



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

DTS 202203311232MA

March 31, 2022



TO: Mr. Daniel E. Orodener, Executive Officer
Land Use Commission

FROM: Mary Alice Evans, Director
Office of Planning and Sustainable Development

Mary Alice Evans

SUBJECT: Kenneth S. Church and Joan E. Hildal's Motion for
Reconsideration of Order Denying Petition DR21-72

Regarding the subject Motion for Reconsideration, OPSD offers the following background and response:

On June 17, 2021, Petitioners Kenneth S. Church and Joan E. Hildal (Petitioners) filed a Petition for Declaratory Order (Petition). On September 1, 2021, the Office of Planning and Sustainable Development (OPSD) submitted its comments through a Position Statement, with Exhibits 1-4. On September 8, 2021, the Land Use Commission (LUC) met to consider the Petition. OPSD provided oral comments. At the meeting, the LUC voted to deny the Petition.

On March 15, 2022, the LUC issued its Order Denying Petition for Declaratory Order and Reimbursement and Waiver of Fees. On March 28, 2022, Petitioners filed their Motion for Reconsideration of Order Denying Petition DR21-72 dated March 15, 2021 (Motion for Reconsideration).

This memorandum is intended to inform the LUC, Petitioners and others that OPSD has no further comments to offer, does not intend to participate further in this matter, and will not be attending the LUC meeting at which the Motion for Reconsideration will be considered and decided.

Thank you for your consideration in this matter.

c: Petitioners
Planning Department, County of Hawaii