

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Kamakahonu Ballroom No. 3 and 4
King Kamehameha Hotel
Kailua-Kona, Hawaii

April 26, 1988

*approved
5/11/88*

HEARING OFFICER: Frederick P. Whittemore

STAFF PRESENT: Esther Ueda, Executive Officer
Annette Chock, Esq., Deputy Attorney General
Darlene Kinoshita, Chief Clerk
Jean Marie McManus, Court Reporter

REOPENED HEARING

A83-554 - FARMS OF KAPUA (Hawaii)

It was announced by Hearing Officer Whittemore that this is a continuation of the October 14, 1987 reopened hearing on Docket No. A83-554/Farms of Kapua to receive additional evidence from the parties pursuant to an Order from the Third Circuit Court remanding this matter to the Land Use Commission. On October 14, 1987 the Petitioner had made a motion to continue the hearing for a period not to exceed 6 months to allow Petitioner more time to conduct further archeological studies on the site. The Commission continued the hearing and placed the matter on its agenda for today.

Subsequent to the Commission's setting of the matter for hearing, on April 11, 1988 the Commission received a Motion to Continue Hearing filed by Jan Sullivan, Esq., attorney for Petitioner. On April 19, 1988 the Commission also received a Stipulation for Continuance of Hearing signed by the parties.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

Albert Lono Lyman, Planning Director, Planning Department, County of Hawaii

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Virginia Goldstein, Planner, Planning Department,
County of Hawaii

Abe Mitsuda, Land Use Division, Department of Business
and Economic Development

By letter dated April 22, 1988 , Intervenor's
attorney, James Ireijo, informed the Commission that he will
not appear at the hearing and agrees to the continuance of
hearing.

Arguments were heard from Jan Sullivan, Abe Mitsuda,
and Albert Lono Lyman. Mr. Lyman requested that the County be
able to either withdraw its previously submitted stipulation to
Petitioner's findings of fact and conclusions of law and submit
its own findings of fact and conclusions of law or be permitted
the right to amend its stipulation.

Hearing Officer Whittemore stated that the County's
request would be taken under advisement.

Hearing Officer Whittemore approved the motion for
continuance of the hearing for a minimum of 60 days after
receiving Petitioner's archeological report.

HEARING

A87-617 - SIGNAL PUAKO CORPORATION (Hawaii)

Pursuant to a notice published in the Honolulu
Advertiser and Hawaii Tribune Herald on March 21, 1988 and
notices sent to all parties , a hearing was called by the Land
Use Commission in the matter of the petition by Signal Puako
Corporation to reclassify approximately 1,060 acres of land
currently in the Agricultural District into the Urban District
at Waikoloa, South Kohala, Hawaii for residential, commercial,
golf course, and light industrial uses.

Appearances

Jan Sullivan, Esq., Attorney for Petitioner

Albert Lono Lyman, Planning Director, Planning
Department, County of Hawaii

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Virginia Goldstein, Planner, Planning Department,
County of Hawaii

Abe Mitsuda, Land Use Division, Department of Business
and Economic Development

A Motion to Continue Hearing and Stipulation For
Continuance of Hearing signed by the parties was filed on
March 28, 1988 by Jan Sullivan, Attorney for Petitioner.

The matter of the untimely petition for intervention
by Elizabeth Stone was taken up by Hearing Officer Whittemore.
Ms. Stone was not present at the meeting. The untimely
petition for intervention was denied by Hearing Officer
Whittemore.

There were no public witnesses wishing to testify
today.

A Motion to File Position Statement extending the
filing date from April 26, 1988 to June 6, 1988 was filed by
the parties. The motion was approved by Hearing Officer
Whittemore.

The motion to continue hearing for a minimum of three
weeks from June 6, 1988 was also approved by Hearing Officer
Whittemore until a later date.

The meeting was adjourned at 11:00 a.m.