

Planning Department

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

Lorraine R. Inouye
Mayor

Norman K. Hayashi
Director

Tad Nagasako
Deputy Director

CERTIFIED MAIL

April 1, 1992

Mr. John W. Grace
2269 Mastlands Drive
Oakland, CA 94611

Dear Mr. Grace:

Special Management Area (SMA) Minor
Use Permit No. ~~91-26~~ 92-3
Applicant: John W. Grace
TMK: 3-6-02:12

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 a SMA Minor Use Permit No. 91-26 to allow the construction of a driveway and a storage building, and to install electrical service on the subject parcel. The 5.0 acre parcel is located along the old government main road and its junction with Laupahoehoe Stream, on the mauka portion of the Laupahoehoe peninsula, about 1200 feet mauka of the shoreline, Laupahoehoe, North Hilo, Hawaii, TMK: 3-6-02:12.

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. Construction of the proposed improvements shall commence within one year from the date of approval of this SMA Minor Use Permit and be completed within one year thereafter.
3. Secure a driveway permit from the Department of Public Works as well as the necessary grading, and/or grubbing permits, if applicable.
4. Secure a Conservation District Use Permit from the Department of Land and Natural Resources before any of the proposed activities are initiated.
5. Should any unanticipated archaeological or historic features be encountered or uncovered during the construction activities, work in the affected area shall

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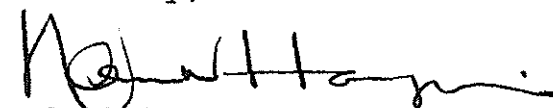
cease immediately, and the Planning Department and the Historic Preservation Division of the Department of Land and Natural Resources shall be immediately notified. Work shall not resume until clearance has been obtained from the Planning Department and the Historic Preservation Division.

6. Should any unanticipated burials be encountered or uncovered, work in the affected area shall cease immediately, and the Planning Department and the Department of Land and Natural Resources, Historic Preservation Division, shall be immediately notified. Work shall not resume until a clearance has been obtained from the Historic Sites Section.
7. The applicant shall comply with all other applicable laws, rules, regulations and requirements.
8. 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 any of the foregoing conditions not be met or substantially complied with in a timely manner, this SMA Minor Use Permit shall be considered void.

Should you have any questions regarding the above, please do not hesitate to contact Rick Warshauer or Alice Kawaha of this office.

Sincerely,



NORMAN K. HAYASHI
Planning Director

FRW:smo/4835D - Encl.
cc: Chief Engineer
West Hawaii Office (w/Encl)
SMA Section (w/Encl)