

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Koa Room
Kona Surf Resort and Country Club
78-128 Ehukai Street
Kailua-Kona, Hawaii

Approved
9/22/89

September 7, 1989

COMMISSIONERS PRESENT: Lawrence Chun, Vice-Chairman
Frederick P. Whittemore
James M. Shinno
Allen Hoe
Allen Y. Kajioka
Elton Wada

COMMISSIONERS ABSENT: Renton L.K. Nip, Chairman
Sharon R. Himeno
Eusebio Lapenia, Jr.

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

Holly Hackett, Court Reporter

Vice-Chairman Chun called the meeting to order.

ACTION

A89-647 - LANAI RESORT PARTNERS (Lanai)

Vice-Chairman Chun announced that the Commission would take action in the matter of the petition by Lanai Resort Partners to determine whether the anticipated effects discussed in the petition's Environmental Assessment to reclassify approximately 33 acres of land currently in the Rural District into the Agricultural District and approximately 3.5 acres of land currently in the Conservation District into the Agricultural District at Koele, Lanai, Hawaii for golf course use and other accessory uses such as a driving range and clubhouse constitute a "significant effect" pursuant to Chapter 343, H.R.S.

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

Appearances

James T. Funaki, Esq., Attorney for Petitioner

John Anderson, Esq., Deputy Attorney General

Abe Mitsuda, Land Use Division, Office of State Planning

The County of Maui was not present to the proceeding.

The letters dated September 2, 1989 from Sally Raisbeck, September 5, 1989 from Ron McOmber and John D. Gray were admitted into evidence by the Land Use Commission.

Raymond Young, Staff Planner, oriented the Commission to the area being requested for reclassification on the Land Use District Boundaries and tax maps.

Arguments were heard from Mr. Funaki and Abe Mitsuda. After hearing arguments, questions were asked by the Commissioners.

Commissioner Wada moved to accept Petitioner's environmental assessment as a negative declaration. The motion was seconded by Commissioner Hoe and unanimously carried by voice votes.

Commissioner Kajioka joined the proceeding at this time.

CONTINUED HEARING

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

Vice-Chairman Chun 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, March 23, 1989, April 6, 1989, April 7, 1989, July 13, 1989, and July 14, 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 Winterbottom, Intervenor

Wilfred Kaupiko, Intervenor, Pa'a Pono Milolii

Vice-Chairman Chun allowed the untimely public
witnesses to testify.

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

PUBLIC WITNESSES

1. Charles Davis

2. Elizabeth Ann Stone

Arguments on Petitioner's Motion to Correct Transcript
were heard from R. Ben Tsukazaki, Duane Kanuha, John Anderson,
Glen Winterbottom, and Wilfred Kaupiko. The motion to correct
transcript was approved by Vice-Chairman Chun except for Pg. 73
of John Knox's testimony.

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EXHIBITS

1. The letter dated July 31, 1989 from Jack and Dottie Delaney was admitted into evidence by the Land Use Commission.

2. Petitioner's Exhibit No. 17, 22, 32, and 33 were admitted into evidence by the Land Use Commission.

PETITIONER'S WITNESSES

1. Thomas Jensen (Continued)

2. Dr. Michael Garcia

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

- 1:35 p.m. -

PETITIONER'S WITNESSES

2. Dr. Michael Garcia (Continued)

The meeting was adjourned at 3:41 p.m.