

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Conference Room  
State Building  
54 High Street  
Wailuku, Maui

Approved  
2/2/82

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

COMMISSIONERS PRESENT: William Yuen, Chairman  
Carol Whitesell, Vice Chairman  
Everett Cuskaden  
Shinsei Miyasato  
Phil Tacbian  
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 - Pukalani Resident

Oral Testimony----- 9  
Cross examination by Mr. Luna-----10 to 14  
Examination by Commissioner Cuskaden-----14 to 15  
Examination by Chairman Yuen-----15 to 16  
Recross examination by Mr. Luna-----16 to 17

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

Oral Testimony-----18 to 20  
Cross examination by Mr. Luna-----21 to 22  
Examination by Commissioner Cuskaden-----22 to 23

Mitsugi Yamamura - President of Maui Independent Pineapple  
Growers

Oral Testimony-----23 to 24  
Cross examination by Mr. Luna-----25  
Cross examination by Miss Chock-----25 to 28  
Examination by Commissioner Cuskaden-----29  
Examination by Commissioner Tamaye-----29  
Examination by Commissioner Tacbian-----29  
Examination by Vice Chairman Whitesell-----30 to 31  
Cross examination by Mr. Archer-----31 to 32  
Recross examination by Mr. Luna-----32 to 33  
Examination by Chairman Yuen-----33

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 Ichiriu - 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

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

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.