

LAND USE COMMISSION

PUBLIC HEARING

Hawaii Board of Supervisors Chambers

Hilo, 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
Yoshio Shigezawa, Legal Counsel
Alberta Kai

Chairman Bryan called the Land Use Commission public hearing to order at 1:00 p.m. in the Chambers of the Hawaii County Board of Supervisors, Hilo, Hawaii.

Chairman Bryan said an opening prayer asking for help and guidance in the work of the Commission.

The Chairman announced that the purpose of the public hearing was to consider an application for Special Permit from Mr. Gilbert Hay of Puna, Hawaii.

APPLICATION OF GILBERT HAY FOR SPECIAL PERMIT TO DEVELOP, FOR RESORT PURPOSES, CERTAIN LANDS IN THE PUNA DISTRICT OF THE COUNTY OF HAWAII: Described as TMK 1-4-02-5,6,7 & 26.

Chairman Bryan read the legal notice of the hearing and ordered them made part of the record. The Chairman noted for the record that Mr. Hay was present and would represent himself in the hearing.

Chairman Bryan requested the XO to describe the location of the subject area.

XO was sworn in and used a map to describe the location of the applicant's land.

Mr. Hay was sworn in and was asked by Chairman Bryan to explain the reasons for requesting a Special Permit. Mr. Hay read his reasons verbatim from the letter

that accompanied his application.

Chairman Bryan then opened the hearing to the Commission. In answer to questions from the Commission, Mr. Hay stated that he had owned the subject property for 16 or 17 years, that he had lived in Puna 11 years, and that the land, to his knowledge, had never been used for agriculture excepting a small plot of vanda orchids that he had raised. He further stated that there was sufficient water for development, both through brackish water wells and catchment systems. Mr. Hay stated that he had never appeared formally before either the Board of Supervisors or Planning and Traffic Commission of Hawaii County; but had talked informally of his development to several members of the two groups.

Mr. Hay then read into the record a communication from the Hawaii County Board of Supervisors, signed by Chairman Cook, addressed to the Land Use Commission which recommended approval of Mr. Hay's application.

The XO read a letter from the Hawaii County Planning and Traffic Commission, recommending approval of the application.

The XO read the staff report, which recommended approval of the application subject to certain conditions.

The Chairman asked Mr. Kasamoto if the conditions contained in the staff report would usurp the County's power in this case. Mr. Kasamoto replied that without the conditions outlined in the staff report, the County would be without controls due to the lack of a County zoning ordinance.

Chairman Bryan then asked Mr. Hay if the conditions would work a hardship on him. Mr. Hay replied in the negative.

Commissioner Sunn asked Mr. Kasamoto if the conditions in the staff report were in line with the County's thinking on the matter. Mr. Kasamoto replied in the affirmative.

The XO stated that the staff had a question as to the exact acreage of the application, since the tax map key referred to came to a larger total than 40.3 acres.

Mr. Hay filed an amendment to his application and asked that the acreage be changed from 40.3 acres to 51.255 acres, this change being the result of a survey completed on his property June 26, 1962. Chairman Bryan stated that the petition would be amended.

Commissioner Sunn made a motion to take the matter under advisement, seconded by Commissioner Gregg. Motion was carried unanimously.

Chairman Bryan informed Mr. Hay that he would be advised of the status of his application following the July 24, 1962 meeting of the Land Use Commission.

Chairman Bryan declared the public hearing closed.