

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Kahului Library  
Kahului, Maui

May 12, 1977 - 9:30 a.m.

*Approved  
Sept. 8, 1977*

COMMISSIONERS PRESENT: Eddie Tangen, Chairman  
Stanley Sakahashi, Vice Chairman  
James Carras  
Charles Duke  
Colette Machado  
Shinsei Miyasato  
Carol Whitesell  
Edward Yanai

COMMISSIONER ABSENT: Mitsuo Oura

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

The Chairman swore in all those planning to testify during today's proceedings.

ACTION

SP77-261 - BOISE CASCADE HOME & LAND CORP.

Application for a Special Permit to establish a wastewater reclamation plant at Anaeho'omalua, South Kohala, Hawaii

Mr. Furutani pointed out the subject property on the map and read the conditions which had been imposed by the Hawaii County Planning Commission on the subject Special Permit. It was noted that the acreage of 7.09 on page 3 of the staff report should be corrected to read 7.9 acres.

Upon motion my Commissioner Carras, seconded by Commissioner Duke, the Special Permit was unanimously approved, subject to the conditions imposed by the Hawaii Planning Commission.

HEARING

A77-429 - MAKAWAO, INC.

Pursuant to a notice published in the Maui News and the Honolulu Advertiser on April 11, 1977, and notices sent to all

parties, a hearing was called by the Land Use Commission in the matter of the petition by Makawao, Inc. to amend the land use district boundaries for approximately 241.53 acres presently in the Agricultural District into the Rural District at Makawao, Maui, for a rural subdivision, Docket A77-429.

APPEARANCES

Kazuhisa Abe) Attorneys representing the petitioner  
Arnold Abe )

Roy Yempuku, Deputy Corporation Counsel, representing Maui  
Planning Department

Gilbert Lee, Deputy Attorney General, representing Department  
of Planning & Economic Development

All of those persons who appeared as public witnesses or who were called as witnesses by the parties were duly sworn in, testified and were examined as set forth in the transcript on the pages noted.

PUBLIC WITNESSES

John Bose - Haiku Resident and Designated Spokesman for Maui  
Sierra Club

Read from prepared testimony----- 7 to 11  
Cross examination by Mr. Abe----- 11 to 16  
Cross examination by Mr. Yempuku----- 16 to 18  
Examination by Commissioner Duke----- 18

Douglas Ige - Ige Poultry Farm, Inc.

Oral testimony----- 19 to 22  
Cross examination by Mr. Abe----- 22 to 31  
Cross examination by Mr. Lee----- 31 to 38  
Examination by Commissioner Whitesell----- 38  
Cross examination by Mr. Yempuku----- 39 to 40  
Examination by Commissioners and Mr. Marsh----- 41 to 43

PETITIONER

Since there were no objections from the parties, petitioner's Motion to Amend Petition, dated May 10, 1977, was approved.

Exhibits

Petitioner's Exhibits 1, 2, 3-A through 3-O, 4, 5, 6, 7 and 8 were admitted into evidence.

Daniel Matsukage - President of Real Estate Finance Corporation

Direct examination by K. Abe----- 44 to 48

Cross examination by Mr. Lee----- 48 to 51

Warren Unemori - Consulting Engineer

Direct examination by Mr. K. Abe----- 51 to 58

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

Cross examination by Mr. Lee----- 59 to 60

Examination by Commissioner Whitesell----- 60 to 61

Redirect examination by Mr. Abe----- 61 to 62

Reexamination by Commissioner Whitesell----- 62 to 63

Examination by Mr. Marsh----- 63 to 64

Howard Nakamura - Civil Engineer

Direct examination by Mr.K. Abe----- 65 to 72

Examination by Commissioner Whitesell----- 73 to 76

Examination by Vice Chairman Sakahashi----- 76 to 77

Peter T. Kimura - Real Estate Broker

Direct examination by Mr. K. Abe----- 78 to 79

Examination by Commissioner Machado----- 79 to 80

Examination by Vice Chairman Sakahashi----- 81

Since there were no objections from any of the parties, the petitioner's petition and Exhibit B were amended as follows:

1. Paragraph 11 on page 3 of the petition - Strike out the balance of the sentence beginning with the word "however,"

2. On page 5 of Exhibit B attached to the petition, strike our the 4th paragraph beginning with the words "In this respect" and the balance of the paragraphs on that page, and the first 2 paragraphs on page 6.

MAUI PLANNING DEPARTMENT

Exhibits

County's Exhibits 1, 2, 3 were admitted into evidence.

Tosh Ishikawa - Planning Director, Maui Planning Department

Direct examination by Mr. Yempuku----- 85

Tatsumi Imada - Department of Water Supply, Maui

Direct examination by Mr. Yempuku----- 85 to 87

Examination by Chairman Tangen----- 87 to 88

Redirect examination by Mr. Yempuku----- 88 to 89

Cross examination by Mr. Lee----- 89

Examination by Vice Chairman Sakahashi----- 90

Examination by Commissioner Whitesell----- 90 to 93

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Mr. Lee requested to move into the record the written statement of Mr. Hideto Kono, Director of DPED.

Tatsuo Fujimoto - Head of Land Use Division

Direct examination by Mr. Lee----- 95

Examination by Commissioner Whitesell----- 95 to 96

CLOSING STATEMENTS

In his closing statement, Mr. K. Abe submitted that the reclassification of subject lands to the Rural designation meets the State's general concept of planning, and that the lands were ideally situated for Rural use.

Mr. Yempuku spoke in support of the petition on the basis that it conforms <sup>to</sup> the applicable plans as set forth in its specifications by Maui County, and that there is a significant need for additional rural lands.

Mr. Lee stated that DPED also supported the petition. It was his recommendation that either restrictive covenants be placed

in the deed or a buffer strip be established along the boundaries with the existing poultry operation.

Chairman Tangen apprised the petitioner and the parties of the deadline for submitting the proposed findings of fact, etc., and responses thereto.

The hearing adjourned at 12:40 p.m.