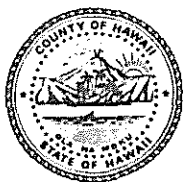


Bernard K. Al...
Mayer

Duane Kanuha
Director

William L. Moore
Deputy Director



Planning Department

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

CERTIFIED MAIL

November 14, 1989

Mr. John Crouch
Railings, Inc.
P.O. Box 1177
Kamuela, HI 96743

Dear Mr. Crouch:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 89-12
Applicant: Railings, Inc.
Tax Map Key: 2-1-13:149

Upon careful review of your SMA Use Permit request, we have found that it complies with the requirements for a Minor Permit set forth in Rule 9.7 of the Planning Commission's Rules and Regulations Relating to Special Management Area.

Accordingly, please find enclosed an SMA Minor Use Permit No. 89-12 to allow the replacement of an existing television transmitter tower of the Hawaii Public Broadcasting Authority on a portion of their leased 1.865-acre parcel between the General Lyman Field (Hilo Airport) and Lehia Park Residence Lots, just mauka of the intersection of Nene and Kioea Streets, on a portion of leased Department of Hawaiian Homes land at Keaukaha Tract 2, Waiakea, South Hilo, Hawaii, TMK: 2-1-13:149.

Please note that the permit approval is also subject to the following conditions:

1. The applicant, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.

Mr. John Crouch
November 14, 1989
Page 2

3. Should any unanticipated archaeological or historic features be uncovered during the construction activities, work in the affected area shall cease immediately and the Planning Department be notified. Work shall not resume until clearance has been obtained from the Planning Department.
4. Should any unanticipated burials be uncovered, work in the affected area shall cease immediately and the Department of Land and Natural Resources, Historic Sites Section, be notified. Work shall not resume until a clearance has been obtained from the Historic Sites Section.
5. The applicant shall complete the construction within one year.
6. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the General Plan or Zoning Code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

Should you have any questions regarding the above, please do not hesitate to contact this department at 961-8288.

Sincerely,



DUANE KANUHA
Planning Director

FRW:syw

Enclosures

cc: Chief Engineer
Al Ono, Hawaii Public Television (w/Background & Recommendation)
West Hawaii Planning Coordinator (w/Background & Recommendation)
SMA Section (w/Background & Recommendation - 2 copies)

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 89-12

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

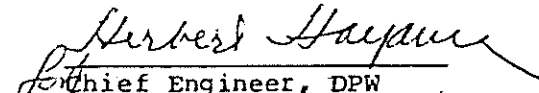
The Planning Director completed on November 10, 19 89, an assessment on the application of RAILINGS, INC. for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: to allow the replacement of an existing television transmitter tower of the Hawaii Public Broadcasting Authority on a portion of their leased 1.505-acre parcel between the General Lyman Field (Filo Airport) and Lehia Park Residence Lots, just mauka the intersection of Kene and Kicea Streets, on a portion of leased Department of Hawaiian Affairs land at Keaukaha Tract 2, Waiakea, South Filo, Hawaii, TK: 2-1-13:149.

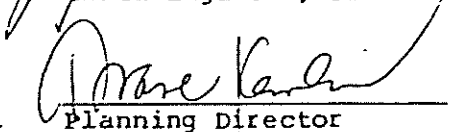
As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

(SEE ATTACHED CONDITIONS.)


Chief Engineer, DPW


Planning Director

Attachment

6257A-5/84

RAILINGS, INC.
SMA MINOR PERMIT NO. 89-12
CONDITIONS

1. The applicant, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. Should any unanticipated archaeological or historic features be uncovered during the construction activities, work in the affected area shall cease immediately and the Planning Department be notified. Work shall not resume until clearance has been obtained from the Planning Department.
4. Should any unanticipated burials be uncovered, work in the affected area shall cease immediately and the Department of Land and Natural Resources, Historic Sites Section, be notified. Work shall not resume until a clearance has been obtained from the Historic Sites Section.
5. The applicant shall complete the construction within one year.
6. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the General Plan or Zoning Code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

BACKGROUND (SMA MINOR 89-12)

The applicant, Mr. John Crouch of Railings, Inc., is requesting a Special Management Area Use Permit to allow the replacement of an existing television transmitter tower of the Hawaii Public Broadcasting Authority on a portion of their leased 1.865-acre parcel. The land involved is located between the General Lyman Field (Hilo Airport) and Lehia Park Residence Lots, just mauka of the intersection of Nene and Kioea Streets, on a portion of leased Department of Hawaiian Homes land at Keaukaha Tract 2, Waiakea, South Hilo, Hawaii, TMK: 2-1-13: 149.

The applicant proposes to erect a new 133-foot steel tower next to the existing tower. The older tower will be dismantled following completion of the new one. *Cost = \$50,000.*

The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the area for orchard use. The State Land Use (SLU) District Classification is Agriculture. The County zoning is Unplanned. A small part of the property has been in television broadcasting use for over 20 years, but most of the parcel has been left idle.

Most nearby properties are similarly zoned and similarly unused. An adjacent parcel is zoned residential and is unused. The nearest residence is approximately 600 feet makai of the tower location. This is on Nene Street and in a partially developed area bearing County zoning of Residential (RS-S-15) and an SLU District Classification of Urban.

The subject property is unimproved except for the paved access road and the cleared half-acre site used for the transmitter building and tower. A staff field inspection revealed that the predominant vegetation of the parcel is a secondary successional assemblage of scrub trees, shrubs, herbs, and grasses, augmented by some planted ornamentals, all of introduced species.

The original land surface is an old pahoehoe lava flow. The soil is mapped as pahoehoe lava flow in the 1973 "Soil Survey of Island of Hawaii", U.S. Department of Agriculture, Soil Conservation Service. A thin organically derived soil has accumulated in cracks and pockets beneath the vegetation.

The median annual rainfall at the site is approximately 130 inches.

The Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency (FEMA), designates the subject site to be in Zone X, outside the 500-year flood plain.

No rare or endangered species were observed at the site of the transmitter facilities, nor were any expected, because of the nature of the weedy vegetation and of the nature of disturbance of the modified facilities site. Similarly, no sites of historic significance are known from the area, nor would any site features be expected at the location of the tower due to previous land clearing.

RECOMMENDATION

An SMA Minor Permit is hereby approved based on the following findings:

1. The total evaluation of the project will not exceed \$65,000; and
2. The proposal will not result in a significant adverse effect on the Special Management Area.

The proposed project is not expected to have any adverse environmental or ecological effects. As conditioned, the erection and dismantling of the TV transmitter towers is not expected to have any adverse historical effects.

The proposed action is consistent with the Objectives, Policies, and SMA Guidelines. These were established to provide guidance for the preservation, protection, and development of coastal resources of the State and County. They identify several areas of management concern including historic, recreation, scenic resources, coastal ecosystems, economic use, and coastal hazards. Due to the limited nature of the project and given the proposed conditions, it is determined that granting of this request will not impact on the identified resources.

The existing television transmitter facility is not in conflict with the present Unplanned zoned district as well as the General Plan Orchard designation by virtue of its pre-existing use situation.

Based on the above, it is determined that the granting of the request will not create a significant adverse effect on the

environment and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. Should any unanticipated archaeological or historic features be uncovered during the construction activities, work in the affected area shall cease immediately and the Planning Department be notified. Work shall not resume until clearance has been obtained from the Planning Department.
4. Should any unanticipated burials be uncovered, work in the affected area shall cease immediately and the Department of Land and Natural Resources, Historic Sites Section, be notified. Work shall not resume until a clearance has been obtained from the Historic Sites Section.
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Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the General Plan or Zoning Code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).