

Palma, Maryam

From: [REDACTED]
Sent: Wednesday, January 3, 2024 8:58 AM
To: Planning CDP; Surprenant, April
Subject: FW: SMA Minor Permit No. PL-SMM-2023-000054 (Opposed)

Hi April and Maryam,

Please, if it is possible at this late moment, include the below letter from Don Rudny to Windward Planning Commission in the Communications for the Hamakua CDP meeting of Jan. 10.

Thanks,

Tawn

-----Original Message-----

From: "Donald Rudny" <[REDACTED]>
Sent: Wednesday, January 3, 2024 7:33am
To: [REDACTED]
Cc: "Zendo Kern" <[REDACTED]>, "Heather Kimball"
<[REDACTED]>, "Jeff Darrow" <[REDACTED]>, "Mitch D Roth"
<[REDACTED]>, "Tawn Keeney" <[REDACTED]>,
[REDACTED]
Subject: SMA Minor Permit No. PL-SMM-2023-000054 (Opposed)

Aloha WPC Members,

I have just recently become aware of this subdivision and my understanding is that it will be presented to you at the WPC meeting on January 4, 2024 in the minor permit log presented to you as an agenda item. The petition to subdivide has several concerns that need it to be rejected or at least postponed for further review. Here are just three critical reasons for this.

1. I understand from the Deputy Director that there is a discrepancy between the State and County's gis map of the conservation boundary that exists for this parcel. No action should be taken until that question has been resolved clearly.
2. There exists on the parcel a pedestrian access down to the beach area. This access has been a controversial issue for many years as the owner has restricted access on many occasions. This is an opportunity to clarify the importance of it and provide an easement to eliminate any question of access required by State law. My understanding is that it is the only reasonable access to the shoreline in that area. I believe that the Hamakua CDP AC has this subdivision issue on their agenda for their next meeting. Feedback from them is very important. Public parking at the end of Mill Road is another issue that needs to be addressed.
3. Approximately half of the property is zoned A-20a. That portion is being subdivided into less than 20a. It is already non-conforming, so it should require a rezoning before and further subdividing into even smaller lots. Deputy director Darrow did not have an explanation for why this was allowed on that portion when I spoke to him yesterday. This issue needs to be resolved before any further action is taken.

I have reviewed the acceptance report from Director Kern and disagree with his conclusions. He states in the report that all objectives and policies complied with Chapter 205A, Hawaii Revised

Statutes (HRS), regarding the SMA. I find this conclusion dubious at best.

I urge you to reject or postpone this petition.

Mahalo for your time and consideration.

Don

Don Rudny

A large black rectangular redaction box covering the signature area.