

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Senate Conference Room 3  
State Capitol  
Honolulu, Hawaii

*approved  
9/30/88*

September 7, 1988

COMMISSIONERS PRESENT: Renton L.K. Nip, Chairman  
Lawrence Chun, Vice-Chairman (Portion  
of Proceeding)  
Allen K. Hoe  
Toru Suzuki  
Robert Tamaye  
Frederick P. Whittemore  
Allen Kajioka  
Sharon R. Himeno (Portion of  
Proceeding)

COMMISSIONERS ABSENT: Teofilo Phil Tacbian

STAFF PRESENT: Esther Ueda, Executive Officer  
Terence Yamamoto, Esq, Deputy Attorney  
General  
Raymond Young, Staff Planner  
Darlene Kinoshita, Chief Clerk  
  
Jean Marie McManus, Court Reporter

Chairman Nip called the meeting to order.

ACTION

A87-613 THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF  
JAMES CAMPBELL, DEC.

Chairman Nip announced that the Commission would take action in the matter of Petitioner's Stipulation to Form of Order amending the Land Use Commission's decision made on June 29, 1988.

Commissioner Hoe was excused from the action on this matter.

Appearances

Ivan Lui-Kwan, Esq., Attorney for Petitioner

Oswald Stender, Petitioner

Betsy Marcinkus, Department of General Planning, City  
and County of Honolulu

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

Abe Mitsuda, Land Use Division, Office of State  
Planning

David Hulse, Land Use Division, Office of State  
Planning

Arguments on the Stipulation to Form of Order amending  
the Land Use Commission's decision made on June 29, 1988 were  
heard from Ivan Lui-Kwan, Esq., John Anderson, Esq., and  
Betsy Marcinkus. After hearing arguments, parties were  
questioned by the Commissioners.

Commissioner Himeno moved to accept Petitioner's  
Stipulation to form of Order Amending the Land Use Commission's  
decision made on June 29, 1988. The motion was seconded by  
Commissioner Kajioka and carried unanimously by voice votes.

SP86-360 HEMMETER/VMS KAUAI COMPANY III AND SP86-361  
HEMMETER/VMS KAUAI COMPANY III

Chairman Nip announced that the Commission will act to  
consider Petitioner's Motion to Amend Decision and Order which  
requests deleting the starter shed area from the lands covered  
under the decision and order in LUC Docket No. SP86-360 and by  
including the starter shed area within the lands covered under  
decision and order in LUC Docket SP86-361 involving lands  
within the Agricultural District at Nawiliwili, Lihue, Kauai.

Commissioner Himeno did not participate in this  
proceeding due to a previously declared conflict of interest.

Appearances

James Funaki, Esq., Attorney for Petitioner

Lorna Nishimitsu, Esq., Deputy County Attorney,  
Planning Department, County of Kauai

Michael Laureta, Planning Department, County of Kauai

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

Abe Mitsuda, Land Use Division, Office of State  
Planning

David Hulse, Land Use Division, Office of State  
Planning

Raymond Young, Staff Planner, gave a summary report of  
the two special use permits and also oriented the Commission to  
the area being requested on the USGS and tax maps.

Arguments on Petitioner's motion to amend decision and  
order by Mr. Funaki was heard. Petitioner's witness,  
Sidney Fuke, was allowed to testify to clarify the motion.  
Arguments on Petitioner's motion were also heard from  
Lorna Nishimitsu. After hearing arguments and testimony,  
parties were questioned by the Commissioners.

Commissioner Kajioka moved to approve Petitioner's  
motion to amend decision and order by deleting the starter shed  
area from the lands covered under the decision and order in LUC  
Docket No. SP86-360 and by including the starter shed area  
within the lands covered under decision and order in LUC Docket  
SP86-361 involving lands within the Agricultural District at  
Nawiliwili, Lihue, Kauai. The motion was seconded by  
Commissioner Whittemore and unanimously carried by voice votes.

Commissioner Himeno moved to go into executive session  
to consult with our Deputy Attorney General on legal matters.  
The motion was seconded by Commissioner Whittemore and  
unanimously carried by voice votes.

HEARING

A88-625 OCEANIC PROPERTIES, INC.

Pursuant to a notice published in the Honolulu Star Bulletin on July 29, 1988 and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition of Oceanic Properties, Inc. to reclassify approximately 214 acres of land currently in the Agricultural District into the Urban District at Waialua, Oahu, Hawaii, for golf course and support facilities.

Commissioner Kajioka declared a conflict of interest and was excused from the proceedings.

APPEARANCES

James Funaki, Esq., Attorney for Petitioner

Betsy Marcinkus, Department of General Planning, City and County of Honolulu

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

Abe Mitsuda, Land Use Division, Office of State Planning

David Hulse, Land Use Division, Office of State Planning

Commissioner Hoe moved to allow the untimely public witnesses to testify. The motion was seconded by Commissioner Whittemore and unanimously carried by voice votes.

PETITIONER'S EXHIBITS

1. Exhibit Nos. 1 through 27 were admitted into evidence by the Land Use Commission.

COUNTY'S EXHIBITS

1. County's Exhibit No. 1 was admitted into evidence by the Land Use Commission.

STATE'S EXHIBITS

1. State's Exhibit No. 1 was admitted into evidence by the Land Use Commission.

Raymond Young, Staff Planner, oriented the Commission to the area being requested for reclassification on the USGS and tax maps.

Commissioner Chun was absent from the proceeding at this time.

PUBLIC WITNESSES

1. Dan Gora
2. Norman Fujioka
3. Genji Santoki

PETITIONER'S WITNESSES

1. Larry Lum

A lunch recess was taken at 12:15 p.m. to reconvene at 1:30 p.m.

- 1:53 p.m. -

Commissioner Chun joined the proceeding at this time.

PETITIONER'S WITNESSES (Cont'd)

1. Larry Lum (Continued)

Commissioner Himeno was absent from the proceeding at this time.

2. Tyrone Kusao

Commissioner Himeno joined the proceeding at this time.

3. Kay Muranaka

Commissioner Chun was absent from the proceeding at this time.

4. Ken Ishizaki

Commissioner Himeno was absent from the proceeding at this time.

5. Julian Ng

MISCELLANEOUS

1. ADOPTION OF DECISION AND ORDERS

The Decision and Order for the following docket was adopted:

A87-613 - THE TRUSTEES UNDER THE WILL AND OF THE ESTATE OF JAMES CAMPBELL, DECEASED (Oahu)

2. ADOPTION OF MINUTES

The minutes for the following meeting dates were approved as circulated: August 9, 1988, August 10, 1988, August 11, 1988, August 16, 1988, and August 17, 1988.

The meeting was adjourned at 4:45 p.m.