

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

ILWU Union Hall
840 Ilima Ave.
Lanai City, Lanai

May 29, 1991

Approved
6/13/91

COMMISSIONERS PRESENT: Allen K. Hoe, Vice-Chairman
Karen S. Ahn
JoAnn N. Mattson
Elton Wada
Delmond J.H. Won
Eusebio Lapenia, Jr.

COMMISSIONERS ABSENT: Renton L.K. Nip, Chairman
Allen Y. Kajioka

STAFF PRESENT: Esther Ueda, Executive Officer
Russell Suzuki, Esq, Deputy Attorney
General
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk

Holly Hackett, Court Reporter

Vice-Chairman Hoe called the meeting to order.

ACTION

SP91-377 - KAELEKU FARMS, INC. (Hana, Maui)

Vice-Chairman Hoe announced that the Commission would take action to consider Petitioner's Request for Reconsideration of the Land Use Commission's Denial of Applicant's Application for a Special Permit and Motion to Extend Time for Action by Land Use Commission on the special use permit to establish a proposed commercial campground on approximately 23.8 acres of land situated within the State Land Use Agricultural District at Kaeleku, Hana, Maui.

Appearances

Martin Luna, Esq., Attorney for Petitioner

Guy Archer, Esq., Deputy Corporation Counsel, County
of Maui

Phil Ohta, Department of Planning, County of Maui

Isaac Hall, Esq., Attorney for Intervenors

The Parties agreed to accept May 2, 1991 as the date the complete records on the special permit, were transmitted to the Commission allowing the Commission until June 17, 1991 to act on the special permit.

Arguments on the request for reconsideration were heard from Mr. Luna and Mr. Hall.

Commissioner Mattson moved to go into executive session to consult with our Deputy Attorney General on legal matters. The motion was seconded by Commissioner Won and unanimously carried by voice votes.

Commissioner Ahn moved to deny the request for reconsideration filed by Petitioner. The motion was seconded by Commissioner Mattson.

Vice-Chairman Hoe determined that Commissioner Won having read the transcript was eligible to participate in the action on this proceeding.

The motion to deny the request for reconsideration was polled as follows:

Ayes: Commissioner Ahn, Mattson, Won, and Hoe

Nays: Commissioner Lapenia and Wada

The motion failed upon a vote of 4-2. There being no further motions made to approve Petitioner's motion, Petitioner's motion fails to obtain the concurrence of a majority of the members of the Commission and, therefore, was denied.

HEARING

A90-662 - LANAI RESORT PARTNERS (Koele)

Pursuant to a notice published in the Honolulu Advertiser and the Maui News on April 22, 1991 and notices sent

to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Lanai Resort Partners to reclassify approximately 63.526 acres of land currently in the Agricultural District into the Urban District, approximately 4.382 acres of land currently in the Conservation District into the Urban District, and approximately 10.885 acres of land currently in the Agricultural District into the Conservation District at Koele, Lanai for residential use.

Appearances

James Funaki, Esq., Attorney for Petitioner

Guy Archer, Esq., Deputy Corporation Counsel, County
of Maui

Phil Ohta, Department of Planning, County of Maui

Hal Schofield, Esq., Deputy Attorney General, Office
of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Karen Yamamoto, Land Use Division, Office of State
Planning

Commissioner Won moved to deny Elizabeth Stone's request for intervention dated February 13, 1991. The motion was seconded by Commissioner Ahn and unanimously carried by voice votes.

EXHIBITS

1. Petitioner's Exhibit Nos. 1 through 24 were admitted into evidence by the Land Use Commission.

2. County's Exhibit No. 1 was admitted into evidence by the Land Use Commission.

3. State's Exhibit No. 1 was admitted into evidence by the Land Use Commission.

4. The letter dated May 28, 1991 from Goro Hokama was admitted into evidence by the Land Use Commission.

5. The letter dated May 28, 1991 from Dolores Fabrao was admitted into evidence by the Land Use Commission.

PUBLIC WITNESSES

1. Dr. Jon Matsuoka and Michael Collins
2. Glenn Oshiro

A lunch recess was taken at 12:30 p.m. to reconvene at 1:30 p.m.

- 1:30 p.m. -

3. Dolores Fabrao (Testimony read into the record by Mr. McOmber.)

4. Ron McOmber
5. Jan Spieker

Bert Saruwatari, staff planner, oriented the Commission to the area requested for reclassification on the Land Use District Boundaries and tax maps.

Commissioner Ahn was absent from the proceeding at this time.

PETITIONER'S WITNESS

1. Thomas Leppert

The meeting was adjourned at 4:30 p.m.