

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Meeting Room
First Hawaiian Bank
4423 Rice Street
Lihue, Kauai, Hawaii

Approved
8/21/85

May 10, 1985 - 9:00 a.m.

HEARING OFFICER: Benjamin Matsubara
COMMISSIONER PRESENT: Teofilo Tacbian, Vice Chairman
STAFF PRESENT: Esther Ueda, Executive Officer
James R. Filibeck, Court Reporter

HEARING

A85-590 - HRT, LIMITED

Pursuant to a notice published in The Garden Island and the Honolulu Advertiser on April 3, 1985 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by HRT, Limited to reclassify approximately 3.163 acres of land from the Agricultural District into the Urban District at Lihue, Kauai, for commercial use. The hearing was conducted by Hearing Officer Benjamin Matsubara.

Appearances

Reuben Wong, attorney representing the petitioner

Max Graham, County Attorney's Office, representing Kauai Planning Department

Abe Mitsuda, Planner, representing the Department of Planning & Economic Development

Esther Ueda, Executive Officer, pointed out the area under petition on the USGS and tax maps, and oriented it with various surrounding landmarks.

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

PETITIONER

Mervin Gilliland - Consultant to Amfac

Direct examination by Mr. Wong----- 6 to 13
 Cross examination by Mr. Graham-----13 to 17
 Cross examination by Mr. Mitsuda-----17 to 20
 Recross examination by Mr. Graham-----21 to 24
 Examination by Mr. Matsubara-----25 to 28
 Redirect examination by Mr. Wong-----29 to 32
 Recross examination by Mr. Graham-----33 to 35
 Recross examination by Mr. Mitsuda-----35 to 37
 Redirect examination by Mr. Wong-----37 to 38
 Examination by Commissioner Tacbian-----39 to 40

Exhibits

All exhibits attached to the Petition, including 3-A, were accepted into evidence. Ruling on exhibits 7 and 8 will be held off until parties have had a chance to examine them.

KAUAI COUNTY PLANNING DEPARTMENT

Michael Loretta - Staff Planner

Direct examination by Mr. Graham-----41 to 47
 Cross examination by Mr. Wong-----47 to 52
 Cross examination by Mr. Mitsuda-----52 to 54
 Redirect examination by Mr. Graham-----54 to 56
 Recross examination by Mr. Wong-----56 to 61
 Examination by Mr. Matsubara-----61
 Examination by Commissioner Tacbian-----62 to 64

Exhibits

Kauai County's Exhibits 1 and 2 were accepted into evidence.

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Abe Mitsuda - Planner

Oral testimony -----65 to 67

Cross examination by Mr. Graham-----67

At the close of the hearing, Mr. Matsubara announced that Petitioners will be submitting additional exhibits by Monday, May 13 and the State and County have up to the 24th of May to notify the Hearing Officer as to whether or not they would like to ask additional questions based on those exhibits. If there is no word from the State or County by the May 24, the hearing will be considered closed.

The meeting was adjourned at 10:50 a.m.