

# Hawaiian Shores Community Association

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## Hawaiian Shores Community Association Enforcement Review Committee

MINUTES FOR  
MEETING #6  
06/27/2019 @ 6:00 PM

In Attendance: Kathryn Kuhlman, Tom Cumming, Steve Bailey, Roger Guenette

Chair, Kathryn Kuhlman opened the meeting at 6 PM and verified that a quorum including Kathryn Kuhlman, Tom Cumming, Steve Bailey and Roger Guenette was present. Sara Tokura-Ellsworth was present representing HSCA staff.

The committee reviewed the minutes of the previous meeting that was held on 05/08/2019. Roger Guenette moved to approve the minutes, Tom Cumming seconded, and the minutes were approved unanimously. .

### OLD BUSINESS

The next order of business was for the committee to review a tree condition that abutted both Lots 609 and 610. A very large banyan tree was straddling both properties. Both owners were given until today's meeting to come to some agreement on how to remove the large tree and /or attend this meeting to explain why the tree has not been removed. No action has been taken and no one is at the meeting. Steve Bailey moved to now levy a recurring fine upon both properties, Tom Cumming seconded and this was approved unanimously.

The next order of business involved Lot 276 concerning compliance with the two step home building process. Owner had step one approval 17 months ago and had installed a shed on the property but has not acquired step two approval. Owner was given one last opportunity to remedy and/or attend this meeting. No action has been taken. Steve moved to levy the fine that we send fine notice, Roger seconded and this was approved unanimously

The next order of business involved Lot 1165 concerning compliance with the two step home building process. Owner had step one approval, had not acquired step two approval. However, the owner did apply for and receive a building permit and had done some work on the site. Although, the owner did stop by and drop off sheet one of the job site plan, he still needs to submit a copy of the entire job site plan and actually apply for step 2. Roger moved to issue the fine notice but give the owner 30 days to submit the job site plan. Steve seconded and this was passed unanimously.

The next order of old business involved Lot 521 related to albizia tree issue. Hiro is still working on final notice/letter that will be in Japanese. The translated notice was sent in June but the owner still has more time to respond so this matter will be held until the next meeting.

The next order of old business involved Lot 1505 which has been sold and is in escrow. The violation involves albizia trees and the new order is aware that this problem exists and that the new owner needs to take care of the matter. The new owner has been notified of the problem trees and owner wants more time to take care of this. Owner was advised of problem during

escrow and shows intent of complying as he has said he is looking into quotes. This matter will be held until the next meeting.

The next order of old business involved Lot 1827 concerning encroaching trees. Notices were sent and owner indicated that they are hiring a property manager. The owner was given 30 additional days to resolve the matter through the property manager. The property manager was on vacation and could not be notified by staff. Katt indicated that we should inform the property manager in writing of the hazard created by the tree and that it needs to be addressed quickly. This is the end of old business.

## **NEW BUSINESS**

The first order of new business involved the removal of a cecropia tree from lot 590. Lot 590 is managed for the owner by T & K Properties but staff does not have specific contract information for T & K Properties other than an address in Japan. The committee looked at photos of the tree and there is a possibility that the tree could be poisoned. Staff will take a look at this tree and see if it can be poisoned and staff will try to get more contact information for T & K Properties. There is a chance that we can utilize the new legislation that lets us deal with the tree after we get verification of whether or not the tree can be poisoned.

The next order of new business involved large trees on Lot 326 with one tree threatening the neighbor's fence and home. Steve moved to set a fine hearing and Tom seconded. This was approved unanimously.

The next order of new business involved albizia trees on Lot 1195 and two letters had been sent certified mail. No responses to certified mail notices from the owner. The owner is paying taxes and assessments so the address should be valid. Steve moved to set a fine hearing and Roger seconded. This was approved unanimously.

The next order of new business involved albizia trees on Lot 1395 that threaten neighbor's house and two letters had been sent certified mail. Sara has been in contact with the owner. Steve moved to set a fine hearing and Tom seconded. This was approved unanimously.

Katt indicated that she may be off island during July for certain periods of time. She suggested two future meeting dates, August 8, or August 13. Sara indicated that writers group may have the building but she will verify their meeting schedule and the ERC can always meet at Honu Park.

Steve indicated that we do get contacted about barking dogs and this is covered as a nuisance in our CCR's Sara did contact HPD and they explained how they investigated these matters with the committee recommending to follow HPD guidelines for consistency. This particular case did involve dogs barking late at night which might be caused by wild pigs that seem to be frequenting the area. Steve agreed to talk to the owner to see if the dogs are confined when no one is home and also at night.

There being no further business the meeting adjourned at 6:45 PM.

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Steven Bailey

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Date