

Approved
10/18/01

Minutes of Meeting

Hawai'i Naniloa Resort
Kilohana Room
93 Banyan Drive
Hilo, Hawaii

October 3, 2001

COMMISSIONERS PRESENT: P. Roy Catalani
Isaac Fiesta, Jr.
Lawrence N.C. Ing
Stanley Roehrig
Peter Yukimura

COMMISSIONERS ABSENT: Bruce Coppa
Pravin Desai
M. Casey Jarman
Merle A. K. Kelai

STAFF PRESENT: Anthony J.H. Ching, Executive Officer
John Deller, Esq., Deputy Attorney
General
Russell Kumabe, Staff Planner
Teri Hee, Chief Clerk
Holly Hackett, Court Reporter

Presiding Officer Roehrig called the meeting to order at 9:35 a.m.

CONTINUED HEARING

A00-732 – TSA CORPORATION (Hawaii)

Presiding Officer Roehrig announced that this matter before the Commission was a continuation of the hearing previously held on August 23 and 24, 2001 to reclassify approximately 102.016 acres of land currently in the Conservation District into the Urban District at Kaloko, North Kona, Hawaii for the development of a mix of light industrial and industrial-commercial uses.

MINUTES – October 3, 2001

Page 2

The Commission entered the following correspondence into evidence:

1. Facsimile letter dated September 17, 2001, from David K. Roy.

Appearances

Nathan Natori, Esq., representing Petitioner

Rodney Funakoshi, Wilson, Okamoto & Associates

Patricia O'Toole, Esq., Corporation Counsel, County of Hawaii

Norman Hayashi, County of Hawaii Planning Department

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

Judith Henry, Land Use Division, Office of Planning

Abe Mitsuda, Land Use Division, Office of Planning

Nicole Walthall, Esq., representing Intervenor KAHO

Sallie Beavers, representing Intervenor KAHO

Mr. Natori introduced Petitioner's Exhibit Nos. 61, 62, 63 and 64. Ms. Walthall raised objections to Petitioner's Exhibit No. 63. After questions by the Commissioners and much discussion, Mr. Natori offered to withdraw Petitioner's Exhibit No. 63. Presiding Officer Roehrig allowed Petitioner's withdrawal of Exhibit No. 63 without prejudice. Copies of Petitioner's Exhibit No. 63 will be returned to Petitioner.

EXHIBITS

1. Petitioner's Exhibit Nos. 61, 62 and 64 were admitted into evidence by the Land Use Commission.
2. Intervenor's Exhibit Nos. 6A and 28 through 32 were admitted into evidence by the Land Use Commission.

MINUTES – October 3, 2001

Page 3

3. Office of Planning submitted a second amended list of witnesses which includes two new witnesses from the Department of Health, Chauncey Hew and Denis Lau

Presiding Officer Roehrig requested that Petitioner provide to the Commission before the next hearing in November, an inventory of existing owners and operators at Kaloko Industrial Park Phases I and II in order to determine the existing uses in Phases I and II.

Russell Kumabe, staff planner, provided a summary of the chronology of presentations made before the Commission to date.

PETITIONER'S WITNESS

1. Masa Fujioka

A lunch recess was taken at 11:55 a.m. to reconvene at 1:15 p.m.

- 1:15 p.m. -

PETITIONER'S WITNESS (continued)

1. Masa Fujioka

STATE'S WITNESSES

1. Chauncey Hew
2. Denis Lau

INTERVENOR'S WITNESSES

1. Dr. Roy Irwin

Presiding Officer Roehrig announced that the Commission would reconvene the hearing tomorrow at 9:00 a.m.

The meeting was adjourned at 4:30 p.m.