

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

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Approved
MAY 6 1981

December 2, 1980 - 9:00 a.m.

COMMISSIONERS PRESENT: Charles Duke, Chairman
Shinichi Nakagawa, Vice Chairman
Richard Choy
Shinsei Miyasato (9:50 a.m.)
Mitsuo Oura
Carol Whitesell

COMMISSIONERS ABSENT: George Pascua
Edward Yanai
William Yuen

STAFF PRESENT: Gordan Furutani, Executive Officer
Joseph Chu, Planner
Allan Kawada, Deputy Attorney General
Dora Horikawa, Chief Clerk

Jean McManus, Court Reporter

ACTION

SP80-348 - MALAMALAMA SCHOOL, INC.

Special Permit to allow the establishment of an educational facility at Keaau, Puna, Hawaii

Chairman Duke called on staff planner to orient the Commission to the location of the property. A resume of the staff memorandum was also presented.

It was moved by Commissioner Oura to approve SP80-348, subject to the eight conditions imposed by the Hawaii Planning Commission. It was seconded by Vice Chairman Nakagawa and the motion was carried as follows:

Ayes: Commissioners Nakagawa, Oura, Choy, Whitesell,
Chairman Duke

HEARING

A80-491 - PARADISE DEVELOPERS, INC.

Pursuant to a notice published in the Honolulu Advertiser and the Maui News on October 22, 1980, and notices sent to all

parties, a hearing was called by the Land Use Commission in the matter of a petition by Paradise Developers to amend the land use district boundaries for approximately 28 acres of land from the Rural District into the Urban District at Waiakoa, Wailuku, Maui for residential use, Docket A80-491.

Appearances

James Brock - Surveyor and Engineer, representing the petitioner

Robert M. Rothwell - Deputy Corporation Counsel, representing the Maui Planning Department

Annette Chock - Deputy Attorney General, representing DPED

Exhibits

Petitioner's Exhibits 1-A through 11-C were identified and admitted into evidence.

County's Exhibit 1 was admitted into evidence.

DPED's written testimony, as amended, was admitted into evidence.

At the Chairman's direction, Mr. Joseph Chu, staff planner, pointed out the location of the property on the posted maps and oriented it with various surrounding landmarks.

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

PETITIONER

James Melmuth Brock - Representing Paradise Developers, Inc.

Examination by Chairman Duke-----26 to 29

Voir Dire examination by Mr. Rothwell-----29

Oral Testimony-----30 to 41

Cross examination by Mr. Rothwell-----41 to 47

The Commission was in recess from 10:45 a.m. to 12:30 p.m.

12:30 p.m.

James Brock (cont.)

Cross examination by Mr. Rothwell (cont.)-----48 to 69
Cross examination by Miss Chock-----69 to 80
Reexamination by Chairman Duke-----80 to 85
Recross examination by Mr. Rothwell-----85
Examination by Commissioner Whitesell-----86 to 91
Examination by Vice Chairman Nakagawa-----91 to 92

COUNTY OF MAUI

Jeff Chang - Planner, Maui Planning Department

Direct examination by Mr. Rothwell-----93 to 96
Cross examination by Mr. Brock-----97 to 100
Cross examination by Miss Chock-----101 to 112
Redirect examination by Mr. Rothwell-----112 to 113
Recross examination by Mr. Brock-----113 to 115
Recross examination by Miss Chock-----115 to 117
Examination by Commissioner Whitesell-----117 to 118

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

Tatsuo Fujimoto - Head, Land Use Division

Direct examination by Miss Chock-----119 to 121
Cross examination by Mr. Rothwell-----121
Examination by Commissioner Whitesell-----122 to 123

All parties waived their rights to closing arguments in lieu of the opportunity to do so at the time of proposed hearing procedures during the action meeting.

Post-hearing instructions were announced by the Chairman and the hearing was concluded at 3:13 p.m.

MISCELLANEOUS

Adoption of Minutes

The minutes of August 5 and August 6, 1980 were approved as circulated.