

STATE OF HAWAII
LAND USE COMMISSION

Approved
9/24/85

Minutes of Meeting

The Waiohai
Kukui Room
2249 Poipu Road
Poipu, Kauai

August 21, 1985 - 10:00 a.m.

COMMISSIONERS PRESENT: Teofilo Tacbian, Chairman
Frederick Whittemore, Vice Chairman
Toru Suzuki
Robert Tamaye
Richard Choy
William Yuen
Everett Cuskaden
Lawrence Chun

STAFF PRESENT: Esther Ueda, Executive Officer
Ray Young, Planner

Jean McManus, Court Reporter

ACTION

Chairman Tacbian called the meeting to order.

A85-590 - HRT, LIMITED

Chairman Tacbian noted for the record that a letter was received from Reuben Wong withdrawing their petition on behalf of HRT, Limited. Since there were no objections from the Commission, the petition was allowed to be withdrawn.

A84-580 - GEORGE L. SAGEN AND JANE A. SAGEN

Appearances

Eric Maehara, attorney representing the petitioner

Max Graham, County Attorney's Office, representing County of Kauai

Everett Kaneshige - Deputy Attorney General, representing DPED

Clinton Shiraishi, attorney representing Intervenor Foster Petroleum Corporation

Jo Ann Yoshimoto, representing Intervenor Kilauea Neighborhood Association

Closing Arguments

By Mr. Maehara----- 4 to 5
 By Mr. Graham----- 5 to 6
 Examination by Commissioner Yuen----- 6
 Examination by Commissioner Cuskaden----- 6
 By Mr. Kaneshige----- 6
 By Ms. Yoshimoto----- 8

It was determined by Chairman Tacbian that all of the Commissioners present today were eligible to participate in the action on the petitions.

Commissioner Tamaye moved to approve Docket No. A84-580, to reclassify approximately five acres of land currently in the Agriculture District into the Urban District at Kilauea, Kauai, for a light industrial development. The motion was seconded by Commissioner Suzuki and unanimously carried as follows:

Ayes: Commissioners Yuen, Tamaye, Suzuki, Cuskaden, Choy, Whittemore, Tacbian, Chun

A84-572 - FOSTER PETROLEUM CORPORATION

Appearing

- Clinton Shiraishi, attorney representing the petitioner
- Max Graham, County Attorney's Office, representing County of Kauai
- Everett Kaneshige, Deputy Attorney General, representing the Dept. of Planning & Economic Development
- Eric Maehara, attorney representing Intervenor Sagen
- Jo Ann Yoshimoto, representing Intervenor Kilauea Neighborhood Association

Closing Arguments

By Mr. Shiraishi-----11 to 14
 Examination by Commissioner Choy-----14 to 15
 By Mr. Graham-----15 to 18
 Examination by Commissioner Choy-----18 to 19

Examination by Commissioner Cuskaden-----19
 Examination by Commissioner Yuen-----20
 Reexamination by Commissioner Cuskaden-----20
 By Mr. Kaneshige-----21 to 22
 By Ms. Yoshimoto-----22 to 24
 Examination by Commissioner Whittemore-----24

Commissioner Yuen moved to reclassify a 15-acre portion of site one as designated on Petitioner's proposal along the mauka boundary of the property designated on Petitioner's map, and identified as Kauai tax map key: 5-2-05:23, for light industrial uses with the remainder of the property to remain in the Agriculture District, as well as site two proposed by the Petitioner for reclassification to also remain in the Agriculture District.

The motion was seconded by Commissioner Whittemore and carried with the following votes:

Ayes: Commissioners Choy, Whittemore, Yuen, Tamaye, Suzuki, Chun, Tacbian

Nays: Commissioner Cuskaden

MISCELLANEOUS

Adoption of Decisions and Orders

The following Commission's Decision and Orders were adopted:

A84-581 - Oceanic Properties, Inc.

A84-582 - Trustees Under the Will and of the Estate of James Campbell, Deceased

The Commission approved Court Reporter Agreements for FY 1985-87 with Filibeck Reporting Services and McManus Court Reporters.

The meeting was adjourned at 11:15 a.m.