

February 1983

1990-09-08-MA-1-BA FILE COPY
Gerbaulet non-conforming ~~Residence~~
and Farm Use

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAII 96809

FOR DLNR USE ONLY

Reviewed by _____
Date _____
Accepted by _____
Date _____
Docket/File No. _____
180-Day Exp. _____
EIS Required _____
PH Required _____
Board Approved _____
Disapproved _____
Well No. _____

DEPARTMENT MASTER APPLICATION FORM

(Print or Type)

I. LANDOWNER/WATER SOURCE OWNER
(If State land, to be filled
in by Government Agency in
control of property)

Name CLAUDIA S. GERBAULET Address LANDOWNER

Address 161 MAND DR.
KULA, HI. 96790

Telephone No. 8781762

SIGNATURE _____

Date 7/2/90

II. APPLICANT (Water Use, omit if applicant
is landowner)

Name SAME AS

Address LANDOWNER

Telephone No. _____

Interest in Property OWNER

(Indicate interest in property; submit
written evidence of this interest)

*SIGNATURE Claudia S. Gerbaulet

Date 7/2/90

*If for a Corporation, Partnership,
Agency or Organization, must be signed
by an authorized officer.

III. TYPE OF PERMIT(S) APPLYING FOR

() A. State Lands

~~()~~ B. Conservation District Use

() C. Withdraw Water From A Ground
Water Control Area

() D. Supply Water From A Ground
Water Control Area

() E. Well Drilling/Modification

F NON CONFORMING USE

IV. WELL OR LAND PARCEL LOCATION REQUESTED

District KOOLAHA

Island MAUI

County MAUI

Tax Map Key 1-1-2-4

Area of Parcel 4.8⁵ ACRES
(Indicate in acres or
sq. ft.)

Term (if lease) _____

RECEIVED
JUN 13 1990

I. DESCRIPTION OF PARCEL

- A. Existing structures/use: Remains of two houses at southeast and northeast quadrants of parcel.
- B. Existing utilities: Telephone and electricity are within 500' of parcel. No county water is available nearby. Drainage is along Nuaaliua stream.
- C. Existing access is by old Jeep trail with rock. I wish to apply for legal easement from State as part of C.D.U.A.
- D. Vegetation: Semi-tropical with combination of Hau, Guava, and Christmasberry jungle and open pasture.
- E. Topography: Gently sloping from east to west and also slight slope south to north.
- F. Shoreline: Subject parcel boundry on ocean is 9-13' above sealevel. Beach is black sand and stones and rock. There is no evidence of erosion.
- G. Existing covenants, easements, restrictions: None
- H. Historic sites affected: There are no historic sites found after thorough inspection of property. The Taro patches apparently were put there 60 years or longer ago by Chinese workers.

II. DESCRIPTION

Applicant proposes to use subject property in the following way:

- 1. Build two story pole house 48 x 40' to be used by applicant on weekends and eventually full time use. House will never be rented and will only be used by applicant and her family and friends.
- 2. Applicant will do some subsistent farming with several Avocado, Banana, Mango and Papaya.
- 3. A 30x30' storage shed will be constructed for storage of farming equipment and tools.
- 4. Driveway from Hana Highway to house site will be graded and covered with approximately 450 yds. of crusher waste gravel.
- 5. All debris and cuttings from grubbing and handclearing will be put in numerous small compost piles.

III. COMMENCEMENT DATE: May 15, 1991

COMPLETION DATE: Because of rainy season maximum time allowed

1) DESCRIPTION OF PARCEL (located 1 mile west of Keanae
TMK 1-1-2-4)

The parcel is 4.8 acres on the ocean with heavy vegetation of Hau, Christmas Berry and Guava. There is also some open pasture with very tall grass which has not been grazed in several years. There are electric poles and telephone within 300 feet of subject parcel. Water will be provided by means of water catchment. Annual rainfall is well over 100 inches. The parcel is gently sloping (10% grade) from South-East to North-West.

2) There will be almost no grading except for house site area driveway and storage shed area (see map). There will be grubbing of Hau, Christmas Berry and smaller Guava in S.E. quadrant. There will be hand clearing of miscellaneous Guava and brush on the rest of the property. There will be no excavating except for the installation of the septic tank. The existing Jeep trail and the interior driveway will be graded and grubbed with no excavating.

3) Please see enclosed plotplan and 4 sets of copies of proposed house and 1 set of copies of storage shed.

III. TYPE OF USE REQUESTED

1.

2.

3.

4.

5.

6. Non conforming use - (1) The parcel had lawful use of buildings, premises or land for any trade, industry, residence or other purposes which is the same as and no greater than that established prior to the inclusion of the building, premises, or land within the conservation district;
(2) The parcel is less than 10 acres and as of Jan. 31, 1957 was subject to real property taxes upon which these taxes were paid and which was held for residential or farming use and that the use whether or not established shall be limited to (B) A farm with no more than one residential dwelling and storage shed. Farm to be used for subsistence farming only (no crops or fruit will be sold).

V. ENVIRONMENTAL REQUIREMENTS

- (1) Identification of applicant:

Claudia S. Gerbaulet

- (2) Identification of approving agency:

D.N.L.R.

- (3) Identification of agencies consulted in making assessment:

D.L.N.R., County of Maui Land Use Dept., State Health Dept.

- (4) General description of the action's technical, economic, social, and environmental characteristics:

Property is located in the Keanae area. The parcel is 95% out of the Tsunami zone and most of the property is at least 10'- 20' above the Nuaailua stream bed which runs along subject property's north-west boundary line. The property has no soil erosion or flooding problems and is gently sloping (approx. 10% grade) from the south-west and south east corner to the ocean. The property is within 300' of the Hana Highway at its nearest point. The Jeep trail which has been there at least 70 years is approximately 950' from the subject property. There are no immediate neighbors, the closest ones are the Kanoa family (Isaac and Gladys) approx. 3/4 mile away. Isaac Kanoa presently farms the adjoining State parcel in Taro. There are traces and remains of the two houses which were lived in during the 1920s, 30s, 40s and 50s on the property.

There is telephone and electricity nearby the property (see map) and water will be provided by water catchment. The sewage disposal will be by septic tank (see map).

- (5) Summary description of the affected environment, including suitable and adequate location and site maps:

There will be no excavating or heavy grading on subject property. The existing Jeep trail will be graded and gravelled and the easement and interior driveway will be cleaned of a few Guava and Christmas Berry bushes. The parcel itself will be grubbed clear of Hau bush on the South East Quadrant and House site area of property. The rest of the property will be left untouched including large Guava trees. A two story pole house will be made of wood and concrete and will fit into the environment. The house will not be rented and will be used only for family and friends. The Kanoas and other neighbors in Keanae have no objections to building the house. The storage shed costing \$18,000 will be 30x30' hexagonal prefab out of wood and will be used for storing garden

(5) continued

tools and equipment. Any areas grubbed will be replanted with African Tulip along the driveway and Banana, Mangos and Papayas. All farming will be for subsistence only. In the South-East quadrant the old Taro fields will be replanted in Taro. There will be approx. 540 yds of crusher waste gravel used on easement driveway and housesite area. There will be no impact on the areas grubbed by bulldozers as they will be immediately replanted.

(6) Identification and summary of major impacts and alternatives considered, if any:

There will be minimal impact. The grading, with no excavation, for interior driveway will be 10' wide and covered with gravel. The septic tank will be set into the ground and the treated sewage will be dispersed in a designated drainage field. All areas grubbed of Hau and Christmas Berry will be replanted with Bananas, Mangos, Papayas, Avocado and African Tulip. Any grass that is grubbed will be immediately replanted. All smaller trees such as Guavas that need to be cleared will be carefully hand cleared. The house site will have no earth moved and will be built on the natural grade. Poles will be set 4' deep. There is presently no soil erosion anywhere on the property and work done will not cause any erosion. Existing Jeep trail already has a base of rock that has been there many years.

(7) Proposed mitigation measures, if any:

All areas that are grubbed will be immediately replanted and driveway gravel and crusher waste will be compacted so as to minimize any erosion.

(8) Determination:

In conclusion, there will be no negative impact on the subject property. My desire is to leave as much of the property as possible exactly the way it is in its natural state. For the above reasons I do not believe an E.I.S. is warranted.

(9) Findings and Reasons:

Because of the fact that there will be no excavating and no soil erosion problems there will be minimal if any impact on the subject property.

(10) Agencies to be consulted in the preparation of the E.I.S. if applicable:

Not applicable

VI. SUMMARY OF PROPOSED USE

Applicant proposes to use subject property in the following way:

1. Build two story pole house 48x40' to be used by applicant on weekends and eventually full time use. House will never be rented and will only be used by applicant and her family and friends.
2. Applicant will do some subsistent farming with several Avocado, Banana, Mango and Papaya.
3. A 30x30' storage shed will be constructed for storage of farming equipment and tools.
4. Driveway from Hana Highway to house site will be graded and covered with approximately 450 yds. of crusher waste gravel.

The approximate cost of the proposed improvements is \$240,000. Any farming on the subject property will be for subsistent use only.

HANNIBAL M. TAVARES
Mayor



HENRY T.S. LAU
Director of Finance
GERALD MATSUI
Deputy Director of Finance

County of Maui
REAL PROPERTY TAX DIVISION
Department of Finance
1590 Kaahumanu Avenue, Wailuku, HI 96793

13

TO WHOM IT MAY CONCERN:

I, LAURA K. CUMMINGS, Tax Collection Supervisor, hereby
certifies that the real property taxes for Tax Map Key

(2) 1-1-002-004

(2) _____

(2) _____

has been paid in full up to and including 6/30/90

Certified this 30th day of June 1990 at Wailuku,
County of Maui.

FRED ASUNCION
COUNTY OF MAUI
REAL PROPERTY TAX ADMINISTRATOR

By: Laura K. Cummings
Laura K. Cummings
Tax Collection Supervisor

FIELD BOOK LAND SHEET

TERRITORY OF HAWAII

OWNER		TITLE HISTORY		MAILING ADDRESS		
NAME	ADDRESS	DATE	DESCRIPTION	ZONE	SEC.	DIVISION
Victoria Chong				1	1	02
Simon C. Chong				100	1153	04
<p>D 4/10/69 fr Victoria Chong Morin (wid) (Cons \$400.) Rec 4/10/69</p> <p>Ex 5598 p 361 (1-1-02-4 & 1-1-07-3 & 8)</p> <p>Area changed as per deed. Checks with Kuleana Book.</p> <p>TMB 5628 1977 R/S: 7/26/77 Simon Cheong Chong dec'd; Executor: Edmund F. Chong; Inv dt: 7/11/77</p> <p>TMB 2340 1979 D: 3/5/79 fr Annie Harriet Chong (wid) to Edmund F. Chong</p> <p>REVOKED ONLY - F/O Probate 38998 Pending 3/15/79 Ex 13553/171</p> <p>TMB 7102, 1982; F.O 2/8/79; Probate No. 38998, 1st Cir. Ct., fr. Estate of Simon C. Chong to Annie H. Chong, 3/16/82; Ex. 16219/332.</p> <p>Ownership transferred previously by TMB 2340/1979; D: 3/5/79 fr. Annie H. Chong to Edmund F. Jacqueline T. Chong</p> <p>TMB 9632-1985-10/21/85 fr Estate of Edmund F. Chong - dec'd - to Jacqueline T. Chong being the Com. Ex. dec'd - probate no. 38998 - shown on map 1 130DP</p> <p>240-4636-01-0-038 Ac-11/4/85-2819055/9</p>						
CHONG Edmund F. Jacqueline T.						4.42 Ac.
<p>YEAR AREA 1969 1970 1971 1972 1973 1974 1975</p> <p>VALUE</p> <p>GROSS TOTAL</p> <p>EXEMPTION</p> <p>EXEMPTION</p> <p>NET</p> <p>NET TOTAL</p>						
YEAR	1969	1970	1971	1972	1973	1974
AREA						
VALUE	115	71	71	71	71	71
GROSS TOTAL						
EXEMPTION						
EXEMPTION						
NET						
NET TOTAL						
YEAR	1969	1980	1981	1982	1983	1984
AREA	4.42 Ac	4.42 Ac	4.42 Ac	4.42 Ac	4.42 Ac	4.42 Ac
LAND	168	177	177	177	177	177
IMP.						
TOT.	168	177	177	177	177	177
EX.						
NET	168	177	177	177	177	177
TAX	2.65	2.41	2.65	2.65	2.65	2.65
		3.61	3.71	3.71	3.71	3.71
C A M A						
2180						

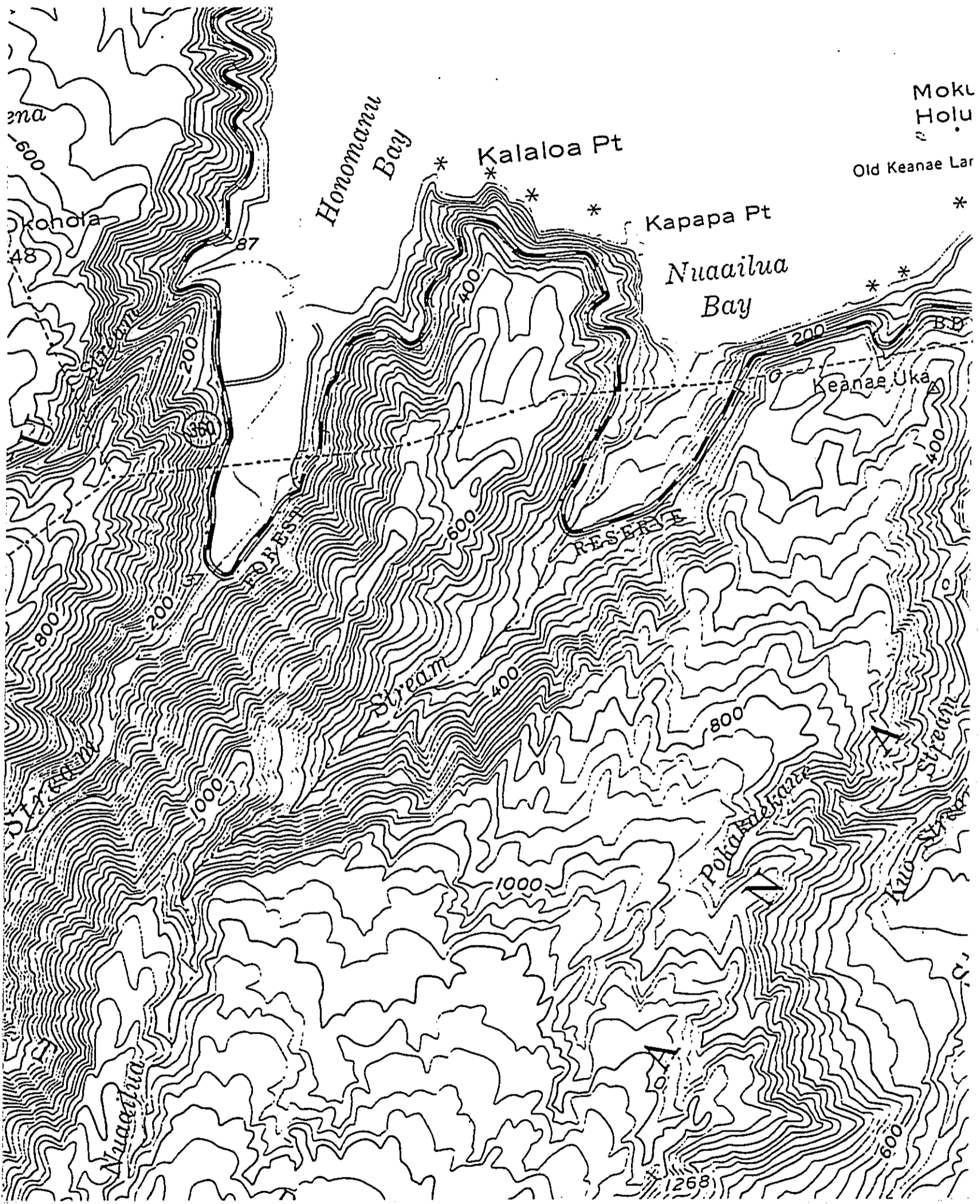
SECOND DIVISION
PARCEL

1 1 02 04

AA 6

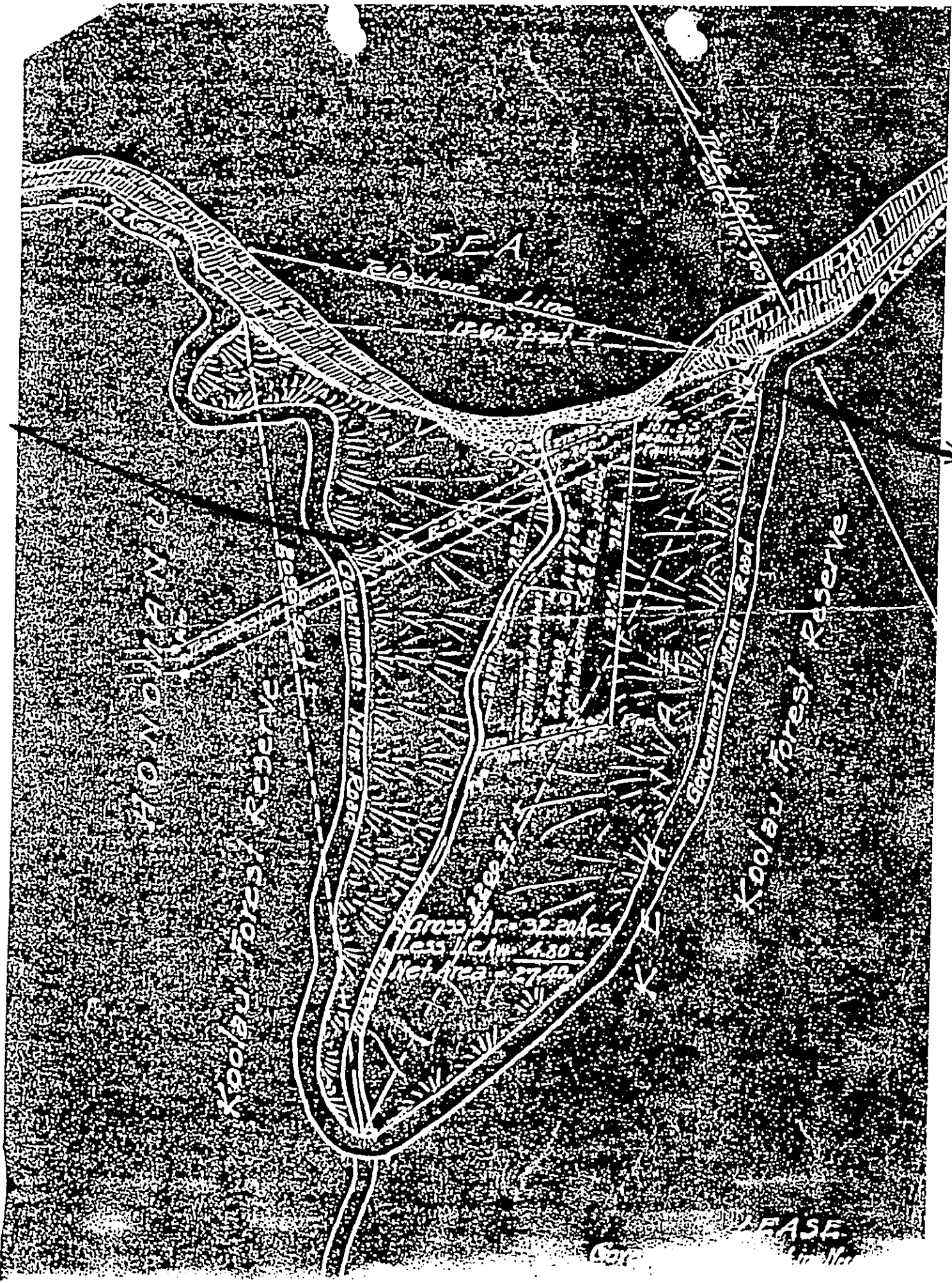
NO.	SYMBOL	U. F. V.	FRONT	RATIO	DEPTH	LOT	AREA	12-46	VAL	U. F. V.	1981	VAL	U. F. V.	1982	VAL	U. F. V.	1985
4	1.70 Ac	1210	150.	100.	150.		4.8 Ac	166.			1981			1982			1985
5	3.70 Ac	1427	16.	5.	16.				600		1982	1060		1984	1060		1986
6	4.80 Ac	1950	57	170	57				110		1987	110		1986	110		1986
7	4.80 Ac	Pasture 6		15.					110		1987	110		1986	110		1986
8	4.80 Ac	Pasture 8							110		1987	110		1986	110		1986
9	4.80 Ac	Pasture 1							110		1987	110		1986	110		1986
10	4.80 Ac	Pasture 2							110		1987	110		1986	110		1986
11	4.80 Ac	Pasture 3							110		1987	110		1986	110		1986
12	4.80 Ac	Pasture 4							110		1987	110		1986	110		1986
13	4.80 Ac	Pasture 5							110		1987	110		1986	110		1986
14	4.80 Ac	Pasture 7							110		1987	110		1986	110		1986
15	4.80 Ac	Pasture 8							110		1987	110		1986	110		1986
16	4.80 Ac	Pasture 9							110		1987	110		1986	110		1986
17	4.80 Ac	Pasture 10							110		1987	110		1986	110		1986

YEAR	AREA	1943	1944	1945	1946	1947	1948	1949	1950
LAND VALUE	4.80 Ac	166.	166.	166.	166.	166.	166.	166.	166.
IMPROVEMENT	4.80 Ac	41.	37.	37.	37.	37.	37.	37.	37.
TOTAL	4.80 Ac	207.	203.	203.	203.	203.	203.	203.	203.
LESS EX.	4.80 Ac	-	-	-	-	-	-	-	-
NET TAX VALUE	4.80 Ac	207.	203.	203.	203.	203.	203.	203.	203.
TAXES	4.80 Ac	7.59	6.92	6.91	6.85	5.18	2.12	2.00	2.14
YEAR	AREA	1951	1952	1953	1954	1955	1956	1957	1958
LAND VALUE	4.80 Ac	72.	120.	120.	120.	120.	120.	120.	120.
IMPROVEMENT	4.80 Ac	-	-	-	-	-	-	-	-
TOTAL	4.80 Ac	72.	120.	120.	120.	120.	120.	120.	120.
LESS EX.	4.80 Ac	-	-	-	-	-	-	-	-
NET TAX VALUE	4.80 Ac	72.	120.	120.	120.	120.	120.	120.	120.
TAXES	4.80 Ac	2.29	2.16	2.10	2.10	2.10	2.24	2.68	2.68



MAUI ELECTRIC POLES

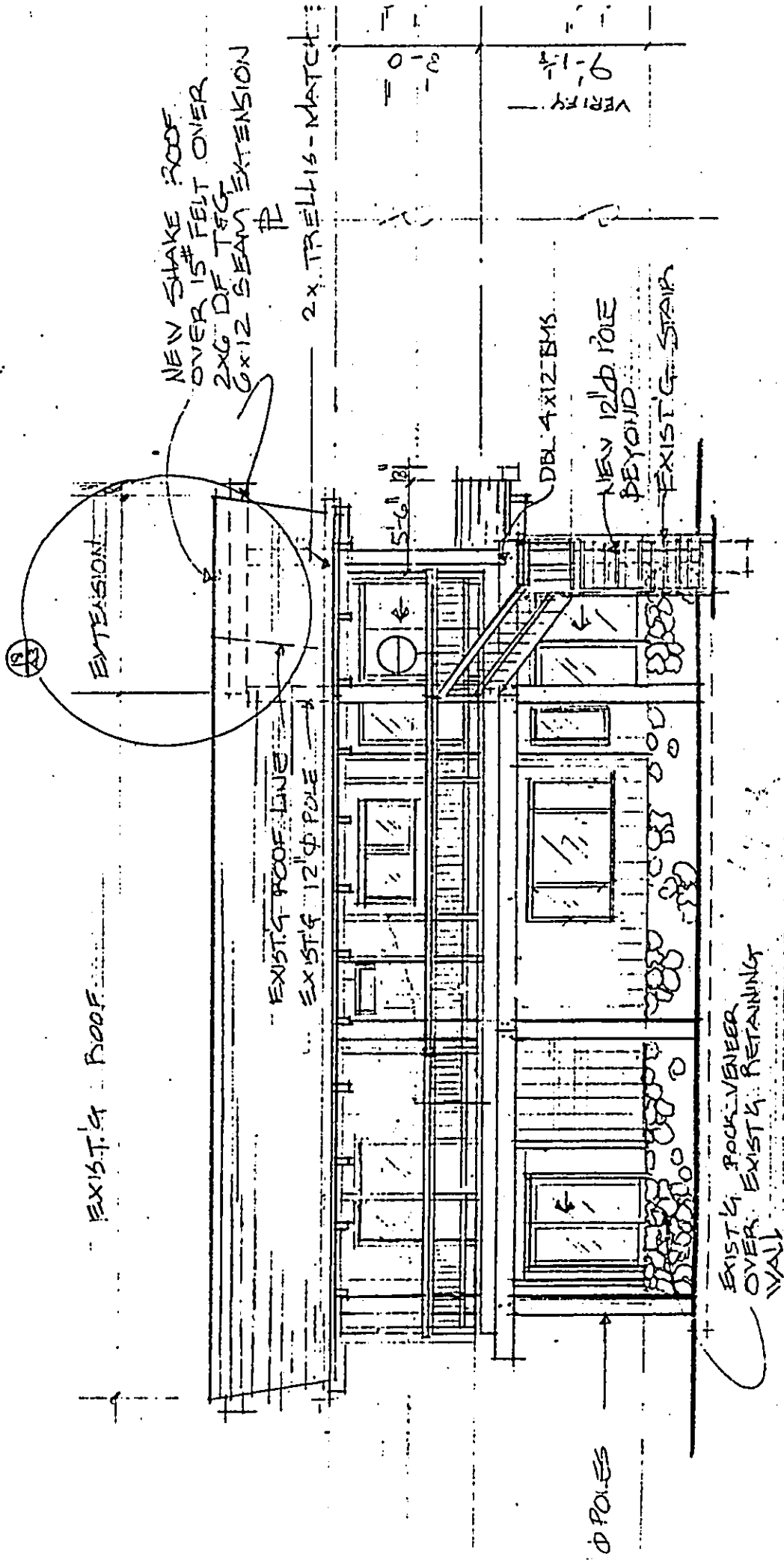
MAUI ELECTRIC POLES



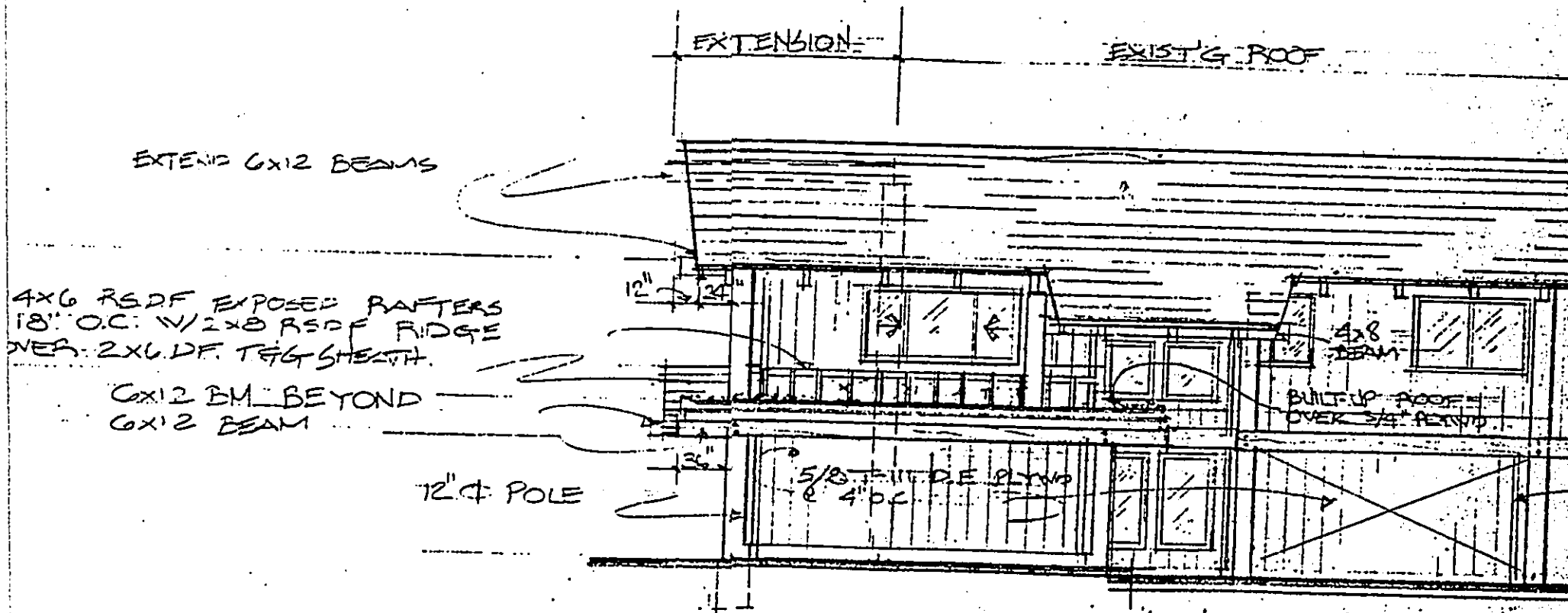
LEASE

Co...

MAKAI ELEVATION

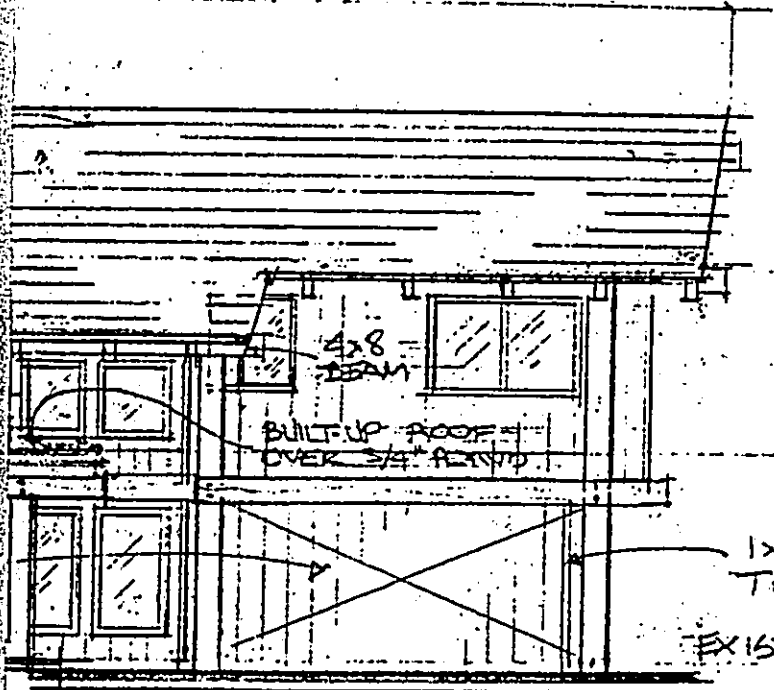


MAUKA ELEVATION



UKA ELEVATION

EXIST'G ROOF



EXIST

EXIST

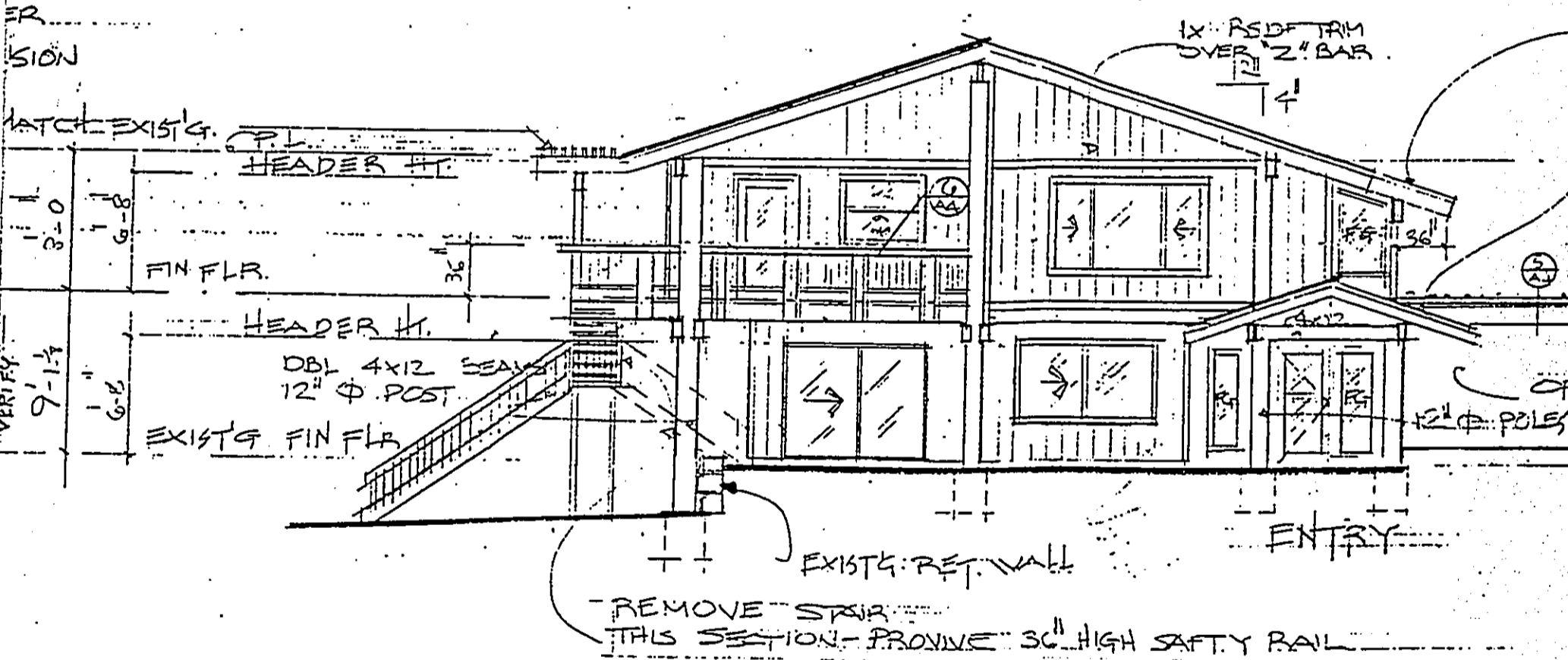
1x3 B5DF
TRIM TYPICAL

5/8"
CA
FIN. FL

EXIST. FT

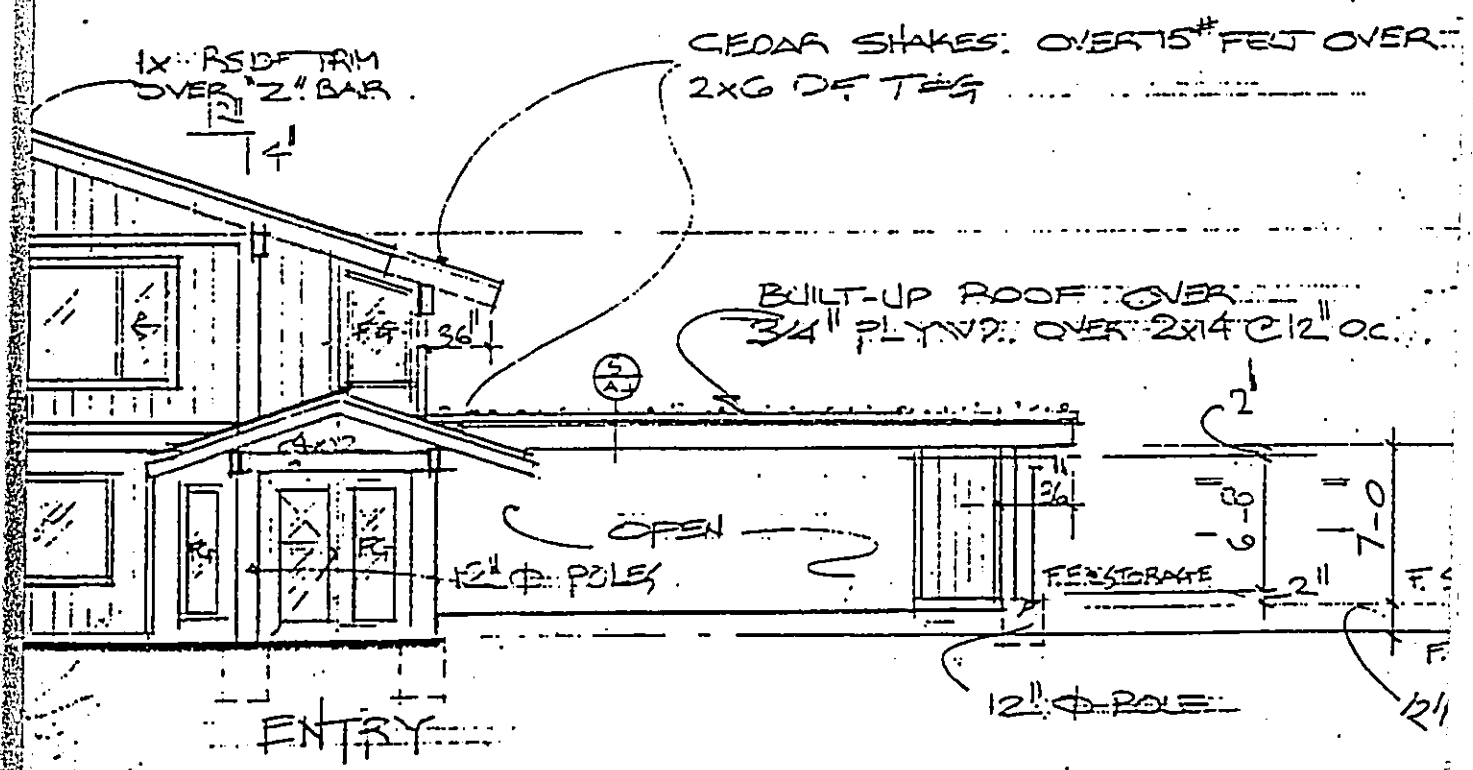
EXIST

NORTH WEST E



REMOVE STAIR
THIS SECTION - PROVIDE 36" HIGH SAFETY RAIL

NORTH WEST ELEVATION



HIGH SAFETY RAIL

SOUTH EAST

NEW CARPORT

EXTENSION

EXISTING ROOF

EXIST. PL.

BUILT-UP ROOF OVER 5/4 PLYND
OVER 2x14 JSTS @ 12" O.C.

EXIST. FIN FLR.

6x12 BEAM

5/8" EXT. HI. PSDF
@ 4" O.C.

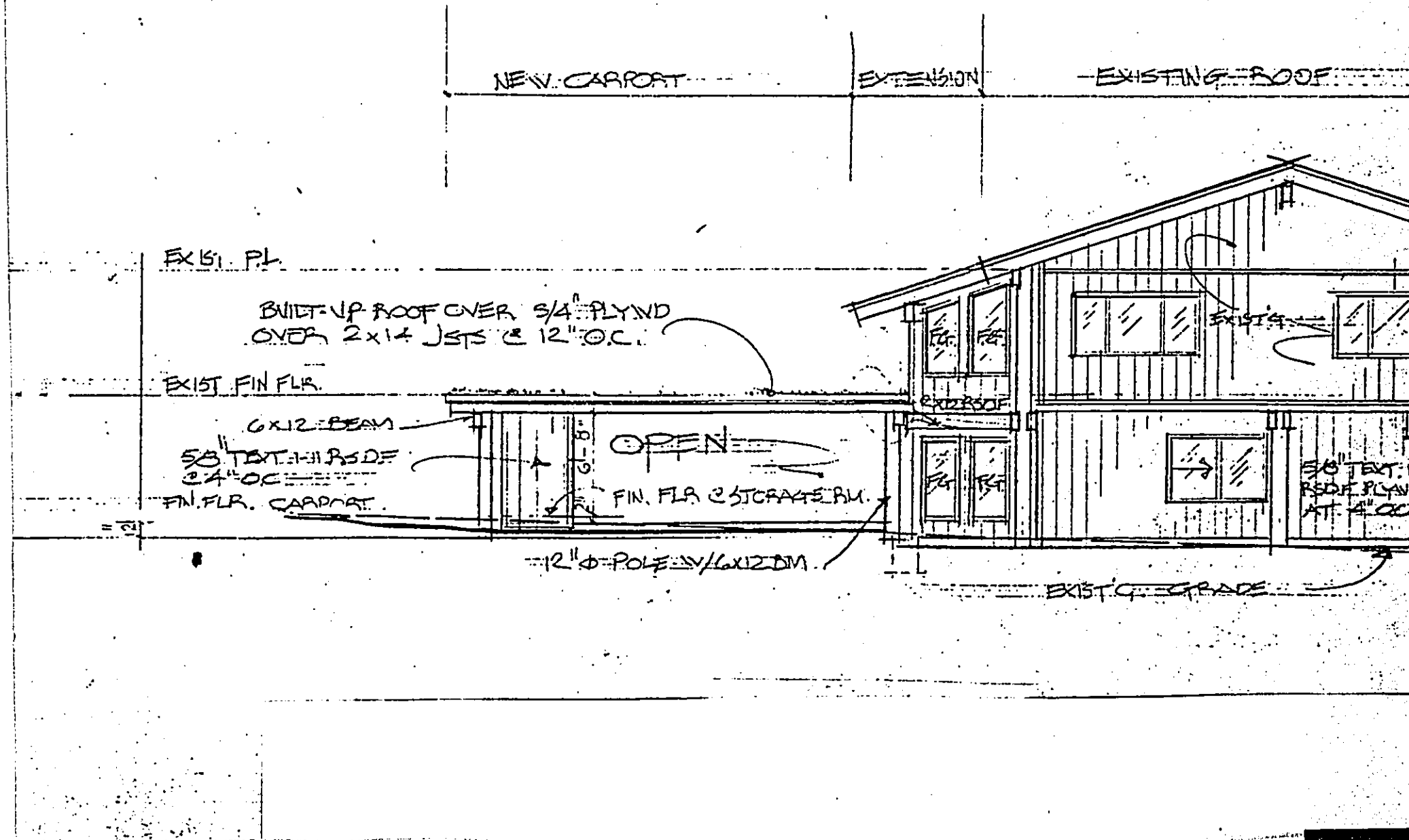
FIN. FLR. CARPORT.

OPEN

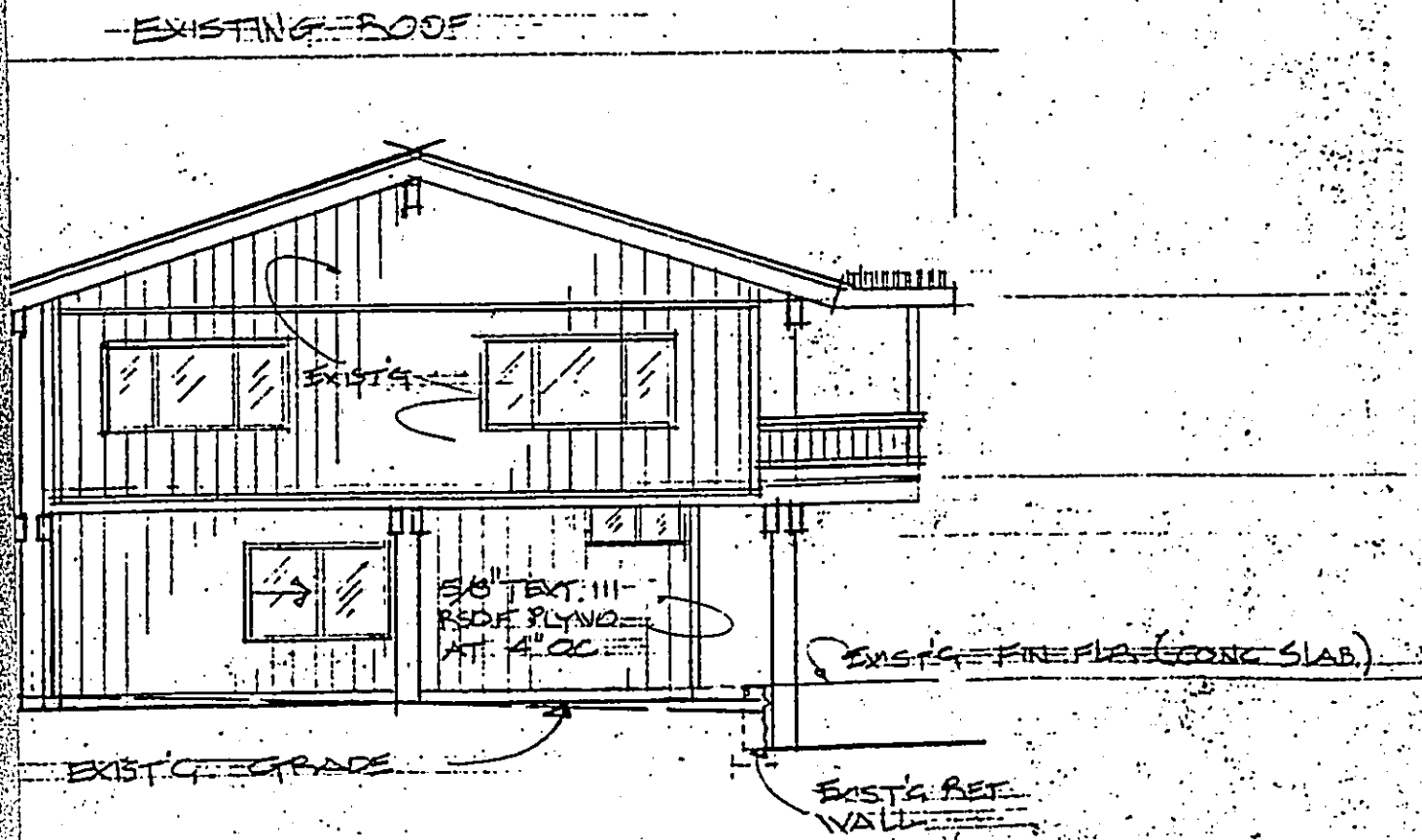
FIN. FLR @ STORAGE RM.

12" Ø POLE 5/6x12 DM.

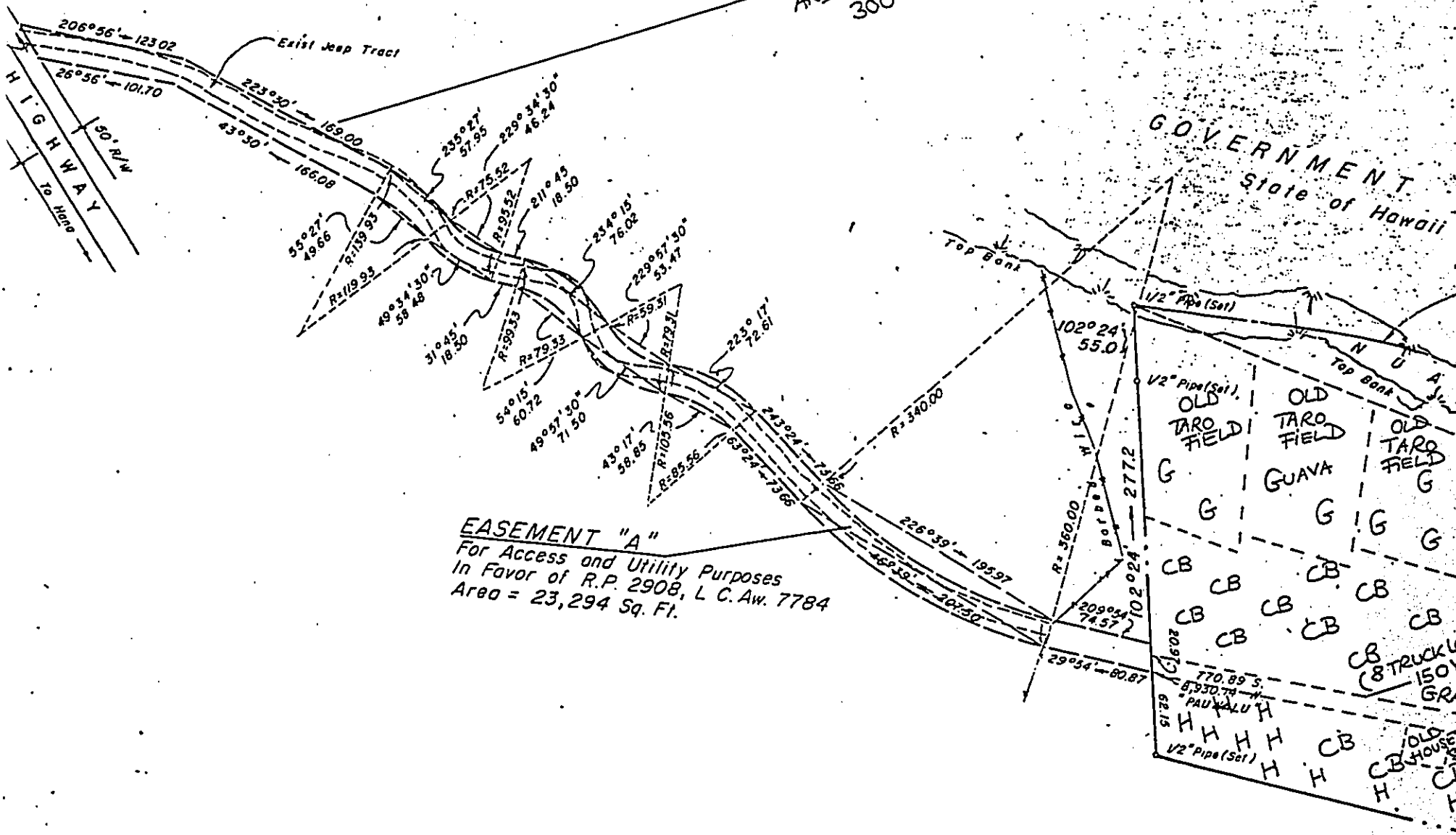
EXIST. G. GRADE



SOUTH EAST ELEVATION



10' WIDE OF GRAVEL
AND CRUSHER WASTE
300 YDS. (15 TRUCK LOADS)



EASEMENT "A"
For Access and Utility Purposes
In Favor of R.P. 2908, L.C. Aw. 7784
Area = 23,294 Sq. Ft.

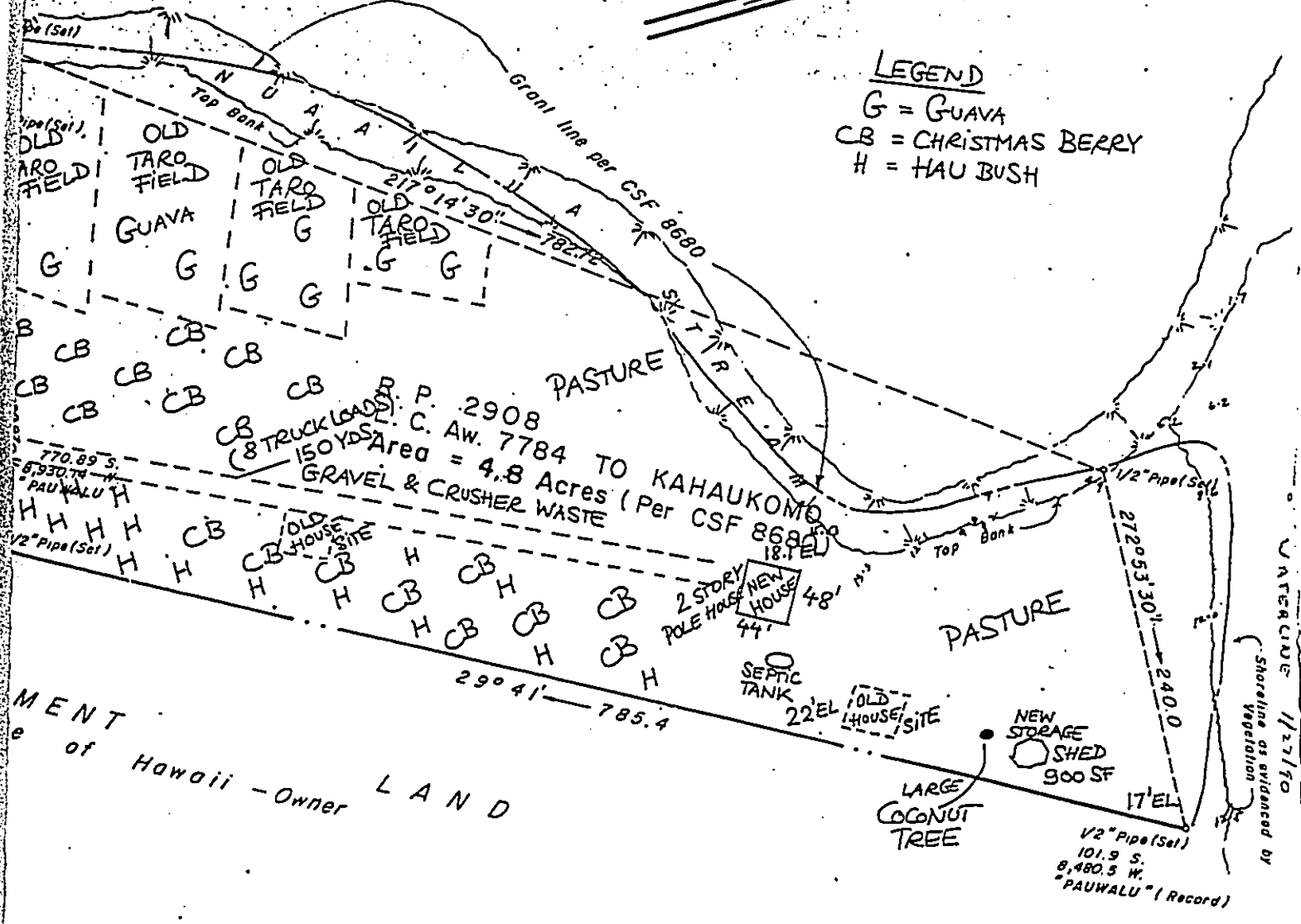
GOVERNMENT
State of Hawaii - Owner

Work is based from a survey performed between
1/27 to February 8, 1990.
Bearing and azimuths are based from Triangulation
Station "PAUWALU" as observed direct from EMI's
Station "Kahunuhua" and "PAUWALU"
Location of the grant is based from CSF 8680
the Survey Division of the State of Hawaii.
Markers are marked with 1/2" pipes, unless otherwise noted.

VERNMENT
State of Hawaii - Owner LAND

Scale: 1" = 100'
meridian of NORTH

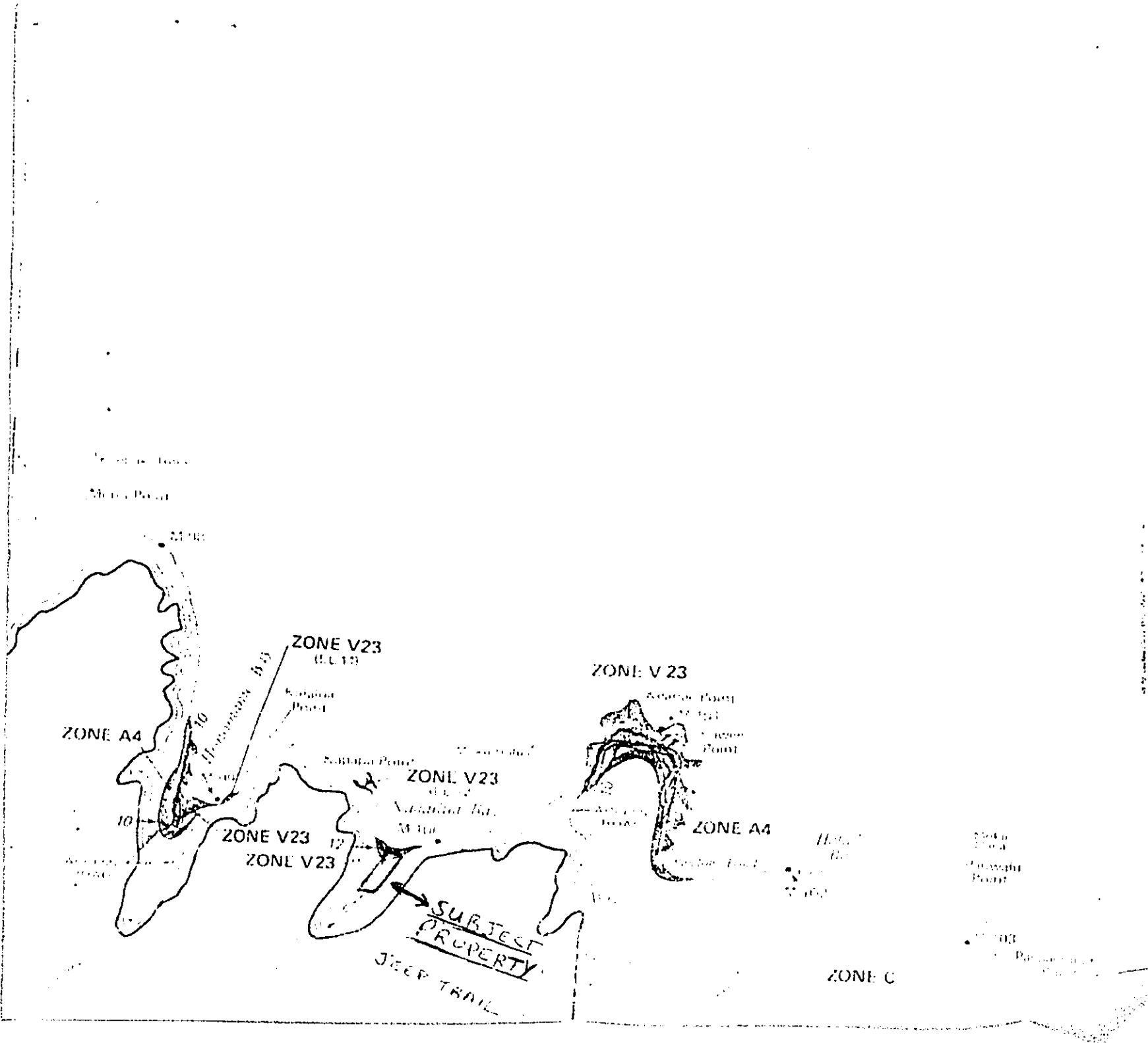
LEGEND
G = GUAVA
CB = CHRISTMAS BERRY
H = HAU BUSH

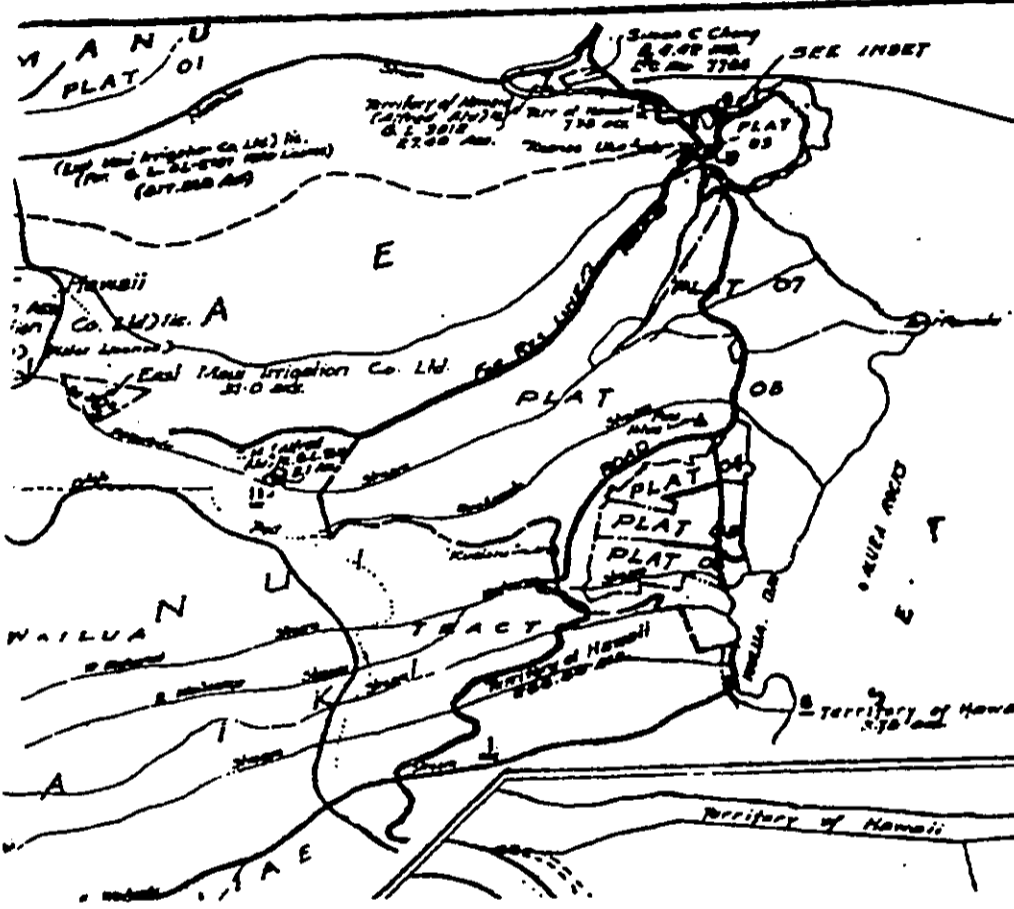


ROYAL PATENT 2908
LAND COMMISSION AWARD 7784
TO KAHUKOMO

NIHA ...

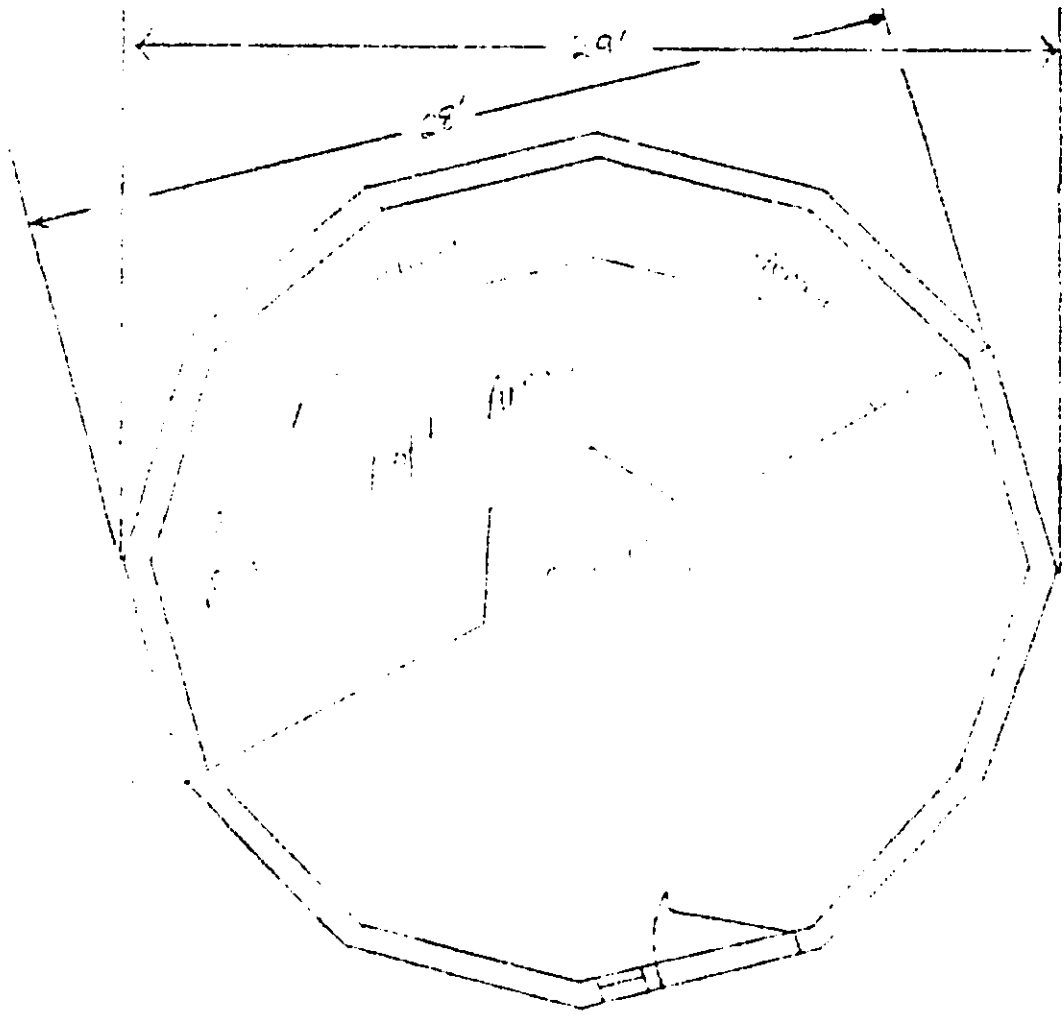
DOCUMENT CAPTURED AS RECEIVED





1-1-2-4
 4.8 ACRES

DOCUMENT CAPTURED AS RECEIVED



DOCUMENT FOR PUBLICATION IN THE OEQC BULLETIN

Date: 7/2/90

Prepared by: _____

The document is a (check all that apply)

- Chapter 205A Document () Negative Declaration ()
- Chapter 343 Document () EIS Preparation Notice ()
- NEPA Document () Draft EIS ()
- Final EIS ()
- Acceptance Notice ()

Is the document a supplemental EIS? Yes () No ()

Title of Proposed Action or Project: _____

Location: Island MAUI District KOOLAU

Type of Action (check one): Applicant () Agency ()

Name of Proposing Applicant or Agency: CLAUDIA GERBAULET

Name of Contact: SAME

Address: 161 MANO DR.

City: KULA State: HI. Zip Code: 96790

Phone: (808) 878-1762

Name of Preparer or Consultant: SAME

Name of Contact: SAME

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: () _____

Accepting Authority: _____

Estimated Project Cost:		Document Preparation Cost:	
Federal Funds	\$ _____	Neg Dec/EA	\$ _____
State Funds	\$ _____	Draft EIS	\$ _____
County Funds	\$ _____	Sup Draft EIS	\$ _____
Private Funds	\$ _____	Sup Final EIS	\$ _____
TOTAL	\$ <u>240,000</u>	TOTAL	\$ _____

- EA Trigger (check all that apply)
- () Use of State or County Lands or Funds
 - (X) Use of Conservation District Lands
 - () Use of Shoreline Setback Area
 - () Use of Historic Site or District
 - () Use of Lands in the Waikiki Special District
 - () Use Requiring an Amendment to a County General Plan

NOTE: For answers to any question on Page 10 or 11, please contact the Office of Environmental Quality Control at (808) 548-6915.

[OEQC Form 89-01 (1/89)
Page 1 of 2]

18

- () Use Requiring the Reclassification of Conservation Lands
- () Construction or Modification of Helicopter Facilities
- () Other _____

Brief Description of the Proposed Action or Project which will be Published in the OEQC Bulletin (limit of 500 words or less): _____
 I propose to build a residential dwelling and storage shed on aforementioned parcel for private use by my family and my friends. We are friends of the Kanoas and plan to spend a lot of our time out there possibly full time at some point.

(Continue on another sheet if necessary)

Tax Map Key(s): 1-1-2-4 _____

FOR OEQC USE ONLY

Date of Submission: _____ OEQC # _____
 Date of Publication: _____ Planner: _____
 Last Day for Consulted
 Party Request:
 Comment Period Ends:
 Acceptance Date:
 Publication Date of
 Acceptance: