

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Resolution Room
Kona Hilton Hotel
Kailua, Kona, Hawaii

Approved
5/16/84

February 27, 1984 - 10:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Lawrence Chun
Shinsei Miyasato
Winona Rubin
Teofilo Tacbian
Frederick Whittemore

COMMISSIONERS ABSENT: Richard Choy, Vice Chairman
Everett Cuskaden
Robert Tamaye

STAFF PRESENT: Raymond Young, Planner
Barbara McLean, Court Reporter

CONTINUED HEARING

A83-554 - FARMS OF KAPUA

Chairman Yuen called for the appearance of all counsels representing the parties.

Appearances

Roy Takeyama) - Co-counsel, representing the petitioner
Jan Sullivan)

Sidney Fuke - Planning Director, representing the Hawaii
Planning Department

Tatsuo Fujimoto - Head, Planning Division, representing the
Department of Planning & Economic
Development

Meredith Lenell - Attorney, representing Intervenors,
Pa'a Pono

Oral Motion for Continuance

Ms. Lenell made an oral motion for continuance of the hearing on the basis that the petition did not include an

Environmental Impact Statement as required under Section 6-2 (3) (f) of the Commission's Rules and Regulations. Chairman Yuen responded that he was going to deny the oral motion.

Insofar as Ms. Lenell's subpoena request was concerned, the Chairman stated that the matter will be considered tomorrow, together with petitioner's subpoena request.

For the benefit of all present, Chairman Yuen announced that the Commission had scheduled a site inspection at Intervenor's request, which will commence approximately 11:30 this morning.

All of the persons who appeared today, having been duly sworn in, testified and were examined as set forth in the transcript.

PETITIONER (cont.)

Roy Tsutsui - R. M. Towill Corporation of Honolulu

- Direct examination by Ms. Sullivan----- 6 to 14
- Cross examination by Mr. Fuke-----14 to 17
- Cross examination by Mr. Fujimoto-----17 to 18
- Cross examination by Ms. Lenell-----18 to 28

Subpoena Duces Tecum filed by Intervenors and Petitioner

Of the eleven specific requests listed in the Intervenor's subpoena duces tecum, Chairman Yuen directed the petitioner to make available the balance sheet and the Agreement of Sale between Lands of Kapua and Farms of Kapua. The nine remaining items were disallowed.

Ms. Lenell was instructed by the Chairman to file all of the documents requested by petitioner in its subpoena duces tecum, with the exception of the request for Pa'a Pono's financial statement for 1982 and 1983.

The hearing was adjourned at 11:31 a.m.