Hawai'i

My Commission Expires: 03-07-2014

NOTARY CERTIFICATION STATEMENT	
Doc. Description:	
Doc. Date: _____ or <input type="checkbox"/> Undated at time of notarization.	
No. of Pages: _____ [including exhibits]	Jurisdiction: Third Circuit
Notary Name: Cheryl T. Torrison	
_____ Notary Signature	_____ Date

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

March 11, 2011

Messrs. John Goble and Gary L. Goble
P.O. Box 984
Kapaau, HI 96755

Dear Messrs. Goble:

SUBJECT: **Additional Farm Dwelling Agreement Application (FDA-11-000292)**
Applicant: **John Goble and Gary L. Goble**
Owners: **John Goble and Gary L. Goble**
State Land Use: **Agricultural**
County Zoning: **Agricultural (A-20a)**
Land Area: **3.161 Acres**
TMK: **(3) 5-3-007:037**

Pursuant to authority conferred to the Planning Director by Chapter 25, Article 5, Division 7, Section 25-5-77 of the Zoning Code and Planning Department Rule 13, Farm Dwellings, we have reviewed your request for an additional farm dwelling on the subject property. Your submittals included the following information:

1. Name and address of the landowner(s) or lessee(s), if the latter has a lease on the building site with a term exceeding one year from the date of the farm dwelling agreement.
2. Written authorization of the landowner(s) if the lessee filed the request.
3. A farm plan or evidence of the applicant's continual agricultural productivity or farming operation within the County, including an explanation of why this additional farm dwelling is needed in connection with the agricultural productivity or farming operation. Your farm plan included the following ongoing income-producing agricultural activities:
 - (a) Existing, ongoing agricultural activities, comprising various gardens, fruit orchards and macadamia nut trees, are identified on the farm site plan but are not included as an income-producing part of the farm plan associated with the requested additional farm dwelling.

EXHIBIT "A"

Hawai'i County is an Equal Opportunity Provider and Employer

(b) Proposed agricultural activities include the following:

1. Planting and establishment of approximately 476 Kava plants over approximately 17,331 square feet, at a planting rate of 119 plants per year for four years (25% loss rate projected from plantings). First planting group to be completed in 2011. First harvest is projected to be four years from first planting.
2. Planting and establishment of 27 Cacao trees over approximately 5,265 square feet. All cacao trees to be planted in 2011.
3. Planting and establishment of 27 coffee trees over approximately 5,265 square feet. All coffee trees to be planted in 2011.
4. Planting and establishment of 400 Moringa trees over approximately 1600 square feet. All moringa trees to be planted in 2011.
5. Total planting area for the above four plantings and orchards under continuous cultivation is to be approximately 0.55 acres.

(c) The labor man-hours for the above proposed activities are projected to average, on an annual basis, twenty (20) or more hours per week.

4. Evidence of engagement in agricultural productivity in the form of agricultural operating a copy of the General Excise Tax Returns for "O Laka Farm Partnership" has also been presented.
5. The applicant's commitment to the farm plan will be shown in the form of the enclosed Additional Farm Dwelling Agreement affidavit, to be notarized and submitted for recordation with the Bureau of Conveyances, which states that the additional dwelling shall be used for farm-related purposes.

Findings:

1. In Chapter 205, Hawaii Revised Statutes (HRS), the State Land Use Law does not authorize residential dwellings as a permitted use in the State Land Use Agricultural district unless the dwelling is related to an agricultural activity or is a farm dwelling. A **farm dwelling** as defined in Section 205-4.5, Chapter 205, HRS, means a **single family dwelling located on and used in connection with a farm, including clusters of single family farm dwellings permitted within agricultural parks developed by the State, or where agricultural activity provides income to the family occupying the dwelling.** (emphases added)
2. The subject lot was created by Subdivision No. 06-000319R approved September 25, 2008, which, pursuant to HRS §205-4.5(b), requires the first dwelling on the lot to be a farm dwelling.
3. The Farm Plan, General Excise Tax License, and the agreement to use the dwelling for agricultural or farm-related activity on the building site demonstrate that there is/will be income producing agricultural activity and the income is/will be taxed.

4. In addition, the following agencies have submitted their comments as stated below:

(a) Department of Water Supply (Letter dated March 1, 2011; COR-11-069949):

“We have reviewed the subject application and have the following comments and conditions.

Please be informed that an existing 5/8-inch meter services the subject parcel, which is adequate for only one single-family dwelling and limited to an average usage of 400 gallons per day. Inasmuch as this application is proposing an additional dwelling, the installation of a separate 5/8-inch meter would normally be required in accordance with the Department’s Rules and Regulations. However, the Department’s existing water system in the area cannot support an additional service for the subject parcel. In order to provide an additional water service, extensive offsite water system improvements would be required, which may include, but not be limited to, source, storage, booster pump, transmission, and distribution facilities. Currently funding is not available and no time schedule is set for such improvements by the Department.

Therefore, the Department has no objections to the proposed application, subject to the applicant understanding and accepting that the Department cannot provide service to the proposed additional farm dwelling. Should the application be approved, both dwellings shall not share the existing meter. Although the applicant has not indicated how the proposed additional dwelling will obtain water, we have no objection to the use of a private rainwater catchment system to serve the dwelling; however the plumbing between the Department’s system and the catchment system shall not be interconnected.

The Department will note that the applicant has installed a reduced pressure type backflow prevention assembly within five (5) feet of the meter on private property, as required for the existing agricultural land uses.

Should there be any questions, you may contact Mr. Finn McCall of our Water Resources and Planning Branch at 961-8070, extension 255.”

(b) Real Property Tax Office:

No comments were received.

(c) Department of Health (Memorandum dated February 11, 2011, Correspondence No. COR-11-069607), in relevant part:

“Dispensing site locations and food preparation areas would need to meet the requirements of Chapter 12, Food Establishment Sanitation Code. The applicant may call Ph. 933-0917 to discuss the content of this communication.

“Lands formerly used for sugarcane production are now being developed into communities where residential homes, schools and commercial businesses are being constructed. Chemicals associated with the sugarcane industry persist in soil today and may be a threat to public health and the environment. Elevated arsenic levels were discovered in soil at former sugarcane production areas on the islands. The HEER Office has identified former sugarcane production areas for assessment throughout the State and plans to work with property owners to conduct environmental assessments to identify and address elevated soil arsenic levels prior to finalizing development plans for the properties.

“We recommend that you review all of the Standard Comments on our website: <http://hawaii.gov/health/environmental/env-planning/landuse/landuse.html>. Any comments specifically applicable to this project should be adhered to.”

Decision:

In view of the above, your request to construct a **second** farm dwelling is approved subject to the following conditions:

1. The additional farm dwelling shall only be used to provide shelter for persons involved in the agricultural or farm-related activity on the building site. Family members who are not engaged in agricultural or farm-related activities are allowed to reside in the farm dwelling.
2. The agreement shall run with the land and apply to all persons who may, now or in the future, use or occupy the additional farm dwelling.
3. The enclosed Additional Farm Dwelling Agreement (“AFDA”) must be returned to the Planning Department with the appropriate notarized signatures of all persons comprising the “First Party” to the agreement along with a check made out to the Bureau of Conveyances in the amount of \$30.00 in accordance with the enclosed Additional Farm Dwelling Agreement Instructions. The Planning Department will not approve a building permit application for the additional dwelling until the AFDA document with all required attachments has been recorded at the Bureau of Conveyances.
4. The First Party shall comply with all other applicable rules, regulations, and requirements of the Planning Department (including but not limited to the Zoning Code, Chapter 25, Department of Public Works, Department of Water Supply, Fire Department and State Department of Health and other reviewing agencies/divisions listed on the Building Permit Application.
5. Your Additional Farm Dwelling Agreement has been approved based on both your existing and your proposed agricultural activities as presented in your farm plan and summarized previously in this letter. **It is required that the First Party (owners and their lessees and their successors in interest) to the Agreement shall continue to carry out and maintain this farm plan for the life of the additional farm dwelling.** The Second Party (County of Hawaii Planning Department) of the Agreement may allow modifications for good cause shown by First Party.