

Minutes of Meeting

Conference Room 405
State Office Tower, Leiopapa A Kamehameha
235 South Beretania Street
Honolulu, Hawaii

Approved
4/20/00

April 6, 2000

COMMISSIONERS PRESENT: P. Roy Catalani
Bruce Coppa
Pravin Desai
Isaac Fiesta, Jr.
Lawrence N.C. Ing
Merle A. K. Kelai
Stanley Roehrig
Peter Yukimura

COMMISSIONER ABSENT: M. Casey Jarman

STAFF PRESENT: Esther Ueda, Executive Officer
Bert Saruwatari, Staff Planner
Teri Hee, Chief Clerk

Holly Hackett, Court Reporter

Chairperson Kelai called the meeting to order at 9:30 a.m.

ACTION

SP90-374 - RICHARD SMART TRUST DBA PARKER RANCH (Hawaii)

Chairperson Kelai announced that this matter before the Commission is an action meeting to consider requests for a time extension and expansion of an existing quarry to approximately 144 acres on land situated within the Agricultural District at Waikoloa, South Kohala, Hawaii.

On April 5, 2000, the Commission received a facsimile letter from Virginia Goldstein informing the Commission that the County of Hawaii Planning Department will not be attending today's meeting and have no objections to Petitioner's motion.

Appearances

Gregory R. Mooers for Petitioner

Mel Macy co-owner of West Hawaii Concrete

Abe Mitsuda, Land Use Division, Office of Planning

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

PUBLIC WITNESS

1. Abe Mitsuda

Arguments were heard from Mr. Mooers.

Questions were asked by the Commissioners. Commissioner Catalani questioned whether it was common practice to have the term of a special permit be co-terminous with a lease determined by two private parties rather than by a state agency. Mr. Mooers responded that he believed that the Planning Commission has changed their philosophy with respect to quarry operations from going from 10 year terms to co-terminus with the life of the lease.

Commissioner Fiesta moved to approve the Motion for time extension and expansion of an existing quarry with staff recommendations to approximately 144 acres on land situated within the Agricultural District at Waikoloa, South Kohala, Hawaii. The motion was seconded by Commissioner Roehrig and polled as follows:

Ayes: Commissioners Fiesta, Ing, Coppa, Yukimura, Catalani, Roehrig, Desai and Kelai

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Fiesta moved to approve the minutes for the meeting date of March 23, 2000. The motion was seconded by Commissioner Roehrig and unanimously approved by voice votes.

2. ADOPTION OF DECISION AND ORDER

Executive Officer, Esther Ueda, reported that after consultation with our attorney, it was determined that in order to make sure there was very clear language in the decision and orders to indicate that one set of commissioners acted on the docket and one set of commissioners (not necessarily the same commissioners that acted on the docket) adopted the decision and

order to reflect that this was the action of the previous set of commissioners, the Commission is being requested to readopt the decision and orders for Docket Nos. SP00-393 - Kamehameha Schools Bernice Pauahi Bishop Estate (KSBE) and BR93-699 - Office of State Planning.

Commissioner Fiesta moved to readopt the Findings Of Fact, Conclusions Of Law, And Decision And Order for Docket No. SP00-393 - Kamehameha Schools Bernice Pauahi Bishop Estate (KSBE). The motion was seconded by Commissioner Roehrig and unanimously approved by voice votes.

Commissioner Fiesta moved to readopt the Order Partially Approving Motion To Release Conditions Imposed In Decision And Order On Reclassification Made A Part Of The Commission's Findings Of Fact, Conclusions Of Law, And Decision And Order Dated July 18, 1994 for Docket No. BR93-699 - Office of State Planning. The motion was seconded by Commissioner Roehrig and unanimously approved by voice votes.

Commissioner Fiesta moved to adopt the Order Accepting Petitioner's Motion to Withdraw Petition for Docket No. A92-684 - Department of Transportation, Airports Division. The motion was seconded by Commissioner Roehrig and unanimously approved by voice votes.

Commissioner Fiesta moved to adopt the Order Granting In Part And Denying In Part Motion To Release Conditions Of Approval Due To Satisfaction Of Conditions for Docket No. A91-672 - C. Brewer Properties, Inc. The motion was seconded by Commissioner Roehrig and unanimously approved by voice votes.

3. LEGISLATIVE MATTERS

The Executive Officer reported that only H.B. 179, H.D. 2, proposed S.D. 2 is still alive. Proposed S.D. 2 includes the Executive Officer of the LUC as a member of the LESA Commission.

4. OTHER PENDING MATTERS

With respect to A99-729 - The Newton Family Limited Partnership (Hawaii), the Commission has received Petitioner's revised amended application and revised draft environmental assessment. The material that they are submitting will substitute all the past materials that were submitted. Staff and the parties will be meeting with Petitioner within the next week to discuss the revised materials.

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A field trip is tentatively being scheduled for the May 18 meeting in Kona. A status report will be provided by Kohala Joint Ventures, who has new owners.

A field trip with respect to Amfac area in Lahaina is tentatively being scheduled for the June 15-16 meeting in Maui.

The meeting was adjourned at 9:55 a.m.