

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
 )  
COUNTY OF KAUAI, DEPARTMENT OF )  
PUBLIC WORKS, SOLID WASTE SECTION )  
 )  
To Establish a Debris Recycling )  
Facility and Accessory Uses on )  
Approximately 26 Acres of Land )  
within the State Land Use )  
Agricultural District at Hanamaulu, )  
Lihue, Kauai, Hawaii, TMK.: )  
3-7-01: por. 1 )  
\_\_\_\_\_ )

DOCKET NO. SP95-388  
ORDER REMANDING SPECIAL  
USE PERMIT

MAY 4 1 26 PM '95  
LAND USE COMMISSION  
STATE OF HAWAII

ORDER REMANDING SPECIAL USE PERMIT

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	DOCKET NO. SP95-388
COUNTY OF KAUAI, DEPARTMENT OF	)	
PUBLIC WORKS, SOLID WASTE SECTION	)	ORDER REMANDING SPECIAL
	)	USE PERMIT
To Establish a Debris Recycling	)	
Facility and Accessory Uses on	)	
Approximately 26 Acres of Land	)	
within the State Land Use	)	
Agricultural District at Hanamaulu,	)	
Lihue, Kauai, Hawaii, TMK :	)	
3-7-01: por. 1	)	

ORDER REMANDING SPECIAL USE PERMIT

On March 13, 1995, the County of Kauai Planning Department ("Planning Department") filed a portion of the record of the County of Kauai Planning Commission's ("Planning Commission") proceedings on the above-entitled petition for a special use permit filed by the County of Kauai, Department of Public Works, Solid Waste Section, with the Land Use Commission ("Commission"), pursuant to section 15-15-95(a), Hawaii Administrative Rules ("HAR"). On March 30, 1995, the Planning Department filed the remaining portion of the record of the Planning Commission's proceedings with the Commission, with the exception of the letter of landowner authorization, which was filed by the Planning Department on April 6, 1995.

On April 6, 1995, at its meeting in Lihue, Kauai, this Commission heard oral arguments on the Special Use Permit from Dale Burton, representing Applicant, County of Kauai, Department

of Public Works, Solid Waste Section; and Jonathan Chun, Esq., representing the Planning Commission.

This Commission, having considered the arguments presented by all the parties and the record in this proceeding and there being no objections from the County of Kauai, Department of Public Works, Solid Waste Section, and the Planning Commission to remand this matter to the Planning Commission, hereby finds and concludes that the record in this proceeding is incomplete in that it does not include the Final Environmental Assessment as well as other documents and written comments including comments from the Department of Transportation who raised concerns over the proposed project's impact upon the Lihue Airport.

IT IS HEREBY ORDERED that the petition for a special use permit filed by the County of Kauai, Department of Public Works, Solid Waste Section, be and is hereby REMANDED to the County of Kauai Planning Commission for further proceedings to accept the aforementioned items into evidence.

Dated: Honolulu, Hawaii, May 4, 1995.

LAND USE COMMISSION  
STATE OF HAWAII

By Allen K. Hoe  
ALLEN K. HOE  
Chairperson and Commissioner



BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
 )  
COUNTY OF KAUAI, DEPARTMENT OF )  
PUBLIC WORKS, SOLID WASTE SECTION )  
 )  
To Establish a Debris Recycling )  
Facility and Accessory Uses on )  
Approximately 26 Acres of Land )  
within the State Land Use )  
Agricultural District at Hanamaulu, )  
Lihue, Kauai, Hawaii, TMK.: )  
3-7-01: por. 1 )  
\_\_\_\_\_ )

DOCKET NO. SP95-388  
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE


I hereby certify that a copy of the Order Remanding Special Use Permit was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

CERT. DEE CROWELL, Planning Director  
Planning Department, County of Kauai  
Suite 473, Building A  
4444 Rice Street  
Lihue, Hawaii 96766

CERT. HARTWELL H.K. BLAKE, ESQ.  
County Attorney  
Office of the County Attorney  
County of Kauai  
4396 Rice Street, #202  
Lihue, Hawaii 96766

CERT. DALE BURTON  
County of Kauai, Department of Public Works  
Solid Waste Division  
3021 Umi Street  
Lihue, Hawaii 96766

DATED: Honolulu, Hawaii, this 4th day of May 1995.

  
\_\_\_\_\_  
ESTHER UEDA  
Executive Officer