

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Community Service Building
Maui Community College
310 Kaahumanu Avenue
Kahului, Maui

Approved
5/10/85

January 29, 1985 - 9:00 a.m.

COMMISSIONERS PRESENT: Teofilo Tacbian, Vice Chairman
Lawrence Chun
Toru Suzuki
Robert Tamaye
Frederick Whittemore

COMMISSIONERS ABSENT: William Yuen, Chairman
Richard Choy
Everett Cuskaden
Winona Rubin

STAFF PRESENT: Gordan Furutani, Executive Officer
Dora Horikawa, Chief Clerk

Terry Andreasen, Court Reporter

HEARING

A84-576 - HALEAKALA GREENS CORP.

Pursuant to a notice published in the Maui News and the Honolulu Advertiser on December 21, 1984 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Haleakala Greens Corp. to reclassify approximately 229.3 acres of land currently in the Agricultural District into the Urban District at Kula, Makawao, Maui for a golf course. Vice Chairman Tacbian conducted the proceedings for this petition.

Appearances

Martin Luna, Attorney representing the petitioner

Clyde Murashige, Planner, representing the Maui Planning Department

Tatsuo Fujimoto, Head, Land Use Division, representing the Dept. of Planning & Economic Development

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

Mr. Furutani, Executive Officer, oriented the Commission to the parcel being proposed for reclassification by pointing it out on the USGS and Tax Maps.

PETITIONER

Hans Riecke - Architect

Direct examination by Mr. Luna----- 8 to 10

Cross examination by Mr. Murashige-----11

William Newis - President, EPEC Consulting Firm

Direct examination by Mr. Luna-----12 to 34

Vice Chairman Tacbian announced that due to the lack of a quorum with the departure of Commissioner Chun, the Commission will go into recess from 10:00 a.m. to 1:30 p.m. to await the arrival of another Commissioner to form a quorum.

1:30 p.m.

With the appearance of Commissioner Choy, a quorum was formed and the Commission continued with the hearing on Docket A84-576.

PETITIONER (cont.)

William Newis (cont.)

Direct examination by Mr. Luna (cont.)-----34 to 39

Cross examination by Mr. Murashige-----39 to 44

Cross examination by Mr. Yasui-----44 to 50

Examination by Commissioner Whittemore-----50 to 52

Examination by Commissioner Suzuki-----52 to 54

Examination by Vice Chairman Tacbian-----54 to 55

Redirect examination by Mr. Luna-----55 to 57

Brian Miskae - Vice President, Haleakala Greens

Direct examination by Mr. Luna-----57 to 60

Brian Miskae (cont.)

Cross examination by Mr. Murashige-----61 to 62

Warren S. Unemori - Engineer

Direct examination by Mr. Luna-----63 to 71

Cross examination by Mr. Murashige-----71 to 72

Cross examination by Mr. Yasui-----72 to 75

Examination by Vice Chairman Tacbian-----75 to 76

Examination by Commissioner Suzuki-----76 to 77

Exhibits

Petitioner's exhibits 1 through 17 were moved into the record.

MAUI PLANNING DEPARTMENT

Clyde Murashige - Planner

Oral testimony-----78 to 87

Cross examination by Mr. Luna-----87 to 88

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Tatsuo Fujimoto - Head, Land Use Division

Oral testimony-----89 to 93

At the conclusion of the hearing, Vice Chairman Tacbian instructed all parties of the post-hearing procedures.

ACTION

Chairman Yuen participated in the following proceedings.

A84-568 - MAUD VAN CORTLANDT HILL SCHROLL TRUST

In the matter of the petition by Maud Van Cortlandt Hill Schroll Trust, a hearing had been conducted by Hearing Officer Benjamin Matsubara on September 11, 1984 and October 22, 1984.

Appearances

Gary Wong, Attorney representing the petitioner

Tatsuo Fujimoto, representing the Department of Planning
& Economic Development

Mr. Matsubara reported on his findings received during the hearings and on the positions taken by the government agencies.

Based on the evidence that was presented, it was Mr. Matsubara's recommendation that the reclassification of the subject property from the Urban to the Rural District was reasonable and non-violative of Section 205-2, HRS, provided that beach access was included as part of the proposed development, as required by the County of Maui or any other governmental agency.

Mr. Gary Wong, petitioner's representative, submitted that it had always been petitioner's intention to provide public access as required by the County of Maui. He also requested that the wording "any other governmental agency" as suggested in the Hearing Officer's report be deleted from the condition.

Vice Chairman Tacbian moved to adopt the proposed order recommended by the Hearing Officer, which was seconded by Commissioner Whittemore.

Vice Chairman Tacbian moved to rephrase his motion to "adopt the proposed order recommended by the Hearing Officer, provided that beach access be included as part of the proposed development as required by the County of Maui." The seconder of the motion agreed with the amended motion.

The motion was carried as follows:

Ayes: Commissioners Chun, Whittemore, Tacbian, Tamaye,
Suzuki, Choy, Chairman Yuen

Chairman Yuen instructed the Hearing Officer to prepare the Commission's Decision and Order on the subject petition.

It was announced that the Commission will reconvene tomorrow at 9:00 a.m. in the Maui Electric Company's conference room.

The meeting was adjourned at 4:55 p. m.