

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room, 2nd Floor
State Office Tower, Leio papa A Kamehameha
235 So. Beretania Street
Honolulu, Hawaii

April 25, 1996

approved
5/16/96

COMMISSIONERS PRESENT: Allen K. Hoe
M. Casey Jarman
Rupert K. Chun
Merle A.K. Kelai
Eusebio Lapenia, Jr. (Portion of
Proceeding)
Trudy K. Senda

COMMISSIONERS ABSENT: Elton Wada
Lloyd Kawakami
JoAnn Mattson

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

Holly Hackett, Court Reporter

Chairperson Hoe called the meeting to order.

STATUS REPORT

A89-645 - HASEKO (HAWAII) INC. (Hawaii)

Appearances

Sandra Pechter Schutte, Esq., Attorney for Petitioner

Alan Sua, for Petitioner

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

Abe Mitsuda, Land Use Division, Office of State Planning

The Planning Department, County of Hawaii, was not
present to the proceeding at this time.

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

Sandra Pechter Schutte, attorney for Petitioner, gave a status report on the petition.

After hearing the status report, questions were asked by the parties and Commissioners.

CONTINUED HEARING

BR94-712 - OFFICE OF STATE PLANNING (Oahu)

Chairperson Hoe announced that this matter before the Commission is a continuation of the hearing which was previously held on February 29, 1996.

Appearances

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

Guy Archer, Esq., Deputy Attorney General, Office of State Planning

Mary Lou Kobayashi, Office of State Planning

Frances Mossman, Planning Department, City & County of Honolulu

Benjamin Kudo, Esq., Attorney for Intervenor

Kris Nakagawa, Esq., Attorney for Intervenor

EXHIBITS

1. OSP's Exhibit A, B, C, and Nos. 1 through 53 were admitted into evidence by the Land Use Commission.

2. Intervenor's Exhibit Nos. 24 through 34 were admitted into evidence by the Land Use Commission.

Arguments on OSP's Motion for Third Amended Petition were heard from Mr. Archer. At this time, Mr. Archer withdrew OSP's Third Amended Petition. There were no objections by Mr. Kudo, Attorney for Intervenor, Campbell Estate.

Chairperson Hoe granted OSP's withdrawal of its Motion for Third Amended Petition and deferred action on Intervenor's Motion to Dismiss.

Commissioner Lapenia was absent from the proceeding at this time.

PETITIONER'S WITNESS

1. David Smith

Arguments on Intervenor's Motion to Dismiss OSP's Petition were heard from Mr. Kudo, Ms. Mossman, and Mr. Archer.

Chairperson Hoe continued the hearing until May 16, 1996 so that the matter of the appeal on the letter dated April 23, 1996 from DLNR could be resolved. The parties may file additional memos regarding Chapter 6E, HRS. before the next meeting.

MISCELLANEOUS

Commissioner Kelai moved to approve the minutes for the following meeting date: March 27, 1996. The motion was seconded by Commissioner Chun and unanimously approved by voice votes.

The meeting was adjourned at 11:40 a.m.