

STATE OF HAWAII
LAND USE COMMISSION

approved
10/10/91

Minutes of Meeting

Royal Meeting Rooms
Westin Kauai Hotel
Kalapaki Beach
Lihue, Hawaii

September 19, 1991

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Allen K. Hoe, Vice-Chairman
Karen S. Ahn
JoAnn N. Mattson
Elton Wada
Delmond J.H. Won

COMMISSIONERS ABSENT: Eusebio Lapenia, Jr.
Allen Kajioka

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

Holly Hackett, Court Reporter

Vice-Chairman Hoe called the meeting to order.

ACTION

A91-671 - C. BREWER PROPERTIES, INC., a Hawaii Corporation
(Maui)

Vice-Chairman Hoe announced that the Commission would take action to determine whether the anticipated effects discussed in the petition's Environmental Assessment to reclassify approximately 12.044 acres of land currently in the Conservation to the Agricultural District at Maalaea, Maui to permit continued agricultural crop production on the Property constitute a "significant effect" pursuant to Chapter 343, H.R.S.

Chairman Nip did not participate in this proceeding due to a declared conflict of interest.

Appearances

Jordan Wagner, Esq., Attorney for Petitioner

Michael Munekiyo, Consultant for Petitioner

Jim Murray, Petitioner

Abe Mitsuda, Land Use Division, Office of State
Planning

Louise Peterson, Land Use Division, Office of State
Planning

The Department of Planning, County of Maui, was not present to the proceeding at this time.

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

Arguments were heard from Mr. Wagner and Mr. Mitsuda. After hearing arguments, questions were asked by the Commissioners.

Commissioner Wada moved in the matter of Docket No. A91-672 - C. Brewer Properties, Inc. that the anticipated effects discussed in the petition's Environmental Assessment to reclassify approximately 12.044 acres of land currently in the Conservation District into the Agricultural District at Maalaea, Maui to permit continued agricultural crop production on the Property does not constitute a "significant effect" pursuant to Chapter 343, H.R.S.

The motion was seconded by Commissioner Won and polled as follows:

Ayes: Commissioner Wada, Mattson, Won, Ahn, and Vice-Chairman Hoe.

Chairman Nip joined the proceeding at this time.

A91-673 - ALOHA TOWER ASSOCIATES AND ALOHA TOWER DEVELOPMENT CORPORATION (Oahu)

Chairman Nip announced that the Commission would take action to consider acceptance of the Aloha Tower Associates and Aloha Tower Development Corporations' Environmental Impact Statement to reclassify approximately 4.485 acres of land currently in the Conservation District into the Urban District at the Aloha Tower area and Honolulu Harbor, Honolulu, Oahu for the development of the Aloha Tower Complex.

Appearances

James Funaki, Esq., Attorney for Aloha Tower Associates

Robert Rogers, for Aloha Tower Associates

Andrew Beaman, Esq., Attorney for Aloha Tower Development Corporation

Daniel Orodener, for Aloha Tower Development Corporation

Abe Mitsuda, Land Use Division, Office of State Planning

Karen Yamamoto, Land Use Division, Office of State Planning

The Department of General Planning, City and County of Honolulu was not present to the proceeding at this time.

Arguments were heard from Mr. Funaki and Mr. Mitsuda.

Commissioner Hoe moved to accept the Environmental Impact Statement as filed with the Commission by Petitioner.

The motion was seconded by Commissioner Mattson and polled as follows:

Ayes: Vice-Chairman Hoe, Won, Ahn, Mattson, Wada, and Chairman Nip.

A91-669 - NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY (Hawaii)

Chairman Nip announced that the Commission received a withdrawal of the Motion for Reconsideration by the Petitioner. There were no objections to the withdrawal by the Commissioners and it was accepted by the Commission.

HEARING

A91-668 - DON KARLEEN AND PEGGY KARLEEN (Kauai)

Pursuant to a notice published in the Honolulu Advertiser and the Garden Island on August 9, 1991 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Don Karleen and Peggy Karleen to reclassify approximately 6,606 sq. feet of land currently in the Conservation District into the Urban District at Wainiha, Kauai for residential use.

It was noted by the Chairman that the Commission took a field trip to the petition site before this meeting.

Appearances

Walton Hong, Esq., Attorney for Petitioner

Don Karleen, Petitioner

James Tagupa, Esq., Deputy County Attorney, County of
Kauai

Ann Ogata-Deal, Esq., Deputy Attorney General, Office
of State Planning

Louise Peterson, Land Use Division, Office of State
Planning

EXHIBITS

1. Petitioner's Exhibits A through U 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.

Leo Asuncion, student helper, oriented the Commission to the area requesting reclassification on the Land Use District Boundaries and tax maps.

PETITIONER'S WITNESS

1. Don Karleen
2. Magdi Latif

COUNTY'S WITNESS

1. Peter Nakamura

STATE'S WITNESS

1. Abe Mitsuda

Chairman Nip instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on October 21, 1991 and the parties have until November 4, 1991 in which to respond.

MISCELLANEOUS

1. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: September 5, 1991 and September 6, 1991.

The meeting was adjourned at 5:00 p.m.