

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Alii Surf Room
Kona Hilton Hotel
Kailua-Kona, Hawaii

April 6, 1989

*approved
5/12/89*

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman
Lawrence Chun, Vice-Chairman
Frederick P. Whittemore
Toru Suzuki
Robert Tamaye
Allen K. Hoe

COMMISSIONERS ABSENT: Sharon R. Himeno
Allen Kajioka
Teofilo Phil Tacbian

STAFF PRESENT: Esther Ueda, Executive Officer
Russell Suzuki, Esq, Deputy Attorney
General
Raymond Young, Staff Planner
Darlene Kinoshita, Chief Clerk

Jean McManus, Court Reporter

Chairman Nip called the meeting to order.

HEARING

A88-632 - PUALANI DEVELOPMENT COMPANY (Hawaii)

Pursuant to a notice published in the Hawaii Tribune Herald and Honolulu Advertiser on February 24, 1989 and notices sent to all parties, a hearing was conducted by the Land Use Commission in the matter of the petition by Pualani Development Company to reclassify approximately 99.324 acres of land currently in the Agricultural District into the Urban District at Puapuaaiki and Puapuaanui, North Kona, Hawaii for single family residential subdivision for affordable housing.

Appearances

Steven Lim, Esq., Attorney for Petitioner

Robert Daniel, Petitioner

Duane Kanuha, Director, Department of Planning, County of Hawaii

William Moore, Deputy Director, Department of Planning, County of Hawaii

Ann Ogata-Deal, Esq., Deputy Attorney General, Office of State Planning

Karen Yamamoto, Land Use Division, Office of State Planning

Mark Van Pernis, Esq., Attorney for Potential Intervenors

Elizabeth Ann Stone, Potential Intervenor

Chairman Nip announced that the Commission would take action on the untimely Motions for Intervention filed by Mark Van Pernis and Elizabeth Ann Stone.

Arguments on the motion for intervention were heard from Mark Van Pernis and arguments on the motion to dismiss petition for intervention were also heard from Mr. Lim. After hearing arguments, questions were asked by the Commissioners.

Commissioner Hoe moved to grant the untimely motion for intervention filed by Mr. Van Pernis. The motion was seconded by Commissioner Suzuki and unanimously carried by voice votes.

Arguments on the motion for intervention were heard from Elizabeth Ann Stone and arguments on the motion to dismiss petition for intervention were heard from Mr. Lim. After hearing arguments, questions were asked by the Commissioners.

Commissioner Hoe moved for denial of the motion for intervention filed by Ms. Stone since she had not paid the \$50 filing fee required by LUC Rules. The motion was seconded by Commissioner Suzuki and unanimously carried by voice votes.

Chairman Nip announced that Ms. Stone could testify as a public witness.

Steven Lim, Attorney for Petitioner, moved for continuance on this matter. The County of Hawaii, Office, State Planning, and Mr. Van Pernis had no objections to the motion for continuance.

Commissioner Whittemore moved for continuance of the hearing and the motion was seconded by Commissioner Hoe. The motion was carried unanimously by voice votes.

Chairman Nip stated that public witnesses would be allowed to testify today or at the continued hearing date.

PUBLIC WITNESS

1. Elizabeth Ann Stone

Chairman Nip continued the hearing until a later date.

CONTINUED HEARING

A88-630 - PALACE DEVELOPMENT CORPORATION AND HAWAII KA'U AINA
(Hawaii)

Chairman Nip announced that the present matter before the Commission is a continuation of the hearing which had begun on January 27, 1989, March 10, 1989, March 22, 1989, and March 23, 1989.

Appearances

R. Ben Tsukazaki, Esq., Attorney for Petitioner

Steven Lim, Esq., Attorney for Petitioner

Duane Kanuha, Director, Planning Department, County of Hawaii

William Moore, Deputy Director, Planning Department, County of Hawaii

John Anderson, Esq., Deputy Attorney General, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State
Planning

Jean Nishida, Land Use Division, Office of State
Planning

Glen M. Winterbottom, Intervenor

Wilford Kaupiko, for Pa'a Pono Milolii, Intervenor

EXHIBITS

1. Letter dated March 26, 1989 from Sonja Oberosler and letter dated March 27, 1989 from Joe Renwick were admitted into evidence by the Land Use Commission.

2. Intervenor, Glenn Winterbottom's Exhibit A through H were admitted into evidence by the Land Use Commission.

PETITIONER'S WITNESSES

1. Robert J. Lombardi

A lunch recess was taken at 12:35 p.m. to reconvene at 1:30 p.m.

- 1:58 p.m. -

PETITIONER'S WITNESSES

1. Robert J. Lombardi (Continued)

2. Ann Bouslog

The meeting was adjourned at 4:31 p.m.