

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room 322 (C)
New State Building
Honolulu, Hawaii

Approved
JUL 18 1978

April 13, 1978 - 10:00 a.m.

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

COMMISSIONERS ABSENT: Edward Yanai
Colette Machado

STAFF PRESENT: Gordan Furutani, Executive Officer
Daniel Yasui, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

Benjamin Matsubara, Consultant

SP78-293 - MR. & MRS. BENJAMIN ARANIO
SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A CARE HOME AT
OMAO, KOLOA, KAUAI

Mr. Daniel Yasui, staff planner, pointed out the location of the subject parcel on the maps and oriented it with various surrounding landmarks. A resume of the staff report, including the conditions imposed by the Kauai Planning Commission, was also presented.

Concern was expressed regarding the conflicting comments from the County Water Department which stated that existing water storage and sources were adequate; yet recommended that the applicant be informed of the sub-standard fire flow condition in this area. However, it was noted that the Fire Department did state that the existing minor discrepancies will be corrected prior to issuance of an occupancy permit. It was also brought out that the building had already been built within the time limitation imposed by the loan, and the building had fulfilled all the safety and health requirements.

Commissioner Nakagawa moved that the Special Permit be approved, subject to the conditions imposed by the Kauai County Planning Commission. The motion was seconded by Commissioner Oura and unanimously carried.

SP78-294 - REV. LINDSAY HOWAN/DORIS TODD MEMORIAL SCHOOL
SPECIAL PERMIT TO ALLOW THE EXPANSION OF THE EXISTING SCHOOL
AT PAIA, MAUI

Mr. Yasui gave a brief description of the property and the proposed use being requested by the petitioner.

Chairman Duke suggested adding a condition that the Special Permit will be automatically revoked upon termination of the lease agreement.

Commissioner Nakagawa moved to approve the Special Permit, subject to the conditions imposed by the Maui County Planning Commission and the additional condition imposed by the Land Use Commission. Commissioner Miyasato seconded the motion and it was unanimously passed.

SP78-295 - POWERS APIARIES, INC.
SPECIAL PERMIT TO ALLOW THE OPERATION OF A HONEY STORAGE AND
PROCESSING FACILITY AT KAHAULOA IKI, SOUTH KONA, HAWAII

The Executive Officer pointed out the location of the subject property on the maps and reviewed the pertinent facts contained in the staff report.

In response to questions posed by the Commissioners, Mr. Allen Luce, representing the petitioner, offered information regarding the effect the proposed Coffee Mill Floodwater diversion may have on the subject property; the present ingress and egress into the property. He also reported on the relatively harmless nature of the bees, the propagation process and the general habits of the bees.

Commissioner Oura moved to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission, which was seconded by Commissioner Whitesell.

Chairman Duke felt that the County's condition No. 1 stating that "construction of the proposed structures shall commence within one year of the effective date of approval of Special Permit" be modified inasmuch as some of the structures have already been completed.

Commissioner Whitesell suggested that since no one really objected to the proposed use, perhaps this could be handled by requesting that, in the future, the County's conditions more accurately reflect the actual situation.

The Chairman called on the Executive Officer to poll the Commissioners and the motion was unanimously carried.

SP78-296 - CHRISTIAN BROADCASTING ASSOCIATION
SPECIAL PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A
RADIO TRANSMISSION FACILITY AT KALUAKOI, MOLOKAI

Mr. Yasui apprised the Commission of the pertinent data relative to the proposed use.

Mr. H. W. Wong, President of the Christian Broadcasting Association, responded to questions raised by the Commissioners regarding the need for the 30 acres for the proposed facility; the underground wiring; the height of the towers, etc.

Commissioner Carras felt strongly that a condition should be added to ensure that the balance of the area not needed for the construction of the radio transmission facility will remain in agriculture. He was concerned that the area could conceivably turn into an industrial park.

It was pointed out that the County's condition No. 1 stating "that the Special Permit be valid for a radio transmission facility and related improvements only" would automatically preclude any other use.

The Commission discussed the advisability of amending the County's condition No. 1 to clarify the time period. Mr. Kawada, Deputy Attorney General, suggested that it be amended as follows: "That the Special Permit be valid for construction and operation for a radio transmission facility and related improvements only, and be granted for a period of three (3) years commencing upon approval of the Special Permit by the Land Use Commission; and subject to extension upon favorable review by the Planning Commission and State Land Use Commission."

Commissioner Carras moved that the Special Permit be approved, subject to the conditions imposed by the Maui Planning Commission, and as amended by the Land Use Commission. Commissioner Oura seconded the motion and it was inanimously carried.

The Commission recessed at 12:04 p.m. and reconvened at 1:30 p.m.

1:30 p.m.

ADOPTION OF MINUTES

Upon motion by Commissioner Nakagawa, seconded by Commissioner Miyasato, the minutes of December 2, 1977, December 9, 1977, and January 9, 1978 were approved as circulated.

EXECUTIVE SESSION

It was unanimously agreed to go into executive session, upon motion by Commissioner Whitesell, seconded by Commissioner Machado, for the purpose of receiving a status report on the court appeals and other related matters from Mr. Benjamin Matsubara, consultant.

The Commission was in executive session from 1:42 p.m. to 2:42 p.m.

2:42 p.m.

MEETING SCHEDULE

Mr. Furutani and the Commissioners discussed future meeting dates.

POSTPONEMENT OF ELECTION OF OFFICERS

Commissioner Pascua moved that the election of the new officers for the Commission be deferred until the Commission's May 11, 1978 meeting, which was seconded by Commissioner Machado and unanimously carried by voice vote.

The meeting was adjourned at 3:10 p.m.