

BOARD OF APPEALS  
COUNTY OF HAWAII

HEARING TRANSCRIPT  
OCTOBER 12, 2007

The following is a public statement provided by STACEY TUCKER regarding the appeal of **CARNOR J. SUMIDA (BOA 07-000039)** at 10:23 a.m. in the County of Hawaii, Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai'i, with Chairman Valta A. Cook presiding.

PRESENT: Valta A. Cook  
David Drury  
Peter Hendricks  
Joel Gimpel  
Diane Gentry  
Kim Tavares

ABSENT & EXCUSED: Kelly Ann Soo

Brooks Bancroft, Counsel to the Board  
Alice Kawaha, Staff to the Board

And 25 people from the public in attendance

**PETITIONER: CARNOR J. SUMIDA (BOA 07-000039)** - Consideration of Petition for Intervention filed by James Paulsen, and hearing on the Appeal of Decision by the Planning Director dated December 7, 2006 Notice of Violation and Order (ZCV06-100E), relating to operation of a semi-truck and trailer baseyard within an Agricultural District. The property is one acre in size and located approximately 135 feet east from the intersection of Paradise Drive and 28<sup>th</sup> Avenue, Hawaiian Paradise Park Subdivision, Puna, Hawai'i, TMK: (3) 1-5-20:80.

COOK: We do have one other speaker that has asked to speak; it would be Stacey Tucker. I would ask Ms. Tucker if she would come forward at this point. Give us your name and address, and what issue you are speaking on, and then give us your comments.

TUCKER: My name is Stacey Tucker. I live at 15-1770 28<sup>th</sup> Avenue in Paradise Park. And I'm speaking about the business that's going on across the street from my house; it's a trucking business, Carnor Sumida.

COOK: I'm sorry. Would you go ahead? I was getting, we have another speaker, but go right ahead.

TUCKER: Okay. I don't have any exciting visuals to show you, but I can guarantee you that no matter how many times the man has been told to cease his business there because it's in ag lot, but he doesn't; and that his lawyer actually assured me this last week that as of October 1<sup>st</sup> he is renting out another space for his trucks, and so we won't see him anymore, he's allowed two trucks on the property at any time and that's it. And I live right across the street from him. And all three of my kids wake up at 4 in the morning when the trucks go out, and they wake up at 10 when the trucks go out, and it's still all day long.

I actually did videotape it yesterday or the day before because -, but of course I didn't, you know, on my way out. But he has been a disruption since I lived there. And kind of, it's nice that, you know, maybe something can be held accountable for him, 'cause it's definitely disrupting the neighborhood. It stops our car from driving out of our driveway. His driveway is immediately right there, and then there is the stop sign for the intersection. And I don't know how many times I've been stopped to it. His trucks can't fit into the street without backing up and going back in, so we wait. And then I have to back up, because his truck doesn't fit into the driveway, he's trying again; he usually backs up on the other people's property and goes back on. And those are pretty irritating. The fact that it's back and forth all day long, you know, especially right when the baby was born, it was definitely disruptive.

But I notice even when someone is coming – there are houses that are next to us that are for sale – and they would be like, oh, are they, you know people coming and looking at these houses, and I know that's bringing the prices down on the houses because no one wants to live there because there is this trucking business. And they're like how disruptive is it really, and I'm like, well, I don't want to disappoint you, it's a great house, but the noise level is pretty, it's a bummer, you know. It will be, he doesn't seem to care that it's 10:30 at night, coming in and out, or 4 in the morning; these are hours where all of the neighbors' dogs are barking and waking everyone up. And it's, you know, it's not just once a week, it's every single day, and on Saturdays all day they are running machines to wash all the trucks, and they have loud music. And I mean they are there all day from morning until night with these pressure washers that are pretty loud. Anyway, he's pretty much all around disruption to the community that's directly next to him, and I'm included in that. And my kids, my husband and my neighbors were kind of, we just wish it would change. That's why I'm here.

COOK:                    Okay, thank you very much for your input.

The statement ended at 10:27 a.m.

Respectfully submitted,

Noriko Sauer  
West Hawai'i Secretary