

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms A & B
State Office Building
3060 Eiwa Street
Lihue, Kauai

June 8, 1977 - 9:30 a.m.

*Approved
October 13, 1977*

HEARING OFFICER: Benjamin Matsubara
COMMISSIONER PRESENT: Stanley Sakahashi, Vice Chairman
STAFF PRESENT: Gordan Furutani, Executive Officer
Cassie Uyekubo, Court Reporter

HEARING

A77-428 - MICHAEL & CHARLENE DYER

Pursuant to a notice published in the Honolulu Advertiser and the Garden Island on April 13, 1977, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the petition by Michael & Charlene Dyer to amend the land use district boundaries for approximately 1.74 acres presently in the Agricultural District into the Urban District at Kilauea, Kauai, Docket A77-428. The proceedings were chaired by Mr. Benjamin Matsubara, Hearing Officer designated by the Commission to conduct the hearing.

All persons testifying today were duly sworn in by the Hearing Officer, appeared as witnesses and were examined as set forth in the transcript on the pages noted.

Mr. Furutani, Executive Officer, located the parcel under petition on the map and described the various uses surrounding the property.

APPEARANCES

Michael Dyer, Petitioner, appearing on his own behalf

Michael Belles, Kauai County Attorney's Office, representing the Kauai Planning Department

Tatsuo Fujimoto, Head, Land Use Division, representing the Department of Planning and Economic Development

PETITIONER

Exhibit

Petitioner's Exhibit 1 was admitted into evidence.

Michael Dyer - Petitioner

Oral testimony----- 4 to 7
Cross examination by Mr. Belles----- 7 to 21
Cross examination by Mr. Fujimoto-----21 to 26
Examination by Mr. Matsubara-----26 to 27
Recross examination by Mr. Belles-----27 to 29

Peter Taylor - Engineer

Direct examination by Mr. Dyer-----30 to 33
Cross examination by Mr. Belles-----33 to 36
Cross examination by Mr. Fujimoto-----36 to 41
Redirect examination by Mr. Dyer-----41 to 42
Recross examination by Mr. Belles-----42 to 43
Examination by Vice Chairman Sakahashi-----43 to 46
Recross examination by Mr. Belles-----46

KAUAI PLANNING DEPARTMENT

Exhibits

County's written testimony and attached exhibits were identified as County's Exhibit 1 and admitted into evidence.

Curtiss Ako - Staff Planner

Direct examination by Mr. Belles----- 48 to 52
Cross examination by Mr. Fujimoto----- 52 to 53
Cross examination by Mr. Dyer----- 53 to 65
Examination by Vice Chairman Sakahashi----- 66 to 71
Redirect examination by Mr. Belles----- 71 to 73

Curtiss Ako (cont.)

Recross examination by Mr. Dyer----- 73 to 75
Examination by Mr. Matsubara----- 75 to 77
Reexamination by Vice Chairman Sakahashi----- 77 to 78

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Exhibit

DPED's written testimony and attached exhibits were identified as DPED's Exhibit 1 and admitted into evidence.

Paul Schwind - Planner, Land Use Division

Direct examination by Mr. Fujimoto----- 79 to 81

At the conclusion of the hearing, the Hearing Officer advised all parties of the deadline for responding to the proposed decision which he will prepare and serve on all parties.

The hearing adjourned at 12:00 noon.