

Harry Kim  
Mayor



Michael Yee  
Director

Daryn Arai  
Deputy Director

West Hawai'i Office  
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**County of Hawai'i**  
PLANNING DEPARTMENT

East Hawai'i Office  
101 Pauahi Street, Suite 3  
Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

November 30, 2017

Mr. Michael Olavari  
Ms. Carol Olavari  
15-115 Puni Lapa St. E.  
Pāhoa, HI 96778

Dear Mr. and Ms. Olavari:

**SUBJECT: Special Management Area (SMA) Use Permit Assessment Application  
(SAA 17-001542)  
Special Management Area Minor Permit No. 17-000377  
Applicants: Michael Olavari and Carol Olavari  
Land Owners: Michael Olavari and Carol Olavari  
Project: Routine Maintenance and Installation of a Chain Link Fence  
Around Each Parcel  
Tax Map Keys: (3) 1-5-111:029 and 030, Puna, Hawai'i**

We have reviewed the subject Special Management Area Use Permit Assessment Application (SAA 17-001542), submitted on September 28, 2017. Proposed is routine maintenance and installation of a chain link fence around each parcel.

**Special Management Area Determination:**

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(e)(1)(B) relating to the Special Management Area, "Grading, removing, dredging, mining, or extraction of any materials," is not exempt from the definition of "development." Therefore, the proposed project requires a SMA Minor Permit.

Based on the above and pursuant to Planning Commission Rule Section 9-10(e), Special Management Area Minor Permit No.17-000377 is hereby issued for routine maintenance and installation of a chain link fence around each parcel.

It is the applicant's responsibility to read and comply with the conditions listed in the enclosed permit.

Mr. Michael Olavari  
Ms. Carol Olavari  
November 30, 2017  
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If you have questions, please contact Esther Imamura of this office at (808) 961-8139.

Sincerely,



*EX* MICHAEL YEE  
Planning Director

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Enc: SMM-17-000377  
Department of Public Works Memo dated November 27, 2017

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**Special Management Area Minor Permit No. 17-000377**

**Project:** Routine Maintenance and Installation of a Chain Link Fence Around Each Parcel  
**Applicants:** Michael Olivari and Carol Olavari  
**Landowner(s):** Michael Olivari and Carol Olavari  
**Location:** Puna, Hawai'i  
**TMK(s):** (3) 1-5-111:029 and 030 Land Area: 10,140 square feet each

**Applicant's Request**

**1. Project Description:**

Proposed is grubbing of each parcel to remove invasive species, including fire ants and coqui frogs, and also to allow for routine maintenance. Further proposed is a five foot high chain link fence around each parcel.

**2. Purpose of Project:**

The purpose is to remove objectionable invasive species and improve the appearance of the parcels.

**3. Project Valuation:** \$10,000 each parcel.

**4. Determination:**

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(e)(1)(B) relating to the Special Management Area, "*Grading, removing, dredging, mining, or extraction of any materials,*" is not exempt from the definition of "development." Therefore, the proposed project requires a SMA Minor Permit.

**State and County Plans**

- 1. State Land Use District:** Both parcels are designated Urban by the State Land Use Commission.
- 2. General Plan:** The Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates both parcels as Low Density Urban and Open.
- 3. County Zoning:** Both parcels are zoned Agricultural (A-1a).
- 4. Special Management Area (SMA):** The subject parcels are located entirely within the Special Management Area (SMA); however, both are not located in a "shoreline area" as defined by Hawai'i Revised Statutes (HRS) Chapter 205A-41.

5. Flood Zone: X.

**Compliance with Objectives and Policies of Chapter 205A, Hawai'i Revised Statutes (HRS), Regarding the Special Management Area**

Check all objectives and policies found to be consistent with proposed development. Issuance of SMA Minor Permit requires that activity be consistent with all objectives & policies.

The proposed development is consistent with the following objectives and policies:

- Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include but not be limited to the potential cumulative impact of individual developments each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- The proposed development is consistent with the Hawai'i County General Plan and the Zoning Code.
- The proposed development does not conflict with the following objectives of Chapter 205A, HRS, to:
  - Provide coastal recreational opportunities accessible to the public.
  - Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
  - Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
  - Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.
  - Provide public or private facilities and improvements important to the State's economy in suitable locations.
  - Reduce hazard to life and property from tsunamis, storm waves, stream flooding, erosion, subsidence and pollution.
  - Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
  - Stimulate public awareness, education, and participation in coastal management.
  - Protect beaches for public use and recreation.
  - Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
  - Recreational Resources
  - Historic Resources

- Scenic and Open Space Resources
  - Coastal Ecosystems
  - Economic Uses
  - Coastal Hazards
  - Managing Development
  - Public Participation
  - Beach Protection
  - Marine Resources
- The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

### Findings

1. As discussed above, the proposed development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest.
2. The estimated project cost of approximately \$10,000 each is not in excess of \$125,000.
3. The enclosed Department of Public Works, Engineering Division memorandum dated November 27, 2017, stated the following:
 

*“We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated November 1, 2017 and have no objections to the request.*

*The subject parcels are in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain.”*
4. Pursuant to Planning Commission Rule Section 9-10(E), the Planning Director hereby approves the routine maintenance and installation of a chain link fence around each parcel. This approval is subject to the applicant’s compliance with the conditions of approval as specified below.

### Conditions of Approval

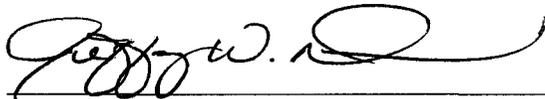
**This SMA Minor Permit is subject to the following conditions:**

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
3. The installation of the chain link fence shall be completed within one (1) year from the date of this permit.

4. All green waste shall be collected and disposed of off-site at appropriate locations designated by the Department of Environmental Management for green waste.
5. In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division at (808) 933-7651.
6. Any grading, grubbing, filling or other construction activity including but not limited to the construction of structures of any type shall require further review and approval as provided under Chapter 205A, HRS and Rule 9, Planning Commission Rules of Practice and Procedure.
7. An extension of time for the performance of the conditions contained herein 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 original reasons for the granting of the permit; and
  - c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
8. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

If you have questions, please contact Esther Imamura of this department at (808) 961-8139.

APPROVED:



*RA* MICHAEL YEE  
Planning Director

11/30/17  
Date

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

PLANNING DEPARTMENT  
COUNTY OF HAWAII

2017 NOV 27 PM 13:52  
DATE: November 27, 2017

Memorandum

TO: Michael Yee, Planning Director

FROM: Department of Public Works, Engineering Division 

**SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SAA 17-001542)**  
Applicant: Michael Olavari and Carol Olavari  
Request: Grubbing of Two Lots and Installation of a Chain Link Fence  
Around Each Parcel  
TMK: 1-5-111:029 and 030

We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated November 1, 2017 and have no objections to the request.

The subject parcels are in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain.

Questions may be referred to Robyn Matsumoto at 961-8924.

