

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Queen's Audience Hall
Coco Palms Resort Hotel
Wailua, Kauai, Hawaii

October 28, 1987

approved
11/17/87

COMMISSIONERS PRESENT: Teofilo Phil Tacbian, Chairman
Frederick P. Whittemore, Vice-Chairman
Richard Choy
Toru Suzuki
Robert Tamaye

COMMISSIONERS ABSENT: Renton L.K. Nip
Everett Cuskaden
Sharon R. Himeno (Excused)
Lawrence F. Chun (Excused)

STAFF PRESENT: Esther Ueda, Executive Officer
Annette Chock, Deputy Attorney General
Raymond Young, Staff Planner
Darlene Kinoshita, Chief Clerk

Patricia Miller, Court Reporter

Chairman Tacbian called the meeting to order.

CONTINUED HEARING

A87-614 - HEMMETER-VMS KAUAI COMPANY III

Today's proceeding was a continuation of the hearing which was adjourned yesterday at 2:30 p.m.

Appearances

James Funaki, Esq., Attorney for Petitioner
Christopher Hemmeter, Petitioner

Lorna Nishimitsu, Esq., Deputy County Attorney, County of Kauai

Michael Laureta, Planner, County of Kauai, Planning Department

John Anderson, Esq., Deputy Attorney General, Department of Business and Economic Development

David Hulse, Planner, Land Use Division, Department of Business and Economic Development

Commissioners Chun and Himeno had earlier declared conflict of interests and were excused from the proceedings.

PETITIONER'S WITNESSES

2. Sidney Fuke
3. James R. Bell

The Commission allowed Mr. Christopher Hemmeter to be recalled as petitioner's witness. It was also stipulated by the parties that Mr. Hemmeter would be qualified to testify as an expert witness as to market studies and assessments of demand relating to tourist destination areas.

Petitioner's Exhibit No. 17 was admitted into evidence.

It was approved by the Commission that the untimely testimony submitted by Patrick Nagao of the Carpenter's Union be admitted into evidence as LUC Exhibit No. 2.

Mr. Funaki, Petitioner's attorney moved to withdraw his motion to waive the requirement for an assessment demand of the development as required under Section 15-15-50(c)(15) of the Land Use Commission Rules.

There being no objections from the parties, Chairman Tacbian approved Mr. Funaki's motion.

4. Joseph Vierra, Jr.

A lunch recess was taken at 12:15 p.m. to reconvene at 1:15 p.m.

- 1:15 p.m. -

PETITIONER'S WITNESS (Continued)

5. Ronald A. Darby
6. Bay K.C. Yee

COUNTY'S WITNESS

1. Michael L. Laureta

STATE'S WITNESS

1. Abe Mitsuda

It was agreed by the parties that a stipulation to findings of fact would be submitted.

Chairman Tacbian instructed all parties of the post-hearing procedures.

MISCELLANEOUS

1. Adoption of Minutes

The minutes for the following meeting dates were approved as circulated: September 29, 1987, September 30, 1987, and October 14, 1987.

The meeting was adjourned at 3:10 p.m.