

LAND USE COMMISSION

PUBLIC HEARING

Maui Board of Supervisors Chambers

Wailuku, Maui

June 26, 1962

Commissioners

Present:

Edward C. Bryan
Stanley C. Friel
Wayne Gregg
Edward Kanemoto
Franklin Y. K. Sunn
Roger T. Williams

Absent:

Yuichi Ige

Ex-Officio Members

Present:

Frank Lombardi

Absent:

E. H. Cook

Staff

Present:

R. J. Darnell, Executive Officer
Yoshio Shigezawa, Legal Counsel
Alberta Kai

Chairman Bryan called the hearing to order at 8:00 p.m. in the County of Maui Board of Supervisors' Chambers, Wailuku, Maui.

A short opening prayer by Chairman Bryan followed.

Chairman Bryan announced that the purpose of this public hearing was to hear two applications for Special Permit: that of Mikio Nakayama and that of Edward S. T. Ching.

Mikio Nakayama's request for a Special Permit to subdivide his property into parcels less than 5 acre in size was cancelled due to a recent opinion by the Attorney General, to the effect that lot size regulation is the specific province of the Counties, and that the five-acre requirement is consequently not in effect. Therefore, the item is automatically withdrawn and a Notice appeared in the June 27 Maui News, already released, cancelling the hearing on this item.

APPLICATION OF EDWARD S. T. CHING FOR SPECIAL PERMIT TO CONSTRUCT A DRIVE-IN, SERVICE STATION AND ACCESSORY USES ON CERTAIN PROPERTY NEAR PUKALANI, MAUI: Described as TMK 2-3-31-1, 2 & 3.

Chairman Bryan read the legal notice of the hearing; and noted for the record

that the applicant was present and would represent himself at the hearing.

Upon request of the Chairman, the XO described the location of the applicant's property.

Mr. Ching was sworn in and gave a brief resume of reasons for his application, stating that he had a party (Mr. Schmidt) who desired to get into the drive-in business and after looking over various sections on Maui found Pukalani a good location for a drive-in.

There was no witness or interested person present to speak for or against Mr. Ching's request for a Special Permit.

There was no correspondence on record from either the Maui County Board of Supervisors or Planning Commission, giving their recommendations on this matter. Chairman Bryan asked if there were any County officials in the audience who wish to make any comments on Mr. Ching's request.

Mr. Robert Ohata, Planning Director for Maui County was sworn in.

Mr. Ohata stated that the Maui Planning Commission at its meeting earlier in the day voted to recommend approval of the Special Permit request of Mr. Edward S. T. Ching for construction of a service station, drive-in food service and other accessory uses at Pukalani.

The XO presented the staff report, which was made part of the record, and which recommended that the Commission approve the application subject to certain conditions.

Chairman Bryan informed Mr. Ching that the Commission might need to hold another hearing on his case because there were no comments received from the Board of Supervisors. In answer to Mr. Ching's question as to whether he should then fill out another application, Chairman Bryan suggested that he await the outcome of Commission action.

Mr. Sunn made a motion to defer Mr. Ching's petition for further deliberation; and action to be taken on or before July 24, 1962, at which time Mr. Ching would be notified by letter of the Commission's action. The motion was seconded by Commissioner Friel and carried unanimously.

There was no further discussion; and Chairman Bryan declared the public hearing closed at 8:30 p.m.