

Approved
12/5/02

LAND USE COMMISSION
Minutes of Meeting
Conference Room 405
State Office Tower, Leiopapa A Kamehameha
235 South Beretania Street
Honolulu, Hawaii

November 15, 2002

COMMISSIONERS PRESENT: Lawrence N. C. Ing
P. Roy Catalani
Bruce Coppa (present from 2:05 p.m.)
Steven Montgomery
Randall Sakumoto
Stanley Roehrig

COMMISSIONERS ABSENT: Peter Yukimura
Pravin Desai
Isaac Fiesta

STAFF PRESENT: Diane Erickson, Esq., Deputy Attorney General
Anthony J.H. Ching, Executive Officer
Bert Saruwatari, Staff Planner
Arlene Shimokawa, Chief Clerk
Holly Hackett, Court Reporter

Chair Lawrence Ing called the meeting to order at 1:40 p.m.

DR02-26 – KULEANA KU'IKAHL, LLC (Maui)

Chair Ing announced that the matter before the Commission was to consider Petitioner's Petition for a Declaratory Order declaring that the subdivision and development of approximately 4,500 acres of land in the Agricultural District situated at Lahaina, Maui requires a district boundary amendment.

APPEARANCES

Richard McCarty, Esq., attorney for Petitioner.

Benjamin A. Kudo, Esq., attorney for Makila Land Company, LLC

Thomas D. Welch, Jr., Esq., attorney for Kauaula Land Company LLC

John Chang, Esq., Land Use Division, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

Ed Kushi, Department of Planning, County of Maui.

John Min, Department of Planning, County of Maui.

Bert Saruwatari, LUC planner, provided the Commission with a map orientation.

Written testimonies were received from the following persons: Dave Minami, Debbie Arakaki, Patrick Guth, Naomi Guth, Qualani White, Michael Gronemeyer, Melissa Vicar, Jana Fowler, Greg Howeth, and Peter Martin. Also fax testimonies were received from Councilmember Jo Anne Johnson and Paul Taylor.

PUBLIC WITNESSES

Patrick Guth

Heidi Bigelow

Rina Sampson

Donna Clayton on behalf of Dave Minami

Roderick Fong

Michael Gronemeyer

Lei Kahakauwila

Debbie Arakaki

Naomi Guth

Jim Riley

Commissioner Coppa moved that the Land Use Commission enter into executive session to receive advice from counsel regarding this action. Commissioner Roehrig seconded the motion and said motion was approved by voice votes.

The Commission entered into executive session at 3:01 p.m.

The meeting reconvened at 3:20 p.m.

At this time, Petitioner's counsel asked to submit more exhibits but Chair Ing ruled that the time for introduction of exhibits had passed. However, the Chair did allow Mr. McCarty to remove that page from that additional exhibit if it related to this project and for purposes of Mr. Riley's testimony. Since it did not, Mr. McCarty ended his cross examination with Mr. Riley and Mr. Riley was dismissed.

PUBLIC WITNESSES (continued)

Ke`eaumoku Kapu

Due to time constraints, Chair Ing continued the matter to the Commission meeting in Lahaina in December.

The meeting adjourned at 4:30 p.m.