

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kaanapali Ballrooms
Maui Marriott
100 Nohea Kai Drive
Lahaina, Maui

March 18, 1993

*approved
4/1/93*

COMMISSIONERS PRESENT:

Elton Wada
Delmond Won
JoAnn Mattson
Eusebio Lapenia, Jr.
Trudy K. Senda (Portion of
Proceeding)
Allen K. Hoe
Karen S. Ahn (Portion of Proceeding)

COMMISSIONERS ABSENT:

Allen Y. Kajioka (Excused)
Renton L.K. Nip (Excused)

STAFF PRESENT:

Esther Ueda, Executive Officer
Russell A. Suzuki, Esq.,
Deputy Attorney General
Bert Saruwatari, Staff Planner
Darlene Kinoshita, Chief Clerk

Jean McManus, Court Reporter

Presiding Officer Wada called the meeting to order.

Commissioner Senda was absent from the proceeding at this time.

ACTION

SP73-155 - DEPARTMENT OF PUBLIC WORKS, COUNTY OF MAUI

Presiding Officer Wada announced that this is a continued action meeting to consider the County of Maui Planning Department's request for clarification of the Special Permit regarding the proposed expansion of the Kihei Wastewater Reclamation Facility at Kihei, Maui.

Appearances

George Kaya, Director, Department of Public Works,
County of Maui

Michael Ratte, Department of Public Works

Lillian Koller, Esq., Deputy Corporation Counsel,
County of Maui

Brian Miskae, Planning Department, County of Maui

Commissioner Senda joined the proceeding at this time.

The Commission received the additional materials requested yesterday from the Department of Public Works, County of Maui. The Environmental Assessment (9/92) was admitted into the record by the Land Use Commission.

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

Commissioner Ahn was absent from the proceeding at this time.

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

Commissioner Won moved to amend the September 5, 1973 letter of Tatsuo Fujimoto, Executive Officer of the Land Use Commission to the Maui Planning Commission, granting a special permit to establish a sewage treatment plan on 23.4 acres of land situated within the State Agricultural District at Kihei, Maui, with the condition that the capacity shall not exceed 8 MGD. In the event that the capacity is increased above 8 MGD, the County of Maui shall be required to obtain the further approval of the Land Use Commission. The motion was seconded by Commissioner Mattson and unanimously carried by voice votes.

CONTINUED HEARING

A92-686 - AMFAC PROPERTY INVESTMENT CORP., A HAWAII
CORPORATION, AND HOUSING FINANCE AND DEVELOPMENT CORPORATION
(Maui)

This proceeding commenced at 9:00 a.m. and was a continuation of the hearing which was adjourned yesterday at 10:25 p.m.

Appearances

Ben Kudo, Esq., Attorney for Petitioner

Jon Pang, Esq., Attorney for Petitioner

Jocelyn Wood, Esq., Deputy Attorney General, Housing
Finance and Development Corporation

Lillian Koller, Deputy Corporation Counsel, County of
Maui

Brian Miskae, Director, Planning Department, County of
Maui

Will Spence, Planning Department, County of Maui

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

Karen Yamamoto, Land Use Division, Office of State
Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Isaac Hall, Esq, Attorney for Intervenors

EXHIBITS

1. Petitioner's Exhibit No. 33 was admitted into evidence by the Land Use Commission.

2. Petitioner's Exhibit No. 34 was admitted into evidence by the Land Use Commission and was allowed to be filed after the close of the hearing.

3. The County's Exhibit No. 18 was admitted into evidence by the Land Use Commission.

At this time, the parties have stipulated that since they do not have any questions for Phillip Brunner, Winona Char, Paul Rosendahl, and Helen Wessel, they will not be called as witnesses.

PETITIONER'S WITNESS

1. Joseph Conant

COUNTY'S WITNESS

1. David Craddick

STATE'S WITNESS

1. Abe Mitsuda

Presiding Officer Wada instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on March 23, 1993 and the parties have until March 29, 1993 in which to respond.

MISCELLANEOUS

1. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: February 24, 1993 and February 25, 1993.

2. ADOPTION OF DECISION AND ORDER

The Decision and Order of the following was adopted:

SP92-382 - GROVE FARM ROCK COMPANY (Kauai)

The meeting was adjourned at 12:00 p.m.