

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

June 1, 1973 - 10:00 a.m.

Conference Room, State Building
75 Aupuni Street
Hilo, Hawaii

COMMISSIONERS PRESENT: Goro Inaba, Chairman
Eddie Tangen, Vice Chairman
Leslie Wung
Sunao Kido
Alexander Napier
Stanley Sakahashi
Tanji Yamamura

Approved
AUG 30 1973

COMMISSIONER ABSENT: Shelley M. Mark

STAFF PRESENT: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Benjamin Matsubara, Deputy Attorney General
Loretta Ishii, Stenographer

ADOPTION OF MINUTES:

The minutes of the September 20, 1972 and the October 20, 1972 meetings were approved as circulated.

Chairman Inaba swore in persons wishing to testify at today's meeting.

HEARING

PETITION BY LAWRENCE AND AGNES DENIS (A73-360) TO RECLASSIFY 1.17 ACRES FROM AGRICULTURAL TO URBAN AT KAUMANA, SOUTH HILO, HAWAII

The Executive Officer, Mr. Tatsuo Fujimoto, presented the staff report and designated the area in question by the use of maps. (See copy of report on file).

The petitioner, Mr. Lawrence Denis, stated that he had no other comments to add to the staff report.

Thereafter, Chairman Inaba closed the hearing on the subject petition and advised that additional testimony will be accepted 15 days from today and that the petitioner will be notified of the action within 45 to 90 days.

PETITION BY RICHARD V. TOLEDO (A73-361) TO RECLASSIFY 23.06 ACRES FROM AGRICULTURAL TO URBAN AT NINOLE, NORTH HILO, HAWAII

Mr. Ah Sung Leong, staff planner, presented the staff report and oriented the Commission to the petitioned area with the aid of district maps and a subdivision map. (See copy of report on file).

Commissioner Kido questioned whether this petition took into consideration the present design of the water system which can accommodate only the lower half of the property. Mr. Leong replied that the petition was apparently initiated prior to the knowledge of the water situation. He advised that this matter was brought up at the second meeting of the Hawaii County Planning Commission and that perhaps the County's planner, Mr. Glenn Miyao can later elaborate.

In answer to Chairman Inaba's question, it was brought out that the plantation is the owner of a private water system which presently services the area.

Mr. Toledo, the petitioner, testified that the statement that the water pressure will serve only the bottom half of the property was untrue. Presently, he is working with the Water Department and they can certify that everything will be served now as a result of the realignment of the water line.

Commissioner Yamamura questioned who presently farms the sugar cane. Mr. Toledo responded that he does and that it now costs about \$42 to harvest a ton of sugar.

Commissioner Sakahashi inquired whether or not the proposed subdivision would involve a house and lot package deal. Mr. Toledo stated that at present, he is attempting to do so and that buyers could get a better price on homes if it were so. He stated that his surveyor, Mr. Imata, estimated 3 months ago, that the development cost for the road, pipe line and electricity would be approximately \$285,610.

Ms. Dorothy Hirowatari, representing the North Hilo Community Council, commented with regard to subdivision prices and standards that the Pepeekeo subdivision is an example of a development having overhead utilities, roads without curbs, gutters, etc. She noted that the gulches in Mr. Toledo's property help to alleviate the drainage problem.

Mr. Toledo indicated on a map just where the water line will be installed, and stated that he negotiated with the County to route the water line as he indicated. He noted that this new alignment would serve more people and would be more economical, provided he pay for the survey team and the County does the installation of the main water line. He added that he would give up the required easement for the installation of the County water line.

Commissioner Yamamura questioned whether some of the lots would be dedicated for low cost housing. Mr. Toledo responded that local people would have first preference; that the lots in the proposed subdivision would be average income bracket homes; and that the cost is higher because of the various restrictions set forth by the County. He testified that the plantation is not selling any lots to other than plantation workers and that his proposed subdivision is the only housing plan now to provide homes for school teachers, police officers, etc. from Hilo to Laupahoehoe.

Ms. Dorothy Hirowatari noted that the subject land abuts 2 small gulches on either section of the acreage and informed that the surveyor estimates that 10 out of the 63 proposed lots must be removed. In referring to the housing shortage, Ms. Hirowatari stated that the residents in the nearby Ninole plantation camp were approached to sell their acre and a half lots, but they were reluctant.

Commissioner Sakahashi raised a question as to the population of Ninole and if people in that area make their livelihood there. Mr. Toledo remarked that in this rural area with a population of 250, some work in Hilo with a side business of raising sugar cane and some are exclusively engaged in raising ginger.

Mr. Philip Yoshimura, representing the North Hilo Community Council, testified in favor of the proposed subdivision. He stated that the subject property meets the requirements of the County General Plan designation. When asked whether the proposed subdivision would affect existing school facilities, Mr. Yoshimura stated that it would add more students but would not be overcrowding the school. He noted that the present enrollment is 460.

Commissioner Sakahashi questioned the petitioner if the purpose of this petition was to try to salvage a dying community. He observed that providing adequate housing would not be the answer if there were no jobs available in that vicinity. Mr. Yoshimura replied that they are trying to encourage urban development.

In view of the above discussion, Ms. Hirowatari interrupted by elaborating on the housing shortage in the North Hilo area and how, if housing were available, would save a lot of people inconvenience in commuting to work. She cited that in some families, husbands are plantation workers and their wives work in Hilo; it is a 20 minute drive to Hilo from Ninole.

On inquiry by Commissioner Yamamura on the present value of an acre of agricultural land, Ms. Hirowatari stated that cane land varies from \$2,500 per acre in relatively isolated areas to between \$5,000 to \$6,000 per acre near the highway. Mr. Toledo added that the value per acre depends much on location.

With no further testimony, Chairman Inaba closed the subject hearing and stated that additional testimony will be accepted within 15 days from this date.

ACTION

PETITION BY THE LAND USE COMMISSION (KEAHUOLU) (A72-351) TO RECLASSIFY 62 ACRES FROM URBAN TO AGRICULTURAL AT KEAHUOLU, NORTH KONA, HAWAII

The staff memorandum, recommending approval based on the staff's findings, was presented by the Executive Officer, Mr. Tatsuo Fujimoto. (See copy of memo on file).

Commissioner Sakahashi moved to approve this request, which was seconded by Commissioner Yamamura and carried.

PETITION BY MABEL M. DAVIS (A72-353) TO RECLASSIFY 1.53 ACRES FROM AGRICULTURAL TO URBAN AT PUUKAPU HOMESTEADS, SOUTH KOHALA, HAWAII

The staff planner presented the staff's memorandum recommending approval of the above request. (Staff memo on file).

Commissioner Napier moved to approve the petition based on the staff's recommendation. It was seconded by Commissioner Sakahashi and unanimously carried.

PETITION BY W. H. SHIPMAN, LTD. (A73-357) TO RECLASSIFY 14,172 SQUARE FEET FROM AGRICULTURAL TO URBAN AT KEAAU, PUNA, HAWAII

The staff's findings and recommendation for approval of this petition were presented by the staff planner. (Copy of memo on file).

It was moved by Commissioner Wung and seconded by Commissioner Sakahashi to approve the request as recommended by the staff. The motion was unanimously carried.

APPLICATION BY CARL MATSUMOTO (SP73-152) FOR A SPECIAL PERMIT TO ALLOW THE ESTABLISHMENT OF A COMMERCIAL FACILITY WITHIN THE AGRICULTURAL DISTRICT AT KALAOA, NORTH KONA, HAWAII

The staff memorandum recommending approval of this special permit application as conditioned by the Hawaii County Planning Commission was presented by staff planner, Mr. Ah Sung Leong. (See memo on file).

The petitioner's attorney, Mr. Herbert Kushi, when asked if there was additional testimony, stated that the staff's report included everything he had to say.

A motion to approve the petition as conditioned by the Hawaii County Planning Commission was made by Commissioner Napier and seconded by Commissioner Yamamura. The motion was unanimously carried.

PETITION BY DORSEY W. EDWARDS (A72-354) TO RECLASSIFY 1.6 ACRES FROM AGRICULTURAL TO URBAN AT KAPAA HOMESTEADS, KAPAA, KAUAI

The memorandum recommending approval of this request based on the staff's findings, was presented by the Executive Officer. (See copy on file).

A motion to approve this request as recommended by staff was made by Commissioner Yamamura and seconded by Commissioner Sakahashi. The motion was then unanimously carried.

MISCELLANEOUS

Tentative Schedule - The Executive Officer advised that the next meeting of the Land Use Commission will be held on August 3, 1973 in Honolulu.

Salt Lake Editorial

Commissioner Sakahashi inquired as to the outcome of the situation regarding the erroneous Salt Lake editorial which was published in the May 17, 1973 issue of the Honolulu Star-Bulletin. The Executive Officer advised that a letter was sent to the editor of the Star-Bulletin calling attention to the serious error, and the letter appeared in the May 24, 1973 issue of the Star-Bulletin.

Hawaii Laborers' Housing Corporation

A letter was sent to Mr. Mendonca on May 21, 1973 relating the basis upon which petition A71-311 submitted by the Hawaii Laborers' Housing Corporation was approved and of Mr. Raymond Aki's representations before the Land Use Commission. However, there has been no response to date.

A 5-minute recess was called by Chairman Inaba.

Hawaiiloa Ridge

The Land Use Commission received a letter dated May 15, 1973 from Mr. Edward Kemper, attorney for the Hawaiiloa Ridge Association, stating their desire to amend the district boundary of Hawaiiloa Ridge.

On December 6, 1972, Mr. Loftus, of Save Hawaiiloa Ridge Association, submitted a petition in behalf of the Hawaiiloa Ridge residents. Before formally accepting this petition, the Land Use Commission requested clarification from the Attorney General's office on whether or not Section 205-4 is applicable to the subject petition since the petitioners were not the owners or lessees of the property in question.

A letter was written to Mr. Loftus on February 6, 1973, enclosing a copy of the Attorney General's letter of advice stating that the petition is not in conformance with Section 205-4. The application was also returned. Despite this prior action, the Association has again submitted a petition to the Land Use Commission.

Vice Chairman Tangen then initiated a motion saying: "In view of the conflicting interpretations regarding the question of who has standing to petition the Commission for boundary amendment, that the Commission consider this particular problem at our next scheduled meeting and at that time issue a declaratory ruling which we are empowered to do under our Rules and Regulations and resolve this question once and for all".

The motion was seconded by Commissioner Yamamura and the Commissioners were polled as follows:

Ayes: Vice Chairman Tangen, Commissioners Wung, Kido, Sakahashi, Yamamura and Chairman Inaba

Nay: None

Abstained: Commissioner Napier

Absent: Commissioner Mark

The motion was thereby carried.

With no further business to be discussed, the meeting was adjourned.