

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Hoaloha Room
Sheraton Molokai Hotel
Kaluakoi, Molokai

April 8, 1983 - 8:40 a.m.

Approved
4/27/83

COMMISSIONERS PRESENT: Richard Choy, Vice Chairman
Lawrence Chun
Shinsei Miyasato
Winona Rubin
Teofilo Tacbian
Robert Tamaye
Frederick Whittemore

COMMISSIONERS ABSENT: William Yuen, Chairman
Everett Cuskaden

STAFF PRESENT: Gordan Furutani, Executive Officer
Carolee Aoki, Deputy Attorney General
Dora Horikawa, Chief Clerk

Jean McManus, Court Reporter

HEARING (cont.)

A82-542 - KALUA KOI CORPORATION

Mr. Funaki, attorney representing petitioner, placed on the record a motion for the Land Use Commission to reconsider its decision to allow Mr. Degray Vanderbilt to appear as a public witness. He argued that Mr. Vanderbilt had not made a timely request and the proceedings had already been protracted far beyond the expectation of all parties.

The Chairman stated that the Commission will take this matter under advisement for the present.

PETITIONER (cont.)

Petitioner's exhibits 20, 21 and 22 were identified. All of petitioner's exhibits 1 through 22 inclusive were admitted into evidence.

Joseph Vierra - Engineer, Belt Collins & Associates

Direct examination by Mr. Funaki----- 8 to 45
 Cross examination by Mr. Archer-----45 to 57
 Cross examination by Miss Chock-----58 to 68
 Cross examination by Mr. Tagupa-----68 to 82
 Examination by Commissioner Rubin-----82 to 84
 Examination by Commissioner Whittemore-----84 to 85
 Examination by Commissioner Tacbian-----85 to 86

COUNTY OF MAUI

John Min - Planner, Maui Planning Department

Direct examination by Mr. Archer-----89 to 106
 The Commission was in recess from 12:30 to 1:30 p.m.

1:30 p.m.

John Min (cont.)

Cross examination by Mr. Funaki-----107 to 110
 Cross examination by Miss Chock-----110 to 116
 Cross examination by Mr. Tagupa-----116 to 142
 Examination by Commissioner Tacbian-----142 to 143

Chairman Choy announced that the Commission will now act on petitioner's motion to reconsider the Commission's decision to permit Mr. Vanderbilt to appear as a public witness.

Commissioner Tacbian moved that petitioner's motion to reconsider the Commission's decision to admit Mr. Vanderbilt as a public witness be denied. It was seconded by Commissioner Tamaye and unanimously carried.

Public Witness

The following witness was duly sworn in, testified and was examined as follows:

Degray Vanderbilt - President of Pacific Bay Corporation

Oral testimony-----147 to 164

Cross examination by Mr. Funaki-----164 to 166

Cross examination by Mr. Archer-----166 to 167

Cross examination by Mr. Tagupa-----167

Examination by Commissioner Whittemore-----167 to 168

Examination by Commissioner Chun-----168 to 169

Chairman Choy announced that the hearing will be continued and all parties will be notified of the date, time and place.

The hearing was recessed at 3:10 p.m.