

H. Peter King (co-owner)
4584 Kuawa Road
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Kilauea, Hawaii, 96754
808-635-1268

August 8, 2013

Kauai County Planning Commission via Wayne Katayama - Chairperson
4444 Rice Street, Suite 473
Lihue, Kauai, 96766

Re: Application of THE RESONANCE PROJECT FOUNDATION, a Hawaii nonprofit corporation, for a Project Development Use Permit and Class IV Zoning Permit for real property situated at Kilauea, Kauai, Hawaii, identified by Kauai Tax Map Key No. (4) 5-2-013:001

Dear Kauai County Planning Commission via Wayne Katayama - Chairperson:

I am writing you today as a concerned property owner on Kuawa Road. My Father, Thomas D. King (co-owner with myself, and brother, James Tobin King), lives at 4584 Kuawa Road, approximately a 6 acre parcel that abuts the former Kilauea Plantation Manager's House property (National Register of Historic Places ID 93000777) on the corner of Kuhio Highway and Kuawa Road (see enclosed map). We recently received a letter via certified mail "In the matter of the Application of THE RESONANCE PROJECT FOUNDATION, a Hawaii nonprofit corporation, for a Project Development Use Permit and Class IV Zoning Permit for real property situated at Kilauea, Kauai, Hawaii, identified by Kauai Tax Map Key No. (4) 5-2-013:001".

While I can respect the goals and aims of this foundation, I am deeply concerned of the application for a Class IV Zoning Permit Z-IV-2013-20, Project Development Use Permit PDU-2013-15, Use Permit U-2013-14 and Special Permit SP-2013-5 to develop a research complex in an area currently zoned as agricultural for a number of reasons.

The Resonance Project Foundation promises to significantly increase the traffic along Kuawa road which is in desperate need of improvement and traffic calming measures both along its byway as well as where it enters Kuhio Highway (see photo's 1-13). Given the state of Kuawa Road, the road is insufficient for handling the current volume of traffic. Not only have I witnessed cars speeding along this road, but the road itself is in need of constant repair. I frequently drive onto the unpaved shoulder to avoid oncoming vehicles and fear for the safety of cyclist' and pedestrians (including children) walking/riding along the road and shoulder should I or another vehicle lose control due to the muddied and rutted conditions alongside the paved portion of the road, conditions that only worsen during periods of inclement weather.

Absent the requisite permits, it appears the Foundation has already begun work on their plans to convert the Kilauea Plantation Manager's House property into a "Research Park"

(<http://resonance.is/explore/the-research-park/>). Being that our property is adjacent to the Kilauea Plantation Manager's House driveway/easement, we have noticed activity along this driveway/easement (photo 19) has increased exponentially given the team of researchers, staff and volunteers who are accessing the grounds on a daily basis. I have learned through secondhand sources that The Resonance Project Foundation intends to significantly alter the visual landscape surrounding the historic Manager's House Home by way of offices, workshop areas, dormitory buildings various accessory structures and provisions for off-street parking on a parcel located along Kuawa Road. Having been raised on this property, it saddens me that its historic landscape is in danger of being appreciably altered and is in peril. The historic nature of this home not only lies in the home itself but also in its surrounding grounds, a historic structure deserving of having its landscape preserved in a way that reflects its heritage and status as a historic place in the National Register of Historic Places (ID 93000777). I urge the County to assist in preserving and honoring this designation that my father established in 1993 when he was then caretaker and owner.

I have also learned that The Resonance Project Foundation intends to create parking along the auwai of the Manager House property; is this parking arrangement going to be along our portion of the auwai which we own and maintain? Already the privacy and tranquil nature of our property, and who my father, Thomas D. King, uses as his primary residence, has been significantly altered by a very large and recently constructed pavilion located on the northwest corner of their property directly behind his home; this area is being used as a wood/work shop, producing the constant whir of a skill saw within earshot of my father's bedroom (photo's 15-18). Further, just the other night my wife was awoken in the middle of the night by strangers trespassing on our property from the Manager's House grounds via a bridge we use to maintain the auwai (photo 14), and who attempted to enter into a separate guest cottage opposite the main house where I, my wife and two children were sleeping. Never before have we experienced an encounter such as this and in the preamble of their request for permits, promises to invite future nefarious encounters.

I question if The Resonance Project Foundation has taken into full consideration the impacts and changes they are forcing upon their neighbors and residents along Kuawa Road where they have chosen to conduct their nonprofit scientific research. Many people have found their way to Kauai to embrace its rural nature and strive to maintain the quality of its character, including old kama'aina families such as our own who have embraced the responsibility of stewarding the land and its resources for future generations.

In the Kauai General Plan, Chapter 5 (Titled Preserving Kauai's Rural Character), Section 5.2.1

(a) states: Lands included within the Agriculture designation shall be predominantly used for or held in reserve to be used in the future for agricultural activities. These activities include the breeding, planting, nourishing and caring for, gathering, and processing of any animal or plant organism, including aquatic animals and plants, for the purpose of producing food or material for non-food products; the commercial growing of flowers or other ornamental plants; the commercial growing of forest products; and the commercial breeding and caring for domestic animals and pets.

August 8, 2013

Page 3

Section (g) further states: To implement the Agriculture designation, specific controls on the subdivision and alteration of designated lands shall be formulated to prevent the dissipation of agricultural potential, the loss of rural character, and the dispersal of residential and other urban uses.

The Rationale for Policy can be found in Section 5.2.2 and states: ... To provide an opportunity for Kauai citizens to reside in an agricultural community. This explicitly recognizes what is common knowledge – that so-called “agricultural subdivisions” are primarily residential.

Consulting "The Resonance Project Foundation website (<http://resonance.is/explore/the-resonance-project-foundation/>): The Resonance Project Foundation is a 501c3 non-profit organization chartered to conduct research and education in the field of unified physics. Our team, led by Director of Research Nassim Hamein, is dedicated to exploring the fundamental wheel works of nature to gain a greater understanding of universal dynamics for the betterment of all life.


Further, their website promotes the Manager's House Home as a "Research Park" serving "...as a hub of Unified Physics research activity, support services and as a living breathing example of the vision and values of the Foundation put into direct practice on both the āina (the land) and among the Resonance Project Foundation ohana (family) of researchers, staff and volunteers."

Where do the goals of The Resonance Project Foundation meet the intended use and scope of the aforementioned county guidelines stated in the General Plan? As a non-profit they are also exempt of certain taxes, how does this benefit the County? Given the scope of the proposed project, their activities promise to significantly alter the rural and residential nature of our neighbors as they have already significantly altered the tranquil and rural nature of my father's private residence.

The Resonance Project Foundation request for permits to conduct their scientific research is inappropriate given the current agricultural (and residential) zoning of this area and that the Kauai General Plan seeks to promote. Granting of these permits is contraindicative of the Kauai Planning Department's responsibility and obligation to administrate and enforce the Zoning and Subdivision ordinances as it relates to the long-range and regulatory documents like the General Plan and Comprehensive Zoning Ordinances. Endorsing these research activities by way of permit seeks to change the very nature and character of our Kuawa Road neighborhood beyond what it is currently zoned for and whose activities would be better suited on a formal campus zoned for such activity, such as Kauai Community College.

We the co-owners at 4584 Kuawa Road are in opposition of granting these permits.

Sincerely,



H. Peter King

cc: Thomas D. King (co-owner), James Tobin King (co-owner)

Photo Journal: All photo's were taken Friday afternoon, August 9th, 2013 in the span of about an hour and a half.



Photo 1: Tire tracks can be clearly seen where vehicles turning onto Kuawa Road from the Highway.



Photo 2: The paving along the road/entrance to Kuawa Road clearly needs to be widened to accommodate vehicles as evidenced from ruts and tire tracks in the dirt.



Photo 3: Kuhio Highway is a very busy highway as it routes through Kilauea; vehicles turning right onto the highway utilize the unpaved shoulder when turning left.



Photo 4: The blue Toyota truck turning left off of Kuhio Highway is forced to drive onto the unpaved shoulder as a line of cars waits to approach the intersection.



Photo 5: This vehicle also is forced to drive partially onto the unpaved shoulder in order to avoid the line of cars waiting to turn onto the Highway.



Photo 6: This truck is able to drive along the middle of Kuawa road with no approaching traffic, giving a buffer to a parked car seen on the shoulder on the right underneath the shade of a tree.



Photo 7: Potholes along the margin of the road.



Photo 8: Cyclist along Kuawa Road checking for vehicles approaching from behind



Photo 9: More potholes along the right.



Photo 10: Potholes on the left just past our properties driveway toward the Manager's House Driveway; standing water remains in the ruts and potholes from the night before. Notice the numerous patches on the road itself directly in front of the Manager's House Driveway.



Photo 11: Another large truck driving down the center of the road.



Photo 12: Kuawa road looking north toward the highway.



Photo 13: Same perspective as with the previous photo with cars approaching from opposite sides; note the dust created from the white car's tires as it gives the approaching vehicle a little more room while trying to avoid the potholes on the right.

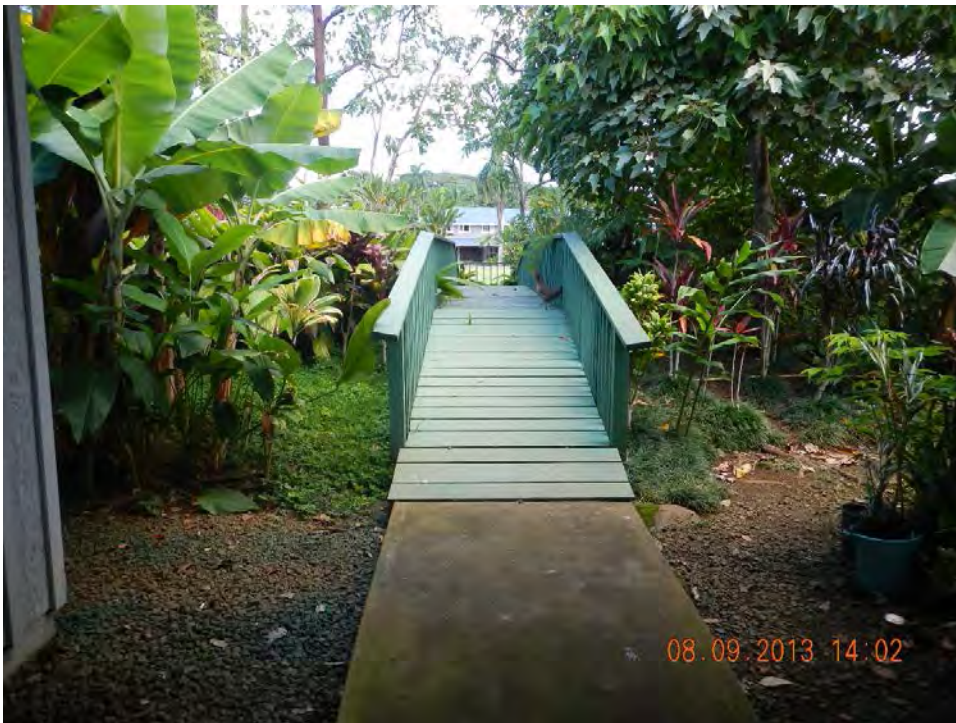


Photo 14: This Bridge extending out across the auwai towards the Managers House property allows us to maintain the bank on the opposite side which we own and is part of our property. Though there is a gate on the opposite side that is chained and padlocked to prevent access, it has a low profile and is easily straddled.



Photo 15: The top of the white pavilion behind my father's bedroom.



Photo 16: A closer view of the white Pavilion; it is approximately 20+ feet tall. The white roof of a golf cart can be seen underneath.



Photo 17: At work in the woodshop under the pavilion. This photo was taken from the bank of the auwai that we own and maintain on a regular basis.



Photo 18: What appears to be equipment, hardware and building materials outside the pavilion. This picture was taken from the corner of own property looking back towards the pavilion.



Photo 19: 4591 Kuawa Road is the Manager's House driveway/easement.