

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Approved
JUL 9 1981

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February 10, 1981 - 9:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Shinsei Miyasato
Mitsuo Oura
George Pascua
Carol Whitesell

COMMISSIONERS ABSENT: Richard Choy
Edward Yanai
William Yuen

STAFF PRESENT: Gordan Furutani, Executive Officer
Joseph Chu, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Jean McManus, Court Reporter

CONTINUED HEARING

A80-490 - CHRISTY T. MAMIYA

Chairman Duke recalled that at the time the Commission adjourned the hearing on November 10, 1980, the petitioner was still presenting his case.

He again called on staff to familiarize the Commission and all present with the location of the subject property.

Appearances

Meyer M. Ueoka, Attorney representing the petitioner

Lee Ohigashi, Deputy Corporation Counsel, representing the Maui Planning Department (replacing Glenn Kosaka)

Annette Chock, Deputy Attorney General, representing DPED

Philip Lowenthal - Attorney representing the Peahi Community Association

Isaac Hall - Atrorney, repersenting Mrs. William Whittle

Exhibits

At various times during the hearing, the following exhibits were identified and either withdrawn or admitted into evidence:

Petitioner

Exhibits Admitted: 2 (formerly 15), 18, 26, 27, 28, 32, 34, 35, 36, 37, 38

Exhibits Withdrawn: 2, 3, 8, 15, 16, 17, 29, 30, 31, 33

County

Mr. Ohigashi noted a couple of corrections in the County's written testimony.

Life of the Land

Except for some reservations regarding certain statements contained in the testimony by Life of the Land, there were no strong objections, and it was marked as Land Use Commission exhibit 2 and admitted into evidence.

All of the witnesses who appeared today, having been duly sworn in, testified and were examined as set forth in the transcript.

PETITIONER (cont.)

Taki Shiota - Pineapple Farmer

Direct examination by Mr. Ueoka-----23 to 25

Cross examination by Miss Chock-----25 to 26

Cross examination by Mr. Lowenthal-----27 to 29

Redirect examination by Mr. Ueoka-----29 to 30

Recross examination by Mr. Lowenthal-----30 to 31

Charles Plunkett - Retired

Direct examination by Mr. Ueoka-----32 to 34

Cross examination by Mr. Lowenthal-----35 to 36

Redirect examination by Mr. Ueoka-----36 to 37

Christy Mamiya (recalled)

Direct by Mr. Ueoka-----37 to 49
Voire Dire examination of Petitioner's Exhibit 36----49 to 55
Further direct by Mr. Ueoka-----55 to 56
Discussion of petitioner's exhibit 29-----56 to 60
Further direct by Mr. Ueoka-----60 to 66
Voire dire examination of Petitioner's Exhibit 26----66 to 69
Further direct by Mr. Ueoka-----70 to 71
Cross examination by Miss Chock-----71 to 72
Cross examination by Mr. Lowenthal-----72 to 85

The Commission was in recess from 12:00 noon to 1:30 p.m.

1:30 p.m.

PETITIONER (cont.)

James Y. Ohta - Real Estate Salesman

Direct examination by Mr. Ueoka----- 90 to 91
Cross examination by Miss Chock----- 92 to 98
Cross examination by Mr. Lowenthal----- 99 to 105

Clark Kashimoto - Extension Service County Agent

Direct examination by Mr. Ueoka-----106 to 112
Cross examination by Mr. Ohigashi-----112 to 113
Cross examination by Miss Chock-----113 to 114
Cross examination by Mr. Lowenthal-----114 to 117

Christy Mamiya (recalled)

Direct examination by Mr. Ueoka-----117 to 118
Cross examination by Miss Chock-----119 to 120

Christy Mamiya (cont.)

Cross examination by Mr. Lowenthal-----120

Mr. Ueoka submitted that all of the witnesses on petitioner's list who had not appeared will not be called.

COUNTY OF MAUI

Jeffrey Chang - Planner, Maui Planning Dept.

Direct examination by Mr. Ohigashi-----135 to 139

Cross examination by Mr. Ueoka-----140 to 155

The hearing was recessed at 4:15 p.m. with the announcement that it will be reconvened at 8:30 tomorrow morning.