

LAND USE COMMISSION
STATE OF HAWAII

Minutes of the Public Hearing

Community Center

Kaunakakai, Molokai, Hawaii

7:00 P. M. - January 24, 1964

Commissioners

Present:

C. E. S. Burns
James P. Ferry
Goro Inaba
Shelley Mark
Charles S. Ota
Robert G. Wenkam
Leslie E. L. Wung

Commissioners

Absent:

Shiro Nishimura
Myron B. Thompson

Staff

Present:

Raymond Yamashita, Executive Officer
Roy Takeyama, Legal Counsel
Richard Mar, Field Officer
Alberta L. Kai, Stenographer

The public hearing was called to order by the Acting Chairman C. E. S. Burns. The procedures to be followed throughout the public hearing were outlined by the Chairman.

PETITION OF WENDELL F. BROOKS (A(T)63-39), FOR AMENDMENT OF THE TEMPORARY DISTRICT BOUNDARY FROM AGRICULTURAL TO URBAN DISTRICT CLASSIFICATION FOR LANDS IN KALAE TRACT, MOLOKAI: Described as Second Division, TMK 5-2-16: 6 and 16.

The Executive Officer, having been sworn in, read the petition submitted by the petitioner, then gave a background on the area and request involved, describing and pointing out the location of the area on a map.

Mr. Wendell F. Brooks was sworn in. He stated that he felt that the classifying of his two lots into the agricultural district was an error and requested that it be reclassified to urban. He informed the Commission that there was a hotel about two "doors" away, and houses surrounding his lots. He stated that the Maui County General Plan and the State of Hawaii General Plan include this district as urban rather than agriculture. Mr. Brooks stated that all he asks is for immediate relief instead of having this "dragged out" for another three or four months. He stated that he was not alone in this venture. There are other investors who have taken this property with the idea of subdividing into

small lots. The interests are piling up considerably because of this delay in classification which they have to go through.

Chairman Burns explained to Mr. Brooks the disposition of the public hearing. He stated that under the statutory requirements mandated by law, there is a 45 to 90 day waiting period before action can be taken by this Commission.

The Executive Officer proceeded with the staff's analysis and recommendation. The staff recommended approval of the petitioner's request on the bases that:

1. The area is needed for a use other than that for which the district in which it is situated is classified.
2. The land is usable and adaptable for the use it is proposed to be classified.
3. The tenet of preserving prime agricultural areas, when other lands are available that could serve adequately the urban needs, is promoted.
4. The tenet of preventing scattered subdivisions with expensive yet reduced, public services, is not violated.

Mr. Wendell Brooks, having no additional comments, submitted the following letters for the record (which letters were already on file):

1. Letter from the Maui County Water Supply, dated April 8, 1963, stating that there was adequate water in the area.
2. Letter from the Maui Planning & Traffic Commission, dated September 4, 1963, recommending approval of the request.

Mr. James Field, having been sworn in, spoke in favor of the petition. He stated that he owned a piece of land across from Mr. Brooks and is planning to have it subdivided also.

Mr. Charles Meyers, having been sworn in, supported Mr. Brooks petition. He stated that he would like to see more areas on Molokai urbanized.

With no other further comments by the petitioner, other interested parties and agencies, the Chairman announced that the Commission will receive additional comments and protests within the next 15 days from this hearing, and will take action on this matter 45 to 90 days from this hearing.

The public hearing was closed in the matter of Wendell F. Brooks.

PETITION OF PARK ENGINEERING, INC. (A(T)63-49), FOR CHANGE OF TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LAND IN NAIWA, MOLOKAI: Described as Second Division, TMK 5-2-16:47.

The Executive Officer stated that this parcel is in the same generally subdivided area, about a 1,000 feet away from the previous petition just heard. He read the petition submitted by the petitioner and gave a background of the request and area, pointing out the location of the area on a map.

The Chairman asked if the petitioner or anyone representing the petitioner was present. There was no response.

The Executive Officer stated that the staff's analysis and recommendation are the same as given for the previous petition. The Chairman asked that the Executive Officer dispense with the reading of the analysis, but to proceed with the staff's recommendation. The Executive Officer stated that the staff recommends approval of the petition on the bases that: (1) the area is needed for a use other than that for which the district in which it is situated is classified; (2) the land is usable and adaptable for the use it is proposed to be classified; (3) the tenet of preserving prime agricultural areas, when other lands are available that could serve adequately the urban needs, is promoted; (4) the tenet of preventing scattered subdivisions with expensive yet reduced, public services, is not violated.

The Chairman asked if there were anyone (agency or person) present who wished to make any comments. There was no response.

The Chairman announced that the proposed final district boundary maps of this Land Use Commission show that this area is in the urban district. He further announced that the proposed district boundary maps will be in the public hands a week or so before the hearing takes place here on Molokai in April. This will give the public a chance to look at these maps, study them and then when the public hearing is held the Commission will welcome all suggestions that it can make on this matter.

Before closing the hearing, the Chairman announced that this Commission will receive additional comments and protests within 15 days from this hearing and will take action on this matter 45 to 90 days from this hearing.

The public hearing was closed at 7:30 p.m.