

CARLSMITH BALL LLP

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Attorneys for Petitioners  
KEVIN M. BARRY AND MONICA S. BARRY, TRUSTEES OF  
THE BARRY FAMILY TRUST DATED NOVEMBER 15, 2006

**BEFORE THE LAND USE COMMISSION**

**OF THE STATE OF HAWAI'I**

**In the Matter of the Petition of**

KEVIN M. BARRY AND MONICA S.  
BARRY, TRUSTEES OF THE BARRY  
FAMILY TRUST DATED NOVEMBER 15,  
2006

To Amend the Land Use District Boundary of  
Certain Lands Situated at Kea'au, Puna,  
County and State of Hawai'i, Consisting of  
0.51 Acres from the Conservation District to  
the Agricultural District, Tax Map Key No. (3)  
1-5-059:059

**DOCKET NO. A18-806**

**PETITIONERS' EXHIBIT LIST;  
CERTIFICATE OF SERVICE**

**PETITIONERS' EXHIBIT LIST**

Petitioners Kevin M. Barry and Monica S. Barry, Trustees of the Barry Family Trust Dated November 15, 2006 ("Petitioners"), by and through their legal counsel, CARLSMITH BALL LLP, hereby respectfully submit to the Land Use Commission of the State of Hawai'i their *Exhibit List* in support of Petitioners' *Amended Petition for Land Use District Boundary Amendment*, filed November 4, 2020, as follows:

Exhibit No.	Description	Offered	Recv'd	With-drawn
1.	County of Hawai'i ("County") Resolution No. 284-15, adopting the 2015 Hawaiian Paradise Park Community Master Plan			
2.	Testimony in Support of Petitioner filed by the County of Hawai'i Planning Department in State of Hawai'i Land Use Commission ("Commission") Docket No. A76-419			
3.	Testimony in Support of Petitioner filed by the State of Hawai'i Department of Planning and Economic Development in Commission Docket No. A76-419			
4a.	Graphic showing the County zoning designations for the Hawaiian Paradise Park subdivision and surrounding lands			
4b.	Graphic showing the County zoning designations for Tax Map Key No.: (3) 1-5-059:059 ("Petition Area") and surrounding parcels			
4c.	Graphic showing the County zoning designations for the makai portion of the Hawaiian Paradise Park subdivision			
5.	Decision and Order in Docket No. A76-419, dated August 12, 1977			
6.	Petition for Boundary Amendment, dated September 28, 1976, filed by the Paradise Hui Hanalike Association in Commission Docket No. A76-419			
7.	Notice of Finding of No Significant Impact, dated June 30, 2020, and supporting Final Environment Assessment, dated June 2020			
8.	Warranty Deed, dated June 25, 2007, and recorded June 2, 2007 in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i as Document No.: 3622615			
9.	County Tax Map for Zone 1, Section 5, Plat 59			
10a.	Graphic showing the State Land Use ("SLU") designations for the Hawaiian Paradise Park subdivision and surrounding lands			
10b.	Graphic showing the SLU designations for the Petition Area and surrounding parcels			

Exhibit No.	Description	Offered	Recv'd	With-drawn
11.	Letter dated September 16, 2020, from HFS Federal Credit Union to Kevin M. Barry and Monica S. Barry			
12.	Graphic showing the Agricultural Lands of Importance to the State of Hawai'i soil classifications for the Petition Area and surrounding parcels			
13.	Graphic showing the Land Study Bureau soil ratings for the Petition Area and surrounding parcels			
14.	Flood Hazard Assessment Report for the Petition Area			
15.	Notification of Petition Filing, dated November 4, 2020			
16.	Letter dated July 10, 2020, from the County of Hawai'i Planning Department to me			

DATED: Honolulu, Hawai'i, February 19, 2021.




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District, Tax Map Key No. (3) 1-5-059:059.

CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I hereby certify that due service of the foregoing document was made by depositing the same with the United States Mail, postage prepaid, or by hand delivery, on February 19, 2021, addressed to:

MARY ALICE EVANS, DIRECTOR  
Office of Planning  
State of Hawai'i  
235 South Beretania Street, 6th Floor  
Honolulu, HI 96813

[Via Hand Delivery]

BRYAN YEE, ESQ.  
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Department of the Attorney General  
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Honolulu, HI 96813

[Via Hand Delivery]

Attorney for State of Hawai'i Office of  
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[Via U.S. Mail, postage prepaid]

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[Via U.S. Mail, postage prepaid]

Attorney for County of Hawai'i Windward  
Planning Commission

DATED: Honolulu, Hawai'i, February 19, 2021.



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