

LAND USE COMMISSION

Minutes of Meeting

Kailua School

Kailua-Kona, Hawaii

June 27, 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 (XO)
Yoshio Shigezawa, Legal Counsel
Alberta Kai

Chairman Bryan called the meeting of the Land Use Commission to order at 10:00 p.m. at Kailua School in Kailua-Kona, Hawaii. The Chairman stated that there were several items before the Commission; it has been suggested that these might be considered immediately, in order to avoid delay which might prove to be of hardship to applicants or of detriment to the Commission. The two applicants referred to are Mr. Ching's application for Special Permit on Maui and Mr. Hay's application for Special Permit on Hawaii.

In the case of Mr. Ching it was brought out that the Commission did not have an official communication either to or from the Board of Supervisors of Maui County and the XO was ordered to communicate with the Maui Board and the Hawaii Board in connection with Mr. Ching's two applications so that the Commission might act on these applications at their next meeting in July.

Chairman Bryan stated that in the case of Mr. Hay's application for Special Permit at Pohoiki, Puna, Hawaii, it was his understanding that the Commission has heard from both the Board of Supervisors and the County Planning and Traffic Commission. He asked the Commission if there were any reason why this matter could not be disposed of immediately.

Commissioner Sunn stated that, inasmuch as it is the Commission's understanding that the Board of Supervisors and the Planning and Traffic Commission are in accord with the details of the Special Permit application; and inasmuch as the request is in conformance with the State General Plan, he would move that

Mr. Hay's application be approved in accordance with the staff's recommendation.

Commissioner Gregg stated that he was uncertain as to the exact acreage and parcels that were included in the request; and he believed that this question should be cleared up. The Chairman and XO stated that Mr. Hay had clarified at the Hilo hearing that his request was intended to include the total property shown on his map which includes the Bishop Estate lease, the houselot and the remaining contiguous property owned by Mr. Hay.

Commissioner Kanemoto reproached the staff for inefficiency in checking the accuracy of acreage against the description of the property.

Chairman Bryan reiterated that the description and the acreage should be carefully listed to be sure there are no mistakes.

Commissioner Lombardi suggested that the staff attach to the staff report on any item a pictorial indication of the property involved, for purposes of the Commission's use; and XO stated that he will see that this is done where feasible.

Commissioner Lombardi seconded Commissioner Sunn's motion; and the motion passed unanimously.

Mr. Shigezawa asked if the same conditions applied to Mr. Jacksons' application as to those just approved for the Hay application.

Chairman Bryan stated that they are not exactly the same, but there was a slight variation due to the difference in the situations. The XO stated that they were identical with the exception there is a note added on to the Jacksons' approval, to the effect that the application was to be granted with the applicant's understanding that there was no public commitment to provide facilities for a number of years.

Chairman Bryan added that the same note was not added to Mr. Hay's approval because the situation is different in that Mr. Hay has access to public road, water, etc.

The XO added that the Hay property has been designated a tourist destination area, whereas the Jackson land has not.

There followed a lengthy discussion between Commission members, Mr. Shigezawa, the XO and the County officials present concerning the conditions recommended by the staff as these pertained to County standards, zoning ordinances, and other regulations; and Mr. Shigezawa's concern as to whether conditions are equitable or whether they will become a source of controversy between the County and the applicant.

Chairman Bryan asked Mr. Shigezawa to draw up a statement he feels will solve his worry in this matter. He requested that Mr. Shigezawa meet with the Commission's staff and also check the County ordinances to see whether the conditions apply logically to all counties. The next time the Commission meets this matter can be considered again.

Chairman Bryan asked the XO for other items of business needing action in order to clear the books on fiscal year 1961-1962.

The XO stated there was a request from the Department of Planning and Research to pay for some telephone calls.

Commissioner Lombardi stated that a telephone bill has been rendered to the Land Use Commission in the amount of \$275.73. Telephone charges are set for the whole Department of Planning and Research; and the Budget Department puts a limit on the amount of telephone expenses by the month. The Department of Planning and Research has been covering the Land Use Commission in its overall telephone budget and this is the amount the Commission should pay for its part of the Departmental telephone bill. April service charge was \$36.00 and May service charge was \$22.73; excess toll charges \$217.00; a total of \$275.73.

Commissioner Kanemoto recommended that the bill be paid at this time and hereafter it be itemized so the Commission be responsible for its own bill.

Commissioner Lombardi agreed.

Chairman Bryan stated that the request is granted to pay the bill administratively.

Commissioner Lombardi stated that the other matter for the Commission's consideration was the question of a vehicle for the Commission's use. He suggested that the Commission buy one before the fiscal year is up because the budget for next year will not allow such an expenditure. He proceeded to describe the process by which a vehicle could be obtained.

After considerable discussion between members of the Commission and the XO, it was brought out that the Commission's staff can "make do" without a vehicle assigned to it, but there is a need for additional pool car which can be used by the Commission staff and members of Mr. Lombardi's Department of Planning and Research. He agreed that the request came from the Planning and Research because the Land Use Commission staff use of the Department of Planning and Research's car is burdensome, due to almost full time use of the existing vehicle by the Planning Department and their willingness to let the Land Use Commission staff use it.

The Commission agreed that, although it was possible that a car is justified, a request should be made to the next Legislature to provide specifically for such a vehicle in the Commission's next budget appropriation.

Chairman Bryan asked XO if there were anything else to be taken up at this time.

XO replied there were a number of applications that he wanted Commission members to know about and begin considering for possible hearings. Following were listed:

Oahu

Waianae Associates, received June 20, 1962, for rezoning from Agriculture to Urban.

Kauai

Mr. and Mrs. William Hayashi, received June 18, 1962, for rezoning from Agriculture to Urban.

Mr. and Mrs. Patrick Cockatt, received June 5, 1962, for Special Permit.

Maui

East Maui Irrigation Company, received June 15, 1962, for rezoning from Conservation to Agriculture.

Mr. Juichi Kurasaki, received June 20, 1962, for Special Permit.

After deliberation by Commission members a tentative schedule was set for a public hearing on Maui the night of August 2 with a stayover for the Convention on Maui starting August 3; and a meeting on July 24 on Oahu to start at 1:00 p.m., with probably a public hearing that night; and a continuation of the meeting the next morning.

Chairman Bryan asked staff to query every County Board of Supervisors and Planning Commissions for their comments and recommendations on every case pending before the Commission, if statements have not been received from them; and henceforth, request from County Board of Supervisors and County Planning Commissions their recommendations and comments on petitions applying for Special Permit or Temporary Boundary Change.

Mr. Shigezawa suggested that staff not use form letters when writing to County Boards of Supervisors and Planning Commissions for their comments and recommendations.

Chairman Bryan ordered Mr. Darnell to schedule and make arrangements for Commissioners hearing, August 2, 1962, on Maui.

Meeting adjourned at 12:30 a.m.

Respectfully submitted,

FRANKLIN Y. K. SUNN
Secretary Pro Tempore

LAND USE COMMISSION

Minutes of Meeting

Naalehu, Hawaii

June 28, 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

Meeting called to order by Chairman Bryan at 12:00 P.M.

Discussion on Mr. Ching's application for Special Permit in Pahoa, Hawaii (received 6/21/62); and Attorney General's ruling on minimum lot sizes as stated in Commission's Interim Regulation 2.1(b).

Motion by Commissioner Sunn and seconded by Mr. Lombardi to send Field Officer to make inspection in field trip re Mr. Ching's application for Special Permit in Pahoa, Hawaii.

Motion by Chairman Bryan to have Field Officer hold hearing in the case of Mr. Ching in Hilo, July 21 to July 24, and to report recommendations to Commission on July 24 meeting; and if Mr. Ching wants to be heard later he can notify Commission during next meeting on Hawaii; seconded by Commissioner Sunn, and carried unanimously.

XO was ordered by Chairman to give notice to applicants, County Planning Commissions, and County Boards of Supervisors (City Council in Honolulu included) concerned of Attorney General's ruling on minimum lot sizes and also notice to applicants whether they want to withdraw or not.

XO was further ordered to study with Mr. Shigezawa and draw up a rough outline of changes recommended to be made in Interim Regulations, for discussion on July 24 meeting; and to have this draft mailed to Commissioners before meeting.

Meeting adjourned at 1:00 P.M.

Respectfully submitted,

FRANKLIN Y. K. SUNN
Secretary Pro Tempore