

LAND USE COMMISSION

Minutes of Meeting

Board Chambers

Lihue, Kauai

November 20, 1962 - 12:00 Noon

Commissioners Edward C. Bryan  
Present: Stanley C. Friel  
Wayne D. Gregg  
Yuichi Ige  
Edward Kanemoto  
Franklin Y. K. Sunn  
Roger T. Williams

Ex-Officio Members E. H. Cook  
Absent: Frank Lombardi

Staff R. J. Darnell, Executive Officer (XO)  
Present: W. M. Mullahey, Field Officer (FO)

Chairman Bryan called the meeting to order.

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APPLICATION FOR SPECIAL PERMIT (SP(T) 62-16), BY LIHUE PLANTATION COMPANY, LIMITED, TO CREATE A ROADWAY LOT AND A RESIDENTIAL LOT FROM A PORTION OF A PARCEL OF LAND: Described as TMK 3-8-05: 3.

The FO gave a brief description of the property and request, and pointed out the location of the area on the map.

After distributing copies of the Field Officer's Report to the Commissioners, the FO read the report, which recommended that the Commission approve the application as submitted, as it is in accordance with the recommendation of the Kauai County Planning and Traffic Commission, and that the use applied for is an unusual, reasonable and proper use of the property in question.

Upon the request of the Commission the FO gave a summary of the correspondence received and presented at the Field Officer's Hearing.

Commissioner Sunn questioned whether there was any reason for Condition No. 2 as stated in the Field Officer's Report. The XO called upon Mr. Wong's assistance who informed that the No. 1 condition was sufficient enough.

Commissioner Gregg moved to approve the application according to the stipulation in the Field Officer's Report deleting the second condition. Commissioner Sunn

seconded the motion. The FO polled the Commissioners. Approved: Commissioners Kanemoto, Williams, Friel, Sunn, Ige, Gregg, and Chairman Bryan. Disapproved: None.

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#### COMMUNICATION

The XO presented a communication received from the County Clerk of Kauai, Mr. Burgess, dated November 20, 1962 (no copy in central files) informing: "At a special meeting of the Board of Supervisors of the County of Kauai held yesterday, Mr. Robert Hamamura of Anahola appeared before that body and informed us that the Hawaiian Canneries Company was closing the Moloaa Cannery in February 1963, thereby affecting approximately 10 families occupying homes in that camp; and that he had offered to purchase these homes and relocate them on his property at Anahola and Aliomanu as temporary rental units to provide housing for these families. The problem confronting Mr. Hamamura was that these parcels of land at Anahola and Aliomanu has been designated by the State Land Use Commission as Agricultural areas. As time is of the essence and the need for aid to these unfortunate families is imminent, the Board of Supervisors respectfully requests that your Commission act favorably on Mr. Hamamura's application for Special Permit to use his properties for the stated purposes stated above."

The XO informed the Commission that the staff has not received an application for Special Permit by Mr. Hamamura.

Chairman Bryan questioned whether this would be an emergency case. The XO replied that if this Commission rules the request as an emergency it would be so handled, and the following procedure would apply:

1. Upon receipt of the application for special permit, advertisement of the hearing would be made without following the regular advertisement procedure.
2. A Field Officer public hearing can be conducted.
3. Action can then be taken 15 days after the hearing.

Chairman Bryan questioned whether the situation would be considered an emergency as he felt the houses could be left as is when the company closes.

A Mr. Shinsato was present to represent Mr. Hamamura who informed the Commission that the emergency is very real. He stated that most of the facilities are provided by Hawaiian Canneries and the number of families affected come to a minimum and there is a tremendous amount of anxiety on the part of the families affected.

Chairman Bryan informed Mr. Shinsato that Mr. Hamamura file an application with this Commission and the Commission will then determine whether this request would be ruled an emergency.

No further discussion or comments the meeting was adjourned at 12:30 p.m.

Mr. David F. Wong commented on the LUC proposed changes in the interim regulations under (d) Non-conforming uses, last sentence in the paragraph, "A single-family dwelling and uses directly accessory to same may be constructed on any lot existing as a parcel of record, or on any lot in a subdivision having received preliminary approval by the county having jurisdiction, at the time this regulation was adopted; and such use shall be considered as a non-conforming use." Mr. Wong questioned whether an existing lot that has a single family residence now can be permitted to construct another single family dwelling because the language says that a single family dwelling may be constructed on any lot. Mr. Wong suggested that a word be inserted whereby it would read, "A single-family dwelling and uses directly accessory to same may be constructed on any yacant lot existing etc...".

Chairman Bryan thanked Mr. Wong for his comments and informed him that they will take this into advisement.

There were no further comments; and the Chairman made part of the record all documents, and testimonies heard during the hearing. The Public Hearing was closed at 12:00 noon.