

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Mala Ikena Conference Room
First Floor, Hilo Hawaiian Hotel
71 Banyan Drive
Hilo, Hawaii

April 21, 1994

approved
5/11/94

COMMISSIONERS PRESENT: Delmond J.H. Won
Lloyd Kawakami
JoAnn Mattson
Trudy K. Senda
Karen Ahn
Allen K. Hoe

COMMISSIONERS ABSENT: Renton L.K. Nip
Elton Wada
Eusebio Lapenia, Jr.

STAFF PRESENT: Esther Ueda, Executive Officer
Winfred Pong, Esq.,
Deputy Attorney General
Leo Asuncion, Staff Planner

Holly Hackett, Court Reporter

Presiding Officer Won called the meeting to order.

PRESENTATION ON AFFORDABLE HOUSING BY THE HOUSING FINANCE AND
DEVELOPMENT CORPORATION

Presiding Officer Won announced that the Housing Finance and Development Corporation (HFDC) would present an update on affordable housing to the Commission.

Appearances

Joseph K. Conant, Executive Director, Housing Finance and Development Corporation

Janice Takahashi, Acting Chief Planner, Housing Finance and Development Corporation

Mr. Conant presented a summary of affordable housing developments statewide and the progress of HFDC developments on Oahu, Maui, and Hawaii.

ACTION

DR94-17 - JOHN GODFREY (Hawaii)

Presiding Officer Won announced that the Commission would take action to consider Petitioner's Request for Declaratory Ruling that a dwelling situated on land located in the State Agricultural land use district must be a "farm dwelling" and that the ohana dwelling law does not eliminate that "farm dwelling" requirement.

Appearances

Michael J. Matsukawa, Esq., Attorney for Petitioner

John Godfrey, Petitioner

Richard Wurdeman, Corporation Counsel, County of Hawaii

Virginia Goldstein, Planning Director, County of Hawaii

Rick Eichor, Esq., Deputy Attorney General, Office of State Planning

The letter dated April 19, 1994 from Mr. Matsukawa to Esther Ueda, Executive Officer, was admitted into evidence by the Land Use Commission.

Arguments on the request for declaratory ruling were heard from Mr. Matsukawa, Mr. Wurdeman, and Mr. Eichor.

Commissioner Hoe moved to set Petitioner's Request for declaratory ruling for hearing. The motion was seconded by Commissioner Senda and unanimously carried by voice votes.

HEARING

BR93-699 - OFFICE OF STATE PLANNING, STATE OF HAWAII (Hawaii)

Pursuant to a notice published in the Honolulu Advertiser and Hawaii Tribune-Herald and notices sent to all parties, a hearing was conducted by the Land Use Commission to consider reclassification of approximately 660 acres of land currently in the Agricultural District into the Urban District at Keaau, Puna, Hawaii for residential, industrial, commercial, parks and open space, schools, and other governmental facilities.

Appearances

Rick Eichor, Esq., Deputy Attorney General, Office of State Planning

Marylou Kobayashi, Office of State Planning

Sanford Beppu, Office of State Planning

Virginia Goldstein, Planning Director, County of Hawaii

Leo Asuncion, staff planner, oriented the Commission to the petition area on the Land Use District Boundaries and tax maps.

Ms. Goldstein stated that the County would not be participating in the hearing, but intends to stipulate with Petitioner's Findings of Fact, Conclusions of Law, and Decision and Order, with the exceptions to the proposed conditions.

EXHIBITS

1. The following public witness letters were admitted into evidence by the Land Use Commission:

- a. February 10, 1994 from Lunakanawai Hauanio
- b. March 29, 1994 from Keith W. Ahue
- c. April 15, 1994 from Robert Bethea
- d. April 16, 1994 from Yoshihiko Nakahara
- e. April 20, 1994 from Carl H. Okuyama
- f. April 20, 1994 from Richard Ha, Jr.
- g. April 21, 1994 from Milton Pavao
- h. April 21, 1994 from Jerry Matsuda, P.E.

2. Petitioner's Exhibits A, B, 1, 1A, 2-4, 4A-1, 4A-4, 5 through 28 were admitted into evidence by the Land Use Commission.

PUBLIC WITNESSES

1. Jim Albertini
2. Sandy Bonk
3. Milton Pavao
4. Yoshihiko Nakahara
5. Paula Helfrich
6. Carl H. Okuyama

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7. Richard Ha, Jr.
8. Howard Wright

A lunch recess was taken at 12:00 p.m .to reconvene at 1:15 p.m.

- 1:15 p.m. -

PETITIONER'S WITNESS

1. William Moore

Presiding Officer Won instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on May 12, 1994 and the parties have until May 26, 1994 in which to respond.

The meeting was adjourned at 1:35 p.m.