

Hawaiian Shores Community Association

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ENFORCEMENT REVIEW COMMITTEE

MINUTES FOR MEETING #18

9/28/2020 @ 6 PM

The meeting was called to order at 6:00 PM. Virtual attendance was set up for members, and Chris and Nikki Weingartner were logged on to Go To Meeting.

In attendance: Eileen O'Hara, Tom Cumming, Steve Bailey, and Caroline was absent. Kendra Tidwell represented HSCA staff.

A quorum was established.

Eileen requested a motion to approve the August 24, 2020 minutes. Steve moved approval and Tom seconded. The minutes were passed unanimously.

Eileen then advanced a new business item for Lot #1856 for light coming from their neighbor since Chris and Nikki were present. Nikki described how tree growth had started to block light from lights that they were originally concerned about but that now a newer spot lot installed was even brighter. This flood light is on all night long and is located on the back of the house and is throwing light on their property. Tom indicated that this light may not be in compliance with our CC&R #17 as it is not controlled by a motion sensors. Kendra stated that two HSCA staff members had viewed the location at night and had slightly different opinions about the lights on the side of the house. However, it is clear that the flood light on the back of the house does constitute a nuisance and Steve suggested that we could contact the owner and instruct that this light does need a motion sensor. Eileen stated that this is a violation and instructed staff to send a letter concerning the flood light.

The first order of old business involved Lot 227 on Awa Street where vegetation had overgrown onto the abutting lot. Some work has been done and Kendra shared before and after pictures. Steve moved to waive the fine and Tom seconded. Motion carried unanimously. It was also noted that this owner has past due assessment and this and whether or not there are liens will also be noted within the letter.

The next order of old business involved Lot 246 on Awa Street where albizia trees need to be removed. Trees were poisoned in July and poison has been effective. Steve moved to waive the fine and Tom seconded. Motion carried unanimously.

The next order of old business involved Lot 266 on Aweoweo Street where albizia were present but Kendra indicated the trees have been cut down. Steve suggested that we need to remind the owner to poison the stumps. Steve moved to waive the fine and include in the letter mention of the need to poison the stumps. Tom seconded. Motion carried unanimously.

The next order of old business concerned Lot 302 on Heepali Street where large albizia's are present. The lot has recently sold and so the new owner has been advised of the albizia problem and this starts the process over again. The largest albizia tree is located fairly close to the water line which adds to the hazard.

The next order of old business concerned Lot 480 on Ina Street and the need to remove encroaching large albizias. HSCA staff had indicated they could not poison the trees. Steve moved to fine the owners. Tom seconded. Motion carried unanimously. This is a Japanese owner so the notice will include a note in Japanese that describes how important the matter is and that it should be translated.

The next order of old business involved Lot 981 on Maikoiko Street and a problem with large albizia trees. Although it appears one trees have been poisoned the most serious hazard has not been poisoned and should not be as it is hanging over a home. This is one of the locations that HSCA referred to our legal counsel for possible Hawaii County intervention. The lot is already being fined and the fining will continue.

The next order of old business involved Lot 1392 on Nehu Street and the need to remove encroaching vegetation. Kendra indicated that little if any work has been done. This matter will be revisited at next month's meeting but it was noted that the fining will continue.

The next order of old business involved Lot 1395 on Niuhi Street where a large number of albizia trees are present. This property is being fined and fining continues as many trees are in need of poisoning or removal. There are over 20 albizia's on the lot.

The first order of New Business involved Lot 209 on Au Street where albizia's and cecropia trees are near property lines. Trees are still there but should be rather easy to remove so this item will be revisited at the next meeting as the owner has indicated he will remove the trees.

The next order of New Business involved Lot 283 on Heepali Street where a large albizia tree is present. Owner has indicated that work has been scheduled with Big Island Tree Service back in March but no work has been done and owner now plans to sell the lot. Steve moved to fine the owner. Tom seconded. Motion carried unanimously.

The next order of New Business involved Lot 291 Heepali Street where small to medium albizia trees are present. Steve moved to fine the owner but to include in the notice that trees could be poisoned which would prevent future problems. Tom seconded. Motion carried unanimously.

The next order of New Business involved Lot 331 on Honu Street where trees are touching power lines and over hanging the neighboring property on the sides and in the back. Steve moved to fine the owner. Tom Seconded. Motion carried unanimously.

The next order of New Business involved Lot 626 Kawakawa Street and vegetation encroaching on the neighboring lot. Steve indicated that it seemed that there were encroachments on both sides of the lot that had a house on it. Steve moved to fine. Tom seconded. Motion carried unanimously.

The last order of New Business involved Lot 1779 on Maiii Street where trees were overgrowing power lines, the right of way and the neighboring lot. Steve moved to fine the owner and Tom seconded. Motion carried unanimously.

Tom mentioned that he recalled that a house had started a house and then abandoned it but he could not recall the location and will look it up for the next meeting. He also asked about a burnt-out house on Nenuue and whether or not any progress had been made on cleaning up the fire damage. There had been attempts to erect a structure in the back of the house and this also has started to collapse. Kendra has been in contact with the Planning Department about the property and that we will continue to monitor the lot and pursue action as needed.

Steve then asked about an abandoned property on Lot 628 that might be the one owned by Levi Neshkoff who is unresponsive and may already be in the fining process but Kendra will check into the status of this property.

Steve also asked about Steve Baker's old home and whether or not it was in foreclosure yet. Kendra indicated that the property is not currently in foreclosure.

Eileen asked about whether or not Lincoln needed more information to move forward with the County process. Steve said he would follow up with Kendra on this matter and Eileen offered to help as needed.

There being no further business for the committee, the meeting was adjourned at 6:42 PM.

Steven Bailey

Date