

Appearances

Lane Ishida, Esq., Attorney for Petitioner

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

Abe Mitsuda, Land Use Division, Office of State
Planning

Karen Yamamoto, Land Use Division, Office of State
Planning

Commissioner Himeno moved that the DOT's Environmental
Impact Statement be accepted.

It was seconded by Vice-Chairman Chun and carried by
the following votes:

Ayes: Commissioner Himeno, Hoe, Chun, Kajioka and
Chairman Nip.

A79-467 - GROVE FARM COMPANY, INC.

Chairman Nip announced that the Commission would take
action in the matter of the petition by Grove Farm Company,
Inc. to consider Petitioner's Motion to Clarify October 7, 1980
Decision and Order which reclassified approximately 86 acres of
land from the Agricultural District to the Urban District at
Puhi and Lihue, Kauai, Hawaii for a residential subdivision and
light industrial development.

Appearances

Dennis Lombardi Esq., Attorney for Petitioner

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

Abe Mitsuda, Land Use Division, Office of State
Planning

Karen Yamamoto, Land Use Division, Office of State
Planning

Warren Perry, Esq., Office of the County Attorney,
County of Kauai

Bryan Mamaclay, Planning Department, County of Kauai

Hearing no objections from the parties, Commissioner Hoe moved that the petitioner's motion be granted. The motion was seconded by Commissioner Himeno and unanimously carried as follows:

Ayes: Commissioner Hoe, Kajioka, Chun, Himeno, and Chairman Nip.

The Commission directed staff to amend the land use maps accordingly.

Commissioner Tacbian, Tamaye and Suzuki joined the proceedings at this time.

A83-557 - PRINCEVILLE DEVELOPMENT CORPORATION

Chairman Nip announced that the Commission would take action in the matter of the petition by Princeville Development Corporation to consider Intervenor's Motion to Clarify Condition of Approval to reclassify approximately 390 acres of land currently in the Agricultural District at Hanalei, Kauai, Hawaii only for golf course purposes.

Appearances

Walton Hong., Attorney for Petitioner

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

Warren Perry, Esq., Office of the County Attorney, County of Kauai

Bryan Mamaclay, Planning Department, County of Kauai

Abe Mitsuda, Land Use Division, Office of State Planning

Teresa Tico, Esq., Attorney for Intervenors

After hearing oral arguments from the Intervenor, Petitioner and the State, questions were asked by the Commissioners. Intervenors moved to amend the portion of the motion which pertains to the view plain issue to read as follows: it would be a motion to amend the conditions in Docket A83-557 to include the following condition, that the view plains be preserved to the extent reasonably practical, and those view plains would be of the ocean and coastline, as seen from Kuhio Highway and as seen from Anini Beach Road.

Commissioner Tacbian moved to deny intervenor's motion to amend. The motion was seconded by Commissioner Hoe. After much discussion, Commissioner Tacbian withdrew his motion. Commissioner Hoe withdrew his second and at the same time moved to grant the intervenor's leave to make an oral amendment to petitioner's motion. The motion was seconded by Commissioner Kajioka and unanimously passed by voice votes.

Commissioner Himeno moved that the remaining portion of Intervenor's motion be (whether or not the amenities of the proposed to be included in the clubhouse are or should or should not be allowed) denied. The motion was seconded by Commissioner Tacbian and polled as follows:

Ayes: Commissioner Himeno, Chun, Hoe, Tamaye, Tacbian, Kajioka, Suzuki and Chairman Nip.

Chairman Nip left the proceedings at this time. Vice Chairman Chun conducted this portion of the proceedings.

COUNTY'S WITNESS

1. Bryan Mamaclay

Chairman Nip and Commissioner Whittemore joined the proceedings and Commissioner Himeno left the proceedings at this time.

STATE'S WITNESS

1. Abe Mitsuda

A lunch recess was taken at 12:00 noon to reconvene at 1:30 p.m.

- 1:45 p.m. -

Commissioners Himeno, Suzuki, and Chairman Nip were not present at the proceedings at this time. Commissioner Tacbian conducted this portion of the proceedings.

Two letters that were submitted by the Hanalei Community Association and Joseph and Joyce Staton were admitted into the record.

INTERVENOR'S WITNESSES

1. Nanette Slavin Kaahumano
2. Susan Wilson

EXHIBITS

Intervenor's Exhibits 2, 3, 4, 6 and 9 were identified and admitted into evidence.

Chairman Nip joined the proceedings just before State's cross examination of Susan Wilson.

Intervenor's Exhibits 7, 11, and 12 were identified and admitted into evidence.

The Commission went into executive session to receive counsel from its Deputy Attorney General regarding the timeframe requirements for proposed orders and responses, upon motion by Chairman Nip, seconded by Vice Chairman Chun.

Chairman Nip instructed all parties of the post-hearing procedures and declared the hearing closed. Proposed findings are due from each party within 10 days after the transcripts are available which is anticipated for completion on June 5 or 6. The parties have 7 days for responses to be submitted. The action meeting was set for June 28, 1989.

The meeting was adjourned at 4:40 p.m.