

CERTIFIED MAIL

November 5, 1986

Mr. Scott Shupe  
P. O. Box 1713  
Kamuela, HI 96743

Dear Mr. Shupe:

Special Permit Application (26-21)  
TMK: 4-8-04:portion of 3

The Planning Commission at its duly held public hearing on October 28, 1986, voted to approve your application, Special Permit No. 630, to allow the establishment of a helicopter landing area (helipad) on 10,000+ square feet of land situated within the State Land Use Agricultural District at Lalakea, Hamakua, Hawaii.

Approval of this request is based on the following:

The approval of the subject request is consistent with the objectives sought to be accomplished by the State Land Use Law and Regulations. These objectives are to preserve, protect, and encourage the development of lands within the State for those uses to which they are best suited in the interest of the public health and welfare. The subject property is considered to be prime agricultural land by virtue of its soil qualities. Currently the property is in sugar cane use and would continue in this use. The area in which the proposed helipad will be established is at the end of the roadway and within the roadway itself. As such, no lands will be taken out of the agricultural inventory for this proposed use. The intermittent use of the roadway site as a helicopter landing site will not seriously detract or impact upon the existing agricultural uses. Thus, the use of the site as proposed would not detract from the primary use established in the State Land Use Agricultural District, but would allow an additional use which can add to the enjoyment of Hawaii's natural beauty by helicopter users. Given the location of the proposed helipad and the surrounding canefields, dust generated by the intermittent use of the landing area would appear to be relatively minor in its impact to the surrounding area. Nevertheless, as a means of monitoring and review of this use relative to the potential impact it may

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have on the Waipio Valley and users of the area, a proposed condition of approval is that this permit be good for a period of one year after which the petitioner would have to request an extension to the life of the permit.

Based on the above findings, it is also concluded that the request will not eliminate the use of productive agricultural lands nor adversely affect surrounding properties.

Given the minimal nature of the proposed development, it is not expected that the use as requested will generate any additional loads on agencies providing protective and other public services. However, the remoteness of the area makes it imperative that adequate fire prevention measures be employed by the petitioner, thus a condition to this effect is proposed.

It is, therefore, concluded that the subject use is an unusual and reasonable request and would implement the objectives of Chapter 205, HRS.

Approval of this Special Permit request is subject to the following conditions:

1. The petitioner, its assigns or successors, shall be responsible for complying with all conditions of approval.
2. The life of this Special Permit shall be for one year starting from its effective date with no obligation to renew.
3. The petitioner shall be responsible in erecting a barrier adjacent to the pali with signs posted to alert visitors that this area is off limits. Additionally, the landing area shall be clearly designated with a painted white circle, with adequate clearspace between the edge of the wing blade and the outer edge of the circle. The white painted band should be a minimum of 2 feet in width. A shuttle parking area and passenger waiting area shall be roped off and signs posted for this areas. A plan showing the above improvements shall be submitted for "Plan Approval" review to be approved by the Planning Department. These improvements shall be installed prior to the start of any helicopter tours.
4. In addition to the submittal of the above plan, clearance from the Federal Aviation Administration shall be secured prior to issuance of Final Plan Approval for the proposed helipad.

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5. The helipad shall be used exclusively by Mauna Kea Helicopters.
6. The petitioner shall be responsible for the prevention of fires arising from the helicopter landing and rest stop use of the property.
7. All other applicable rules, regulations, and requirements shall be complied with.
8. Should the Director determine that any of the conditions have not been met or substantially complied with, the Director shall initiate procedures to nullify the Special Permit.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Barbara A. Koi  
Chairperson, Planning Commission

cc: State Land Use Commission  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division

bcc: Plan Approval Section

CERTIFIED MAIL

March 13, 1989

Mr. Scott Shupe  
P.O. Box 1713  
Kamuela, HI 96743

Dear Mr. Shupe:

Amendments to Special Permit No. 630 (86-21)  
TMK: 4-8-04:Portion of 3

The Planning Commission at its duly held public hearing on March 7, 1989, considered the above amendment to extend the life of Special Permit No. 630 which allowed the establishment of a helicopter landing area on approximately 10,000 square feet of land at Lalakea, Hamakua, Hawaii.

The Commission voted to deny a five-year time extension to the life of Special Permit No. 630, but granted a one-year time extension.

Approval of this request is based on the following:

During the one year that the permit has been in effect, the Planning Commission has not received any official complaints. However, there have been several complaints by area residents in response to this application. Complaints received relate to noise, disturbance of wildlife, and overflights of areas of spiritual significance. The Planning Commission is aware of the issues concerning tour aircraft in general. Nevertheless, there does not appear to be clear evidence to determine how much of the reported disturbance is due to this particular helicopter operator or his employees, as helicopter tours from different companies frequent the Waipio and Waimanu Valley areas.

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In light of the sensitivity of the helipad use and its associated impacts, and the regulatory problems that are still being studied by the State Department of Transportation and the Federal Aviation Administration, we do not feel it is appropriate to grant an extension of the permit for the requested five-year period but, rather, a one-year extension. The additional one year would allow the applicant to continue his operation without an interruption or hardship on his business. Since the State Helicopter Plan is expected to be finalized by the end of 1989, the one year period would also allow time for development of these guidelines. It is hoped that the Plan will address regulatory questions dealing with overflight areas, noise, and monitoring enforcement.

Therefore, a time extension for a period of one year until May 24, 1990 is hereby granted.

Based on the above, Condition No. 2 is amended to read as follows:

"2. The life of this Special Permit shall be for [one year starting from its effective date] a one year period until May 24, 1990, with no obligation to renew."

To assure that flights originating from or returning to the helipad are occurring at reasonable hours, the following condition is being imposed to limit the hours of the helipad use:

"7. Helicopter flights originating from and returning to the helipad shall be between the hours of 8:00 a.m. and 5:00 p.m."

Condition Nos. 7 and 8 are renumbered to Nos. 8 and 9 respectively.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Gary Mizuno  
Chairman, Planning Commission

cc: Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
State Land Use Commission

bcc: Plan Approval Section

MAR 13 1989