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OUR REFERENCE NO.:
035536-6

December 17, 2015

VIA HAND DELIVERY

Duane Kanuha
Planning Director
Hawai'i County Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720

Brandi Beaudet, Chair
Leeward Planning Commission and
Commission Members
Aupuni Center
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Re: WHC, Ltd. Amendment to Special Permit No. 833 (Docket No. 92-000001)
Requested Clarification to Proposed Amended Condition No. 5
Set Forth in the County of Hawaii Planning Department's Recommendation
(RWHC-AmendSPP833.jwd-12-04-15)

Dear Director Kanuha, Chair Beaudet, and Members of the Commission:

We represent WHC, Ltd., dba West Hawaii Concrete, applicant in the above-referenced Amendment to Special Permit No. 833 proceeding. This letter is to request a clarification to the Planning Director's proposed amendment to Condition No. 5, as set forth in the Department's Recommendation. Applicant agrees with the general intent of the Department's proposed amendment to Condition No. 5, but requests that amended Condition No. 5 be clarified to be consistent with the discussions Applicant has had with the Department of Public Works, as confirmed via email on December 11, 2015.

The Department's Recommendation proposes an amendment to Condition No. 5, as shown below (material to be deleted is bracketed and material to be added is underscored).

5. [~~Access onto the Waikoloa Road from the project site, including the provision of adequate sight distance, shall meet with the approval of the Department of Public Works prior to final plan approval. Should additional intersection improvements such as channelization be required by the Department of Public Works during the life of the permit, such improvements shall be provided in a timely manner by the applicant at no cost to the County of Hawaii.]~~ At the written request of the Department of Public Works (DPW), access to Waikoloa Road shall comply with Chapter 22 of

EXHIBIT
24

SCANNER

DEC 18 2015
By: 102652

Brandi Beaudet, Chair
Members of the Commission
Duane Kanuha, Director
December 17, 2015
Page 2

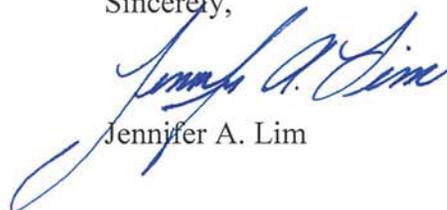
Hawaii County Code. Additionally, after the fifth anniversary of the issuance of the extended permit, the applicant shall prepare a Traffic Impact Analysis Report (TIAR), at no cost to the County of Hawaii, for submission to the DPW. Applicant shall coordinate with the DPW on implementing the applicant's pro-rata share of appropriate traffic mitigation measures, if any, should it be determined through the TIAR that improvements to the Waikoloa/Quarry road intersection are needed due to Applicant's activity at the quarry.

Applicant requests that any amendment to Condition No. 5 be consistent with what was represented by Applicant to the Department of Public Works. As such, Applicant requests that Condition No. 5 be amended to read as follows:

~~5. [Access onto the Waikoloa Road from the project site, including the provision of adequate sight distance, shall meet with the approval of the Department of Public Works prior to final plan approval. Should additional intersection improvements such as channelization be required by the Department of Public Works during the life of the permit, such improvements shall be provided in a timely manner by the applicant at no cost to the County of Hawaii.]~~ At the written request of the Department of Public Works (DPW), after the fifth anniversary of the issuance of the extended permit, the applicant shall prepare a traffic impact analysis report (TIAR), at no cost to the County of Hawaii, for submission to the DPW. The applicant shall coordinate with the DPW on implementing applicant's pro-rata share of appropriate traffic mitigation measures, if any, should it be determined through the TIAR that improvements to the Waikoloa/Quarry road intersection are needed due to the applicant's activity at the quarry. Access to the Waikoloa Road shall comply with Chapter 22 of Hawaii County Code.

Thank you for your consideration of this request.

Sincerely,



Jennifer A. Lim