

☒ SUBPOENA OR ☐ SUBPOENA DUCES TECUM; EXHIBIT A

**COUNTY OF HAWAI'I  
BOARD OF APPEALS  
STATE OF HAWAI'I**

In the Matter of the Appeal of Hakalau Point Preservation Association of Planning Director  
Determination Regarding Special Management Area Minor Permit (SMM – 17-000378) Dated  
December 27, 2017

BOA 18-000187

Landowner Shropshire Group, LLC  
c/o Steven D. Strauss, Esq.  
Post Office Box 11517  
Hilo, HI 96721  
Tel: (808) 969-6684

Name and Address of Witness:

Date & Time:

**Friday, May 11, 2018 at 9:00 a.m.**

**John Peard  
Department of Health, Hazard  
Evaluation and Emergency  
Response Office  
1582 Kamehameha Avenue  
Hilo, HI 96720**

Location To Appear:

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

☒ SUBPOENA OR ☐ SUBPOENA DUCES TECUM

**THE COUNTY OF HAWAI'I, BOARD OF APPEALS** TO ANY OFFICER AUTHORIZED BY LAW TO SERVE SUBPOENAS  
IN THE STATE OF HAWAI'I YOU ARE COMMANDED to subpoena the individual named above.

This subpoena/subpoena duces tecum shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to  
the public, unless a judge of the above-entitled Court permits, in writing on this subpoena/subpoena duces tecum, personal delivery

**TO THE WITNESS**

YOU ARE COMMANDED to appear at the time and place indicated to testify as a witness on behalf of the  
Landowner Shropshire Group, LLC who shall be responsible to provide you with any fee for attendance and  
mileage allowed by law.

- ☐ You are further ordered to bring with you the items listed in Exhibit A.  
☐ You are required to designate a representative of your organization to testify for the organization on the following matters:

**DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT.**

Date: 04/20/2018  **ARNE WERCHIK, CHAIR, BOARD OF APPEALS**

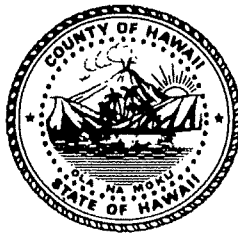


In accordance with the the Americans with Disabilities Act, and other applicable State and Federal laws, if you require an accommodation for your  
disability when working with a court program, service, or activity please contact the County of Hawaii Planning Department at PHONE NO. (808) 961-  
8288 at least ten (10) working days before your proceeding, hearing, or appointment date.

136912



Harry Kim  
Mayor



✓ Arne Werchick, Chair  
✓ James McCully, Vice Chair  
✓ Jay Furfaro  
✓ Steven Hirakami  
Mark Travalino  
✓ Kelly Ann Valenzuela

+ *Corporation Counsel (Jury)*

## County of Hawai'i

→ **BOARD OF APPEALS** ←  
Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
(808) 961-8288 • Fax (808) 961-8742

### AGENDA

NOTICE IS HEREBY GIVEN of hearings to be held by the Board of Appeals of the County of Hawai'i in accordance with the provisions of Section 6-9.2 of the Charter of the County of Hawai'i and the Board's Rules of Practice and Procedure.

**DATE:** Friday, May 11, 2018

**TIME:** 9:00 a.m.

**PLACE:** County of Hawai'i, Aupuni Center Conference Room  
101 Pauahi St., Hilo, HI 96720

### STATEMENTS FROM THE PUBLIC FOR ITEMS ON THE AGENDA

#### OLD BUSINESS

**1. CAROL A. ADELKOFF (BOA 17-000172)**

Adoption of Findings of Facts, Conclusions of Law, Decision and Order. Appeal of Planning Director's Decision Dated May 2, 2017, Regarding Final Subdivision Approval (SUB-14-001427). Location: 64-617 Māmalahoa Hwy., Kamuela, HI TMK: 6-4-018:087.

#### NEW BUSINESS

**2. HAKALAU POINT PRESERVATION ASSOCIATION (BOA 18-000187)**

Appeal of Planning Director Determination Regarding Special Management Area Minor Permit (SMM-17-000378) Dated December 27, 2017. Location: 29-2306 Old Māmalahoa Hwy., Hakalau, Hāmākua, HI TMK: 2-9-002:079 & 2-9-002:081.

**3. MICHAEL B. RUSSO (BOA 18-000188)**

Appeal of Planning Director's Decision Dated January 31, 2018, Regarding File No. ZCV-2017-065E Related to Raising of Livestock in Resort-Hotel (V) Zoned District. Location: 1335 Kalaniana'ole Street, Hilo, HI TMK: 2-1-014:005.

**4. REEDS BAY RESORT HOTEL, LTD. (BOA 18-000189)**

Appeal of Department of Public Works' Director's Notice of Order Dated March 8, 2018  
Related to a Notice of Violation Issued on August 14, 2017 (Case: CE2017-664H).  
Location: 175 Banyan Drive, Hilo, HI TMK: 2-1-005:022.

**5. CLAUDIA ROHR (BOA 18-000190)**

Request: Appeal of Planning Director's Decision Dated February 23, 2018, Regarding Final  
Plan Approval (PLA-17-001464). Location: 28-283 Sugar Mill Rd., Hilo, HI TMK: 2-8-  
008:104.

MINUTES

March 9, 2018

ADMINISTRATIVE MATTERS

Status of appeals filed on Board of Appeals decisions - Corporation Counsel

ANNOUNCEMENTS

ADJOURNMENT

Additional information related to the above matter is on file at the Planning Department, Aupuni Center, 101 Pauahi St., Suite 3, Hilo, HI 96720 and/or the Planning Department, West Hawai'i Civic Center, 74-5044 Ane Keohokālole Hwy., Kailua-Kona, HI 96740. The Board's Rules may be viewed online at <http://www.hiplanningdept.com/boards-and-committees/>.

Anyone who requires an auxiliary aid or service, other reasonable modification, or language interpretation to access this meeting, please contact the Planning Department at 961-8288 as soon as possible, but no later than five (5) working days prior to the meeting date, to arrange for accommodations. "Other reasonable modification" refers to communication methods or devices for people with disabilities who are mentally and/or physically challenged.

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

ARNE WERCHICK, CHAIRPERSON  
BOARD OF APPEALS

*Hawai'i County is an Equal Opportunity Provider and Employer*

(Hawai'i Tribune Herald: Friday, April 20, 2018)  
(West Hawai'i Today: Friday, April 20, 2018)