

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

DPED Conference Room
Kamamalu Building
Honolulu, Hawaii

May 11, 1977 - 9:00 a.m.

Approved
Sept. 8, 1977

COMMISSIONERS PRESENT: Stanley Sakahashi, Chairman Pro Tem
Charles Duke
James Carras
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
Edward Yanai

Eddie Tangen (non participating)

COMMISSIONER ABSENT: Colette Machado

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

Ray Russell, Court Reporter

ACTION

A76-422 - CLINTON I. SHIRAIISHI, ET AL

Vice Chairman Sakahashi presided during today's proceedings inasmuch as Chairman Tangen did not participate in the hearing.

In the matter of the boundary amendment petition by Clinton I. Shiraishi, et al, Docket A76-422, In which a hearing was held on February 3, 1977, the Commission discussed the following documents which had been previously distributed to the Commission members, prior to taking action on the petition:

1. Petitioner's Proposed Findings of Fact and Conclusions of Law
2. Kauai Planning Department's Response to the Petitioner's Findings of Fact and Conclusions of Law
3. DPED's response to Proposed Findings of Fact and Conclusions of Law of Petitioner and County of Kauai

In reviewing the foregoing documents, the discussion focused on the following significant factors:

1. Consideration of alternative uses of the land by the petitioner.
2. Soil classification of subject lands.
3. Agricultural potential, workability, management and economic feasibility of the property and surrounding lands.
4. Any significant adverse effect on agriculture by the proposed reclassification.
5. Hazardous road situation with the addition of more people in the area.
6. The rising cost of public utilities and services for the proposed subdivision.

The meeting was in recess from 12:05 p.m. to 1:35 p.m.

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The discussion continued and revolved around the need and demand for more one-half acre residential lots in the area and the selling price of these lots; availability and cost of domestic water. It was also brought out that the record was replete with existing conflicts and tensions between the neighboring farmers and the landowner over the significant adverse impact the proposed development will have on the existing agricultural activities.

It was Commissioner Whitesell's position that the evidence presented had not shown that the requested reclassification was reasonable and necessary to accommodate growth and development, and that the question of adverse impact on agriculture was arguable.

Commissioner Yanai felt that reclassification of the subject property would be a natural extension of the Rural District, and it had been shown that there was a need for half-acre lots.

Commissioner Yanai moved to approve Petition A76-422, which was seconded by Commissioner Miyasato, and the Commissioners were polled as follows:

Ayes: Commissioners Carras, Yanai, Oura, Miyasato, Duke,
Chairman Sakahashi

Nay: Commissioner Whitesell

The motion to approve the petition was carried.

Following a discussion of the proposed conclusions submitted by the petitioner and the responses thereto by the parties, the Commission adopted the final Conclusions of Law relative to this petition.

The meeting adjourned at 4:18 p.m.