

STATE OF HAWAII
LAND USE COMMISSION

Approved
11/4/82

Minutes of Meeting

Conference Room C
Hilo State Building
Hilo, Hawaii

March 17, 1982 - 9:30 a.m.

HEARING OFFICER: Benjamin Matsubara

COMMISSIONERS PRESENT: William Yuen, Chairman
Shinsei Miyasato

STAFF PRESENT: Gordan Furutani, Executive Officer
Maureen Rooney, Court Reporter

HEARINGS

A81-510 - HAROLD KUN & SHIRLEY ANN CHUN
A81-521 - JOSEPH M. & ROSALIND M. LOPEZ
A81-522 - JEFFREY CHOI & KATHLEEN T. CHOI

Pursuant to a notice published in the Honolulu Advertiser and the Hawaii Tribune Herald on February 10, 1982 and notices sent to all parties, hearings were called by the Land Use Commission in the matter of the petitions listed above. The hearings were conducted by Hearing Officer Benjamin Matsubara.

For the sake of expediency and inasmuch as the testimonies from the County and State were basically the same for the three petitions and the properties adjoined each other, Mr. Matsubara announced that the hearings for the three petitions will be consolidated.

Mr. Matsubara outlined the procedure that will be followed during today's proceedings.

Appearances

Jeffrey Choi, representing Docket A81-522

Rosalind Lopez, representing Docket A81-521

Harold Chun, representing Docket A81-510

Norman Hayashi, Planner, representing the Hawaii Planning Department

Esther Ueda, Planner, representing the Department of Planning & Economic Development

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

Mr. Matsubara acknowledged the presence of Commission Chairman William Yuen and Commissioner Shinsei Miyasato from Maui.

The Hearing Officer elaborated on the acreages and proposed uses involved in each of the three petitions. The subject properties were also delineated on the USGS and tax maps.

PETITIONERS

A81-522 - Jeffrey Choi & Kathleen T. Choi

Jeffrey Choi - Petitioner

Oral testimony-----8 to 12
Cross examination by Mr. Hayashi-----12 to 16
Cross examination by Mrs. Ueda-----16 to 18
Examination by Mr. Matsubara-----18 to 23

A81-521 - Joseph M. & Rosalind M. Lopez

Joseph Lopez - Petitioner

Oral testimony-----24
Examination by Mr. Matsubara-----24 to 31
Cross examination by Mr. Hayashi-----31 to 32
Cross examination by Mrs. Ueda-----32 to 33

A81-510 - Harold Kun & Shirley Ann Chun

Harold Kun Chun - Petitioner

Oral testimony-----36
Examination by Mr. Matsubara-----37 to 38
Cross examination by Mr. Hayashi-----39 to 41
Cross examination by Mrs. Ueda-----41 to 42
Reexamination by Mr. Matsubara-----42

Exhibits

The County's written testimonies on all three petitions were marked as exhibits 1 and entered into evidence.

DPED's written testimonies for all three petitions were identified as exhibits 1 and moved into evidence.

Mr. Matsubara requested that all of the three petitioners submit financial statements to the Commission and to all the parties. Following receipt of the statements and service upon all parties, Mr. Matsubara advised that the State and County will be allowed 10 working days in which to request a reopening of the hearing, should they have any questions regarding the statements. If no such request is made by any of the parties, the hearing will then be considered closed at that time.

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Mr. Hayashi submitted that the County's position was to recommend approval of the three petitions since they all met the criteria set forth in the granting of an urban district designation.

Examination of Mr. Hayashi by Mr. Matsubara-----46 to 48

Cross examination by Mr. Choi-----48

Cross examination by Mrs. Ueda-----49

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Mrs. Ueda summarized the State's position on all three petitions and reported that the State was in support of the reclassification requests.

At the end of the hearing, Mr. Matsubara announced that the proceedings were closed for today and the hearings will be considered closed 10 days after receipt of the required additional information if there is no request to reopen the hearings.

A81-523 - JAMES K. AHIA, SR. & FRANCES K. AHIA

Pursuant to a notice published in the Hawaii Tribune Herald and the Honolulu Advertiser on February 10, 1982, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by James K. Ahia, Sr. and Frances K. Ahia to reclassify approximately 1.9 acres of land from the Agricultural District into the Urban District at Puna, Hawaii, Docket A81-523. The hearing was conducted by Hearing Officer Benjamin Matsubara.

A description of the property was offered by Mr. Matsubara.

Appearances

Philip Yoshimura, Engineer and Planner, representing the petitioner

Norman Hayashi, Planner, representing the Hawaii County Planning Department

Daniel Yasui, Planner, representing the Department of Planning and Economic Development

PETITIONER

Philip Yoshimura

Oral testimony----- 5 to 6

Cross examination by Mr. Hayashi----- 6 to 9

Albert Ahia

Cross examination by Mr. Hayashi-----10 to 11

Philip Yoshimura (cont.)

Cross examination by Mr. Yasui-----11 to 12

Recross examination by Mr. Hayashi-----13 to 14

Mr. and Mrs. Ahia

Examination by Mr. Matsubara-----12 to 13

Examination by Chairman Yuen-----14 to 15

Reexamination by Mr. Matsubara-----15 to 19

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County's exhibit 1 was identified and moved into evidence.

Norman Hayashi

Oral testimony-----21 to 23
 Cross examination by Mr. Yoshimura-----23 to 25
 Examination by Mr. Matsubara-----25 to 26
 Cross examination by Mrs. Ahia-----26
 Cross examination by Mr. Yasui-----27
 Examination by Chairman Yuen-----27 to 28

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

DPED's written testimony was marked as exhibit 1 and admitted into the record.

Daniel Yasui

Oral testimony-----28 to 29
 Cross examination by Mr. Yoshimura-----29
 Cross examination by Mr. Hayashi-----29 to 32

Petitioner's exhibit H was identified and moved into evidence.

The hearing was concluded at 11:50 a.m.