

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director



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Director

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County of Hawai'i PLANNING DEPARTMENT

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

May 13, 2022

Ms. Shellbylynn Yamada
Yamada and Sons, Inc.
733 Kanoelehua Avenue
Hilo, HI 96720

Dear Ms. Yamada

SUBJECT: Special Permit Application (PL-SPP-2022-000012)
Applicant: Yamada and Sons, Inc.
Request: To Allow the Establishment of a Quarry Operation and Related Improvements and Activities
Tax Map Key: (3) 2-1-013:002 (por), South Hilo, Hawai'i

This is to inform you that the above-referenced Special Permit application is scheduled for a public hearing by the Windward Planning Commission. Said hearing, among other matters, will be held beginning at **9:00 a.m. on Thursday, June 2, 2022, in the County of Hawai'i Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai'i**. Your presence or the presence of an authorized representative will be appreciated in order that all questions relative to the request may be clarified. A copy of the public notice is attached for your information.

In accordance with the Planning Commission Rule 6 (Special Permits) and pursuant to Rule 4 (Contested Case Procedure), you are required to notify the surrounding property owners and lessees of record within 500 feet of the perimeter boundary of the property of the hearing.

The notice shall include the following information:

1. Name of the applicant;
2. Precise location of the property involved, including tax map key identification, location map and site plan;
3. Nature of the application and the proposed use of the property;
4. Date on which the application was filed with the commission;
5. The date, time, and place that the scheduled public hearing will be held to consider the application;

Ms. Shellbylynn Yamada
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6. Inform the landowners and lessees of record that they have a right to submit a written request for a contested case procedure. Should they seek to intervene as a party, they shall file a written request on the form entitled "Petition for Standing in a Contested Case Hearing" no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application. Such request shall be in conformity with the Planning Commission Rule 4-6(a) relating to Prehearing Procedure. The notarized petition form and filing fee of \$200 shall be submitted online via County of Hawai'i Electronic Processing and Information Center (EPIC)
<https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/login>
7. Inform the landowner or lessee that should they choose not to submit a written request for a contested case procedure, they may express their support/opposition in writing as outlined on the attached agenda;
8. Contact information (name and phone number) for the applicant or representative and the Planning Department should there be any questions.

The notice shall be served within ten (10) days after receiving notice from our director of the date, time, and place of the scheduled hearing but not less than ten (10) days prior to the scheduled date of the public hearing.

Data available from the real property tax office shall be utilized in determining the names and addresses of the affected owners and lessees of record. The applicant shall also provide notice to such other owners and lessees of record when the applicant has actual knowledge of such names or as informed by the Planning Director or Windward Planning Commission.

Proof of service to surrounding property owners shall be submitted to the Windward Planning Commission prior to the date of public hearing. Proof may consist of certified mail receipts, affidavits, declarations, or the like. The list of names, addresses and tax map keys of those individuals notified shall also be submitted.

Should you have any questions, please contact Christian Kay of this department at (808) 961-8136 or by email at christian.kay@hawaiicounty.gov

Sincerely,


Majja-Jackson for (May 13, 2022 08:11 HST)

ZENDO KERN
Planning Director

PC Notification of Hearing to Applicants Item2YamadaPL-SPP-2022-000012

Attachment: Windward Planning Commission June 2, 2022 meeting agenda

cc via email: Mr. Daryn Arai, Land Use Planning Consultant
Land Use Commission
DLNR – Land Division

Mitchell D. Roth
Mayor



Michelle Galimba, Vice Chair
Gilbert Aguinaldo
Lauren Balog
Louis Daniele III
Wayne De Luz
Dennis Lin

County of Hawai'i

WINDWARD PLANNING COMMISSION

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

AGENDA

NOTICE IS HEREBY GIVEN of the following matters to be considered by the Windward Planning Commission of the County of Hawai'i in accordance with the provisions of Chapters 91 and 92, Hawai'i Revised Statutes, Section 6-7.5(a) of the Charter of the County of Hawai'i; and Planning Commission Rules of Practice and Procedure.

DATE: Thursday, June 2, 2022

TIME: 9:00 a.m.

LOCATION: County of Hawai'i Aupuni Center Conference Room
101 Pauahi Street, Hilo, HI 96720

Windward Planning Commissioners and applicants will participate in person; however, the public may provide verbal testimony at the meeting by joining Zoom or at the physical location listed above. To provide verbal testimony via Zoom, please use the link below to register prior to the meeting:

https://www.zoomgov.com/meeting/register/vJltduCprDoiE7aPEES_B2uv4EulMCc5UeI

The public may provide written testimony via email at WPCtestimonv@hawaiicounty.gov or submit by mail or in person at the Hilo Planning office at 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720 or at the Kona Planning office at West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Building E, 2nd Floor, Kailua-Kona, Hawai'i up to two business days prior to the hearing by 4:30 p.m.

The public will be able to view and listen to the meeting at:

https://www.youtube.com/channel/UCAFoRMb3rfWLQMPd6TAkEGA?view_as=subscriber

The Planning Director's background report (including application) and recommendation report for each agenda item will be available for review at www.planning.hawaiicounty.gov prior to the meeting. This information can also be requested by sending an email to Melissa Dacayanan-Salvador at Melissa.Dacayanan@hawaiicounty.gov.

CALL TO ORDER

APPROVAL OF MINUTES

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

NEW BUSINESS

1. **APPLICANT: STEPHANIE BATH (PL-SPP-2022-000010)**
Application for a Special Permit to allow a home occupation for a massage therapy establishment on a 3.0-acre property in the State Land Use Agricultural District. The subject property is located at 16-2059 Moho Road, approximately 0.37 miles from its intersection with Ale Road, Hawaiian Acres, Kea'au, Puna, Hawai'i, TMK: (3) 1-6-045:007.
2. **APPLICANT: YAMADA & SONS, INC. (PL-SPP-2022-000012)**
Application for Special Permit to allow the establishment of a quarry operation and related improvements and activities on a 37.882-acre portion of a larger 2,407-acre parcel of land in the State Land Use Agricultural District. The project site is located to the south of the Hilo Sanitary Landfill and adjacent to the east of existing quarries on the subject, State-owned property within the District of Waiakea, South Hilo, Hawai'i, TMK: (3) 2-1-013:002 (por).

PLANNING DIRECTOR'S REPORT

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director.

ELECTION OF OFFICERS

Election of Officers for the remainder of 2022.

AGENDA ITEMS FOR NEXT MEETING

ANNOUNCEMENTS

The Windward Planning Commission's next monthly meeting is scheduled for Thursday, July 7, 2022 by interactive video conference via Zoom and at the Aupuni Center Conference Room.

ADJOURNMENT

Submitting Testimony: The public may provide written testimony via email at WPCtestimony@hawaiicounty.gov or submit by mail or in person at the Hilo Planning office at 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720 or at the Kona Planning office at West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Building E, 2nd Floor, Kailua-Kona, Hawai'i up to two business days prior to the hearing by 4:30 p.m. Pursuant to Hawai'i County Planning Commission Rules of Practice and Procedure (PC), Rule 1, General Rules, a person desiring to submit written testimony shall indicate her/his name; address; and whether the testimony is on her/his behalf or as a representative of an organization or individual. If testimony is being

submitted on behalf of an organization, documentation showing membership ratification should accompany the testimony. Public testimony can be submitted by mail or email. Those submitting written testimony by mail should provide one copy for distribution. Mailed testimony should be provided at least one week prior to the hearing date to allow for mailing and thorough Commission review. Additionally, pursuant to Rule 1, the Chairperson may limit testimony that is irrelevant or unduly repetitious.

Contested Case Procedure: Pursuant to PC Rule 4, Contested Case Procedure, of the County of Hawai'i Planning Commission Rules of Practice and Procedure, any person seeking to intervene as a party to a contested case hearing on Agenda Item Nos. 1 and 2 above is required to file a written request which must be received by the office of the Planning Department no later than seven (7) calendar days prior to the Planning Commission's first public meeting on the matter. Such written request shall conform with the PC Rule 4-6(a), relating to Prehearing Procedure on a form as provided by the Planning Department entitled "Petition for Standing in a Contested Case Hearing." The notarized petition form and a filing fee of \$200 shall be submitted online via County of Hawai'i Electronic Processing and Information Center (EPIC) at the following website: <https://hawaiicountyhi-energovpub.tvlerhost.net/Apps/SelfService#/home>.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai'i 96720.

Board Packet. Pursuant to Hawai'i Revised Statutes Section 92-7.5, the board packet provided to members of this board for this meeting is available for public inspection during regular business hours at the Hilo office of the Planning Department, Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, Hawai'i and at the Kona office of the Planning Department, West Hawai'i Civic Center, 74-5044 Ane Keohokālole Highway, Building E, 2nd Floor, Kailua-Kona, Hawai'i.

Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting, please contact the Planning Department at 961 8288 as soon as possible, but no later than five working days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged.

Hawai'i County is an Equal Opportunity Provider and Employer

WINDWARD PLANNING COMMISSION
MICHELLE GALIMBA, Vice Chair

(Hawai'i Tribune Herald: Friday, May 13, 2022)
(West Hawai'i Today: Friday, May 13, 2022)