

LAND USE COMMISSION

Minutes of Meeting

Hearing Room

Honolulu, Hawaii

July 24, 1962

Commissioners

Present:

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

Absent:

Stanley C. Friel
Yuichi Ige

Ex-Officio Members

Present:

E. H. Cook

Absent:

F. Lombardi

Staff

Present:

R. J. Darnell, Executive Officer (XO)
W. M. Mullahey, Field Officer
Philip T. Chun, Department of Planning and Research
Alberta L. Kai

The meeting was called to order by Chairman Bryan at 2:00 p.m. in the Land Use Commission Hearing Room, 426 Queen Street, Honolulu, Hawaii.

APPROVAL OF MINUTES

Following queries and corrections were made:

1. Chairman Bryan raised a question regarding the motion made by the Chairman during the meeting held in Naalehu, Hawaii on June 28, 1962. XO clarified this stating that the Legal Counsel stated it is proper for the Chairman to make a motion if there is no rule or regulation prohibiting him from doing so.
2. Commissioner Sunn corrected the following sentences:
 - a. Page 1, Paragraph 5 of the public hearing on Gilbert Hay in Hilo, Hawaii, June 27, 1962. "Chairman Bryan read the legal notice of the hearing and ordered 'it' (instead of 'them') made part of the record."

XO clarified that the word "notice" in the sentence should have been plural (notices) which would make "them" correct. Commissioner Sunn agreed to this.

- b. Page 9, 3rd Paragraph from bottom of page of meeting held at Kailua School on June 27, 1962. "The Commission agreed that, 'if justified' (instead of '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."

3. Commissioner Sunn queried the following:

- a. Page 2, 5th Paragraph from the bottom of page of public hearing on Gilbert Hay in Hilo, Hawaii, June 27, 1962. Commissioner Sunn questioned the statement made by XO re: question raised on exact acreage of Gilbert Hay's application. He (Sunn) stated that he thought Commissioner Gregg and he had made that statement.

XO clarified this stating that Commissioners Sunn and Gregg made such statements, too; but knew definitely that he had.

- b. Page 2, Paragraph 5 of meeting held at Kailua School, Kona, on June 27, 1962. Commissioner Sunn questioned the word "feasible" used in the sentence which read: "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 Sunn felt that he thought XO was to do this all the time.

XO stated that where it would be possible to do this, he would do so. He felt that in some cases there may be a map that is so large, it would be impossible to make a duplicate.

The minutes were approved as circulated with the above noted corrections.

COMMUNICATIONS

Communications received up to the time of meeting for Commission's information and follow-up actions were read and presented by XO. The following communications were noted for action:

1. Letter received by Colonel J. Albert Roesch.

XO explained that, also, Representative Fernandes was in Land Use Commission office requesting information.

Chairman requested XO to reply to Col. Roesch, giving the standard procedures and to indicate there may be a group or full neighborhood involved. Commissioner Sunn suggested that XO inform Col. Roesch also that he falls under a non-conforming use at present.

2. A notice from the Honolulu City Council informing the Land Use Commission of a master plan hearing covering the mauka portion of the Ahupuaas of Waipio, Waikele and Hoaeae at Ewa, Oahu, Hawaii, on July 31, 1962 at 3:00 p.m. and requesting a statement or presence of XO.

Chairman Bryan requested XO to make a draft reply in general form for Chairman's signature and suggested any Commission members available on July 31 make an effort to attend the hearing for observation purposes only.

3. Letter from Robert Ohata re: Commissioners' and Directors' Conference on Maui.

XO informed Commission members if they have not received the program, he would try to get copies for them.

4. Letter received from Mr. Frederick Nunns suggesting the use of the University of Hawaii's Extension Service of the Hawaii Farm Bureau to carry out an educational program to the public on Act 187.

XO pointed out that each Department is responsible for disseminating to the public all information relating to that Department; but suggested that possibly the Land Use Commission, together with the Department of Planning and Research, and the University of Hawaii and other agencies, can set up a program for informing the public regarding Act 187.

Chairman Bryan suggested that the XO discuss this program with Mr. Lombardi first, and then maybe take it up on Maui again.

5. Letter received from Robert Ohata regarding legal opinion on use and lot sizes within an Agricultural district was deferred for further action until the Commission hears from Mr. Shigezawa.
6. Chairman presented his letters written to the Senators and queried the Commission members whether this sort of letter should be written also to the members of the House of Representatives.

The Commissioners were all in agreement that the House members should receive similar letters.

ITEMS IN PROCESS

1. Application SP(T) 62-3 of Edward S. T. Ching for Special Permit to build and operate a food drive-in, service station, and accessory uses near Pukalani, Maui.

The XO read a letter received from Maui Planning and Traffic Commission recommending approval.

He also reported a communication by telephone, received on July 23, 1962 from Eddie Tam, Chairman, recommending approval.

After discussion indicated no disapproval on the matter, Commissioner Sunn moved approval of the application according to staff recommendation; seconded by Commissioner Kanemoto; and carried unanimously.

2. Application SP(T) 62-15 of Edward S. T. Ching for Special Permit to build and operate a food drive-in, service station, and accessory uses, Puukapu Homesteads, near Waimea (South Kohala), Hawaii.

The XO read a communication received from the Hawaii Planning and Traffic Commission, stating that granting of a business use in this district should not be made until the master plan of Waimea is further along or completed.

The XO read a communication received from the Hawaii County Board of Supervisors stating that the matter has been referred to the Public Works Committee. A telephone call by staff to Chairman Cook on July 23, 1962 indicated that the matter was still on record.

Chairman Bryan suggested that the Commission defer action on this application until word is received from the Board of Supervisors.

3. Applications of Gilbert Hay, SP(T) 62-7, and J. M. Jackson, SP(T) 62-2, for Special Permits to designate land for resort development; and to continue construction of resort hotel, respectively.

Chairman Bryan stated that inasmuch as these applications have been approved, the Commission should let it stand.

XO suggested that since the original actions were taken prior to the fifteen-day waiting period, the Commission should reapprove these two actions, for the purpose of keeping the record straight.

Commissioner Sunn moved approval of both applications (Hay and Jackson) according to the staff's recommendation, for record purposes; seconded by Commissioner Williams and carried unanimously.

Chairman Bryan suggested that the Commission take up action regarding approval of Special Permit application with Mr. Shigezawa tomorrow, involving the 15 days' waiting period which Commission must adhere to before making a decision.

All communications reported in Items 1-3 above were made part of the record.

INSPECTION TRIP

The XO presented an outline regarding inspections to be made on July 25, 1962, and stated that a meeting was to follow at Ewa.

The XO asked whether the Commission would like to have petitioners accompany the Commission on inspection trips.

Chairman Bryan suggested there might be a government official besides a staff member present.

XO suggested inviting Jay Landis of the Waianae District Council on the Waianae inspections. The Chairman suggested Mr. Uehara also be informed and to let them know the Commission will be making a trip to Waianae.

Commissioner Sunn suggested that the Commission be briefed a little on the item in Hauula before they leave. The XO described the property, pointed out the location on the map, and explained the request of M. Kido et al.

The meeting was adjourned at 3:30 p.m.

Respectfully submitted,

FRANKLIN Y. K. SUNN
Secretary Pro-Tempore