

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Mauna Kea Conference Room  
Kona Surf  
Keauhou, Kona, Hawaii

Approved  
AUG 12 1980

April 29, 1980 - 10:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman  
Shinichi Nakagawa, Vice Chairman  
Richard Choy  
Shinsei Miyasato  
George Pascua  
Mitsuo Oura (11:45 a.m.)  
Carol Whitesell

COMMISSIONERS ABSENT: Edward Yanai  
William Yuen

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

Benjamin Matsubara, Hearing Officer

Ray Russell, Court Reporter

ACTION

A79-464 - COUNTY OF KAUAI

In the matter of the boundary amendment petition by the County of Kauai, Docket A79-464, a hearing was conducted by Hearing Officer Benjamin Matsubara on February 21, 1980. Based on the findings as reported by the Department of Agriculture and the Department of Planning & Economic Development; evidence adduced at the hearing; it was recommended by the Hearing Officer that an amendment to the district boundary under subject petition was reasonable, non violative of Section 205-2 of the Hawaii Revised Statutes, and consistent with the Interim Statewide Land Use Guidance Policy.

Mr. Matsubara responded to questions concerning cesspool contamination of the wells on the neighboring property, water availability, development timetable, etc.

Commissioner Pascua moved to reclassify approximately 7.155 acres of land presently in the Agricultural District into the Urban District at Kapaa Homesteads, Kawaihau, Kauai

for a residential subdivision. The motion was seconded by Vice Chairman Nakagawa and carried by the following votes:

Ayes: Commissioners Whitesell, Miyasato, Nakagawa,  
Pascua, Choy, Chairman Duke

HEARING

A79-470 - THE TRUSTEES OF THE LILIUOKALANI TRUST

Pursuant to a notice published in the Honolulu Advertiser and the Hawaii Tribune Herald on March 26, 1980, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by The Trustees of the Liliuokalani Trust to amend the land use district boundaries for approximately 175 acres of land presently in the Agricultural District into the Urban District at Keahuolu, Kailua-Kona, North Kona, Hawaii for industrial and commercial uses; Docket A79-470.

For the record, it was noted by Chairman Duke that Commissioner Oura had joined the Commission at 11:45 a.m.

Conflict of Interest

Chairman Duke announced that Commissioner Yuen had disqualified himself from participating in these proceedings due to a conflict of interest.

Appearances

Michael Marsh and Judge Norito Kawakami - Representing  
the Petitioner

Ben Tsukazaki - Deputy Corporation Counsel, representing  
the Hawaii Planning Department

Sidney Fuke - Planning Director, Hawaii Planning Dept.

Annette Chock - Deputy Attorney General, representing the  
Department of Planning & Economic Development

Exhibits

Petitioner's Exhibits A through G were admitted into evidence.

County's Exhibits 1 through 5 were admitted into evidence.

The hearing was in recess from 12:05 to 1:30 p.m.

1:30 p.m.

Public Witnesses

Upon timely application, the following were admitted as public witnesses, duly sworn in, testified and were examined as set forth in the transcript on the pages noted.

Pages

Henslee F. Towill - Resident of Kona

Oral Testimony-----42 to 44

Cross examination by Miss Chock-----45

Marilyn Yangsan - West Hawaii Family Support Council

Oral Testimony-----47 to 50

Cross examination by Mr. Tsukazaki-----50 to 51

Examination by Vice Chairman Nakagawa-----52

George Hendrickson - Lanihau Corporation

Oral Testimony-----52 to 55

Cross examination by Mr. Marsh-----55 to 58

Cross examination by Mr. Tsukazaki-----58 to 59

Cross examination by Miss Chock-----59 to 63

Examination by Commissioner Whitesell-----63 to 64

Recross examination by Mr. Marsh-----65 to 66

Examination by Vice Chairman Nakagawa-----66 to 67

PETITIONER

Charles Nakoa - Executive Director, Queen Liliuokalani Children's Center

Direct examination by Mr. Marsh-----68 to 71

Cross examination by Miss Chock-----72 to 73

Redirect examination by Mr. Marsh-----74

Examination by Commissioner Oura-----74 to 76

Clorinda Lucas - Trustee of the Liliuokalani Trust

Summary of written testimony-----76 to 78

Examination by Commissioner Whitesell-----79 to 80

Earl Gould - Trustee of the Liliuokalani Trust

Direct examination by Mr. Marsh-----80 to 85

Cross examination by Mr. Fuke-----85 to 87

Cross examination by Miss Chock-----87 to 90

Redirect examination by Mr. Marsh-----90 to 91

Examination by Commissioner Whitesell-----91 to 93

Examination by Vice Chairman Nakagawa-----93 to 94

Reexamination by Commissioner Whitesell-----94 to 95

Paul Rosendahl - Archaeologist

Direct examination by Mr. Marsh-----97 to 102

Cross examination by Miss Chock-----102 to 105

Examination by Commissioner Whitesell-----106

Paul Eveloff - Vice President of Hastings, Martin, Hallstrom  
& Chew

Direct examination by Mr. Marsh-----107 to 116

Cross examination by Mr. Fuke-----116 to 125

Cross examination by Miss Chock-----125 to 239

Chairman Duke announced that the hearing will be recessed until 8:30 tomorrow morning.

The hearing adjourned at 5:21 p.m.