

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Mitchell Pauole Center
Kaunakakai, Molokai

Approved
JUL 9 1981

December 19, 1980 - 11:30 a.m.

HEARING OFFICER: Benjamin Matsubara

STAFF PRESENT: Gordan Furutani, Executive Officer

Rebecca Transue, Court Reporter

HEARING

A80-499 - CLIFFORD JOSEPH SOARES, ETAL

Pursuant to a notice published in the Honolulu Advertiser and the Maui News on November 17, 1980 and notices sent to all parties, a hearing was conducted by the Land Use Commission in the matter of a petition by Clifford Joseph Soares, et al to reclassify approximately 1.235 acres in the Agricultural District into the Urban District at Kawela, Molokai. The hearing was conducted by Hearing Officer Benjamin Matsubara.

Appearances

Lawrence Ing, attorney representing petitioner

Abe Mitsuda, Planner, DPED

It was announced by Mr. Matsubara that Maui County was unable to send a representative today and its written testimony will be submitted to all parties and the Hearing Officer at a later date. If for any reason any of the parties wish to question Maui County on the basis of its written testimony, Mr. Matsubara advised that he will reconvene the hearing for this purpose. Otherwise, Mr. Matsubara will consider the hearing closed at that point.

Executive Officer, Mr. Furutani, pointed out the subject parcel on the USGS map.

Mr. Ing submitted that the petitioners felt their present needs could be met under a Rural classification and therefore requested that the boundary be amended from the Agricultural District into the Rural District rather than into the Urban District.

Mr. Mitsuda stated that DPED's analysis of the petition was based on the amendment from the Agricultural to the Urban District and therefore he would not be in a position to make a recommendation on the basis of the amended request. He agreed to submit additional testimony based on the amended request within a month.

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

Clifford Joseph Soares - Petitioner

Direct examination by Mr. Ing----- 9 to 12

Cross examination by Mr. Mitsuda-----12

Examination by Mr. Matsubara-----13 to 14

Recross examination by Mr. Mitsuda-----14 to 15

Reexamination by Mr. Matsubara-----15 to 17

Raymond E. Miller - Petitioner

Direct examination by Mr. Ing-----17 to 18

Cross examination by Mr. Mitsuda-----19 to 20

Examination by Mr. Matsubara-----20 to 21

At the close of the hearing, Mr. Matsubara instructed all parties of the post-hearing procedures. He also advised that if after 15 days from the filing of testimonies by the County and DPED, there was no request to reopen the hearing, he will consider the hearing closed at that point.

The hearing was concluded at 12:31 p.m.