

SPECIAL PERMIT

Petition Received JAN 14 1981

Maps _____

Action Span 1/14/81 - 2/28/81

Action Date 2/25/81

Recordation 2/3/81

Boise Cascade

extra maps.

SP70-85

H.15

SEE 2nd AMENDMENT FOLDER - TIME EXTENTION

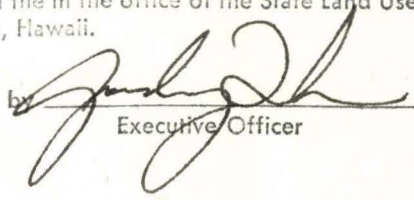
BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition) DOCKET NO. SP70-85
for an Extension of Time to)
the Special Permit of)
TRANSCONTINENTAL DEVELOPMENT)
CO. (formerly Boise Cascade))
_____)

This is to certify that this is a true and correct copy of the
Decision and Order on file in the office of the State Land Use
Commission, Honolulu, Hawaii.

MAY 15 1981

Date

by 
Executive Officer

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition)	DOCKET NO. SP70-85
for an Extension of Time to)	
the Special Permit of)	FINDINGS OF FACT,
TRANSCONTINENTAL DEVELOPMENT)	CONCLUSIONS OF LAW AND
CO. (formerly Boise Cascade))	DECISION AND ORDER
)	
)	

The Land Use Commission of the State of Hawaii,
having duly considered the entire record in the above entitled
matter, makes the following findings of fact and conclusions
of law.

FINDINGS OF FACT

1. The Petitioner has filed for a ten (10) years
time extension of the Special Permit which allows quarry
operations and allied uses on two sites situated within the
State Land Use Agricultural District at Waikoloa, South Kohala,
Hawaii, Tax Map Key 6-8-02: portions of 16 and 15.

2. Site #1, the Pu'u Hinai Quarry , is located on
the southwest face of a cinder cone of the same name, which
reaches an elevation of 1,439 feet above sea level or approxi-
mately 230 feet above the surrounding area. It is located on
the south side of the Waikoloa Road, approximately 4.5 miles
inland of the Kaahumanu Highway, within the bounds of a
rectangular area 1,500 feet by 2,000 feet. This quarry
provides heavily burnt 'a'a cinders and ash which is used as
bedding material for water and sewer pipes, and as temporary
surfacing for roads. These products are also used as a form
of topsoil in nurseries and landscaping, and as the cover

material at the Petitioner's sanitary landfill. Since the Special Permit was first issued, the Tax Map Key designation for this quarry area of approximately 69 acres has been changed from 6-8-01: portion of 04 to 6-8-02: portion of 16.

3. Site #2, the Village Quarry, is located within the bounds of a square 2,000 feet on each side, located adjacent and to the south of the Waikoloa Village urban district, at an elevation of approximately 1,000 feet. Encompassing approximately 92 acres, it is on the south side of the Waikoloa Road, approximately 3.0 miles inland of the Kaahumanu Highway. The Village Quarry provides basically blue rock aggregate which is used for road construction and base course material. The screening plant, rock crusher, scales A.C. and concrete batching plants and equipment repair facilities are located on this site. Since the Special Permit was first issued, the Tax Map Key designation for this quarry area has been changed from 6-8-01: portion of 04 to 6-8-02: portion of 15.

4. The original Special Permit was granted by the Land Use Commission on December 11, 1970 for an initial period of five years. In December 1975, the Land Use Commission granted a five-year extension. The original Petitioner, Boise Cascade, has since transferred operations and their related permits to Transcontinental Development Company.

5. By letter dated September 26, 1980, Transcontinental Development Company requested that the expiration date for SP70-85 of December 11, 1980 be extended to December 11, 1990. The Petitioner noted the completion of Increment 1 of Waikoloa Village, but emphasized that the two quarry sites are essential to providing material for roads, pipe bedding and other infrastructure essential to the total

development of the Waikoloa project over at least another ten years.

6. The request for time extension was discussed by the Hawaii County Planning Commission at a public hearing on November 25, 1980. Claude Jenkins, representing the Petitioner, spoke in support of the request. The Hawaii County Planning Department recommended that the time extension request be approved subject to all the conditions that were stipulated in granting the original Special Permit, including compliance with applicable Department of Health regulations and with an added condition to further protect surrounding properties from traffic, noise, or dust problems that may result from quarrying operations. No other persons testified concerning the request.

7. Based upon the reasons cited by the Petitioner, and the findings and recommendations of the Planning Department, the Hawaii County Planning Commission voted unanimously to forward a favorable recommendation to the State Land Use Commission subject to the added condition outlined by the planning staff.

8. The complete record of the Special Permit petition was received at the Land Use Commission office on January 14, 1981. The Land Use Commission took action on the request on February 25, 1981 by approving the time extension request subject to the conditions stipulated in the granting of the original Special Permit, including compliance with applicable Department of Health regulations, and subject to the additional condition proposed by the Hawaii Planning Commission.

CONCLUSIONS OF LAW

1. As required under Rule 9-3 of the Rules of Practice and Procedure of the Land Use Commission, the Petitioner has shown that unusual circumstances warrant the granting of the requested time extension.

2. The granting of the time extension is not violative of Hawaii Revised Statutes, Chapter 205-6 and State Land Use Commission District Regulations, Part V.

DECISION AND ORDER

IT IS HEREBY ORDERED that Special Permit Number 70-85 which allows quarry operations and allied uses on a total of approximately 161 acres at two sites situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii, Tax Map Key 6-8-02: portion of 16 (69 acres) and 6-8-02: portion of 15 (92 acres), be amended to extend the expiration date from December 11, 1980 to December 11, 1990. This time extension of ten (10) years is granted subject to the following added condition:

That approval of the extension request is subject to all conditions stipulated in the granting of the original Special Permit, except for those references in Condition Number 4 relating to the five year expiration date, but including compliance with applicable Department of Health regulations. In addition, every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and

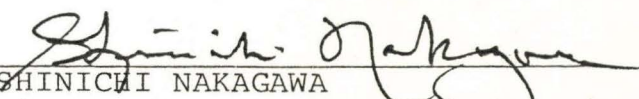
documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.

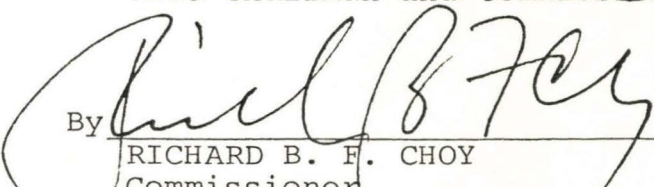
That should the stated conditions not be met, the Special Permit may be deemed null and void.

DATED: Honolulu, Hawaii, May 5, 1981.

LAND USE COMMISSION

By 
C. W. DUKE
Chairman and Commissioner

By 
SHINICHI NAKAGAWA
Vice Chairman and Commissioner

By 
RICHARD B. F. CHOY
Commissioner

By 
SHINSEI MIYASATO
Commissioner

By *Mitsuo Oura*
MITSUO OURA
Commissioner

By *Carol B. Whitesell*
CAROL WHITESELL
Commissioner

P24 4463416

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				
Sidney Fuke				
STREET AND NO.				
P.O., STATE AND ZIP CODE				
POSTAGE			\$ 86	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		75 ¢
		SPECIAL DELIVERY		¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED		60 ¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES			\$ 221	
POSTMARK OR DATE				



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article. date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

PS Form 3811, Jan. 1979

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- ☒ Show to whom and date delivered. ¢
☐ Show to whom, date and address of delivery. ¢
☐ RESTRICTED DELIVERY
 Show to whom and date delivered. ¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Sidney Fuke

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	446316	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

DATE OF DELIVERY

5-18-89

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

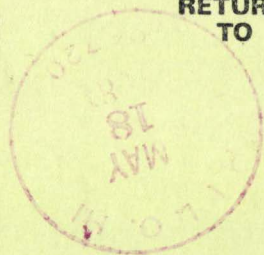


State of Hawaii
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



P24 4463417

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				
Willis Sanburn				
STREET AND NO.				
P.O., STATE AND ZIP CODE				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		75 ¢
		SPECIAL DELIVERY		¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED		60 ¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES			\$ 2.04	
POSTMARK OR DATE				



**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

SP71-117 - Transcontinental Dev. Co.

PS Form 3811, Jan. 1979

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- ☒ Show to whom and date delivered. \$
- ☐ Show to whom, date and address of delivery... \$
- ☐ RESTRICTED DELIVERY
Show to whom and date delivered. \$
- ☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**

Willis Sanburn

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	4463417	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

5-18-81

POSTMARK

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

CLERK'S
INITIALS

☆ GPO : 1979-288-848

SP70-85 - Transcontinental Dev. Co.

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE. \$300



State of Hawaii
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition) DOCKET NO. SP70-85
for an Extension of Time to)
the Special Permit of)
TRANSCONTINENTAL DEVELOPMENT)
COMPANY (formerly Boise)
Cascade))
_____)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use Commission's
Decision and Order was served upon the following by certified mail:

SIDNEY FUKU, Planning Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Willis H. Sanburn
Director of Business Relations
Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 15th day of May, 1981.



GORDAN Y. FURUTANI
Executive Officer

March 10, 1981

Mr. Willis H. Sanburn
Director of Business Relations
Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, Hawaii 96813

Dear Mr. Sanburn:

Re: SP70-085 - Transcontinental Development Company
SP71-117 - Transcontinental Development Company

The original of the attached letters are on file in the office of the Hawaii Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Please be advised that failure to comply with any of the delineated conditions of approval, particularly those relating to time, shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

Copies of the staff memorandum are herewith enclosed for your information. The Land Use Commission's Decision and Order on the above Special Permits will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encls.

March 11, 1981

Hawaii Planning Commission
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke, Planning Director

Gentlemen:

At its meeting on February 25, 1981, the Land Use Commission voted to approve a request by Transcontinental Development Company (formerly Boise Cascade) SP70-085 for a 10-year time extension to allow the continued operation of two quarry sites and allied uses on approximately 162 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii, Tax Map Key 6-8-02; portions of 15 and 16.

Approval of this extension is subject to the conditions stipulated in the original Special Permit. Please be advised that the petitioner's failure to comply with any of the delineated conditions of approval shall be reason for termination of the Special Permit. The Land Use Commission will not consider any request for time extension which is filed after the stipulated commencement or expiration dates.

A copy of the staff memorandum is herewith enclosed for your information. The Land Use Commission's Decision and Order on SP70-085 will be forwarded to you at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: Mr. Willis H. Sanburn

DEPARTMENT OF TAXATION			
PROPERTY TECHNICAL OFFICE			
TAX MAPS BRANCH			
STATE OF HAWAII			
TAX MAP			
THIRD TAXATION DISTRICT			
ZONE	SEC	RAY	
6	8	02	

SCALE 1 IN. = 200 FEET 1/2 IN.

[illegible]

March 11, 1981

Department of Planning and
Economic Development
State of Hawaii
250 South King Street
Honolulu, Hawaii 96813

Attention: Mr. Hideto Kono, Director

Gentlemen:

At its meeting on February 25, 1981, the Land Use Commission voted to approve a request by Transcontinental Development Company (formerly Boise Cascade) SP70-085 for a 10-year time extension to allow the continued operation of two quarry sites and allied uses on approximately 162 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii, Tax Map Key 6-8-02: portions of 15 and 16.

Approval of this extension is subject to the conditions stipulated in the original Special Permit.

Please note that a copy of the Land Use Commission's Decision and Order on this matter will be on file at the Commission's office at a later date.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:jy
Encl.

cc: Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Division of Land Management, DLNR
Office of Environmental Quality Control

STATE OF HAWAII
LAND USE COMMISSION

Approved
AUG 5 1981

Minutes of Meeting

Conference Rooms 322 B & C
Kalanimoku Building
Honolulu, Hawaii

February 25, 1981 - 9:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Richard Choy
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell

COMMISSIONERS ABSENT: George Pascua
Edward Yanai
William Yuen

STAFF PRESENT: Gordan Furutani, Executive Officer
Joseph Chu, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Ray Russell, Court Reporter

ACTION

A80-492 - F & N CORPORATION

Chairman Duke announced that today the Commission will determine whether the defects of the subject petition as determined by the Land Use Commission on September 17, 1980 have been cured.

A chronological summary of the petition was presented by Mr. Furutani, Executive Officer, and a description of the property was offered by staff planner.

Mr. Clifford Lum, attorney representing petitioner, responded to questions from the Commissioners regarding the ownership of the property and assured that documentation of the authorization to represent the various owners will be transmitted to the Commission prior to the hearing date.

Vice Chairman Nakagawa moved that the defect in Docket A80-492, F & N Corporation, had been cured and that the petition be accepted by the Land Use Commission. It was seconded by Commissioner Oura and unanimously carried.

✓ SP70-85 - TRANSCONTINENTAL DEVELOPMENT CO.

To allow a 10-year extension of quarry operations and allied uses at Waikoloa, South Kohala, Hawaii

A description of the location and characteristics of the subject property, and a summary of the staff report were presented by staff planner. Responses were also made to questions which were raised concerning noise and dust complaints and the need for the 10-year permit to quarry the site.

Commissioner Oura moved to approve the 10-year extension request by Transcontinental Development Co., SP70-85 for quarry operation from December 11, 1980 to December 11, 1990, subject to all conditions stipulated in the granting of the original special permit, including compliance with applicable Department of Health regulations. The motion was seconded by Vice Chairman Nakagawa.

Commissioner Choy moved to amend the motion to allow a 5-year extension and request petitioner to come before the Commission again after that time. Commissioner Whitesell seconded the motion.

Commissioner Oura felt that petitioner's request was justified since it was meeting a need for the construction of the golf course, roads, etc., and Commissioner Whitesell agreed with his views.

Commissioner Choy withdrew his amendment and Commissioner Whitesell, seconder of the motion, voiced no objections.

The original motion to approve the 10-year extension request was unanimously passed.

SP71-117 - TRANSCONTINENTAL DEVELOPMENT CO.

To allow a 10-year extension of quarry operations at Waikoloa, South Kohala, Hawaii

The area under petition was pointed out by the staff planner on the USGS and tax maps. A summary of the staff report was also presented.

Questions regarding vegetative restoration of the quarried area, the additional condition imposed by the County were discussed.

It was moved by Commissioner Oura to extend the expiration date of December 17, 1981 to December 17, 1991 on SP-117, Transcontinental Development Co., subject to all conditions stipulated

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP70-85 - Transcontinental
Development Co. (formerly Boise
Cascade)
PLACE Conf. Rm. 322 B
Kalanimoku Building, Honolulu

DATE February 25, 1981

TIME 9:00 a.m.

	NAME	YES	NO	ABSTAIN	ABSENT
	MIYASATO, SHINSEI	X			
	PASCUA, GEORGE R.				X
	YUEN, WILLIAM W. L.				X
	YANAI, EDWARD				X
M	OURA, MITSUO	X			
	CHOY, RICHARD B. F.	X			
S	NAKAGAWA, SHINICHI	X			
	WHITESELL, CAROL	X			
	DUKE, CHARLES	X			

Comments: I move to approve SP70-85, Transcontinental Development Co.'s request to extend the expiration date from December 11, 1980 to December 11, 1990, subject to the conditions stipulated in the original conditions, including compliance with applicable Department of Health regulations.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission

DATE: February 15, 1981

FROM Staff

SUBJECT: SP70-085 - Transcontinental Development Company (formerly
Boise Cascade) Extension of Time Condition

Transcontinental Development Company (TDC) is requesting a time extension to Special Permit 70-085 which was originally approved by the Land Use Commission on December 11, 1970, allowing the operation of two quarry sites and allied uses on approximately 162 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii; Tax Map Key 6-8-02: portions of 15 and 16. For the Commission's information, a location map is appended as Attachment #1.

Site #1, the Pu'u Hina Quarry, is located on the southwest face of a cinder cone of the same name, which reaches an elevation of 1,439 feet above sea level or approximately 230 feet above the surrounding area. It is located on the south side of the Waikoloa Road, approximately 4.5 miles inland of the Kaahumanu Highway, within the bounds of a rectangular area 1,500 feet by 2,000 feet. This quarry provides heavily burnt 'a'a cinders and ash which is used as bedding material for water and sewer pipes, and as temporary surfacing for roads. These products are also used as a form to topsoil in nurseries and landscaping, and as the cover material at the petitioner's sanitary landfill. Since the special permit was first issued, the tax map key designation for this quarry area of approximately 69 acres has been changed from 6-8-01: portion of 04 to 6-8-02: portion of 16.

Site #2, the Village Quarry, is located within the bounds of a square 2,000 feet on each side, located adjacent and to the south of the Waikoloa Village urban district, at an elevation of approximately 1,000 feet. Encompassing approximately 92 acres, it is on the south side of the Waikoloa Road, approximately 3.0 miles inland of the Kaahumanu Highway. The Village Quarry provides basically blue rock aggregate which is used for road construction and base course material. The screening plant, rock crusher, scales A.C. and concrete batching plants and equipment repair facilities are located on this site. Since the special permit was first issued, the tax map key designation for this quarry area has been changed from 6-8-01: portion of 04 to 6-8-02: portion of 15.

The original petitioner, Boise Cascade, has transferred its development holdings and their related permits to Transcontinental Development Company.

Approval of the original SP70-085 was subject to a condition that it was to expire within 5 years from the date of approval by the State Land Use Commission. In 1975, a request was made for a five-year extension of the special permit. Following the recommendation of the Hawaii County Planning Commission, the Land Use Commission, on December 23, 1975, granted the five (5) year time extension.

By letter dated September 26, 1980, Mr. Willis H. Sanburn, petitioner's Director of Business Relations, has requested that the expiration date for SP70-085 of December 11, 1980 be extended to December 11, 1990. In support of this 10-year extension request, Mr. Sanburn stated the following:

"As you know, we have developed Increment 1 of Waikoloa Village, including some 968 single-family lots, the golf course, commercial sites and multi-family sites. Waikoloa Village is now a reality with approximately 300 single-family homes in place and approximately 160 multi-family units. There remains to be developed in the urban zoned land at Waikoloa Village Units 2,3,4 and 5 of single-family lots (approximately 1300 acres). With the development of the resort areas along the coast and with the build-out at Waikoloa Village, we see a demand for more lots and intend to bring them on in the next few years. In addition to this, there will be at some point in time requirements for employee housing which will require additional (sic) roads and infrastructure. These two quarry sites are essential to provide material for roads, pipe bedding, etc. for the infrastructure which will be required.

"Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate for base course and asphalt for the roads and aggregates for concrete curb, etc.

"Because the two quarries are essential for the continued development of the Waikoloa project, we respectfully (sic) request a 10-year extension of SP70-085, December 11, 1980 to December 11, 1990.

"The conditions established by the Planning Commission at its meeting of September 25, 1980 and adopted by the Land Use Commission at granting the Special Permit are being met in the operation of the two quarries and related facilities."

For the Commission's information, the County Special Permit form which lists the findings and conditions of the original SP70-085 approval is attached (Attachment #2).

At a meeting on November 25, 1980, the Hawaii County Planning Commission voted unanimously to recommend approval of the ten year extension based on the following findings:

"That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. The material from the Village Quarry is basically a blue rock aggregate used for construction and base course material. These materials are essential for the improvements which must be made by the applicant.

"The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date evidenced by the 968 single-family lots, the golf course, commercial sites and multi-family sites of Waikoloa Village. The quarrying operations have been essential in the this development and will continue to be so in the construction of further improvements.

"In addition, it is determined that approval of the continuation of the quarrying operations and related use will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

"It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit including compliance with applicable Department of Health regulations. In addition, every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarry operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.

"Should the stated conditions not be met, the Special Permit may be deem null and void."

For the Commission's information, the transcript of the County Planning Commission hearing of November 25, 1980 related to this request is attached (Attachment #3).

PLAT 10

NOTE: All info. owned by Police Cassette Corp. 1968. Noted nationwide copies.



County of Hawaii
County Planning Commission

2, 1970

Applicant Boise Cascade Properties, Inc.
Date of Public Hearing August 20, 1970
Date of Decision September 25, 1970
Meeting Place Hale Halawai, Kailua, Kona
Date Decision and Findings Forwarded
to LUC September 30, 1970

S P E C I A L P E R M I T

The Planning Commission of the County of Hawaii pursuant to consideration required by the provisions of Act 204, SLH 1963, hereby transmits the decision and findings of the above special permit request to use the following described property:

Portion of the 31,000 acre development located in Waikoloa, South Kohala, Hawaii, Tax Map Key 6-8-01:4

for the following purpose(s):

To allow the operation of a quarry site together with allied uses such as a screening plant, rock crusher, scales, AC batching plant, concrete batching plant and equipment repair facilities.

The Commission decided to: Recommend approval of the special permit request.
on the basis of the following findings:

1. That the desired use would not adversely affect surrounding property. The proposed uses although requested to operate for a 5-year period may be looked upon as not being of a permanent nature and essential to the development of the entire project.
2. Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. No additional facilities or improvements would be required by any public agency. As a condition for approval, the applicant would be required to take all necessary precautions so as not to interfere with whatever vehicular traffic exists.
3. That the proposed use will not substantially alter or change the essential character of the land and the present use. Although the quarry operation and allied uses would somewhat alter the physical character of the land, the present use as open space would not be changed nor upon termination of the quarry operation would the land be rendered unsuited for the open space designation.
4. That the proposed use will make the highest and best use of the land involved for the public welfare. The quarry operation and allied uses are essential to the development of the Waikoloa project.

subject to the following conditions:

1. That all State and County standards and appropriate safety measures be taken by the applicant to safeguard vehicular traffic during the entire operation, 24 hours per day.
2. That the applicant shall take every precaution not to create any inconvenience from noise and dust problems during the operation.
3. Upon completion of the operations, all temporary support facilities i.e. rock crusher, A.C. batching plant, steel repair facility, and concrete

(Cont'd on next sheet)

(Signed)

Masunori Kushi
Vice Chairman, Planning Commission

cc Boise Cascade Properties
Masanori Kushi

Attachment #2

8

subject to the following conditions: (Continued)

batching plant, along with all allied equipment, will be removed. A grading plan will be done, natural contours will be restored, and the area will be seeded with the hydromulcher. At the end of construction activities, the quarry site shall appear as natural open space, and not as a scar on the landscape.

4. That this permit shall expire within 5 years from the date of approval by the State Land Use Commission should that agency approve this request.
5. That the operation be confined within the metes and bounds description as submitted.

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
November 25, 1980

A regularly advertised public hearing on the application of Transcontinental Development Company was called to order at 4:00 p.m. in the Kona Surf Hotel, Mauna Loa Conference Room, Keauhou, North Kona, Hawaii, with Chairman William J. Paris, Jr. presiding.

PRESENT:	William J. Paris, Jr.	ABSENT:	Ex-officio Member
	Glenn Frias		H. William Sewake
	Clyde Imada		
	Roy Kagawa		
	Bert H. Nakano		
	Alfredo Orita		
	George Ponte		
	Charles H. Sakamoto		
	Tina Whitmarsh		

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

Robert Yanabu, representing Ex-officio Member Edward Harada
Ben Tsukazaki, Deputy Corporation Counsel

and approximately 7 people in attendance

CHAIRMAN: We'll go to the next item of business which is a public hearing on the request by Transcontinental Development Company for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on lands situated within the State Land Use Agricultural District. The areas involved are situated in the vicinity of the Waikoloa Village, Waikoloa, South Kohala, TMK: 6-8-01:Portion of 4. Staff?

NISHIMURA: Mr. Chairman and Commissioners, for orientation purposes, the quarry sites in question are those delineated here. And this is the Waikoloa Village area, the Waikoloa roadway, and they're both located on the south side of the road. Staff would like to request the waiving of the reading of the background and recommendation for this application in that its content is similar to that which was read previously for the previous item on the agenda.

CHAIRMAN: The time period is what?

NISHIMURA: The time period is for also ten years, except that the specific date of expiration differs; and I can read that into the record if you'd like.

CHAIRMAN: Go ahead.

SP 70-85

EXHIBIT J

Attachment #3

NISHIMURA: Upon review of the subject request for a ten-year extension until December 11, 1990, to continue the operation of two quarry sites and related uses, staff is recommending that it be approved based on the findings as previously read into the record for the previous application and with similar conditions.

CHAIRMAN: Okay, that one would be expiring right around the corner then, 1980, if it's 1990?

NISHIMURA: Right. It would be expiring December 11, 1980.

CHAIRMAN: Staff states that the background is practically the same except it's two different quarries and conditions would read the same. He asked for waiving of reading of same. What is your pleasure, Commissioners?

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: I move that we dispense with the reading of the background and proceed right into the recommendation.

CHAIRMAN: Its been moved to dispense with the reading of the background and go into the recommendation. Is there a second?

FRIAS: Second, Mr. Chairman.

CHAIRMAN: Seconded by Commissioner Frias. All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Go ahead.

NISHIMURA: (Presented recommendation for approval with conditions, on file.)

CHAIRMAN: The applicant is present. Please come forward. You're under oath so we'll just proceed. Can you meet the conditions, the general conditions that have been proposed by the staff?

JENKINS: Yes, we can.

CHAIRMAN: It's agreeable with you?

JENKINS: Yes.

CHAIRMAN: Do you have anything further you'd like to add?

JENKINS: Well, the only comment I would have to make is that those quarries up there are situated, looking on the plan, they look very close to the village but in reality they're not. The Puu Hinai Quarry is about a mile and a half, I think, as a crow flies from the village itself. The lower quarry would be about 5/8 to three quarters of a mile to the village. You got to go to the golf course before you can get any sound up in that area and the normal prevailing winds come from about 54 degrees off the east and takes all, any dust that would escape the dust control mechanisms that the quarry, would take it toward the Kona side.

CHAIRMAN: They're in lava, in other words.

JENKINS: All lava, yes. There is not much chance for too much problems.

CHAIRMAN: Okay, Commissioners, you have any questions of Mr. Jenkins?

ORITA: Mr. Chairman?

CHAIRMAN: Go ahead.

ORITA: I have a question, sir. It says here, "Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate...." Can you get the same type of material by operating just one quarry?

JENKINS: No, not really, because the Puu Hinai Quarry is in an area that over the past 10,000 maybe a lot of cinder and ash flowed down into the hollows. And the type of basaltic rock there, they're completely different; it's the pahoehoe type of lava. Whereas, the makai quarry, which is incidentally just about maybe 2 miles makai of the Puu Hinai Quarry, that is a distinct lava flow in itself, got a blue rock in it, and it's very hard. It's similar to your Kona blue rock here.

ORITA: All right. My other question, sir, is those large boulders, which I'm sure you encounter when you try to get the cinders from your No. 1 quarry, what are, and where do you place those big boulders?

JENKINS: There's, in every void that we develop, we push them all into that and we take all the clinkery type material from around it and crush that into fine -.

ORITA: And how much of this big product do you come across?

JENKINS: There's not too much up there. I don't think over, all that we've, of course, let's say we've taken maybe 60,000 yards out of there, it'll be lucky to be 1,500 cubic yards of boulders in that -.

ORITA: You do not crush any of these boulders into finer things?

JENKINS: No, no, because we have to landscape that after we're through anyhow so we've got to fill these voids and then contour the land back into a normal shape.

CHAIRMAN: Any further questions, Commissioners? If not, thank you very much. This is a public hearing. Is there anyone here desiring to give testimony on this matter now before us? If not, it would be in order to close the hearing. Commissioners?

NAKANO: So move.

KAGAWA: Second.

CHAIRMAN: Its been moved and seconded. All those in favor signify by saying, oh, wait, one moment. Discussion, go ahead.

TSUKAZAKI: Excuse me. What is the date of the application for a time extension?

NISHIMURA: The date that the request was filed?

TSUKAZAKI: Yes.

NISHIMURA: The official request was filed on October 10, 1980.

TSUKAZAKI: Thank you.

CHAIRMAN: All right, anything further in the matter of discussion? If not, all those in favor signify by saying aye?

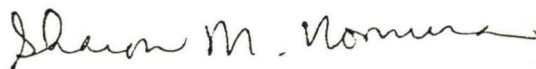
COMMISSIONERS: Aye.

CHAIRMAN: Contrary minded, same sign? Public hearing is closed.

It was moved by Commissioner Orita and seconded by Commissioner Whitmarsh to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with nine ayes.

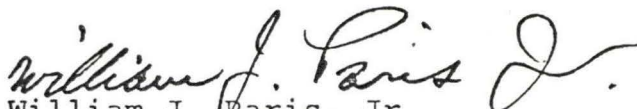
The public hearing adjourned at 4:11 p.m.

Respectfully submitted,



Sharon M. Nomura
Secretary

A T T E S T:



William J. Paris, Jr.
Chairman, Planning Commission

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

February 25, 1981 - 9:00 a.m.
Conference Rooms 322 B & C
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii

REC'D. BY

1981 FEB 18 AM 10 07

LI. GOVERNOR'S OFFICE

R E V I S E D A G E N D A

I. ACTION

1. A80-492 - F & N Corp. (Hawaii)

To determine whether the defects of the subject petition as determined by the Land Use Commission on September 17, 1980 are cured.

✓ 2. SP70-85 - Transcontinental Development Co. (formerly Boise Cascade)
(Time Extension) (Hawaii)

To allow a 10-year extension of quarry operations and allied uses at two sites on approximately 162 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii.

3. SP71-117 - Transcontinental Development Co. (formerly Boise Cascade)
(Time Extension) (Hawaii)

To allow a 10-year extension of quarry operations and allied uses on 309 acres of land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii.

4. SP78-309 - Paradise Hui Hanalike (Hawaii)

To amend Conditions 4 and 5 relating to certain parking requirements at the Hawaiian Paradise Park Subdivision community center complex situated within the State Land Use Agricultural District at Keaau, Puna, Hawaii.

5. A80-494 - John A. Harvey, III (Hawaii)

Motion to Defer Hearing on a request to reclassify approximately 130.945 acres of land presently in the Agricultural District into the Urban District at Puaa 1st and 2nd, North Kona, Hawaii for residential subdivision.

6. A80-500 - Kapalaoa, Inc. (Hawaii)

Motion to Defer Hearing on a request to reclassify approximately 15.5 acres of land presently in the Conservation District into the Urban District at Puuanahulu, North Kona, Hawaii for resort development.

7. A76-411 - A & B Properties, Inc. (Kauai)

Motion to amend certain conditions of Decision and Order in connection with the reclassification of certain lands at Eleele, Kauai.

II. MISCELLANEOUS

1. ~~Adoption of Minutes~~
2. Tentative Meeting Schedule

2/18/81 - A copy of this revised agenda was mailed to all interested parties, persons and organizations on the attached mailing lists:

1. STATEWIDE
2. OAHU
3. HAWAII
4. MAUI
5. KAUAI
6. MOLOKAI

STATE OF HAWAII
LAND USE COMMISSION
Old Federal Building
Room 104
335 Merchant Street
Honolulu, Hawaii 96813

February 10, 1981

Mr. Sidney Fuke
Planning Director
Hawaii County Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petitions

✓ SP70-85 - Transcontinental Development Co. (Time Extension)

SP71-117 - Transcontinental Development Co. (Time Extension)

SP78-309 - Paradise Hui Hanalike (Amend Conditions 4 and 5)

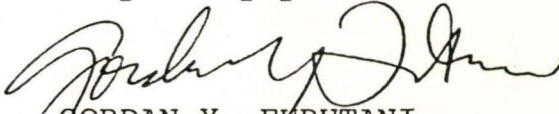
A80-494 - John A. Harvey, III (Motion to Defer Hearing)

A80-500 - Kapalaoa, Inc. (Motion to Defer Hearing)

will be considered at that time.

Should you have any questions on these matters, please contact this office.

Very truly yours,


GORDAN Y. FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
Old Federal Building
Room 104
335 Merchant Street
Honolulu, Hawaii 96813

February 10, 1981

Mr. Willis H. Sanburn
Director of Business Relations
Suite 1801, Financial Plaza of the Pacific
130 Merchant Street
Honolulu, Hawaii 96813

Dear Mr. Sanburn:

Enclosed is a Notice of Land Use Commission meeting and the Agenda for the Meeting.

Please note that petitions

✓ SP70-85 - TRANSCONTINENTAL DEVELOPMENT CO. (Time Extension)
SP71-117 - TRANSCONTINENTAL DEVELOPMENT CO. (Time Extension)

will be considered at that time.

Should you have any questions on this matter, please contact this office.

Very truly yours,



GORDAN FURUTANI
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION

NOTIFICATION OF LAND USE COMMISSION MEETING

February 25, 1981 - 9:00 a.m.
Conference Rooms 322 B & C
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii

(See Revised Agenda)

REC'D. BY

1981 FEB 9 AM 10 58

LT. GOVERNOR'S OFFICE

A G E N D A

I. ACTION

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(Time Extension) (Hawaii)

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Motion to Defer Hearing on a request to reclassify approximately 130.945 acres of land presently in the Agricultural District into the Urban District at Puua 1st and 2nd, North Kona, Hawaii for residential subdivision.

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Motion to Defer Hearing on a request to reclassify approximately 15.5 acres of land presently in the Conservation District into the Urban District at Puuanahulu, North Kona, Hawaii for resort development.

II. MISCELLANEOUS

1. Adoption Minutes
2. Meeting Schedule

2/10/81 - A copy of this agenda was mailed to all persons and organizations on the attached mailing lists:

1. STATEWIDE
2. OAHU
3. HAWAII
4. MAUI
5. KAUAI
6. MOLOKAI



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

SIDNEY M. FUKU
Director

DUANE KANUHA
Deputy Director

January 12, 1981

Mr. Gordan Furutani
Executive Officer
Land Use Commission
190 South King Street
Suite 1795
Honolulu, Hawaii 96813

Dear Mr. Furutani:

Request for a Time Extension
Special Permit No. 70-85 (LUC 164)
Transcontinental Development Company
(formerly Boise Cascade Home & Land Corp.)
TMK: 6-8-01:Portion of 4

The Planning Commission at its duly held public hearing on November 25, 1980, considered the above request for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on land situated within the State Land Use Agricultural District at Waikoloa, South Kohala, Hawaii.

The Commission voted to recommend the approval for a ten-year extension until December 11, 1990, to the Land Use Commission. Enclosed is the entire docket on the above request.

Should you have any questions, please feel free to contact the Planning Department at 961-8288.

Sincerely,


WILLIAM J. PARIS, JR.
Chairman, Planning Commission

lgv

Enclosure

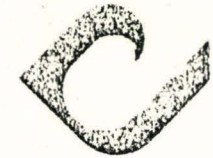
cc: Mr. Willis H. Sanburn
Chief Engineer, Public Works
Kona Services Office
Department of Health

JAN 14 10 05 AM '81
LAND USE COMMISSION
STATE OF HAWAII

LIST OF EXHIBITS: TRANSCONTINENTAL DEVELOPMENT COMPANY SP70-85
(formerly Boise Cascade Home and Land Corporation) (LUC 164)

- A. Letter of Time Extension Request to Planning Department from the petitioner (9/26/80) on Quarry Permits
- B. Letter of Time Extension Request, Mauka Quarries (SP70-85) to Planning Department from the petitioner (9/26/80)
- C. Departmental acknowledgement letter of time extension requests to the petitioner (10/2/80)
- D. Enclosed filing fee of \$200.00 (letter dated 10/10/80)
- E. Letter of Public Hearing Notice to the petitioner (11/13/80)
- E-1. Public Hearing Notice
- F. Staff Background
- G. Staff Recommendation
- H. Voting Sheet-November 25, 1980
- I. Minutes, November 25, 1980
- J. Transcript, November 25, 1980

Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, Hawaii 96813
808/531-8181



Waikoloa
on the Kohala Coast

September 26, 1980

Mr. Sidney Fuke
Director of Planning
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Re: Time Extension - Quarry Permits
Mauka & Makai - Waikoloa

As we discussed I am submitting separate requests for 10-year extensions on our Makai and Mauka quarry permits. Because Waikoloa is an on going project and we foresee development over the next 10 years, it seems appropriate to request 10-year extensions on these permits and to consider them all at one time in the interest of saving time and effort by your department, the Planning Commission and the Land Use Commission.

As we have previously informed you, Waikoloa and its related permits have been transferred from the various Boise Cascade entities to Transcontinental Corporation and the development is now being carried on by Transcontinental Development Co., a partnership between Transcontinental Corporation and Bass Brothers Enterprises. Therefore, the new extension should be in the name of Transcontinental Development Co.

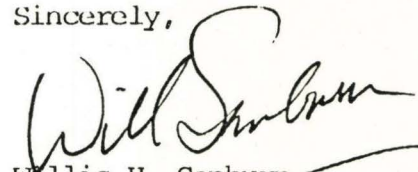
If you think it best, we can arrange to have all three quarry permits expire on the same time making village permit extension request for 11 years rather 10 years. I should also mention that it is likely the Mauka Quarry #2 will fall within the industrial area which we will be setting up in the near future. However, in view of the fact the permit runs out before the necessary permits for the industrial area could be obtained, I think it is wise to include this quarry in the request for extension.

EXHIBIT A

Mr. Sidney Fuke
Director of Planning
Planning Department
County of Hawaii
September 26, 1980
Page 2--

If you need any additional information or any way I can help, please don't hesitate to let me know. Thanks very much for your consideration and help.

Sincerely,

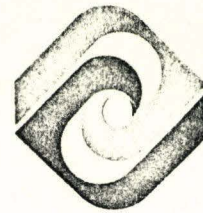
A handwritten signature in dark ink, appearing to read "Will Sanburn", written in a cursive style.

Willis H. Sanburn
Director of Business Relations

WHS/fn

cc: Land Use Commission
Jim Lium
Ron Boeddeker
Ron Lum

Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, Hawaii 96813
808/531-8181



Waikoloa
on the Kohala Coast

September 26, 1980

Mr. Sidney Fuke
Director of Planning
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Re: Time Extension Request
Mauka Quarries, Sites 1 and 2
Waikoloa - (SP - 70-85)
TMK: 6-8-01: Parcel 4

The referenced Special Permit for the operation of the two mauka quarry sites at Waikoloa granted by the Land Use Commission December 11, 1970 and extended by the Land Use Commission at its meeting December 23, 1975 will expire December 11, 1980.

As you know, we have developed Increment 1 of Waikoloa Village, including some 968 single-family lots, the golf course, commercial sites and multi-family sites. Waikoloa Village is now a reality with approximately 300 single-family homes in place and approximately 160 multi-family units. There remains to be developed in the urban zoned land at Waikoloa Village Units 2, 3, 4 and 5 of single-family lots (approximately 1300 acres). With the development of the resort areas along the coast and with the build-out at Waikoloa Village, we see a demand for more lots and intend to bring them on in the next few years. In addition to this, there will be at some point in time requirements for employee housing which will require additional roads and infrastructure. These two quarry sites are essential to provide material for roads, pipe bedding, etc. for the infrastructure which will be required.

Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate for base course and asphalt for the roads and aggregates for concrete curb, etc.

EXHIBIT B

Mr. Sidney Fuke
Director of Planning
Planning Department
County of Hawaii
September 26, 1980
Page 2--

Because the two quarries are essential for the continued development of the Waikoloa project, we respectfully request a 10-year extension of SP 70-85, December 11, 1980 to December 11, 1990.

The conditions established by the Planning Commission at its meeting of September 25, 1970 and adopted by the Land Use Commission at granting the Special Permit are being met in the operation of the two quarries and related facilities.

In the event we can provide further information in this matter or if any of your staff or members of the commission wish to make an on-site investigation, please let me know.

Sincerely,



Willis H. Sanburn
Director of Business Relations

WHS/fn

cc: Land Use Commission
Jim Lium
Ron Boeddeker
Ron Lum

October 2, 1980

Mr. Willis H. Sanburn
Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, HI 96813

Dear Mr. Sanburn:

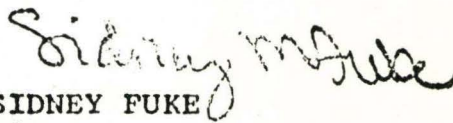
Time Extension Requests - SP70-85 and SP71-117
Quarry Activities
Tax Map Key: 6-8-01:4 and Portion 5

This is to acknowledge receipt of your letters of September 26, 1980, requesting time extensions to Special Permit 70-85 and Special Permit 71-117.

Since public hearings must be conducted for these requests, please remit a total filing fee of \$200.00 (\$100.00 per request). Upon receipt of the filing fee, we will schedule the requests for a public hearing with the Planning Commission.

Should you have any questions, please feel free to contact Norman Hayashi or Brian Nishimura of this office at 961-8288.

Sincerely,


SIDNEY FUCE
Director

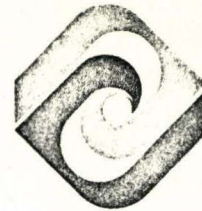
NH:wkm

cc: Land Use Commission

EXHIBIT C

OCT 3 1980

Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, Hawaii 96813
808/531-8181



Waikoloa
on the Kohala Coast

October 10, 1980
Ref: Your letter of 10/2/80

Mr. Sidney Fuke
Director of Planning
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Fuke:

Subject: Time Extension Requests - SP70-85 & SP71-117
Quarry Activities
TMK: 6-8-01:04 and Portion 5

Thank you for your letter of October 2 relative to our requests for time extension of the subject matter. As you requested enclosed is our filing fee check of \$200.00. As soon as a public hearing of our requests has been scheduled with the Planning Commission, please let us know.

Sincerely,

Willis H. Sanburn
Director of Business Relations

/fn
Encl. (check)

EXHIBIT D

PLANNING DEPARTMENT

County of Hawaii

25 Aupuni Street

Hilo, Hawaii 96720

RECEIPTDate Oct 20 19 80

8654

Received From Fred T. Yamashiro, CustodianAddress Transcontinental Dev Co, Box 3028 Waikaloa 96743two hundred and 00/100 — Dollars \$ 200.00For Time Extension Requests SP 70-85 + SP 71-117TMA: 6-8-01-04 and Portion 5

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<u>200</u>	<u>-</u>
BALANCE DUE			MONEY ORDER		

By Kimiko Matsunaga

November 13, 1980

Mr. Willis H. Sanburn
Suite 1801
Financial Plaza of the Pacific
130 Merchant Street
Honolulu, HI 96813

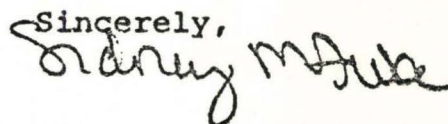
Dear Mr. Sanburn:

Notice of Public Hearings
Petitioner: Transcontinental Development Company
Amendments to Special Permit Nos. 71-117 and 70-85
Tax Map Key 6-8-01:Portions of 4 and 5

This is to inform you that the above requests have been scheduled for public hearings. Said hearings among others will be held beginning at 2:30 p. m. on Tuesday, November 25, 1980, in the Kona Surf Hotel, Mauna Loa Conference Room, Keauhou, North Kona, Hawaii.

The presence of a representative will be appreciated in order that all questions relative to the requests may be clarified.

A copy of the hearing notice and agenda is enclosed for your information.

Sincerely,


Sidney M. Fuke
Planning Director

smn

Enclosure

cc: State Land Use Commission

EXHIBIT E

NOV 13 1980

PUBLIC HEARINGS
PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii and Rule 9, "Special Management Area Rules and Regulations of the County of Hawaii."

PLACE: Kona Surf Hotel, Mauna Loa Conference Room, Keauhou, North Kona, Hawaii

DATE: Tuesday, November 25, 1980

TIME: 10:00 a.m. (Item No. 1)
2:30 p.m. (Item Nos. 2-5)
7:00 p.m. (Item No. 6)

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. PETITIONER: MICHAEL MATSUKAWA/ALVA USHIRODA, ET AL
LOCATION: Kealahakua Village, Halekii, South Kona.
TMK: 8-1-03:40 and 57
PURPOSE: Continuation of a public hearing on a request for a declaratory ruling regarding certain uses allowed by the Planning Director on properties zoned Village Commercial (CV).
2. PETITIONER: TRANSCONTINENTAL DEVELOPMENT COMPANY
LOCATION: Mauka of the Queen Kaahumanu Highway and along the Waikoloa Road, Waikoloa, South Kohala.

EXHIBIT E-1

- TMK: 6-8-01:Portion of 5
- PURPOSE: Request for a time extension to Special Permit No. 71-117 (LUC 197) which allowed the establishment of quarry operations and allied uses on 309 acres of land situated within the State Land Use Agricultural District.
3. PETITIONER: TRANSCONTINENTAL DEVELOPMENT COMPANY
- LOCATION: Vicinity of the Waikoloa Village, Waikoloa, South Kohala.
- TMK: 6-8-01:Portion of 4
- PURPOSE: Request for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on lands situated within the State Land Use Agricultural District.
4. PETITIONER: CHARLES CHAMBERLAND
- LOCATION: Along the mauka side of Alii Drive and across from Oneo Bay, Kailua Village, Hienaloli, North Kona.
- TMK: 7-5-09:31.
- PURPOSE: Request for a time extension to Condition No. 1 of SMA Use Permit No. 115 which allowed the development of a 60-unit condominium project and related improvements.
5. PETITIONER: C. M. CABRAL & ASSOCIATES

- LOCATION: Along the west side of Opelo Road and approximately 600 feet south of the Kawaihae Road-Opelo Road intersection, adjacent and to the north of the Hale Waimea Apartment Complex, Waimea Homesteads, South Kohala.
- TMK: 6-5-09:25 & 26.
- PURPOSE: Planned Development Permit (PDP) to allow the development of a 40-unit condominium project.
6. PETITIONER: WALLACE KOBAYASHI
- LOCATION: Along the west side of Palani Road, across from the Palani Road-Laimana Road intersection, and in the vicinity of the Kealakehe School Complex, Kealakehe Homesteads, North Kona.
- TMK: 7-4-14:112
- PURPOSE: Continuation of a public hearing for a change of zone for 1.02 acres of land from a Single Family Residential - 10,000 square foot (RS-10) to a Neighborhood Commercial - 20,000 square foot (CN-20) zoned district.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during

office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION,
WILLIAM J. PARIS, JR., Chairman
By SIDNEY M. FUKU
Planning Director

(Hawaii Tribune-Herald: November 14 and 23, 1980)

TIME EXTENSION: TRANSCONTINENTAL DEVELOPMENT CO. (SP70-85)

Transcontinental Development Company has submitted a request for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on lands situated within the State Land Use Agricultural District. The areas involved are situated in the vicinity of the Waikoloa, South Kohala, TMK: 6-8-01:Portion of 4.

Special Permit 70-85 was granted by the State Land Use Commission on December 11, 1970, and allowed the operation of two quarry sites and related uses including screening plant, rock crusher, scales and AC and concrete batching plants. Both quarry sites are situated on the Kailua or south side of the Waikoloa Urban District at elevations of approximately 1,439 feet and 1,000 feet, respectively.

Quarry site no. 1 is identified as the Puu Hinai Quarry which provides heavily burnt aa and ash material. Quarry site no. 2 is identified as the Village Quarry and provides a different type of material, basically a blue rock aggregate.

In support of this request, the petitioner stated, in part, the following:

"As you know, we have developed Increment 1 of Waikoloa Village, including some 968 single-family lots, the golf course, commercial sites and multi-family sites. Waikoloa Village is

EXHIBIT ~~A~~ F

now a reality with approximately 300 single-family homes in place and approximately 160 multi-family units. There remains to be developed in the urban zoned land at Waikoloa Village Units 2, 3, 4 and 5 of single-family lots (approximately 1300 acres). With the development of the resort areas along the coast and with the build-out at Waikoloa Village, we see a demand for more lots and intend to bring them on in the next few years. In addition to this, there will be at some point in time requirements for employee housing which will require additional [sic] roads and infrastructure. These two quarry sites are essential to provide material for roads, pipe bedding, etc. for the infrastructure which will be required.

"Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate for base course and asphalt for the roads and aggregates for concrete curb, etc.

"Because the two quarries are essential for the continued development of the Waikoloa project, we respectfully [sic] request a 10-year extension of SP 70-85, December 11, 1980 to December 11, 1990.

"The conditions established by the Planning Commission at its meeting of September 25, 1970 and adopted by the Land Use Commission at granting the Special Permit are being met in the operation of the two quarries and related facilities."

For the Commissioners' information, a five (5) year time extension to Special Permit 70-85 was previously granted by the Land Use Commission, as recommended by the County Planning Commission, on December 23, 1975. The reasons for granting the original time extension can be briefly summarized as follows:

1. The quarry sites are a necessary and integral part of the applicant's overall development.
2. The applicant's development is an on-going project and the need for the quarry operations will continue some time into the future.
3. The approval of continued quarry operations will contribute to the applicant's compliance with the intent, purpose and requirements of land use changes previously approved.
4. The continuance of the quarry operations will have minimal adverse effects on the public health and welfare.

In addition, there is one other quarry site within the Waikoloa development. This quarry site was the subject of the time extension request of the previous item on the agenda.

None of the cooperating agencies had any comments on or objections to the subject request.

RECOMMENDATION: TRANSCONTINENTAL DEVELOPMENT CO. - Time Extension
(SP 70-85)

Upon review of the subject request for a ten-year extension until December 11, 1990, to continue the operation of two (2) quarry sites and related uses, staff is recommending that it be approved based on the following findings:

That the subject quarry sites are a necessary and integral part of the applicant's overall development. The material which is obtained from the two sites is used to meet various construction needs. The Puu Hinai Quarry provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. The material from the Village Quarry is basically a blue rock aggregate used for road construction and base course material. These materials are essential for the improvements which must be made by the applicant.

The applicant's development is an on-going project, and the need for the quarry operations and the related uses allowed by the Special Permit will continue some time into the future. The applicant has made substantial improvements to date evidenced by the 968 single-family lots, the golf course, commercial sites and multi-family sites of Waikoloa Village. The quarrying operations have been essential in this development and will continue to be so in the construction of further improvements.

In addition, it is determined that approval of the continuation of the quarrying operations and related use will contribute to

EXHIBIT #G

the applicant's compliance with the intent, purpose and requirements of land use changes which have been previously approved. The continuance of these operations and uses will have minimal adverse effects on the public health and welfare.

It is further recommended that approval of the extension request be subject to all conditions stipulated in the granting of the original Special Permit including compliance with applicable Department of Health regulations. In addition, every precaution must be taken by the applicant so as not to create any inconvenience to surrounding properties in regard to traffic, noise and dust problems during the quarrying operations. Should the quarrying operations have an adverse effect on surrounding properties, sufficient and documented evidence may be submitted to the Planning Director to support any claims which are made that the applicant is creating an inconvenience. If the Planning Director finds that the evidence submitted shows sufficient cause to re-evaluate the Special Permit, he shall transmit such evidence to the Planning Commission who shall hold a public hearing to gather evidence relative to the impact of the quarrying operations on surrounding lands. Upon receiving any complaint which is accompanied by documented evidence relative to the impact of the quarry operations, the applicant shall cease operations until a determination is made as to whether operations can continue or the Special Permit is to be revoked.

Should the stated conditions not be met, the Special Permit may be deemed null and void.

RECORD OF VOTING
PLANNING COMMISSION
County of Hawaii

Date 11/25/80

Petitioner Transcontinental Development Co. (SP 70-85)

☐ Preliminary hearing ☐ Public hearing ☐ Request ☒ Action

ACTION: ☐ Approve

☐ Deny

☐ Defer

☐ Continue

☐ Schedule for public hearing

Other: _____

Commissioners	Aye	No	Excused	Abstain	Absent
IMADA, CLYDE	✓				
KAGAWA, ROY	✓				
NAKANO, BERT	✓				
ORITA, FRED M	✓				
SAKAMOTO, CHARLES	✓				
WHITMARSH, TINA 2nd	✓				
FRIAS, GLENN	✓				
PONTE, GEORGE	✓				
PARIS, WILLIAM J. JR. (CHRM.)	✓				

EXHIBIT H

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
November 25, 1980

The Planning Commission met in regular session at 10:08 a.m. in the Kona Surf Hotel, Mauna Loa Conference, Room, Keauhou, North Kona, Hawaii, with Chairman William J. Paris, Jr. presiding.

PRESENT: William J. Paris, Jr. ABSENT: Ex-officio Member
Glenn Frias H. William Sewake
Clyde Imada (From 1:52 p.m.)
Roy Kagawa
Bert H. Nakano
Alfredo Orita
George Ponte
Charles H. Sakamoto
Tina Whitmarsh

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

Robert Yanabu, representing Ex-officio Member Edward Harada
Ben Tsukazaki, Deputy Corporation Counsel

and approximately 15 people at 10:08 a.m., 26 people at 1:45 p.m., and 7 people at 3:46 p.m. were in attendance

All those testifying were duly sworn in.

AMENDMENT TO Application of Hiroshi Matsuyama for an amend-
SP78-305 ment to SP78-305 (LUC 394) to allow the second
HIROSHI MATSUYAMA floor addition for a fast foods outlet, beauty
KALAOA 5TH, shop, manager's quarters, post office and a
NORTH KONA real estate or insurance office. The original
 permit was a country general store and a service
station facility on 0.85 acre of land situated within the State Land
Use Agricultural District. The area involved is located along the
mauka side of the Hawaii Belt Highway, approximately 300 feet south
of the Kona Palisades Drive, Kalaoa 5th, North Kona, TMK: 7-3-05:27.

Staff noted the petitioner's November 14, 1980, letter limiting the second floor addition to a manager's quarters and storage area and the letter from the Department of Water Supply essentially saying they had no objections to the amended request. Staff then stated based upon these two letters, they had no objections to the amended request.

The petitioner's representative, Richard Ishida, assured the Commission that there has been no change to the building since the original application was approved. However, they would now like to lower the ceiling and add another floor. He added that no additional grading work will be necessary for the second floor.

The petitioner, Alvin Chee, showed a rendering of the project. He stated he would be able to comply with the conditions as amended by the staff, noting that instead of 34 units they are going with 25, at a selling price of approximately \$325,000 to \$425,000.

Upon the Director's questioning, Mr. Chee stated he was agreeable to the following added condition: "That a cash fee equivalent to the estimated cost of an 8-foot wide pedestrian easement and improvements thereon running the length of the subject property from Alii Drive to the shoreline shall be deposited with the County of Hawaii Finance Director prior to issuance of building permit. The amount of said fee shall be determined by the Planning Director or an independent land appraiser. Should an independent appraiser be used, the cost of the appraisal shall be borne by the petitioner. Said fee shall be deposited to a public access fund for the North Kona District and shall be used to acquire, maintain or improve shoreline accesses in the North Kona District."

The following is a recapitulation of those testifying on the application:

F. A. McCallum, representing Roy & M. Hargraves, Vernon Brown, and M. V. Finch, read and presented written testimony dated November 25, 1980, against the project, on file.

Elizabeth Von Beck, on behalf of the Kona Conservation Group, said she felt the traffic problem, overbuilding of condominiums, and ruining of hotel businesses should be considered very strongly before anymore condominiums are approved anywhere.

Bob Linderd expressed his concern that the model prepared by the petitioner was inaccurate and that a large portion of the project would be inundated if there is a storm of the magnitude that occurred last January.

It was moved by Commissioner Orita and seconded by Commissioner Ponte that the hearing be continued to allow the petitioner time to redesign their plans to meet with the staff's suggested conditions of approval; motion was carried with Commissioner Sakamoto voting no.

RECESS: The Chair called a short recess at 3:37 p.m.

RECONVENED: The meeting reconvened at 3:46 p.m. to take up the public hearings scheduled for 2:30 p.m.

AMENDMENT TO Public hearing on the request by Transcontinental Development Company for a time extension to Special Permit No. 71-117 (LUC 197) which allowed the establishment of quarry operations and allied uses on 309 acres of land situated within the State Land Use Agricultural District. The area involved is located mauka of the Queen Kaahumanu Highway and along the Waikoloa Road, Waikoloa, South Kohala, TMK: 6-8-01: Portion of 5.

Staff oriented the Commission of the subject location on the presentation map and presented background and recommendation for approval with conditions, on file.

The petitioner's representative, Claude Jenkins, said he thought they would be able to comply with the conditions as outlined by the staff and said he felt they had sufficient material for another ten years.

There was no one testifying on the application.

It was moved by Commissioner Kagawa and seconded by Commissioner Orita that the public hearing be closed; motion was carried.

Upon Deputy Corporation Counsel's inquiry, staff clarified that it was their intent to include as an additional condition that the petitioner take every precaution to avoid creating any inconvenience to surrounding properties.

It was moved by Commissioner Whitmarsh and seconded by Commissioner Orita to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with nine ayes.

AMENDMENT TO SP NO. 70-85 WAIKOLOA, SOUTH KOHALA	Public hearing on the request by Transcontinental Development Company for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on lands situated within the State Land Use Agricultural District. The areas involved are situated in the vicinity of the Waikoloa Village, Waikoloa, South Kohala, TMK: 6-8-01:Portion of 4.
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Staff oriented the Commission of the subject locations on the presentation map.

Upon the staff's suggestion, it was moved by Commissioner Nakano and seconded by Commissioner Frias to dispense with the reading of the background report; motion was carried.

Staff presented recommendation for approval with conditions, on file.

The petitioner's representative, Claude Jenkins, noted that the lower quarry is located approximately 5/8 to 3/4 of a mile away from the village.

For the Commission's information, Mr. Jenkins pointed out that they are unable to obtain the same type of material by operating one quarry as these two quarries essentially have different types of material. He added that the boulders taken (possibly 1,500 cubic yards out of 60,000 cubic yards) are used to fill the voids and that they are required to contour the land back to normal shape after the operation.

There was no one testifying on the application.

Upon the Deputy Corporation Counsel's inquiry, staff pointed out that the extension was requested on October 10, 1980.

It was moved by Commissioner Nakano and seconded by Commissioner Kagawa to close the public hearing; motion was carried.

It was moved by Commissioner Orita and seconded by Commissioner Whitmarsh to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with nine ayes.

AMENDMENT TO	Public hearing on the request by Charles
SMA NO. 115	Chamberland for a time extension to Condition
CHARLES CHAMBERLAND	No. 115 which allowed the development of a
<u>HIENALOLI,</u>	60-unit condominium project and related
NORTH KONA	improvements. The area involved is located
	along the mauka side of Alii Drive and across
	from Oneo Bay, Kailua Village, Hienaloli, North Kona, TMK: 7-5-09:31.

Staff summarized the background and presented recommendation for approval with conditions, on file.

Planning Director Fuke explained that although the petitioner is requesting an extension of six months, staff is recommending a one-year time extension to avoid perhaps another time extension request because of the nature of archaeological work that is needed to be done and the possible impact it may have to the existing proposed development.

The petitioner, Charles Chamberland, said he felt he would be able to meet the time extension of one year and comply with all of the conditions proposed. He pointed out that in the event there is some archaeological structure that may not be removed or would be disturbed by their project, then ostensibly they would have to make some adjustments; however, at present they do not know if there are any and where these items are located.

There was no one testifying on the application.

It was moved by Commissioner Whitmarsh and seconded by Commissioner Ponte that the public hearing be closed; motion was carried.

It was moved by Commissioner Sakamoto and seconded by Commissioner Whitmarsh that the request be approved for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with eight ayes (Commissioners Frias, Imada, Kagawa, Nakano, Ponte, Sakamoto, Whitmarsh and Chairman Paris) and one no (Commissioner Orita). Chairman Paris said his vote on the original application was no; however, since the application has already been approved, he was now voting aye.

PDP	Public hearing on the application of C. M.
C. M. CABRAL	Cabral and Associates for a Planned Develop-
<u>AND ASSOCIATES</u>	ment Permit (PDP) to allow the development
WAIMEA HOMESTEADS,	of a 40-unit condominium project. The area
SOUTH KOHALA	involved is located along the west side of
	Opelo Road and approximately 600 feet south
	of the Kawaihae Road-Opelo Road intersection, adjacent and to
	the north of the Hale Waimea Apartment Complex, Waimea Homesteads,
	South Kohala, TMK: 6-5-09:25 and 26.

Staff presented background, noting the Department of Public Works' verbal comments that they would like Opelo Road to be increased

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
November 25, 1980

A regularly advertised public hearing on the application of Transcontinental Development Company was called to order at 4:00 p.m. in the Kona Surf Hotel, Mauna Loa Conference Room, Keauhou, North Kona, Hawaii, with Chairman William J. Paris, Jr. presiding.

PRESENT:	William J. Paris, Jr.	ABSENT:	Ex-officio Member
	Glenn Frias		H. William Sewake
	Clyde Imada		
	Roy Kagawa		
	Bert H. Nakano		
	Alfredo Orita		
	George Ponte		
	Charles H. Sakamoto		
	Tina Whitmarsh		

Sidney M. Fuke, Planning Director
Norman Hayashi, Staff Planner
Brian Nishimura, Staff Planner

Robert Yanabu, representing Ex-officio Member Edward Harada
Ben Tsukazaki, Deputy Corporation Counsel

and approximately 7 people in attendance

CHAIRMAN: We'll go to the next item of business which is a public hearing on the request by Transcontinental Development Company for a time extension to Special Permit No. 70-85 (LUC 164) which allowed the operation of two quarry sites and allied uses on lands situated within the State Land Use Agricultural District. The areas involved are situated in the vicinity of the Waikoloa Village, Waikoloa, South Kohala, TMK: 6-8-01:Portion of 4. Staff?

NISHIMURA: Mr. Chairman and Commissioners, for orientation purposes, the quarry sites in question are those delineated here. And this is the Waikoloa Village area, the Waikoloa roadway, and they're both located on the south side of the road. Staff would like to request the waiving of the reading of the background and recommendation for this application in that its content is similar to that which was read previously for the previous item on the agenda.

CHAIRMAN: The time period is what?

NISHIMURA: The time period is for also ten years, except that the specific date of expiration differs; and I can read that into the record if you'd like.

CHAIRMAN: Go ahead.

EXHIBIT J

NISHIMURA: Upon review of the subject request for a ten-year extension until December 11, 1990, to continue the operation of two quarry sites and related uses, staff is recommending that it be approved based on the findings as previously read into the record for the previous application and with similar conditions.

CHAIRMAN: Okay, that one would be expiring right around the corner then, 1980, if it's 1990?

NISHIMURA: Right. It would be expiring December 11, 1980.

CHAIRMAN: Staff states that the background is practically the same except it's two different quarries and conditions would read the same. He asked for waiving of reading of same. What is your pleasure, Commissioners?

NAKANO: Mr. Chairman?

CHAIRMAN: Commissioner Nakano.

NAKANO: I move that we dispense with the reading of the background and proceed right into the recommendation.

CHAIRMAN: Its been moved to dispense with the reading of the background and go into the recommendation. Is there a second?

FRIAS: Second, Mr. Chairman.

CHAIRMAN: Seconded by Commissioner Frias. All those in favor signify by saying aye?

COMMISSIONERS: Aye.

CHAIRMAN: Go ahead.

NISHIMURA: (Presented recommendation for approval with conditions, on file.)

CHAIRMAN: The applicant is present. Please come forward. You're under oath so we'll just proceed. Can you meet the conditions, the general conditions that have been proposed by the staff?

JENKINS: Yes, we can.

CHAIRMAN: It's agreeable with you?

JENKINS: Yes.

CHAIRMAN: Do you have anything further you'd like to add?

JENKINS: Well, the only comment I would have to make is that those quarries up there are situated, looking on the plan, they look very close to the village but in reality they're not. The Puu Hinai Quarry is about a mile and a half, I think, as a crow flies from the village itself. The lower quarry would be about 5/8 to three quarters of a mile to the village. You got to go to the golf course before you can get any sound up in that area and the normal prevailing winds come from about 54 degrees off the east and takes all, any dust that would escape the dust control mechanisms that the quarry, would take it toward the Kona side.

CHAIRMAN: They're in lava, in other words.

JENKINS: All lava, yes. There is not much chance for too much problems.

CHAIRMAN: Okay, Commissioners, you have any questions of Mr. Jenkins?

ORITA: Mr. Chairman?

CHAIRMAN: Go ahead.

ORITA: I have a question, sir. It says here, "Quarry 1 provides cinders for bedding material for water and sewer pipes and also provides temporary surfacing for roads. Quarry 2 is our source of basalt for crushed aggregate...." Can you get the same type of material by operating just one quarry?

JENKINS: No, not really, because the Puu Hinai Quarry is in an area that over the past 10,000 maybe a lot of cinder and ash flowed down into the hollows. And the type of basaltic rock there, they're completely different; it's the pahoehoe type of lava. Whereas, the makai quarry, which is incidentally just about maybe 2 miles makai of the Puu Hinai Quarry, that is a distinct lava flow in itself, got a blue rock in it, and it's very hard. It's similar to your Kona blue rock here.

ORITA: All right. My other question, sir, is those large boulders, which I'm sure you encounter when you try to get the cinders from your No. 1 quarry, what are, and where do you place those big boulders?

JENKINS: There's, in every void that we develop, we push them all into that and we take all the clinkery type material from around it and crush that into fine -.

ORITA: And how much of this big product do you come across?

JENKINS: There's not too much up there. I don't think over, all that we've, of course, let's say we've taken maybe 60,000 yards out of there, it'll be lucky to be 1,500 cubic yards of boulders in that -.

ORITA: You do **not** crush any of these boulders into finer things?

JENKINS: No, no, because we have to landscape that after we're through anyhow so we've got to fill these voids and then contour the land back into a normal shape.

CHAIRMAN: Any further questions, Commissioners? If not, thank you very much. This is a public hearing. Is there anyone here desiring to give testimony on this matter now before us? If not, it would be in order to close the hearing. Commissioners?

NAKANO: So move.

KAGAWA: Second.

CHAIRMAN: Its been moved and seconded. All those in favor signify by saying, oh, wait, one moment. Discussion, go ahead.

TSUKAZAKI: Excuse me. What is the date of the application for a time extension?

NISHIMURA: The date that the request was filed?

TSUKAZAKI: Yes.

NISHIMURA: The official request was filed on October 10, 1980.

TSUKAZAKI: Thank you.

CHAIRMAN: All right, anything further in the matter of discussion? If not, all those in favor signify by saying aye?

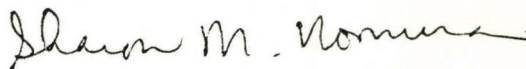
COMMISSIONERS: Aye.

CHAIRMAN: Contrary minded, same sign? Public hearing is closed.

It was moved by Commissioner Orita and seconded by Commissioner Whitmarsh to send a favorable recommendation to the State Land Use Commission for the reasons and with the conditions as outlined by the staff. A roll call vote was taken and motion carried with nine ayes.

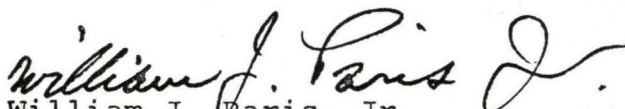
The public hearing adjourned at 4:11 p.m.

Respectfully submitted,



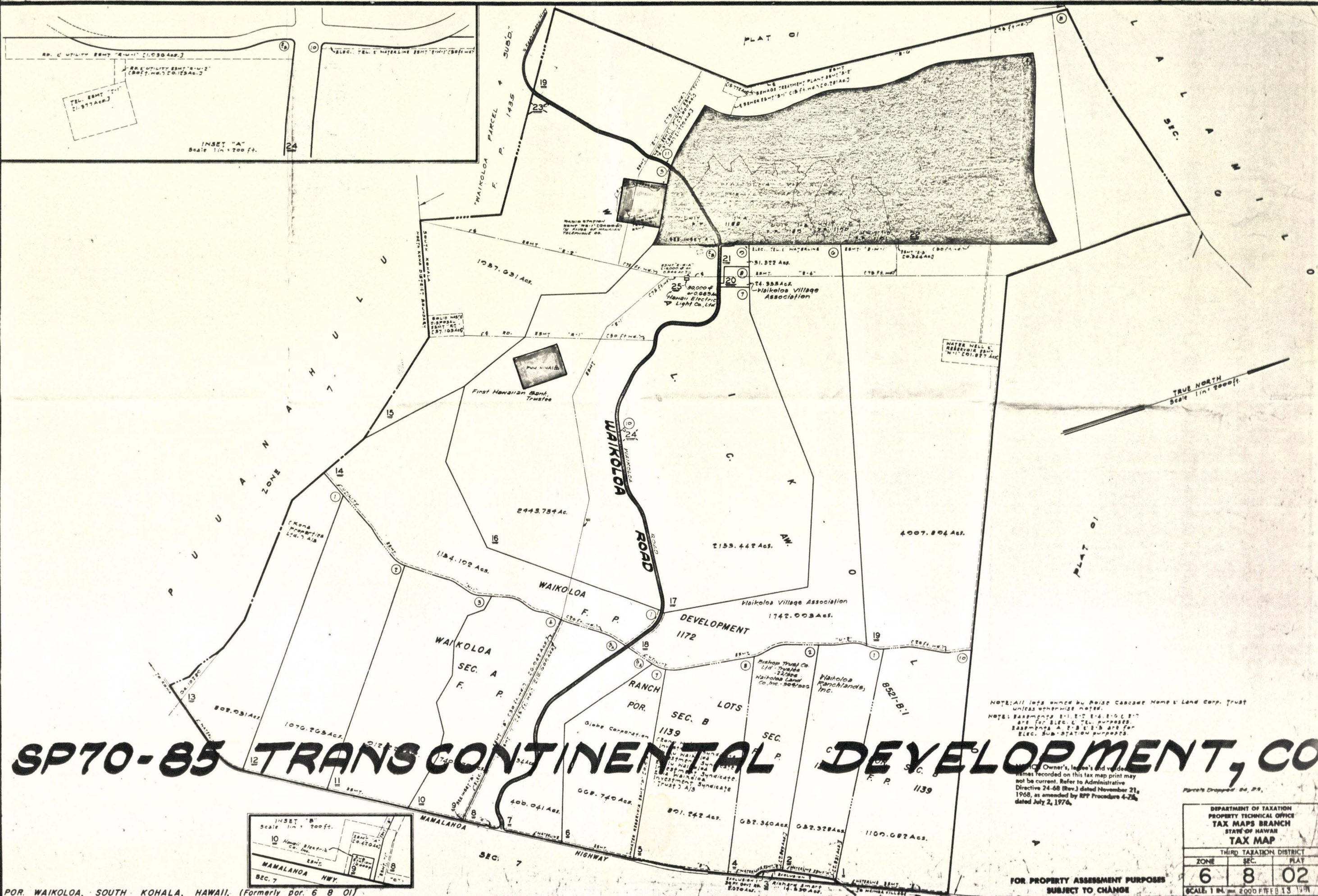
Sharon M. Nomura
Secretary

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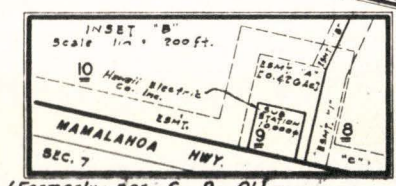
William J. Paris, Jr.
Chairman, Planning Commission

DWG. NO. 1
BY: H.N. R.T.
DATE: MARCH 3 1971
SOURCE: F. 1130 C 1172



SP70-85 TRANS CONTINENTAL DEVELOPMENT, CO.

NOTE: All lots owned by Boise Cascade Home & Land Corp. Trust unless otherwise noted.
NOTE: Easements 8-1, 8-2, 8-4, 8-5, 8-7 are for ELEC. & TEL. purposes. Easements A, B, C, D, E are for ELEC. SUB-STATION purposes.
NOTE: Owner's, lessee's and vendor's names recorded on this tax map print may not be current. Refer to Administrative Directive 24-68 (Rev.) dated November 21, 1968, as amended by RPT Procedure 4-75, dated July 2, 1976.

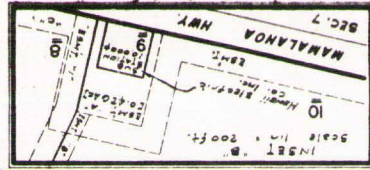


DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
THIRD TAXATION DISTRICT		
ZONE	SEC.	PLAT
6	8	02
SCALE: 1 IN. = 2000 FT. FEB 13 1976		

Keep in LHC map envelope
Mater SP70-85

SP70-85
LUC Maps

POB. WAIKOLOA, SOUTH KOHALA, HAWAII, (formerly por. 6 8 01)



SP70-85 TRANS CONTINENTAL DEVELOPMENT, CO.

NOTES:All lots owned by Police Cascarre Home & Land Corp. Trust
offices windows noted
708 for Elec. L. Tel. purposes.
Basements & 2nd flrs are for
Elec. Sub-station purposes.

L O P M E N T , C O

Mary Owen's, Inc., sold vide
maps recorded on this tax map print may
not be current. Refer to Administrative
Directive 34-68 (Rev.) dated November 21,
1968 as amended by RFP Procedure 4-75,
dated July 2, 1974.

DEPARTMENT OF TAXATION

Papers Shipped to No.

PLA

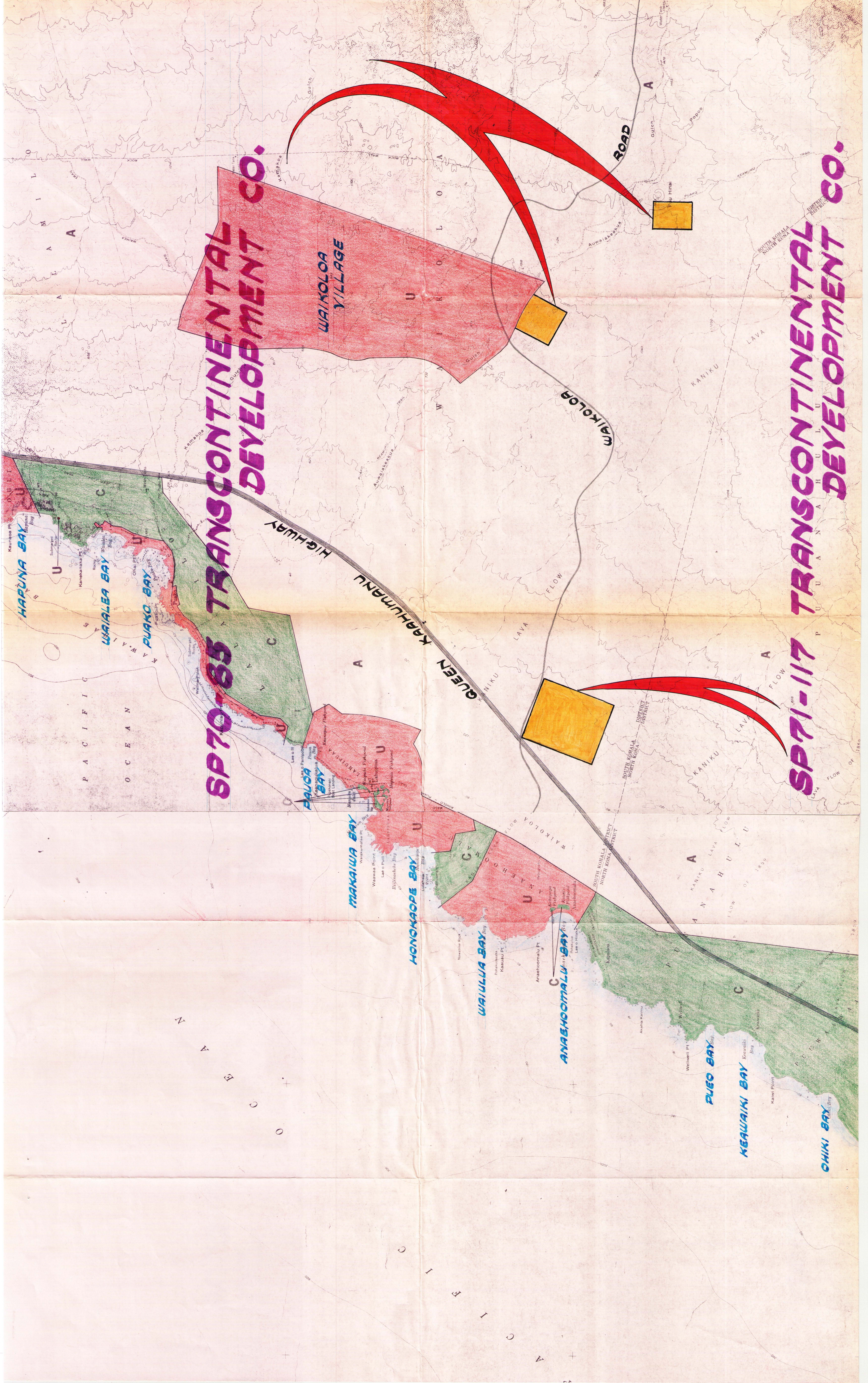
TRUE NORTH
Scale 1 in = 2000 ft.

316

1435
Subd.

125N1
"A"

21. 1977
[21. 1977]



SP70-85 TRANSCONTINENTAL DEVELOPMENT CO.

WAIKOLOA VILLAGE

SP71-117 TRANSCONTINENTAL DEVELOPMENT CO.

DWG. NO. 2063
DATE: MARCH 3 1971
BY: H. N. - AT.
SOURCE: P. 1130 2 1172

SP70-85 TRANS CONTINENTAL DEVELOPMENT, CO.

POR. WAIKOLOA, SOUTH KOHALA, HAWAII, (Formerly por. 6 8 01)

NOTE: All lots owned by Boise Cascade Home U' Land Corp. Trust unless otherwise noted.

NOTE: Easements E-1, E-2, E-4, E-5, E-7 are for ELEC. U' TEL. purposes. Easements A, B, C, E-3 are for ELEC. SUB-STATION purposes.

LOPMENT,

NOTICE: Owner's, lessee's and vendee's names recorded on this tax map print may not be current. Refer to Administrative Directive 24-68 (Rev.) dated November 21, 1968, as amended by RPP Procedure 4-76, dated July 2, 1976.

Parcel's Dropped: 26,

**FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE**

DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH STATE OF HAWAII TAX MAP		
THIRD TAXATION DISTRICT		
ZONE	SEC.	PLAT
6	8	02
SCALE: 1 IN. = 2000 FT FEB 13 1981		