

Planning Department

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

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Y
CERTIFIED MAIL

May 21, 1991

Mr. Daniel Livingston,
General Manager
CRL Development, Inc.
1585 Kapiolani Boulevard, #1300
Honolulu, HI 96814

Dear Mr. Livingston:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-12

Applicant: CRL Investment, Inc.

Tax Map Key: 2-6-2-:1 and 2

Upon careful review of your SMA Minor 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. 91-12 for clearing of vegetation, removal of abandoned vehicles and minor structures and removal of other debris for topographic survey, archaeological investigation and soil investigations approximately 200 feet from the Wailuku Bridge, makai of and fronting Puueo Street and Kou Lane and along the Hamakua side of Wailuku River, Puueo, South Hilo, Hawaii, Tax Map Key 2-6-2-:1 and 2.

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. A Grubbing Permit shall be secured from the Department of Public Works within one year from the effective date of this permit.

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3. Prior to clearing activities, a 40-foot transverse line along the shoreline of Wailuku River must be marked clearly with colored flagging and identified to the persons doing the grubbing.
4. The project is to be carried out exactly as described in this SMA Minor Use Permit and attached Background statement. Any deviations from the described operations will need to receive advance approval from the Planning Department.
5. All other applicable rules, regulations and requirements shall be complied with.
6. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) 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; b) granting of the time extension would not be contrary to the General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) 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). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

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

Sincerely,


NORMAN K. HAYASHI
Planning Director

AK:smc
64098
Enclosures

cc: Chief Engineer

MAY 22 1991

✓bcc: Rick (w/background & recommendations)

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 91-12

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on May 13, 1991, an assessment on
the application of CRL INVESTMENT, 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

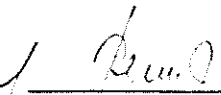
permit request is ~~for~~ to allow the clearing of vegetation, removal of abandoned vehicles,
and minor structures and removal of other debris for topographic survey, archaeological
investigation and soil investigations approximately 200 feet from the Wailuku Bridge, makai
of and fronting Puueo Street and Kou Lane and along the Hamakua side of Wailuku River, Puueo,
South Hilo, Hawaii TMK 2-6-2:1 and 2.

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

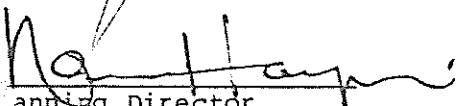
- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

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:

PLEASE SEE ATTACHED CONDITIONS.



Chief Engineer, DPW



Planning Director

Attachment

6257A-5/84

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-12
APPLICANT: CRL INVESTMENT, INC.
CONDITIONS

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. A Grubbing Permit shall be secured from the Department of Public Works within one year from the effective date of this permit.
3. Prior to clearing activities, a 40-foot transverse line along the shoreline of Wailuku River must be marked clearly with colored flagging and identified to the persons doing the grubbing.
4. The project is to be carried out exactly as described in this SMA Minor Use Permit and attached Background statement. Any deviations from the described operations will need to receive advance approval from the Planning Department.
5. All other applicable rules, regulations and requirements shall be complied with.
6. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) 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; b) granting of the time extension would not be contrary to the General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) 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). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.