

December 20, 1976

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Re: Special Permit Application
Petitioner: Chiaki Matsuo
Ponahawai, South Hilo, Hawaii
Tax Map Key 2-3-37:portion of 3
2-3-38:portion of 3

The Planning Commission at a duly advertised public hearing on June 24, 1976 and in regular sessions of July 15, 1976, July 29, 1976, August 30, 1976 and December 16, 1976 discussed your request for a special permit in accordance with Chapter 205-6, Hawaii Revised Statutes, as amended, to allow the establishment of a temporary quarrying operation which would include a portable crusher and stock-piling on a 32+-acre area situated within the State Land Use Agricultural District. The area involved is situated mauka of the Komohana Street-Ponahawai Street intersection, Ponahawai, South Hilo, Hawaii.

The Commission voted to deny the special permit based on the following findings:

The quarrying operation at its proposed location would be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations and the County of Hawaii General Plan. One of the basic objectives of the State Land Use Rules and Regulations is to preserve, protect and encourage the development of lands in the State for those uses to which those lands are best suited in the interest of public health and welfare of the people of the State of Hawaii. Similarly, one of the basic intents of the General Plan is "to promote and safeguard the public interest, the interest of the County as a whole." As such, it is the County's policy to take positive action to further maintain the quality of the environments for residents both in the present and in the future.

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In studying the petitioner's request against the objectives as well as the guidelines for granting of a special permit, it was found that:

1. The introduction of a quarry operation at this particular location will cause significant disruption, as well as have significant adverse impact on surrounding land uses. The surrounding properties are substantially built upon with single family dwellings. Also, a medical clinic building is situated adjacent to the proposed quarry across from Komohana Street. It is therefore felt that the introduction of a quarrying operation which would include the use of a portable rock crusher within an already urbanized area may generate undue hardship to the surrounding neighborhood in terms of dust, noise, etc.; thus, creating some environmental problems. One of the basic tenets of land use planning is the minimization of adverse effects which a use may have upon other uses. As such, it is further determined that the abrupt introduction of the quarrying operation, which is somewhat of an industrial nature, into an existing area categorized as residential would have substantial adverse impact; thus, would be contrary to sound planning practice.
2. The granting of this request at its particular location would also create traffic problems. Komohana Street, which fronts the area proposed to be quarried, is a major cross-town thoroughfare from the southeast to the northwest side of the city of Hilo. In fact, Komohana Street presently is the only mauka road which provides access from one end of Hilo to the other. Traffic on this roadway is very heavy under normal conditions, and even more so during school hours.

The proposed quarry site is also in close proximity to four (4) major roadway intersections with Komohana Street. These are Waiianuenue Avenue, Punahale, Ponahawai and Kukuau Streets. Furthermore, the heavy trucks and equipments, which will be used for the quarrying operation, will definitely intensify the present traffic situation on Komohana, as well as the other roadways in the area. As such, the heavy usage will further contribute to the deterioration of the present roadways.

Although, according to the petitioner, the ultimate purpose is to prepare the land for a subdivision, to introduce quarrying

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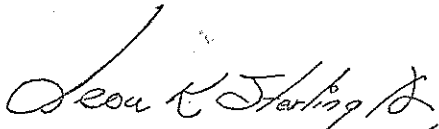
activities in the area for a period of three (3) years, as requested, may prove to be detrimental to the health, safety and welfare of not only the people residing in the area, but to the general public as well.

In light of the foregoing, it is felt that to introduce quarrying activities in this particular location of the city of Hilo would only aggravate existing conditions and land uses; thus, would not be in the best public interest.

It should be pointed out that the petitioner has another option in preparing his land for an agricultural subdivision. By obtaining an approved subdivision plan, the petitioner may grade and prepare the land under the requirements of the Grading Ordinance.

A denial by the Commission of the desired use shall be appealable to the Circuit Court in which the land is situated and shall be made pursuant to the Hawaii Rules of Civil Procedure.

Should there be further questions on this matter, please do not hesitate to call or write us.



Leon K. Sterling, Jr.
Chairman, Planning Commission

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cc Chiaki Matsuo
Corporation Counsel
Chief Engineer, Public Works
State Land Use Commission
Land Use Division, DPED