STATE OF HAWAII  
LAND USE COMMISSION  

Minutes of Meeting  

Conference Room  
State Building  
54 High Street  
Wailuku, Maui  

November 23, 1981 - 9:00 a.m.  

COMMISSIONERS PRESENT: William Yuen, Chairman  
Carol Whitesell, Vice Chairman  
Everett Cuskaden  
Shinsei Miyasato  
Phil Tachian  
Robert Tamaye  

COMMISSIONERS ABSENT: Richard Choy  
Edward Yanai  

STAFF PRESENT: Gordan Furutani, Executive Officer  
Joseph Chu, Planner  
Jay Nelson, Deputy Attorney General  
Dora Horikawa, Chief Clerk  
Marie McManus, Court Reporter  

Upon motion by Vice Chairman Whitesell, seconded by Commissioner Miyasato, the agenda was revised to consider Item II, Hearing on petition by Pukalani Heights Associates as the first item.  

HEARING  
A81-514 - PUKALANI HEIGHTS ASSOCIATES  

Pursuant to a notice published in the Maui News and the Honolulu Advertiser on October 14, 1981 and notices sent to all parties, a hearing was called by the Land Use Commission to consider a petition by Pukalani Heights Associates to amend the land use district boundaries from the Agricultural District into the Urban District for 28.8 acres at Keahua, Kula, Makawao, Maui for a residential subdivision.  

Appearances  

Martin Luna, Attorney, representing the petitioner  

Guy Archer, Deputy Corporation Counsel, representing the Maui Planning Department  

Annette Chock, Deputy Attorney General, representing the Dept. of Planning & Economic Development
A description of the property under petition was presented by staff planner with the aid of the USGS quad and tax maps.

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

Public Witnesses

Douglas MacCluer - Pākalani Resident

Oral Testimony

Cross examination by Mr. Luna

Examination by Commissioner Cuskaden

Examination by Chairman Yuen

Recross examination by Mr. Luna

John Bose - Representing Maui Group, Hawaii Chapter of the Sierra Club

Oral Testimony

Cross examination by Mr. Luna

Examination by Commissioner Cuskaden

Mitsugi Yamamura - President of Maui Independent Pineapple Growers

Oral Testimony

Cross examination by Mr. Luna

Cross examination by Miss Chock

Examination by Commissioner Cuskaden

Examination by Commissioner Tamaye

Examination by Commissioner Tacbian

Examination by Vice Chairman Whitesell

Cross examination by Mr. Archer

Recross examination by Mr. Luna

Examination by Chairman Yuen
Exhibits

At various periods during the proceedings, the following exhibits were identified and moved into evidence:

Petitioner

Petitioner's Exhibits A through L-1/L-19, M through Z, Y-1, Z-1, Z-2, AA, BB, CC, DD, EE, FF, GG.

County of Maui

Exhibits 1, 1-A through 1-H.

DPED

Exhibits A through E.

LUC

Exhibit 1.

Mr. Douglas MacCluer, this time as a witness for the State, was allowed to testify out of turn to permit him to return to work.

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Douglas MacCluer

Direct examination by Miss Chock------------------40 to 41
Cross examination by Mr. Luna---------------------41 to 42
Cross examination by Mr. Archer------------------42 to 44
Redirect examination by Miss Chock-----------------44 to 45

PETITIONER

Calvin Nemoto - Resident of Pukalani

Oral Testimony-----------------------------------------46 to 48
Direct examination by Mr. Luna----------------------48 to 49
Cross examination by Mr. Archer---------------------49 to 51
Examination by Commissioner Cuskaden-----------------51 to 53
Calvin Nemoto (cont.)

Examination by Commissioner Tacbian--------------53 to 54
Examination by Vice Chairman Whitesell-------------54 to 56
Examination by Chairman Yuen----------------------56 to 57

Edwin Ichiri - Principal of Haiku School

Direct examination by Mr. Luna----------------------57 to 59
Cross examination by Miss Chock---------------------59 to 60
Examination by Commissioner Cuskaden---------------60 to 61
Examination by Commissioner Tamaye------------------61
Examination by Commissioner Tacbian-----------------61 to 63
Cross examination by Mr. Archer---------------------63 to 64

Raymond M. Pires - Owner of Pukalani property

Direct examination by Mr. Luna----------------------64 to 68
Cross examination by Miss Chock---------------------68
Examination by Chairman Yuen------------------------68 to 69

Robert T. Tanaka - Engineer

Direct examination by Mr. Luna----------------------70 to 88

The Commission was in recess from 12:00 noon to 1:15 p.m.

1:15 p.m.

Robert T. Tanaka (cont.)

Cross examination by Mr. Archer---------------------91 to 99
Cross examination by Miss Chock----------------------99 to 101
Redirect examination by Mr. Luna--------------------101 to 102
Examination by Commissioner Tacbian-----------------102 to 103
Examination by Chairman Yuen------------------------104 to 105
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Louis Cambra - Fireman and part-time rancher

Direct examination by Mr. Luna------------------------105 to 108
Cross examination by Miss Chock----------------------108 to 109
Examination by Commissioner Cuskaden----------------109 to 110
Examination by Vice Chairman Whitesell----------------110 to 112
Reexamination by Commissioner Cuskaden----------------112

Robert Fiddes - Former Field Superintendent with Libby, McNeill & Libby

Direct examination by Mr. Luna------------------------113 to 117
Cross examination by Mr. Archer------------------------117 to 119
Cross examination by Miss Chock-----------------------119 to 120
Redirect examination by Mr. Luna-----------------------120 to 121
Examination by Commissioner Tamaye--------------------121 to 122
Examination by Commissioner Cuskaden------------------122 to 123
Examination by Chairman Yuen--------------------------123 to 124

George Nakagawa - Pastor, Upcountry Christian Fellowship Church

Direct examination by Mr. Luna------------------------124 to 126
Cross examination by Mr. Archer------------------------126
Examination by Commissioner Cuskaden------------------126 to 127

Al Covic - Maui Manager of Hicks Construction Co.

Direct examination by Mr. Luna------------------------127 to 135
Cross examination by Mr. Archer------------------------135 to 139
Examination by Commissioner Cuskaden------------------139 to 142

Nathan Miyake - Consultant to Petitioner

Direct examination by Mr. Luna------------------------143 to 148
Cross examination by Mr. Archer------------------------148 to 150
Examination by Chairman Yuen--------------------------150 to 151
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Chris Green - Real Estate Salesman

Direct examination by Mr. Luna----------------------151 to 157
Cross examination by Mr. Archer---------------------157 to 158
Cross examination by Miss Chock---------------------158 to 159
Examination by Chairman Yuen------------------------159 to 161

David Takayesu - Realtor-associate, Valley Isle Realty

Direct examination by Mr. Luna----------------------161 to 175
Cross examination by Mr. Archer---------------------175 to 179
Cross examination by Miss Chock---------------------179 to 180
Redirect examination by Mr. Luna--------------------181
Examination by Commissioner Cuskaden----------------181 to 185
Examination by Vice Chairman Whitesell---------------185 to 186
Examination by Chairman Yuen------------------------186 to 189
Examination by Commissioner Tacbian-----------------189 to 190

The following State witness testified and was examined out of turn since he had to return to Honolulu:

DPED

Paul Schwind - Chief Planner, Department of Agriculture

Direct examination by Miss Chock---------------------191 to 192
Cross examination by Mr. Luna-----------------------192 to 193
Cross examination by Mr. Archer---------------------193 to 197
Redirect examination by Miss Chock-------------------197 to 198
Examination by Commissioner Cuskaden----------------198 to 199
Examination by Chairman Yuen------------------------199

The hearing was recessed at 4:45 p.m., to be reconvened at 8:45 a.m., November 24, 1981.