

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Resolution Room
Kona Hilton Hotel
Kailua, Kona, Hawaii

Approved
12/13/83

September 8, 1983 - 10:00 a.m.

COMMISSIONERS PRESENT: William Yuen, Chairman
Lawrence Chun
Shinsei Miyasato
Teofilo Tacbian
Winona Rubin
Robert Tamaye
Frederick Whittemore

COMMISSIONERS ABSENT: Richard Choy, Vice Chairman
Everett Cuskaden

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

Judith Mock, Court Reporter

HEARING

A83-549 - GAMLON CORPORATION

Pursuant to a notice published in the Hawaii Tribune Herald and the Honolulu Advertiser on August 3, 1983, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of a petition by Gamlon Corporation, A83-549, to reclassify approximately 173.66 acres presently in the Agricultural District into the Urban District at Holualoa 1st, and 2nd, North Kona, Hawaii.

Appearances

Karl Kobayashi, Attorney representing the petitioner

Sidney Fuke, Planning Director, representing the Hawaii
Planning Department

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

Intervention Request

It was noted for the record that Ms. Elizabeth Ann Stone who had requested permission to intervene was not present in the audience today.

It was moved by Commissioner Tacbian, seconded by Commissioner Rubin to deny Ms. Stone's intervention request. The motion was unanimously carried by voice vote.

Requests to Appear as Public Witnesses

It was moved by Commissioner Tacbian, seconded by Commissioner Chun, and unanimously agreed to permit Mr. James Sogi to testify as a public witness.

Upon motion by Commissioner Chun, seconded by Commissioner Rubin, it was agreed to allow public testimony from Mrs. Maile Akim Seu.

Exhibits

Petitioner's exhibits 1 through 18 were identified and admitted into evidence.

County's exhibits A through H were moved into evidence.

DPED's written testimony was moved into evidence.

All of the persons who appeared today, having been duly sworn in, testified and were examined as set forth in the transcript

Public Witnesses

James Sogi, representing Roy and Patricia Nagle, property owners

Oral testimony-----15 to 16

Cross examination by Mr. Kobayashi-----17

Cross examination by Miss Chock-----17 to 18

Maile Akim Seu

Oral testimony-----19 to 22

Cross examination by Mr. Kobayashi-----22 to 23

Cross examination by Miss Chock-----23 to 24

Examination by Commissioner Rubin-----24 to 25

Examination by Commissioner Chun-----25

PETITIONER

Carl Willis - President, Gamlon Corporation

Direct examination by Mr. Kobayashi-----26 to 32
 Cross examination by Mr. Fuke-----33 to 34
 Cross examination by Miss Chock-----34 to 35
 Examination by Commissioner Chun-----35 to 37
 Examination by Commissioner Rubin-----37
 Examination by Commissioner Whittemore-----37 to 38
 Examination by Chairman Yuen-----38 to 40

Greg Kashiwa - Partner in KNI Hawaii, development agent for petitioner

Direct examination by Mr. Kobayashi-----41 to 85
 Cross examination by Mr. Fuke-----85 to 88
 Cross examination by Miss Chock-----88 to 98
 Examination by Commissioner Rubin-----98 to 104
 Examination by Commissioner Tacbian-----104 to 105
 Examination by Chairman Yuen-----106 to 119

Gerald Park - Urban Planner

Direct examination by Mr. Kobayashi-----119 to 124
 Cross examination by Chairman Yuen-----124 to 130

Mr. Kobayashi clarified for the Commission a question which had been raised by Commissioner Chun earlier during examination of Mr. Willis respecting petitioner's consolidated financial statement.

Gordon Imata - Civil and Structural Engineer

Direct examination by Mr. Kobayashi-----133 to 135
 Cross examination by Mr. Fuke-----135 to 136
 Examination by Miss Chock-----136 to 137
 Examination by Chairman Yuen-----137 to 138

Dr. Hallett Hammatt - Archaeologist

Direct examination by Mr. Kobayashi-----138 to 140
Examination by Commissioner Rubin-----141 to 145
Examination by Commissioner Tacbian-----145 to 146
Examination by Chairman Yuen-----146 to 149

COUNTY OF HAWAII

Keith Kato - Planner

Direct examination by Mr. Fuke-----150 to 162
Cross examination by Mr. Kobayashi-----162 to 164
Cross examination by Miss Chock-----170 to 171
Examination by Commissioner Chun-----170 to 171

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Abe Mitsuda - Planner

Direct examination by Miss Chock-----172 to 177
Cross examination by Mr. Kobayashi-----177 to 194
Cross examination by Mr. Fuke-----184 to 194

Petitioner's Rebuttal Witness

Greg Kashiwa (recalled)

Direct examination by Mr. Kobayashi-----194 to 200
Examination by Mr. Chun-----201 to 202

At the conclusion of the hearing, Chairman Yuen instructed the parties of post-hearing requirements for submitting findings of fact, conclusions of law, etc.

Adoption of Minutes

The minutes of May 18, 1983 and June 1, 1983 were approved.
The meeting was adjourned at 5:12 p.m.