

VIERRA, G. AND TOLEDO, L. A(T) 62-19

WILSON JONES ©

LUC File A(T)- 62-19

Petitioner: Geo. Uiesma & Lydia Toledo County HAWAII

Date petition and fee
received from County
with recommendation: OCTOBER 25, 1962

Suspense date for LUC action: 2-21-63

Publication of hearings

<u>Dates</u>	<u>Newspaper</u>
<u>10-30-62</u>	<u>Honolulu Star-Bulletin</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Hearings

<u>Date</u>	<u>Place(s)</u>	<u>By</u>
<u>11-19-62</u>	<u>HELO Auditorium</u>	<u>LUC</u>
<u> </u>	<u> </u>	<u> </u>
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Actions

<u>Dates</u>	<u>Actions</u>	<u>By</u>
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Notes:

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

Sent to Comm.
This space for County or DLNR use

Date Petition and Fee received
by County or DLNR OCT 18 1962

Date forwarded to LUC
with recommendation 10/25/62

Date Petition, Fee and
County/DLNR recommen-
dation received by LUC 10/25/62

PETITION FOR AMENDMENT OF TEMPORARY DISTRICT BOUNDARY

(I) (We) hereby request an amendment of Land Use Commission Temporary District Boundary respecting the County of Hawaii, Island of Hawaii, map number and/or name H-34 to change the district designation of the following described property from its present classification in a(n) agriculture district into a(n) urban district.

Description of property: Property located at Puukapu 2nd Series. Portion of Grant 7730, tax key 6-4-03-7, 32 acres more less, deeded to George Vierra and L. O. V. Toledo.
Petitioner's interest in subject property:

Petitioner's reason(s) for requesting boundary change: --2(b) This lot is third class pasture land. Lots adjoining this lot is now in planning for residential development. Lake land which is two lots from this lot have already been sold in subdivided lots. Since the temporary boundaries have been established the classification would be unreasonable.

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

- (a) The land is not usable or adaptable for use according to its present district classification.
- (b) Conditions and trends of development have so changed since adoption of the present classification, that the present classification is unreasonable.

Signature(s) George Vierra
Lydia O. V. Toledo

Address: Kamuela, Hawaii.

Telephone: 855356

10. 11. 22.

OCT 22 1962

State of Hawaii
LAND USE COMMISSION

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DESCRIPTION OF BIOLOGICAL:

(T) (R) REPORT NUMBER OF REGISTRATION

HOUSE OF REPRESENTATIVES
U.S. HOUSE OF REPRESENTATIVES
GENERAL INVESTIGATIVE COMMITTEE
ON THE ACTIVITIES OF
UN-AMERICAN ELEMENTS

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STATE OF HAWAII

LAND USE COMMISSION
426 Queen St, Honolulu

Department, Bureau or Commission

OFFICIAL
RECEIPT

No.

12

Oct. 22, 1962

RECEIVED from

Bernard J. Kenney for George Uuma & L.O.V. Uuma
fifty no / 100 DOLLARS

for public hearing for the State Land Use Commission for
a change in Unified boundary for property in the
County of Hawaii

\$

50.00

Arthur C. Kai

Public Accountant

Banana

PLANNING AND TRAFFIC COMMISSION
County of Hawaii
December 12, 1962

The Zoning Committee meeting was called to order at 10:57 a.m., in the office of the Planning and Traffic Commission by Chairman Rufus P. Spalding, Jr.

PRESENT: Rufus P. Spalding, Jr.
Maxine Carlsmith
Kenneth Griffin
Sam Stevens
Hiroshi Kasamoto

Masanori Kushi
Aketo Maebo
Richard Warfield

ABSENT: Edward Araujo
Roy Mento
Herman Mulder
William Stearns

MINUTES

The minutes of the meeting held on November 14, 1962, were approved as circulated on a motion of Mr. Griffin, second of Mrs. Carlsmith, and carried.

1. WITHDRAWAL
REZONING REQUEST
LAND USE COMMISSION

The Director reported that the rezoning request by Vierra and Toledo with the Land Use Commission was withdrawn by the applicants.

2. REAPPLICATION
SPECIAL USE PERMIT
LAND USE COMMISSION

The Board of Supervisors referred the following applicants with the Land Use Commission for consideration by the Commission to apply for special permit rather than rezoning:

- a. Vierra and Toledo - Puukapu, Kohala
- b. Richard Warfield - Kaei, Kona
- c. Hayselden Ranch, Ltd. - Kiolakaa, Kau

No recommendations will be made for Vierra and Toledo because of the withdrawal and also for Richard Warfield because of his reapplication.

The Commission previously recommended denial of Hayselden's application because of the absence of controls on density and use. Since the parcel in question is surrounded by the Mark Twain Estates subdivision, it would seem more appropriate as a variance than rezoning, but the Land Use Commission disagrees.

No action is necessary on these matters.

3. REAPPLICATION
REZONING REQUEST
LAND USE COMMISSION
RICHARD WARFIELD

A discussion was held on the reapplication of Richard Warfield and others to rezone an area approximately 500 acres in Kaei, Kona, from Agricultural to Urban.

Formerly, the Land Use Commission zoned much of the land along the government highway as Urban but withdrew this because of protests from the farmers.

The area in question begins from a point north of the Honaunau School to land south of the junction at Mamalahoe Highway and the Middle Road. Because of the large area involved, the members were cautioned about the question of water supply and access which are not readily available. The area is predominantly coffee land in fee simple.

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No action is necessary on these matters.

3. REAPPLICATION
REZONING REQUEST
LAND USE COMMISSION
RICHARD WARFIELD

A discussion was held on the reapplication of Richard Warfield and others to rezone an area approximately 500 acres in Keel, Kona, from Agricultural to Urban.

Formerly, the Land Use Commission zoned much of the land along the government highway as Urban but withdrew this because of pressure from the farmers.

The area in question begins from a point north of the Honaunau Highway and goes south of the junction at Mamalahoe Highway and the Middle Road. Because of the area involved, the members were cautioned about the question of water supply and access which are not readily available. The area is predominantly coffee and is not too simple.

According to the applicant, the tax assessor had informed him that if the area is zoned Urban, the trend would be upward in land valuation depending on the actual sale of the property and use. If there is development, this is going to reflect in higher taxes in the surrounding areas.

In an Urban zone, land used for agriculture cannot be dedicated and will be assessed higher than the same use in an Agricultural Zone. It was the feeling of the members that the farmers in the area may not be aware of this.

There are residential subdivisions in this area with homes built in them. Because of the new school, the members thought that the abutting land could be zoned urban and the urbanization confined.

Mr. Griffin moved that the Planning Commission schedule a meeting with the people in the area, possibly at Honaunau School, before final recommendation is made to the Land Use Commission. Rezoning as it affects assessed values, the possibility of dedication to agricultural uses, and other matters will be clarified. The motion was seconded by Mr. Stevens, and carried.

- | | |
|--|---|
| 4. REVIEW
TOSHITO MAEBO, ET AL.
VARIANCE REQUEST | A review of conditions and details of Toshito Maebo, et al., application for a variance was held to determine if their plans conformed to the Commission's requirement. |
|--|---|

The representative stated that they will try to construct the building as non-industrial as possible in the front. The layout of the plant, the plot plan, and the driveway and entrance to the proposed building were discussed, to assure the use would be in good planning practice. Proper landscaping was also taken into consideration.

The Committee recommended approval of their proposal subject to final review of the front elevation of the building.

- | | |
|--|---|
| 5. SPECIAL USE PERMIT
LAND USE COMMISSION
JOHN GOUVEIA
HAJIME NAKAO | The application of John Gouveia for a special use permit to subdivide a parcel into two lots. There is already a house on each lot. |
|--|---|

The Committee recommended approval of the proposal because there is no change in the existing condition on a motion of Mr. Griffin, second of Mrs. Carlsmith.

The application of Hajime Nakao for a special use permit is to create a 10,000 square-foot lot out of a 4-acre lot for sale of the small lot. This subdivision was previously approved by the Planning and Traffic Commission at its July meeting and was ruled invalid by the Attorney General because the parcel was within the Agricultural District boundaries established by the Interim Regulations of the Land Use Commission.

The Committee recommended deferment until more information is received from the applicant as to what special or unusual conditions exist. The motion was made by Mr. Griffin, seconded by Mrs. Carlsmith, and carried.

The meeting was adjourned at 12:05 p.m.

Respectfully submitted,

[Handwritten signature]

ATTEST:

Rufus P. Spalding, Jr., Chairman
Zoning Committee of the
Planning and Traffic Commission



OFFICE OF THE COUNTY CLERK
COUNTY OF HAWAII
HONO, HAWAII

January 17, 1963

RECEIVED

JAN 21 1963

State of Hawaii
LAND USE COMMISSION

IN REPLY REFER

PWC-1/C-3394

Refer Your: LUC 226

Mr. R. J. Darnell
Executive Officer
Land Use Commission
State of Hawaii
426 Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

The Board of Supervisors of the County of Hawaii considered your letter dated November 1, 1962, at its meeting of January 16, 1963.

The Board adopted the following recommendations of its Committee on Public Works with regard to

1. Applications for Special Permit by Joseph and Margaret Correia, and Mineo Koyanagi:

Accepted recommendations of Planning and Traffic Commission.

2. Petition from Hayselden Ranch Co., Ltd.:

Rezone, providing that any new development by the applicant be controlled as to design, size and standards similar to the general development of the area.

3. Petition from George Vierra and Lydia Toledo:

Considered and placed on file.

Very truly yours,

(Mrs.) Margaret M. Kaaua
COUNTY CLERK

ADDRESS ALL COMMUNICATIONS TO THE BOARD OF SUPERVISORS

Ref. No. LUC 377

January 25, 1963

Mr. Bernard G. Kinney
Attorney-at-law
P. O. Box 597
Kamuela, Hawaii

Dear Mr. Kinney:

At their regular meeting of January 22, 1963 the State of Hawaii Land Use Commission voted to accept your motion for withdrawal made on behalf of the petition of George Vierra and Lydia Toledo, A(T) 62-19, for Change of Temporary District Boundary as follows: ayes - 5; noes - 0; absent - 4; abstaining - 0;

The Commission's Rules of Practice and Procedure, Sub-Part C, 1.24, stipulate that a \$50.00 fee accompany each petition "to cover the cost of the public hearing and publication." As your motion for withdrawal of this petition was received on December 5, 1962, after publication, on October 30, 1962, and the public hearing, held on November 19, 1962, the Commission is unable to return the filing fee.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

cc: Mr. George Vierra and
Miss Lydia O. V. Toledo
Kamuela, Hawaii

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM A(7)62-19

DATE Jan. 22 - 63

PLACE LOC Hearing Room

TIME _____

NAMES	YES	NO	ABSTAIN	ABSENT
(2) <u>KANEMOTO, E.</u>	X			
(1) <u>WILLIAMS, R.</u>	X			
<u>FRIEL, S.</u>				
<u>SUNN, F.</u>				
<u>IGE, Y.</u>				
<u>GREGG, W.</u>	X			
<u>LOMBARDI, F.</u>	X			
<u>COOK, E. H.</u>				
<u>BRYAN, E.</u>	X			

COMMENTS:

Withdraw per Dec. 5, 1962 ltr from
Bernard G. Kinney

Ref. No. LUC 369

January 18, 1963

Mr. George Vierra and
Miss Lydia O.V. Toledo
Kamuela, Hawaii

Dear Mr. Vierra and Miss Toledo:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Oahu on January 22, 1963, in the Land Use Commission Hearing Room, 426 Queen Street, Honolulu, Hawaii, at 7:00 p.m.

As the 45-day waiting period after public hearing, prescribed by SECTION 2, Sec. 6, Act 187, will have expired, your petition for change of temporary district boundary has been placed on the Commission's agenda for consideration at this meeting; and final action may be taken at that time.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER



UNIVERSITY OF HAWAII

HONOLULU 14, HAWAII

December 19, 1962

LAND STUDY BUREAU

Mr. R. J. Barnell
Executive Officer
Land Use Commission
426 Queen Street
Honolulu 13, Hawaii

Dear Mr. Barnell:

In response to your inquiries of December 13 and 14, the
attached comments are submitted for your consideration.

Very truly yours,

Frederick K. Munns
Director

Attachments

FKM:jt

rec'd 12/20/62

0435-
0512

Docket No. and
Petitioner

Tax Map Key

Acreage

Honolulu, Hawaii

SP(T) 62-34

Benigno Miguel

4-1-10:39

1.10 ac.

Location: Waimanalo Valley, Oahu

Most of the property is in a bottomland position. The soil is Hanalei series, well-drained, with slope approximately 4 per cent. It is Class B agricultural land according to the new detailed five-class scheme (Classes A, B, C, D, & E). It probably can be irrigated.

Wailuku, Maui

A(T) 62-22

Ted James

(Katherine S. Baldwin)

2-3-05:39

9.785 ac.

Location: Corner of Upper Kula Road and Haleakala Road, Maui

The land is in a well-drained upland position. It is slightly stony Waimea soil with complex slopes generally 8-13 per cent. With irrigation it is Class A or B agricultural land, on the basis of the detailed five-class scheme.

Hilo, Hawaii

SP(T) 62-29

Y. L. Liao

8-2-10: Por. 22

20.05 ac.

Location: Corner of South Kona Belt Road and Homestead Road

The land is mostly aa and pahoehoe with only a small amount of soil material on the surface. Slopes vary widely over the parcel but generally about 13 per cent. The land cannot be plowed. On the basis of the detailed five-class scheme, it is Class C at best and more likely Class D agricultural land.

SP(T) 62-30

Masataro Nagata

2-4-31: Por. 8

20.05 ac.

Location: Kona, Hawaii

No comment. Cannot locate.

SP(T) 62-31

Tomar Lompog and
Risal Simpliciano

5-5-04:54

1.0 ac.

Location: Kohala, Hawaii

No comment.

<u>Docket No. and Petitioner</u>	<u>Tax Map Key</u>	<u>Acreage</u>
<u>Hilo, Hawaii (cont.)</u>		
SP(T) 62-32 Sigbjørn Yamaoka <u>Location:</u> Kona, Hawaii	7-9-10:21	9.50 ac.
Cannot locate specifically. Generally appears to be mostly aa and pahoehoe with only a small amount of soil material on the surface. Slope generally about 13 per cent. It is possibly Class C or more likely Class D agricultural land, on the basis of the detailed five-class scheme.		
SP(T) 62-30 Majimi Makao	8-1-7:14	4.02 ac.
<u>Location:</u> On makai side of S. Kona Belt Road, about 3/4 mile toward Kailua-Kona from Captain Cook		
The land is mostly aa and pahoehoe with only a small amount of soil material on the surface. The land cannot be plowed because of rockiness. Slope is about 12 per cent. On the basis of the detailed five-class scheme, it is Class C or D land.		
SP(T) 62-35 Louise Kapehe	7-3-06: 6	1.2 ac.
<u>Location:</u> Kona, Hawaii		
No comment. Cannot locate.		
A(T) 62-23 Shunichi Arizumi	2-2-46: 5	2.5 ac.
<u>Location:</u> Frontage on Palai Road, Hilo, Hawaii		
Most of the property consists of slightly weathered aa rock with very little soil material on the surface. Slope is about 2 per cent. The land cannot be plowed. The land is Class C or Class D on the basis of the detailed five-class scheme.		

Docket No. and
Permitter

Tax Map Key

Acres

SP(T) 62-36
Abner Delima

2-01-07: 6

Location: Makana, Maui

No comments. Too small to tell without on-site inspection.

Docket No. and
Petitioner

Tax Map key

Area

SP(T) 62-38
Robert Y. Hamamura

4-8-11: 50

77,918 sq. ft.

Location: Anahola, Kauai

Non-stony, alluvial Hanalei soil, lies flat, Class B land.

SP(T) 62-38
Robert Y. Hamamura

4-9-04: 27

No comment. Cannot locate.

Docket No. and
Petitioner

Tax Map Key

Acres

Kaunakakai, Molokai

A(T) 62-16

Cooke Trust Co.

5-3-03: Por. 1

Location: Kaunakakai, Molokai

Except for Kaunakakai Gulch, most of the area has slopes less than 20 per cent but is too stony or shallow for intensive agriculture. Kaunakakai Gulch has slopes over 40 per cent. It is unsuited to intensive agriculture.

Kau, Hawaii

A(T) 62-18

Hayelden Ranch Co., Ltd.

9-4-1: Por. 8

9-4-2: 3

Location: Kau, Hawaii

These lands are unsuited to intensive agriculture. They consist mainly of aa and pahoehoe with a small amount of soil material. Slopes are probably less than 10 per cent.

Kamuela, Hawaii

A(T) 62-19

George Vierra & Lydia Toledo

6-4-03: 7

31.15 ac.

Location: Waikea Hawaii

The parcel appears to be generally unsuited for intensive agriculture. It is suited to grazing, however. The soil series is maile. Slope is less than 5 per cent.

Lualualei, Oahu

A(T) 62-17

Joe Drake, Et. Al.

8-7-22: 2,3,5-11,13
14,19,20; 8-7-21: 13,
17,18,19,21,22,23,24,
25,30,32

Location: Lualualei, Oahu

This area consists of a mixture of Lualualei, Mamala, Kaaau, and exposed coral lands, which are all stony. Most of the area below Lualualei Road has slopes under five per cent. Above the road, the land is rocky Lualualei soil with slopes approximately 20 per cent, then getting steeper to Pali lands with slopes about 70 per cent.

The highest classification in the area is Class C with irrigation and going to Class E on the higher slopes.

Docket No. and
Petitioner

Tax Map Key

Waianae, Oahu

A(T) 62-20

8-5-04: 2;

Harold J. Silva, Et. Al.

9-19; 23; 25

Location: Waianae, Oahu

Parcels 12, 18

Approximately 1/2 is bottomland, probably too rocky to cultivate but suited to pasture. 1/4 non-stony Ewa soil, 4 per cent slope, Class A when irrigated, Class C unirrigated. 1/4 stony Ewa soil, 4 per cent, Class B when irrigated, Class D unirrigated.

Parcels 10, 11, 23, 25

Stony Ewa soil, 4 per cent, Class B when irrigated, Class D unirrigated.

Parcel 2

State lands

Parcel 9

Cannot locate.

Parcels 13, 14, 15, 16, 17

Non-stony to slightly stony Ewa soil, slope 4 per cent, Class A when irrigated, Class C unirrigated.

Parcel 19

Mostly non-stony to slightly stony Ewa soil, slope 6 per cent, Class A when irrigated, Class C unirrigated.

December 14, 1962

Department of Health
Kinsau Hale
Honolulu, Hawaii

Attention: Mr. B. J. McMorrow

Gentlemen:

The Land Use Commission of the State of Hawaii has requested that I solicit your comments on the following listed petitions for Change of Temporary District Boundary.

Kaunakakai, Molokai

Tax Map Key

Permission Requested

A(T) 62-16
Cooke Trust Company

5-3-03: Per. 1

Change from an Agricultural district to an Urban district classification.

Kau, Hawaii

A(T) 62-18
Hayselden Ranch Co., Ltd.

9-4-1: Per. 8
9-4-2: 3

Change from an Agricultural district to an Urban district classification.

Puukapu Homesteads, Kaneohe, Hawaii

A(T) 62-19
George Vierra & Lydia Toledo

6-4-03: 7

Change from an Agricultural district to an Urban district classification.

Lualualei, Oahu

A(T) 62-17
Joe Drake, Et. Al.

8-7-22: 2, 3, 5-11, 13, 14, 19-20; 8-7-21: 13, 17, 18, 19, 21, 22, 23, 24, 25, 30, 32.
Change from an Agricultural district to an Urban district classification.

Waianae, Oahu

A(T) 62-20
Harold J. Silva, Et. Al.

8-5-04: 2; 9-19, 23; 25

Change from an Agricultural district to an Urban district classification.

Department of Health
Page 2
December 14, 1962

Public hearings were held on these items in November 1962. Final Commission action on these items may be taken after January 4, 1963. Staff reports on the above items are enclosed to amplify the details of each petition.

Your written comments on or before January 4, 1963 will be greatly appreciated.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosures

December 14, 1962

Board of Water Supply
City and County of Honolulu
630 S Beretania Street
Honolulu, Hawaii

Attention: Mr. L. J. Watson

Gentlemen:

The Land Use Commission of the State of Hawaii has requested that I solicit your comments on the following listed petitions for Change of Temporary District Boundary.

<u>Kauaiakakai, Molokai</u>	<u>Tax Map Key</u>	<u>Permission Requested</u>
A(T) 62-16 Cooke Trust Company	5-3-03: Por. 1	Change from an Agricultural district to an Urban district classification.
<u>Kau, Hawaii</u>		
A(T) 62-18 Hayselden Ranch Co., Ltd.	9-4-1: Por. 8 9-4-2: 3	Change from an Agricultural district to an Urban district classification.
<u>Fukapu Homesteads, Kaneohe, Hawaii</u>		
A(T) 62-19 George Vierra & Lydia Toledo	6-4-03: 7	Change from an Agricultural district to an Urban district classification.
<u>Lualualei, Oahu</u>		
A(T) 62-17 Joe Drake, Et. Al.	8-7-22: 2, 3, 5-11, 13, 14, 19-20; 8-7-21: 13, 17, 18, 19, 21, 22, 23, 24, 25, 30, 32.	Change from an Agricultural district to an Urban district classification.
<u>Waianae, Oahu</u>		
A(T) 62-20 Harold J. Silva, Et. Al.	8-5-04: 2; 9-19: 23; 25	Change from an Agricultural district to an Urban district classification.

Board of Water Supply
Page 2
December 14, 1962

Public hearings were held on these items in November 1962. Final Commission action on these items may be taken after January 4, 1963. Staff reports on the above items are enclosed to amplify the details of each petition.

Your written comments on or before January 4, 1963 will be greatly appreciated.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

Enclosures

RECEIVED

DEC 5 1962

State of Hawaii
LAND USE COMMISSION

P. O. Box 597
Kamuela, Hawaii
December 5, 1962

Mr. R. J. Darnell
Executive Officer
Land Use Commission
State of Hawaii
Honolulu, Hawaii

Dear Mr. Darnell:

I hereby request withdrawal of the petition for change of temporary district boundary from agriculture to urban classification filed by Mr. George Vierra and Miss Lydia O. V. Toledo of Kamuela, Hawaii. Mr. Vierra and Miss Toledo have asked me to make this request on their behalf, their reason for the withdrawal being that their promoters and developers for the residential development of this property have been dropped.

I would like to express my appreciation for the hearing given to the petitioners and the consideration of the commission for an extension of time.

In the event the \$50 fee is returned to the petitioners please mail the check to me.

Thank you again for your kind consideration.

Sincerely,

BERNARD G. KINNEY
Attorney

11

December 5, 1962

The Honorable Bernard G. Kinney
Senator
P. O. Box 397
Kamuela, Hawaii

Dear Senator Kinney:

This will acknowledge receipt of your letter of December 5, 1962, requesting that the petition A(T) 62-19 of George Vierra and Lydia Toledo be dropped, this request for withdrawal having been initiated by you, with the full concurrence of the petitioners.

Your request for withdrawal will be presented to the Land Use Commission for action at their meeting on Friday, December 7, 1962. I am informed by the Attorney General's Office that since the hearing has been held on this petition, it is not possible to refund the \$50.00 filing fee submitted by the petitioners.

You will be informed of the action of the Commission on your request early next week.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

cc: Hawaii Planning and Traffic Commission
Hawaii County Board of Supervisors
George Vierra and Lydia Toledo

SENT TO Comm.
Board, Planning Comm.,
Petitioner

RECEIVED

DEC 5 1962

State of Hawaii
LAND USE COMMISSION

P. O. Box 597
Kamuela, Hawaii
December 5, 1962

47

Mr. R. J. Darnell
Executive Officer
Land Use Commission
State of Hawaii
Honolulu, Hawaii

Dear Mr. Darnell:

I hereby request withdrawal of the petition for change of temporary district boundary from agriculture to urban classification filed by Mr. George Vierra and Miss Lydia O. V. Toledo of Kamuela, Hawaii. Mr. Vierra and Miss Toledo have asked me to make this request on their behalf, their reason for the withdrawal being that their promoters and developers for the residential development of this property have been dropped.

I would like to express my appreciation for the hearing given to the petitioners and the consideration of the commission for an extension of time.

In the event the \$50 fee is returned to the petitioners please mail the check to me.

Thank you again for your kind consideration.

Sincerely,

Bernard G. Kinney

BERNARD G. KINNEY
Attorney

M

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM PETITION FOR WITHDRAWAL OF
ACT) 62-19
DATE DEC. 7, 1962
PLACE LUC HEARING ROOM
TIME 9:00

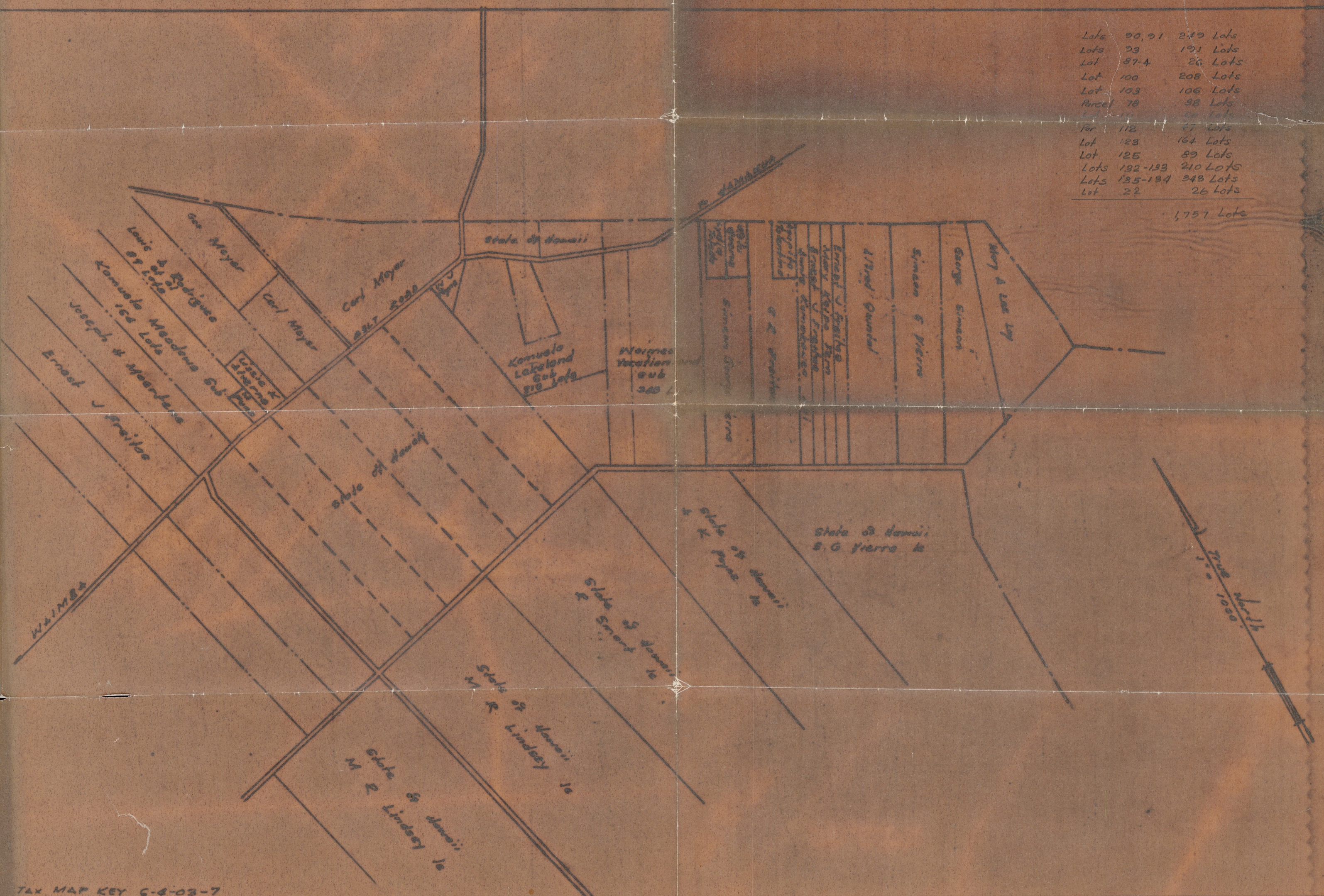
NAMES	YES	NO	ABSTAIN	ABSENT
<u>KANEMOTO, E.</u>				
<u>WILLIAMS, R.</u>				
<u>FRIEL, S.</u>				
<u>SUNN, F.</u>				
<u>IGE, Y.</u>				
<u>GREGG, W.</u>				
<u>CHON, P.</u> <u>LOMBARDI, F.</u>				
<u>COOK, E. H.</u>				X
<u>BRYAN, E.</u>				

COMMENTS:

NO ACTION UNTIL LAPSE OF THE 45-day
Period.

Lot	20, 21	242 Lots
Lots	23	191 Lots
Lot	87-4	26 Lots
Lot	100	208 Lots
Lot	103	106 Lots
Parcel	78	38 Lots
Lot	111	60 Lots
For	112	47 Lots
Lot	123	164 Lots
Lot	125	89 Lots
Lots	132-133	210 Lots
Lots	135-134	343 Lots
Lot	22	26 Lots

1,757 Lots



KAMUELA

3777

163

478

18

216

74

25

478

(50%)

61

155

42

Kamuela Meadows

276

163 lots 9,750 \$

121 sold

- 42 unsold

Kamuela Lake - Land Subd.

216 lots 8,000 \$

61 sold

- 155 unsold

Kamuela Haven

74 lots 7,577 \$

13 sold

- 61 unsold

Tax Key 6-4-15-

25 lots

10 lots approx. 30,360 \$

15 " " 52,293 \$

7 sold

- 18 unsold

6-4-02

1. 9 lots - 1 ac
2. 6 " - 43,564 f
3. 11 " - approx. 2.0 ac
4. 17 " - " 3.6 ac

6-4-03

1. 26 lots - approx. 9000 f

6-4-05

1. 12 lots - 0.25 ac

6-4-07

Puekapeu Village House Lots
85 lots approx. 1.021 ac

6-4-09

~~Kamuela Meadows~~

~~79 lots 9750 f
(25 unsold)~~

6-4-10

~~Kamuela Meadows~~

~~84 lots 9750 f
(17 unsold)~~

6-4-11

~~Kamuela Lake - Land Subd.
69 lots 8,000 f (11 sold)~~

6-4-12

Kamuella Lake - Land Subd.

67 lots approx. 8,000 ₦
(22 sold)

6-4-13

Kamuella Lake - Land Subd.

80 lots approx. 8,000 ₦
(28 sold)

6-4-14

"Kamuella Haven"

74 lots 7,577 ₦
(13 sold)

6-4-15

25 lots:

10 lots approx. 30,360 ₦

15 " " 52,293 ₦

(7 sold)

STATE OF HAWAII
LAND USE COMMISSION

HELCO Auditorium
1200 Kilauea Avenue
Hilo, Hawaii

9:30 A.M.
November 19, 1962

STAFF REPORT

A(T) 62-19

Temporary District Classification: AGRICULTURAL

PETITION OF GEORGE VIERRA & LYDIA TOLEDO, for change of Temporary District Boundary to reclassify certain property in Puukapu Homesteads, Waimea, North Kohala, Hawaii, from an Agricultural district to an Urban district classification described as Third Division, TMK 6-4-03: 7.

The petitioners state that they are the owners of the subject parcel of land, containing 31.15 acres, which is located 3/5 mile to the southeast of the junction of the newly improved "Mud Lane" realignment, and the present alignment of Mamalahoa Highway. Access to the property, which does not have highway frontage, is by a 40' improved road which runs parallel to Mamalahoa Highway, about 1/2 mile to the north. The parcel slopes gently from the north to south, with a tree wind break on the northern part of the property.

The present character of the surrounding area is open grazing land. The soil of the subject parcel is of the Maile series which, according to the Hawaii Soil Survey, is 'rather poorly adapted to use for cultivated crops' but is good soil for pastures, with reported carrying capacities up to one head for every two acres on improved pasture.

Several parcels to the west of the petition were subdivided prior to April 21, 1962, the effective date of the temporary boundaries and interim regulations. These are residential subdivisions with average lot sizes of 9000 sq. ft. There is little evidence of building within these subdivisions.

The General Plan for North Kohala and Hamakua, being prepared by Bush and Gerakas, shows the petition in open land use, as does the State's General Plan.

The town of Kamuela will undoubtedly expand in the not-too-distant future; and, to a large extent, the areas into which the town will initially expand have already been outlined: to the west of the center of Kamuela are the State's house and farm lot subdivisions of Lalamilo; and to the east of the center and north of the highway large private residential subdivisions have been put in, roughly stopping at the intersection of the Mud Lane improvement and the existing Mamalahoa highway.

It is the opinion of the staff that it will be several years before Kamuela reaches its present design capacity; and that the creation of this isolated urban zone is not supportable.

For these reasons, the staff recommends denial of the petition.

NOTICE OF PUBLIC HEARING

TO CONSIDER (1) AMENDMENT OF INTERIM REGULATIONS OF THE LAND USE COMMISSION OF THE STATE OF HAWAII AND (2) APPLICATIONS FOR SPECIAL PERMIT AND (3) PETITIONS FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY WITHIN THE COUNTY OF HAWAII, BEFORE THE LAND USE COMMISSION OF THE STATE OF HAWAII

NOTICE IS HEREBY GIVEN of the public hearing to be held by the Land Use Commission of the State of Hawaii in the Auditorium of the Hilo Electric Light Company, Ltd., 1200 Kilauea Ave., Hilo, Hawaii, on November 19, 1962, at 9:30 a.m., or as soon thereafter as those interested may be heard, to consider an amendment of the Land Use Commission's Interim Regulations, as provided for in SECTION 2, Sec. 10, Act 187, Session Laws of Hawaii, 1961, applications for Special Permit within the County of Hawaii as provided for in SECTION 2, Sec. 7, Act 187, and petitions for change of temporary district boundary as provided for in SECTION 2, Sec. 6, Act 187, Session Laws of Hawaii, 1961.

Amendment of Interim Regulation to be heard:

Docket Number and Substance of Amendment

- A(TR) 62-1 (1) To eliminate certain portions of Interim Regulation 2.1(b) respecting "Agricultural Districts," which allowed single-family dwelling units as a primary use of land and which required minimum lot sizes of five acres, both of which portions have been declared invalid by the Attorney General; and also to eliminate that portion of Interim Regulation 2.1(d) which relates to lot sizes in Agricultural districts;
- (2) To re-number the allowed uses under Interim Regulation 2.1(b); and
- (3) To add, to Interim Regulation 2.1(b) and 2.1(d) provisions allowing single-family dwellings as accessory uses to the primary uses allowed in 2.1(b) and as primary uses on any lot in a subdivision having received preliminary approval before April 21, 1962.

Applications for Special Permit to be heard:

Docket Number and Applicant	Tax Map Key	Permission Requested
SP(T) 62-22 Joseph and Margaret Corbala	2-4-05:39	Creation of a 15,000 sq. ft. residential lot from a larger lot comprised of 39.2 acres.
SP(T) 62-26 Mineo Koyanagi	7-5-11:1	Creation of one residential lot from a larger lot comprised of 36.8 acres.

NOTICE OF CANCELLATION

THE FOLLOWING HEARINGS CALLED BY THE LAND USE COMMISSION STATE OF HAWAII HAVE BEEN CANCELLED.

- (1) Hearing set for the County of Maui, Board of Supervisors Chambers, Wailuku, Maui, 1:30 p.m. November 13, 1962.
- (2) Hearing set for County of Kauai, Board of Supervisors Chambers, Lihue, Kauai, 2:00 p.m. November 12, 1962.
- (3) Hearing set for County of Maui, Community Center, Kaunakakai, Molokai, 2:00 p.m. November 13, 1962.
- (4) Hearing set for County of Hawaii, Board of Supervisors Chambers, Hilo, Hawaii for 9:30 a.m. November 13, 1962.

THESE HEARINGS HAVE BEEN RESET AS PER SEPARATE NOTICE GIVEN ON THIS PAGE. (S.-B.: Oct. 30, 1962)

Petitions for change of temporary district boundary to be heard:

Docket Number and Applicant	Tax Map Key	Permission Requested
A(T) 62-18 Hayselden Ranch Co., Ltd.	9-4-2:3 9-4-1: Por. 8	Change from an Agricultural district to an Urban district classification.
A(T) 62-19 George Viera & Lydia Toledo	6-4-03:7	Change from an Agricultural district to an Urban district classification.

Copies of the Land Use Commission's Interim Regulations and the proposed amendment, thereto, as well as maps showing the area under consideration for Special Permit and copies of the rules and regulations governing the application for Special Permit are on file in the offices of the Hawaii County Planning and Traffic Commission and the Land Use Commission and are open to the public for inspection during office hours.

All written protests or comments regarding the above amendment and application for Special Permit may be filed with the Land Use Commission, 426 Queen Street, Honolulu, Hawaii, before the date of the hearing, or submitted in person at the time of the hearing, or up to fifteen (15) days following this public hearing.

LAND USE COMMISSION

E. C. BRYANT, Chairman

R. J. BARNES, Executive Officer

(S.-B.: Oct. 30, 1962)



PLANNING AND TRAFFIC COMMISSION
COUNTY OF HAWAII
HILO, HAWAII U. S. A.

RECEIVED

OCT 25 1962

State of Hawaii
LAND USE COMMISSION

October 24, 1962

Mr. Rowland J. Barnell
Executive Officer
Land Use Commission
426 S. Queen Street
Honolulu 13, Hawaii

Dear Mr. Barnell:

The Planning and Traffic Commission, at its regular meeting of October 22, 1962, considered the following applications for rezoning from an Agricultural District to an Urban District to allow residential subdivisions:

Vierra and Toledo - Paikapu, Kohala

Richard Warfield - Keel, Kona

Hayselden Ranch, Ltd. - Kilauea, Kau

The Commission voted to recommend denial of all the requests on the basis that there is no control over the density problem at the present time in any of these areas and that no development plan has been submitted to show what is to be done if rezoning is approved.

Yours very truly,

PLANNING AND TRAFFIC COMMISSION

Hiroshi Kasamoto
Director

lat

cc Chairman & Board of Supervisors



PLANNING AND TRAFFIC COMMISSION
COUNTY OF HAWAII
HILO, HAWAII, U. S. A.

RECEIVED

OCT 25 1962

October 24, 1962

State of Hawaii
LAND USE COMMISSION

Mr. Rowland J. Darnell
Executive Officer
Land Use Commission
426 S. Queen Street
Honolulu 13, Hawaii

Dear Mr. Darnell:

The Planning and Traffic Commission, at its regular meeting of October 22, 1962, considered the following applications for rezoning from an Agricultural District to an Urban District to allow residential subdivisions:

✓ ~~Vierra and Toledo - Puukapu, Kohala~~

~~Richard Warfield - Keei, Kona~~

✓ ~~Hayelden Ranch, Ltd. - Kiolakaa, Kau~~

The Commission voted to recommend denial of all the requests on the basis that there is no control over the density problem at the present time in any of these areas and that no development plan has been submitted to show what is to be done if rezoning is approved.

Yours very truly,

PLANNING AND TRAFFIC COMMISSION

Hiroshi Kasamoto
Director

lat

cc Chairman & Board of Supervisors

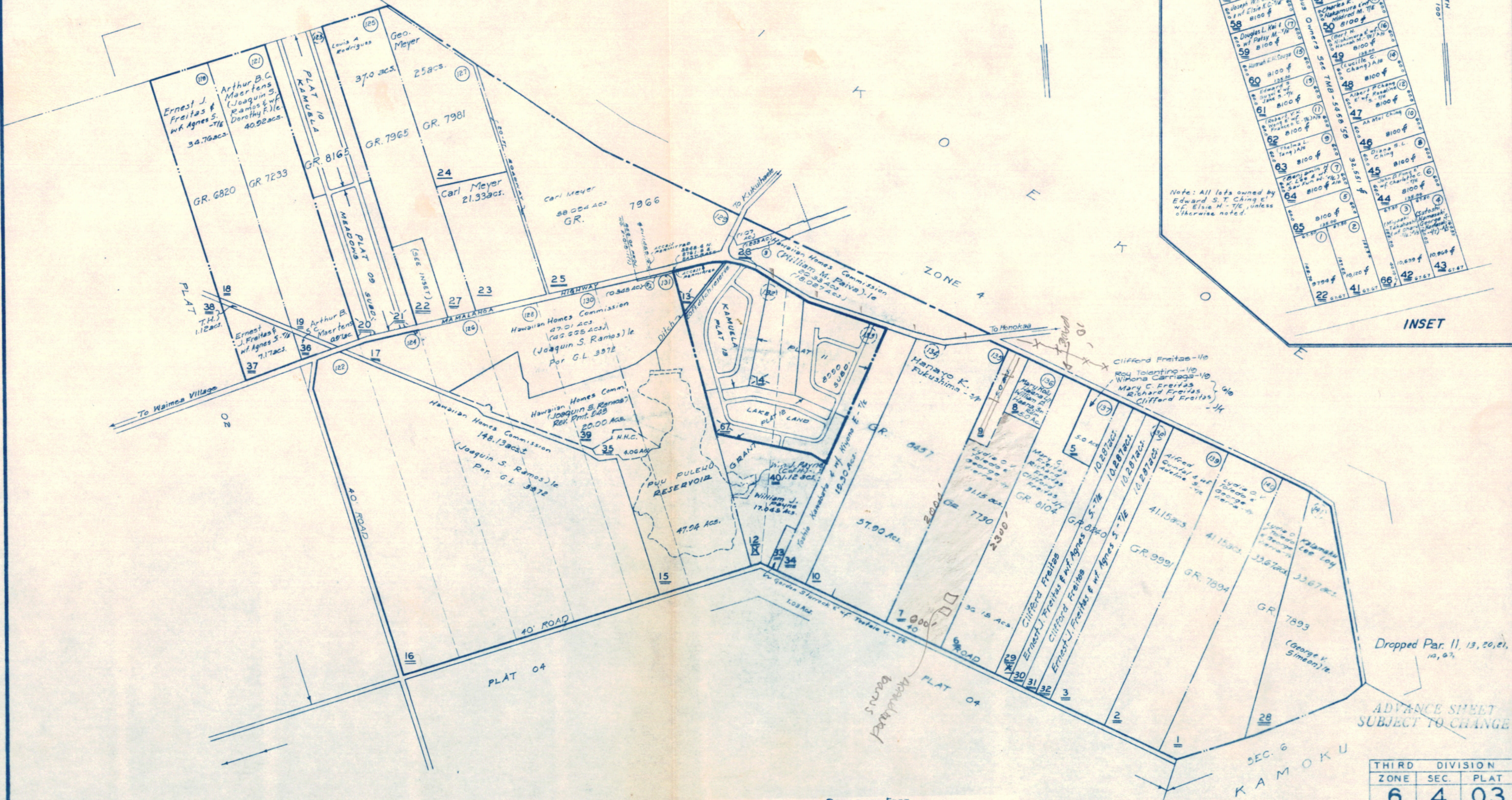
made copies for
368 folder

CORRECTED
NOV 3 1947
FEB 2 1948
JUL 1 1948
MAY 1 1948
JUN 1 1948
JAN 1 1947
FEB 7 1947
MAY 4 1951

Reduced and Copy by
THE BLUE PRINT CO
88 S. QUEEN STREET Phone 66148
JAN. 1962

Dwg. No: 2464
Source: Tax Maps Bureau of Survey Department
By: L.K.H. - June, 1935

KOHALA FOREST RESERVE
SEC. 3



Part of PUUKAPU HOMESTEADS, WAIMEA S. KOHALA, HAWAII.

SCALE IN FEET
500 1000 1500 2000

THIRD DIVISION		
ZONE	SEC.	PLAT
6	4	03
CONTAINING PARCELS		
SCALE 1 in = 500 ft.		

6-4-3:07

November 9, 1962

Mr. George Vierra
and Miss Lydia O. V. Toledo
Kamuela, Hawaii

Dear Mr. Vierra and Miss Toledo:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on November 19, 1962, at 9:30 a.m., in the Auditorium of the Hilo Electric Light Company, Ltd., 1200 Kilauea Avenue, Hilo, Hawaii. Your petition for change of Temporary District Boundary from Agriculture to Urban classification will be heard at that time.

Publications of Legal Notice of hearing appeared in the Honolulu Star-Bulletin on October 30, 1962, and the Hilo Tribune Herald, on November 2, 1962.

Very truly yours,

R. J. DARNELL
EXECUTIVE OFFICER

*Correia
Folder*

Ref. No. LUC 226

November 1, 1962

The Honorable Members of the
Board of Supervisors
County of Hawaii
County Building
Hilo, Hawaii

Attention: The Honorable Thomas K. Cook, Chairman
and Executive Officer

Gentlemen:

The State Land Use Commission has requested me to obtain your recommendations and comments for the following matters, pending before the Commission, to be heard within the County of Hawaii on November 19, 1962, at 9:30 a.m., in the auditorium of the Hilo Electric Light Company, Ltd., 1200 Kilauea Avenue, Hilo, Hawaii.

The proposed Rule Change; applications for Special Permit by Joseph and Margaret Correia, and Mineo Koyanagi; and petitions for change of Temporary District Boundary from Agriculture to Urban classification by Hayselden Ranch Company, Ltd., and George Vierra & Lydia Toledo.
(Copies of the Rule Change, applications for Special Permit and petitions for change of Temporary District Boundary are enclosed.)

The Land Use Commission would appreciate your written recommendations and/or comments prior to the date of the hearing or up to fifteen days following the date of the hearing. Further the Commission invites your attendance at the hearing.

Very truly yours,

B. J. DARNELL
EXECUTIVE OFFICER

Enclosures