

STATE OF HAWAII
LAND USE COMMISSION

Approved
9/10/82

Minutes of Meeting

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

July 15, 1982 - 9:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Richard Choy, Vice Chairman
Larry Chun
Shinsei Miyasato
Teofilo Tacbian
Robert Tamaye
Winona Rubin
Frederick Whittemore

COMMISSIONER ABSENT: Everett Cuskaden

STAFF PRESENT: Gordan Furutani, Executive Officer
Joseph Chu, Planner
Carolee Aoki, Deputy Attorney General
Dora Horikawa, Chief Clerk

Phyllis Kushiner, Court Reporter

HEARING

A82-530 - AMFAC PROPERTY DEVELOPMENT CORP.

Pursuant to a notice published in the Garden Island and the Honolulu Advertiser on June 2, 1982, a hearing was called by the Land Use Commission in the matter of the petition by Amfac Property Development Corp. to reclassify approximately 78 acres of land from the Agricultural District into the Urban District at Lihue, Kauai for a light industrial park and resort development, Docket A82-530.

Appearances

Clinton I. Shiraishi - Attorney, representing petitioner

Max Graham - County Attorney's Office, representing the
Kauai Planning Department

Annette Chock - Deputy Attorney General, representing the
Department of Planning and Economic
Development

Mr. Joseph Chu, staff planner, pointed out the subject parcel on the USGS quad and tax maps.

Exhibits

Petitioner's exhibits 1, 2 and 3 were identified and moved into evidence. With respect to exhibits 4, 4A, 4B, 5, 5A and 5B, the Chair advised that, should the Commission accept these exhibits into evidence, the usual requirement for original and 15 copies will be waived due to the size of exhibits and the expense of reproducing them. However, petitioner will provide a single copy of these exhibits, upon the request of the Executive Officer.

County's exhibit 1 was admitted into evidence.

DPED's exhibits 1 through 5 were admitted into evidence.

Requests for Intervention and Appearance as Public Witnesses

It was noted that Ms. E. Stone who had filed a motion for intervention and to dismiss the application was not present today. Commissioner Tacbian moved, seconded by Vice Chairman Choy, to deny the request by Ms. Stone and it was unanimously approved.

It was moved by Commissioner Tacbian and seconded by Vice Chairman Choy to permit Patrick Nagao and Robert Rask to testify as public witnesses.

Public Witnesses

Patrick Nagao - Local 745, Kauai Division, Hawaii Building Council

Oral testimony-----18 to 19

Examination by Chairman Yuen-----19 to 20

Examination by Vice Chairman Choy-----20 to 21

Robert Rask

Oral testimony-----21 to 29

Examination by Commissioner Tacbian-----29 to 31

Examination by Commissioner Whittemore-----31 to 32

Examination by Chairman Yuen-----32

PETITIONER

Fred Kwock - President of Amfac Development Corp.

Direct examination by Mr. Shiraishi-----32 to 36
Cross examination by Mr. Graham-----35 to 45
Cross examination by Miss Chock-----45 to 52
Redirect examination by Mr. Shiraishi-----53
Examination by Commissioner Tacbian-----54 to 55
Examination by Commissioner Rubin-----56 to 57
Examination by Commissioner Chun-----57 to 58
Examination by Chairman Yuen-----58 to 63

The USGS quadrangle and tax maps were identified as Land Use Commission exhibits 1 and 2 respectively and moved into evidence.

Mr. James Bell's resume was marked as petitioner's exhibit 8 and admitted into evidence.

James R. Bell - President, Belt Collins & Associates

Direct examination by Mr. Shiraishi-----64 to 79
Cross examination by Mr. Graham-----79 to 81
Cross examination by Miss Chock-----83 to 89
Examination by Commissioner Rubin-----89 to 92
Examination by Commissioner Chun-----92 to 94
Examination by Commissioner Tacbian-----94 to 95
Examination by Chairman Yuen-----95 to 98

During the examination of Mr. Bell, petitioner's exhibits 4, 4A, 4B, 5, 5A, 5B and 5C were identified and moved into evidence.

The Commission was in recess from 12:09 p.m. to 1:20 p.m.

1:20 p.m.

Mr. Edward H. Iida's resume was identified as petitioner's exhibit 9 and moved into evidence.

Edward H. Iida - Civil Engineer, Belt Collins & Associates

Direct examination by Mr. Shiraishi-----101 to 105

Cross examination by Mr. Graham-----105 to 109

Cross examination by Miss Chock-----110 to 113

Examination by Commissioner Chun-----114 to 115

Mark N. Hastert - City Planner, Helber, Hastert, Van Horn
and Kimura

Voire Dire examination by Miss Chock-----116 to 118

Mr. Hastert's resume was marked as petitioner's exhibit 10 and admitted into evidence.

Direct examination by Mr. Shiraishi-----119 to 136

Cross examination by Mr. Graham-----136 to 144

Cross examination by Miss Chock-----145 to 153

Chairman Yuen announced that, as indicated earlier, the Commission will continue with the hearing on subject docket at approximately 4:30 p.m. today, until a date in September to be set by the Commission. He directed that at the time of the continued hearing petitioner call to witness the experts on the waste water disposal and sanitary engineering who assisted Mr. Hastert in the preparation of his report. Following the testimony of these experts and submission of exhibit 13, the Chair will then rule on the admissibility of petitioner's exhibits 6, 12 and 13.

Bay Yee - Economist and President of Environment Capital
Managers, Inc.

Mr. Yee's resume was marked as petitioner's exhibit 11 and admitted into evidence.

Direct examination by Mr. Shiraishi-----156 to 159

Cross examination by Mr. Graham-----159 to 168

Cross examination by Miss Chock-----168 to 178

Examination by Commissioner Whittemore-----178 to 179

Bay Yee (cont.)

Examination by Chairman Yuen-----180 to 186

Chairman Yuen reiterated that the only exhibits by the petitioner on which he was reserving admission were exhibits 6, 12 and 13.

It was announced that the hearing will be continued until some time in September, to be determined by the Commission.

The meeting was adjourned at 4:50 p.m.