

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Rooms A & B
State Office Building
Lihue, Kauai

Approved
March 4, 1976

January 12, 1976 - 10:00 a.m.

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
Charles Duke
Colette Machado
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

COMMISSIONER ABSENT: James Carras

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Benjamin Matsubara, Consultant
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

Pursuant to a notice published in The Garden Island and the Honolulu Star Bulletin on December 10, 1975, and notices sent to all parties, a hearing was called by the Land Use Commission in the matter of the application by Lihue Plantation Company, Ltd., to amend the land use district boundaries for approximately 30 acres from the Agricultural District into the Urban District at Lihue, Kauai, for commercial and residential uses, Docket No. A75-397.

APPEARANCES

Roy Takeyama, Attorney, representing HRT, Ltd., Developer

Francis Izumi, law firm of Izumi and Tanaka, representing
co-petitioner, Lihue Plantation Co, Ltd.

Morris Shinsato, County Attorney, representing the Kauai
Planning Department

EXTENSION OF TIME REQUEST BY THE DEPARTMENT OF PUBLIC WORKS, COUNTY OF HAWAII ON SP70-84

The staff memo relative to the subject request was presented by Mr. Leong (see copy on file).

It was moved by Vice Chairman Sakahashi that the extension request be granted, subject to the original conditions which were imposed on SP70-84. The motion was seconded by Commissioner Duke and unanimously passed.

ADOPTION OF MINUTES

Upon motion by Vice Chairman Sakahashi, seconded by Commissioner Yamamura, the minutes of October 23, 24 and 28, 1975 were approved as circulated.

ADDITION OF ITEM TO THE AGENDA

It was moved by Commissioner Duke and seconded by Commissioner Yamamura that the matter of Kawainui Swamp be added to the agenda. The motion was unanimously passed.

DISCUSSION ON KAWAINUI SWAMP

✓ Chairman Tangen referred to a memorandum from Deputy Attorney General Gilbert Lee to the Land Use Commission questioning the appropriateness of the Commission to actively participate as a party within the newly adopted Land Use Commission Rules of Practice and Procedure and suggesting that the Commission "defer its petition A75-398 relating to Kawainui Swamp to the Department of Planning & Economic Development for consideration as to its merits of reapplication of the subject lands to be reclassified from an Urban to a Conservation District."

Following discussion, Commissioner Yamamura moved that the Land Use Commission withdraw its petition A75-398 referring to Kawainui on Oahu, and that the matter be deferred to the Land Use Division of the Department of Planning and Economic Development. The motion was seconded by Vice Chairman Sakahashi and unanimously carried.

The meeting adjourned at 4:58 p.m.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

Land Use Commission

ITEM A75-398 - (KAWAINUI Swamp)

DATE January 12, 1976

PLACE State Conference Room

TIME 10:00 a.m.

Lihue, Kauai

NAME	YES	NO	ABSTAIN	ABSENT
DUKE, CHARLES	X			
WHITESELL, CAROL	X			
OURA, MITSUO	X			
MACHADO, COLETTE	X			
YAMAMURA, TANJI	X			
SAKAHASHI, STANLEY	X			
CARRAS, JAMES				X
YANAI, EDWARD	X			
TANGEN, EDDIE	X			

Comments:

I move that the Commission withdraw Petition A75-398 referring to Kawainui Swamp and refer this matter to the State Land Use Division.