

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

DPED Conference Room  
Kamamalu Building  
Honolulu, Hawaii

June 2, 1976 - 10:00 a.m.

*Approved*  
*July 30, 1976*

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

COMMISSIONER ABSENT: James Carras

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer  
Michael Marsh, Deputy Attorney General  
Dora Horikawa, Clerk Reporter  
  
Ray Russell, Court Reporter

ADDITION TO THE AGENDA

It was moved by Vice Chairman Sakahashi, seconded by Commissioner Duke, and unanimously carried to add the extension request by Robert Aitken, SP74-179, to today's agenda. The Commissioners were polled as follows:

Ayes: Commissioners Duke, Whitesell, Oura, Machado, Miyasato,  
Sakahashi, Yanai, Chairman Tangen

Absent: Commissioner Carras

ACTION

SP76-239 - HUALALAI MEMORIAL PARK, INC.  
APPLICATION FOR A SPECIAL PERMIT TO ALLOW A CEMETERY AND MEMORIAL  
PARK IN THE AGRICULTURAL DISTRICT AT NORTH KONA, HAWAII

The staff memo was summarized by Mr. Leong.

Commissioner Whitesell wondered what the cost would be for the plots that petitioners were willing to make available to indigents. Mr. Clifford Lum, Corporation Counsel for the County of Hawaii, advised that the State Department of Social Services pays the county \$35 for a plot in the Alae Cemetery. However, the county was requesting an increase in the plot price of \$35 since this does not even pay for the maintenance cost.

Mr. Michael Marsh, Deputy Attorney General, added that there was no set formula and prices for the public plots varied from county to county and that this was privately negotiated.

Commissioner Oura moved to approve the Special Permit, subject to the conditions imposed by the Hawaii County Planning Commission. The motion was seconded by Vice Chairman Sakahashi. Since there were no objections, the motion was amended, as suggested by Commissioner Whitesell, by adding: "the petitioner will provide the State, during the next 10 years, the necessary plots for the burial of indigents at the same price the State pays for burials in the City and County of Honolulu; further, that indigent burials will be treated no differently from any other citizen."

Commissioner Duke felt a clarification regarding the need for the cemetery was in order, inasmuch as the Commission had denied an earlier request by the same petitioner on the basis that the need for burial plots was being fulfilled under a Special Permit issued to Sim Wenner. However, since this was not the case, Commissioner Duke felt it would be proper now to approve subject Special Permit to provide some service to the people of Kona.

Although Mr. Raymond Suefuji, Hawaii Planning Director, was not prepared to provide a progress report of the Sim Wenner Special Permit at this meeting, he acknowledged that there was a need for the services being proposed by Hualalai Memorial Park.

Chairman Tangen directed staff to communicate with the Hawaii Planning Department for a status report on the Sim Wenner Special Permit.

The motion to approve the Special Permit was carried as follows:

Ayes: Commissioners Whitesell, Yanai, Duke, Oura, Miyasato, Sakahashi, Machado, Chairman Tangen

Absent: Commissioner Carras

CONTINUATION OF HEARING

A75-407 - HAWAII CORPORATION  
PETITION TO RECLASSIFY APPROXIMATELY 179.1 ACRES FROM AGRICULTURAL  
TO URBAN AT LUALUALEI, OAHU

Chairman Tangen announced that the next matter on the agenda is <sup>a</sup>/continuation of the hearing on Docket A75-407 which was held on March 5, 1976. Since then, he noted that the following documents had been received:

1. Petition for Intervention in Docket A75-407 filed on May 17, 1976 by Peter K. Apo, Chairman of the Waianae Coast Neighborhood Board No. 24
2. Objection to Petition for Intervention filed on May 18, 1976 by Donald K. Iwai, petitioner's attorney
3. Appearance of Counsel and Amendment to Petition for Intervention submitted by Mr. Apo, filed by Karen M. Radius, attorney representing the Waianae Coast Neighborhood Board
4. Stipulation for Continuance of hearing filed on May 28, 1976 and signed by the attorneys representing the DPED, Department of General Planning, Alan Tyler and The Hawaii Corporation stipulating that the hearing scheduled for today "may be continued to a date in August, 1976, as the Land Use Commission may determine".

Chairman Tangen referred the matter of the Petition for Intervention by the Waianae Coast Neighborhood Board No. 24, to Mr. Michael Marsh, Deputy Attorney General, to resolve the question of whether the Neighborhood Board is an agency of the County. He also recommended that the City and County communicate with Mr. Marsh on this issue.

Commissioner Whitesell felt that it was within the Commission's prerogative to admit the Neighborhood Board as a party under one of the other categories listed in the Commission's Rules and Regulations, and to waive the time requirement.

The hearing on A75-407 was continued pursuant to the Stipulation for Continuance filed on May 28, 1976. (See document on file)

## ACTION

S76-240 - DEPARTMENT OF HAWAIIAN HOME LANDS  
APPLICATION FOR A SPECIAL PERMIT TO ALLOW THE CONTINUATION OF A  
CINDER QUARRY OPERATION IN THE AGRICULTURAL DISTRICT AT KAPAAKEA,  
MOLOKAI

Mr. Leong summarized the staff memo and pointed to the area under discussion on the map.

Chairman Tangen suggested that County's condition #4 be amended to read "further extensions to be granted upon favorable review by the Planning Commission and the Land Use Commission."

Commissioner Duke moved to approve the application, subject to the conditions as recommended by the Molokai Advisory Committee and as amended by the Maui County Planning Commission, and subject further to the stipulation that under condition #4, any additional extension also be subject to favorable review by the Land Use Commission. The motion was seconded by Commissioner Whitesell and unanimously carried.

SP74-179 - ROBERT AITKEN  
EXTENSION REQUEST

It was moved by Commissioner Duke and seconded by Commissioner Miyasato that the extension request by Robert Aitken, SP74-179, for a five (5) year period beginning July 18, 1976, to use an existing structure situated in the Agricultural District at Kaupakalua, Makawao, Maui, for a Zen Buddhist training center, be approved, subject to the conditions imposed by the Maui Planning Commission. The motion was unanimously carried.

## ADOPTION OF MINUTES

Upon motion by Vice Chairman Sakahashi, seconded by Commissioner Duke, the minutes of April 14, 1976 were approved as circulated.

## MEETING SCHEDULE

It was announced by Mr. Leong the next meetings of the Commission will be held on August 5, 1976 on Maui, and August 19 in Kona, Hawaii. Upon questioning by Commissioner Machado, Mr. Leong indicated that the continuation of the hearing on A75-407, The Hawaii Corporation, will be determined later.

Since there was no further business, the meeting was adjourned.