

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms 322 B and C
Third Floor, Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii

February 29, 1996

COMMISSIONERS PRESENT: Allen K. Hoe
Rupert K. Chun
M. Casey Jarman
JoAnn Mattson
Lloyd Kawakami
Merle A.K. Kelai

Approved
3/2/96

COMMISSIONERS ABSENT: Elton Wada
Trudy K. Senda
Eusebio Lapenia, Jr.

STAFF PRESENT: Esther Ueda, Executive Officer
Jon Itomura, Esq., Deputy Attorney General
Leo Asuncion, Jr., Staff Planner
Bert Saruwatari, Staff Planner
Darlene Y. Kinoshita, Chief Clerk

Cynthia Murphy, Court Reporter

Chairperson Hoe called the meeting to order.

STATUS REPORT

A90-654 - A & B PROPERTIES, INC. (Kauai)

Appearances

Stanley Kuriyama, for Petitioner

William Campbell, for Petitioner

Jonathan Chun, Esq., Deputy County Attorney, County of
Kauai

Abe Mitsuda, Land Use Division, Office of State Planning

Leo Asuncion, Jr., staff planner, oriented the Commission
to the area which was reclassified on the Land Use District
Boundaries and tax maps.

A status report was given by William Campbell. After hearing the status report, questions were asked by the parties and the Commissioners.

A90-657 - A & B PROPERTIES (Maui)

Appearances

Stanley Kuriyama, for Petitioner

William Campbell, for Petitioner

Clayton Yoshida, Planning Department, County of Maui

Abe Mitsuda, Land Use Division, Office of State Planning

Leo Asuncion, Jr., staff planner, oriented the Commission to the area which was reclassified on the Land Use District Boundaries and tax maps.

A status report was given by Stanley Kuriyama. After hearing the status report, questions were asked by the parties and Commissioners.

ACTION

A76-418 - MOANA CORPORATION (Kauai)

Chairperson Hoe announced that the Commission would now take action to consider First Hawaiian Bank and Hawaiian Trust Company, Ltd.'s Motion to Continue Hearing and Other Proceedings on Land Use Commission's Order to Show Cause filed by Roy A. Vitousek, III, Esq.

Appearances

Grace Kido, Esq., Attorney for First Hawaiian Bank and Hawaiian Trust Company, Ltd.

Shulammitte Kim, Esq., Attorney for Sports Shinko

Ray Okada, Esq., Attorney for Knudsen Trust beneficiaries (Bob White, Ellin Burkland, Geoffrey Chapman, Matthew Chapman, Marion Humphreys, Harry von Holt, Karen Perkins, Sam Caldwell, Jean Marchant, and Cynthia Blackwell.

Jonathan Chun, Esq., Deputy County Attorney, County of
Kauai

Abe Mitsuda, Land Use Division, Office of State Planning

Lorene Maki, Land Use Division, Office of State Planning

Arguments on the motion to continue were heard from Ms. Kido, Ms. Kim, Mr. Mitsuda, Mr. Chun, and Mr. Okada.

Chairperson Hoe announced that the motion to continue will be taken under advisement. Chairperson Hoe also allowed the County and State to submit written arguments on the issues raised in Mr. Vitousek's memo in support of the motion to continue filed on February 28, 1996. Chairperson Hoe also announced that the evidentiary hearing on March 14, 1996 on Kauai will be continued, but the Commission will hear the status report on the probate order, the County and State's arguments, and the issue raised by Mr. Vitousek on the adequacy of the notice at that time.

A94-703 - THE LIHUE PLANTATION CO., LTD. (Kauai)

Chairperson Hoe announced that the Commission would now take action to consider Petitioner's Motion to Amend Condition Nos. 2 and 7 of Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order dated November 22, 1995 and Motion to Extend Time to Record the Declaration of Conditions at the Bureau of Conveyances.

Appearances

Benjamin Kudo, Esq., Attorney for Petitioner

Tom Witten, for Petitioner

Jonathan Chun, Esq., Deputy County Attorney, County of
Kauai

Abe Mitsuda, Land Use Division, Office of State Planning

Arguments on the the motion to amend conditions and to extend time were heard from Mr. Chun, Mr. Kudo, and Mr. Mitsuda.

Commissioner Mattson moved to amend Condition Nos. 2 and 7 follows:

Benjamin Kudo, Esq., Attorney for Intervenor, Campbell
Estate

PETITIONER'S WITNESSES

1. Dr. Bruce Plasch

A lunch recess was taken at 12:05 p.m. to reconvene at
1:30 p.m.

- 1:30 p.m. -

PETITIONER'S WITNESSES

1. Dr. Bruce Plasch
2. Sterling Yong

STATUS REPORT

A88-626 - GENSIRO KAWAMOTO (Maui)

Chairperson Hoe announced that the Commission received a letter dated February 8, 1996 from Carol Asai-Sato, Esq., stating that she would not be present at this meeting today, that the property owner now wants the property for its agricultural value and does not intend to do urban. There were discussions on the matter by the Commission and the matter was taken under advisement.

The meeting was adjourned at 2:40 p.m.