

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Wilcox Elementary School Cafetorium
Lihue, Kauai

July 19, 1984 - 9:00 a.m.

Approved
W/L/KST

COMMISSIONERS PRESENT: William Yuen, Chairman
Teofilo Tacbian, Vice Chairman
Richard Choy
Lawrence Chun
Winona Rubin
Robert Tamaye
Frederick Whittemore

COMMISSIONERS ABSENT: Everett Cuskaden
Toru Suzuki

STAFF PRESENT: Gordan Furutani, Executive Officer
Dore Horikawa, Chief Clerk
Connie Shankel-Simmons, Court Reporter

CONTINUED CONSOLIDATED HEARING

A83-553 - PRINCEVILLE DEVELOPMENT CORPORATION
A83-557 - PRINCEVILLE DEVELOPMENT CORPORATION

The hearing today was a continuation of hearings which had been previously held on November 23, 1983, February 15 and 16, 1984, April 24 and 25, 1984. When the hearing was adjourned on April 25, 1984, Intervenor's witness Councilman Jeremy Harris had completed his testimony.

Appearances

Walton Hong, Attorney representing the petitioner

Max Graham, Deputy Corporation Counsel, representing the
Kauai Planning Department

Daniel Yasui, Planner, representing the Department of
Planning & Economic Development

Susan Wilson, representing the Intervenors

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

Exhibits

Intervenor's exhibits 1 through 7 were admitted into evidence. A set of the slide presentation was admitted conditionally, subject to submittal within 10 days of the slide presentation to the Commission

INTERVENOR (cont.)

Dr. Arnold Nurock - Pediatrician

Oral testimony----- 8 to 21
Direct examination by Ms. Wilson-----21 to 25
Examination by Commissioner Whittemore-----26
Examination by Commissioner Choy-----27 to 28
Examination by Commissioner Tamaye-----28
Examination by Vice Chairman Tacbian-----28 to 30
Examination by Chairman Yuen-----30

Wayne Jacintho - Member, Concerned Citizens to Save Anini

Oral testimony-----32 to 42
Direct examination by Ms. Wilson-----42 to 44
Cross examination by Mr. Yasui-----44 to 45
Examination by Commissioner Whittemore-----45 to 46
Examination by Vice Chairman Tacbian-----46 to 50
Examination by Commissioner Choy-----50 to 51
Examination by Commissioner Chun-----51 to 52

Barnes Riznik - Museum Director of Waioli Mission House

Read Lillian Daily's testimony-----53 to 64
Direct examination by Ms. Wilson-----64 to 70
Cross examination by Mr. Hong-----70

Frank Warther - Concerned Citizens of Anini

Oral testimony-----71 to 88
 Direct examination by Ms. Wilson-----88 to 96
 The Commission was in recess from 12:25 p.m. to 1:50 p.m.

1:50 p.m.

ACTION

A80-480 - MAUI 100 PARTNERS

The Commission considered a request by Maui 100 Partners for a clarification of condition relating to the sale or rental of housing units.

Appearances

Tamotsu Tanaka, Attorney, representing the petitioner
 Daniel Yasui, Planner, representing the Department of
 Planning & Economic Development

Tamotsu Tanaka - Petitioner's representative

Oral testimony-----97 to 101

Mr. Yasui concurred that the provision of 30 houselot packages within the price range of \$90,000 to \$100,000 would fulfill the intent of the condition set forth by the Land Use Commission. It was further recommended that the petitioner work with the County of Maui and the Hawaii Housing Authority in offering the houselot packages to qualified individuals and families of Hawaii.

Mr. Tanaka responded to the Chairman's request for information regarding receipt of necessary approval from the County to commence construction, the time table for construction of the first increment, completion of on and off-site improvements, financing commitment, etc.

Commissioner Chun moved to approve the amendment to the original condition imposed on the reclassification as follows:

"That the petitioner work with the Maui County and the Hawaii Housing Authority to aim at the appropriate target population to meet the requirements of the low to moderate income housing."

The motion was amended to read:

"That the petitioner work with the Maui County or the Hawaii Housing Authority....." ".....the sales price of any housing and lot package not to exceed \$100,000."

The motion was seconded by Commissioner Choy and unanimously approved.

CONTINUED CONSOLIDATED HEARING

A83-553 - PRINCEVILLE DEVELOPMENT CORPORATION

A83-557 - PRINCEVILLE DEVELOPMENT CORPORATION

INTERVENOR

Frank Warther (cont.)

Cross examination by Mr. Hong-----112

David Hafner, Jr.

Oral testimony-----113 to 136

Direct examination by Ms. Wilson-----136 to 142

Cross examination by Mr. Hong-----142 to 144

Examination by Commissioner Whittemore-----145 to 146

Intervenor's exhibit 8 was identified and moved into evidence.

County's exhibits 3, 4, 5 and 6 were moved into evidence.

Vice Chairman Tacbian conducted this poriton of the proceedings.

Marilyn Aniu - Resident of Anini Beach

Oral testimony-----147 to 156

Kaipo Asing - Councilman

Oral testimony-----159 to 209

Examination by Commissioner Whittemore-----209 to 211

Direct examination by Beryl Blaich-----211 to 222

Cross examination by Mr. Hong-----222 to 226

Examination by Commissioner Chun-----226 to 227

Exhibits

Intervenor's exhibits 9 through 12, 14 through 17 were marked for identification and moved into evidence.

Mr. Graham identified County's exhibits 7 and 8 as excerpts from the Kauai Agricultural Master Plan and the North Shore Development Plan Update, respectively. He agreed to submit the complete documents for both plans to the Commission for its records.

County's exhibits 7 and 8 were admitted into evidence.

PETITIONER (Cont.)

Michael Loo (recalled)

Direct examination by Mr. Hong-----230 to 232

Cross examination by Ms. Wilson-----232 to 234

Examination by Vice Chairman Tacbian-----234

At the conclusion of the hearing, the Chairman instructed all parties of the post-hearing requirements.

The meeting was adjourned at 5:59 p.m.