



Planning Department

County of Hawaii • 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

July 14, 1992

Mr. Gordon Yadao
Supervising Engineer
GTE Hawaiian Telephone Company
P. O. Box 4249
Hilo, HI 96721

Dear Mr. Yadao:

Special Management Area (SMA) Minor Use
Permit No. 92-4
Applicant: GTE Hawaiian Telephone
TMK: 6-6-02: por. 40

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. 92-4 to allow the installation of an electronic equipment enclosure to upgrade their telephone service to the Puako Beach Lots area. The perimeter of the 600 square foot easement on State land will be enclosed by a 5-foot high chain link fence. The site is located makai of Queen Kaahumanu Highway, where the Puako Spur Road meets the north end of Puako Beach Drive next to the County solid waste transfer station, at Lalamilo ahupuaa, South Kohala, on a portion of a 144.2 acre parcel, TMK: 6-6-02: por. 40.

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. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.

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3. Construction of the proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter.
4. The applicant shall comply with all other applicable laws, rules, regulations and requirements, including securing a Conservation District Use Permit.
5. The project is to be carried out exactly as described in the permit and attached Background statement. Any deviations from the described operations will need to receive advance approval from the Planning Department
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.

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 - 5870D

Enclosures

cc: Chief Engineer

West Hawaii office (w/Encl)

SMA Section (w/Encl)

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 92-4

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on June 30, 1992, an assessment on the application of GTE Hawaiian Telephone 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: allow the installation of an electronic equipment enclosure to upgrade their telephone service to the Puako Beach Lots area. The perimeter of the 600 square foot easement on State land will be enclosed by a 5-foot high chain link fence. The site is located makai of Queen Kaahumanu Highway, where the Puako Spur Road meets the north end of Puako Beach Drive next to the County solid waste transfer station, Lalamilo ahupuaa, So. Kohala, on a por. of a 144.2 ac. parcel, TMK: 6-6-02: por.

As indicated on the attached report, the Director finds that the proposed 40. 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

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 92-4
APPLICANT: GTE HAWAIIAN TELEPHONE
CONDITIONS

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.
3. Construction of the proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter.
4. The applicant shall comply with all other applicable laws, rules, regulations and requirements, including securing a Conservation District Use Permit.
5. The project is to be carried out exactly as described in the permit and attached Background statement. Any deviations from the described operations will need to receive advance approval from the Planning Department
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.