

**APPLICATION REVIEW COMMITTEE REGULAR MEETING MINUTES**  
**DLM Conference Room, 3<sup>rd</sup> Floor, ITC Bldg., Tamuning, Guam 96913**  
**Thursday, August 17, 2023 • 9:33 a.m. to 10:15 a.m.**

I. Attendance/Roll Call

Chairperson Cruz called to order the regular meeting of the Application Review Committee for Thursday, August 17, 2023 at 9:33 a.m., noting a quorum.

Present were: Chairperson Celine Cruz (DLM), Nonie Amar (GEPA), Tony Palomo (GPA), Brian Hess (GWA), Mary Rose Wilson (DPW), Jeffrey Quitugua (DoAG), and Grace Vergara (DLM)

[Excused: BSP and DPR/HPO]

II. Approval of Minutes

Chairperson Cruz before the committee today is the approval of the Minutes from the last meeting of Thursday, August 3, 2023. Members were provided with a draft via email, Chairperson Cruz asked for a motion for action.

Tony Palomo, GPA made a motion to approve the ARC Minutes of August 3, 2023.

Brian Hess, GWA seconded the motion.

Chairperson Cruz accepts the motion made by GPA, and seconded by GWA. Noting no discussion, edits and/or omissions the motion was put to a vote with all in favor of the motion for approval.

**[Motion passed unanimously; 6 ayes, 0 nays]**

III. New Business

Tentative Subdivision

- A. Application No. 2021-29, the Applicant, Perez Properties Inc.; a request for a Tentative Subdivision to construct sixteen (16) single-family dwelling residences (Villa Serena), on Tract 18208 (formerly Lot 1087-A-1 thru Lot 1087-A-6 and Lot 1087-B-1), in the Municipality of Barrigada, in an "R-1" (Single Family Dwelling) zone.  
Case Planner: Grace Vergara

Margarita P. Leon Guerrero with Ms. Leon Guerrero is Mr. Tom Perez who is the current President of Perez Properties Inc. and staff members from Perez Properties, Inc.

Ms. Leon Guerrero presented the following to the members:

- The project location for Villa Serena is across from the Barrigada Wendy's off of Route 10.
- The property was purchased by their parents back in 1948, and in 1953, their father surveyed the property with the intent to turn it into a subdivision.

- Ms. Leon Guerrero notes that the plat map is included in the application for the members to further review; and, noted that there are seven homes, currently occupied, that are located on the subject parcel.
- The remainder of the land (about 4 acres) will be for the tentative subdivision to build sixteen homes.

Tom Perez the subdivision was submitted back in 1952 by their father and approved by Land Management at that time when there was no subdivision law.

Margie Leon Guerrero she notes that since there was no subdivision law back at that time, the road remained as part of their property. The property that they want to build the subdivision on will be turned into a tract, and points out on the display the location of the six lots that are vacant. This will now be known as Tract 18208 and they are seeking approval for the tentative subdivision from the GLUC.

Ms. Leon Guerrero added that an extra road will be added where the 16 lots are located.

Tom Perez the lots are about 610 square meters.

Margie Leon Guerrero since there are seven other homeowners, they collected affidavits from these homeowners to inform them of the proposed development of the subdivision.

Ms. Leon Guerrero continues with her presentation --

- Section 3 is the conveyance of property that was given to the nine children; they went through Court to transfer the road from their parent's estate to Perez Properties.
- Section 9 is the grading plan – they will be managing the water run-off from the road, notes the catch basin location and other drains within the subdivision which will go into a ponding basin.
- Water and sewer – there is water connection that is available to service all sixteen homes (displayed on drawing). The sewer connections will come from both Mangilao and Barrigada side to service the proposed homes. The two homes that are existing on the property are connected to sewer right through the property and they will have them connect to the proposed sewer line. The water from the two homes is from Westbrooke and Ms. Leon Guerrero was unaware why the meters were placed in the "mango" area but noted that they will be relocated to the easement.
- Drainage – there is a swell to catch the water.
- Electrical – they have met with GPA on the proposed subdivision who made some changes which has already been updated according to GPA's request.
- Section 10 – information on water consumption, water and sewer demand calculations and a traffic impact analysis report.

This concluded Ms. Leon Guerrero's presentation and was prepared to answer any questions from the members.

Chairperson Cruz started the round-robin of questions from the members.



Tony Palomo, GPA confirmed that they have had a few discussions with the applicant. Mr. Palomo reminded the applicant that there is an agreement in place that they will relocate the power pole that is on the easement. Mr. Palomo asked that they bring in their plans for further review of the Engineering division.

Brian Hess, GWA reminded the applicant to contact GWA Engineering at least six months prior to the building permit application being submitted, and no further comments.

Jeffrey Quitugua, DoAG remarked that they are very familiar with this site because there have been sightings of endangered species on the property. A lot of the fruit trees that are existing in the area has become a food source for the Mariana fruit bats and have been sighted during the seasonal times. Another species seen in that area is the Mariana Moorhen who have been seen during the rainy season. Mr. Quitugua notes that this has been a major issue and they have communicated with DPW and the Mayor's Office to maintain this area to avoid any flooding (the area of reference is the open lot next to Wendy's which is across from the subject property).

DoAG would also like to work with the applicant to develop a biological mitigation plan to address the spreading or prevent the spread of fire ants. The plan needs to be in place during the construction phase so that they take every measure possible to prevent the pests from going onto the property. In closing, Mr. Quitugua will work with the applicant to assist them.

Tom Perez comments that they had more than fifteen mango trees of which four were the Carabao species as well as Hayden mangoes; but have lost a few of the trees.

[Discussion ensues]

Mary Rose Wilson, DPW requested that the applicant submits a stormwater disposal plan and calculation; and to coordinate with DPW's Highway Division for the traffic impact analysis. Ms. Wilson reminded the applicant that the access road/entrance should be wide enough for public access for emergency and utility vehicles. And to ensure that the setback requirements are met for single family dwellings. Ms. Wilson briefly commented on solid waste disposal for the subdivision; and the location of a bus.

Margie Leon Guerrero responded that they have a proposed location for the bus shelter where an area has been designated for the park.

Mary Rose Wilson, DPW suggested that they coordinate with Bus Transportation on the location of the shelter.

Nonie Amar, GEPA remarked that he has reviewed the plans that was prepared by DCA which seems to be complete. Mr. Amar noted that there was a percolation test that was conducted by Pacific Soil, and it looks like the percolation is very slow. The engineer for the design of the ponding basin should consider the design to be wider or deeper to avoid standing run-off.

Tom Perez replied that they will more than likely go deeper.

[Discussion ensues]

Nonie Amar, GEPA commented that there is a waterline along Route 10 and asked what the size was for this existing waterline.

Margie Leon Guerrero replied that it is an eight-inch waterline.

Nonie Amar, GEPA responded that this was the new line and asked for the existing line that the subdivision will tap into because it was not mentioned in the application. Mr. Amar suggested that they coordinate with GWA to ensure that the existing water and sewer lines can accommodate the new demand.

Brian Hess, GWA inquired if the subdivision will be a gated community.

Margie Leon Perez the plans do not indicate that it will be a gated community, but would like to keep that option available.

[Discussion ensues on access to gated communities]

Chairperson Cruz discussed briefly on gated communities and a recent discussion with a developer about how they intended to manage a gated subdivision.

The developer does not intend to deed the road lot to the Government of Guam; and all the lot owners, would have interest in the road lot and that is what would connect them to the right-of-way because every lot needs to abut a legal right-of-way. The maintenance of that road lot within the property will be incumbent of the Homeowners Association to maintain, and the road lot itself will not be labeled as a public access. The developer will grant easement access to the utility agencies to the road lot. This is how it is envisioned for gated communities to be accomplished and the agreements on the actual access are in place.

[Lengthy discussion ensues on gated communities]

Grace Vergara, Case Planner had no comments at this time.

Chairperson Cruz thanked the applicants for being present today and for their presentation to the committee.

Moving onto the next item on the agenda –



#### IV. Approval of ARC Agenda

Chairperson Cruz informed the members that there are no new applications for the next ARC meeting scheduled for September 7, 2023; and therefore, there will be no meeting.

A copy of the tentative agenda for GLUC for September 14, 2023 was provided to the members, and asked for a motion.

Brian Hess, GWA inquired if the agenda is approved, if they would have to attend the meeting.

Chairperson Cruz replied it was not necessary and that the agenda is only for the members information. These items have already gone through the committee and this would give the members another opportunity to provide comments on the applications. A few of the items on the agenda are renewals for temporary workforce housing facilities which was vetted to the ARC, but were approved through P.L. 36-6 without having to go through the normal of process of having a public hearing and GLUC review/approval. This afforded the companies a quick approval by public law and this was due to the Covid restrictions at that time. The applicants had to meet certain basic requirements and follow conditions of approval submitted by the ARC members. The applicants have an initial approval for two years and thereafter an annual renewal. Madam Chair Cruz was ready to entertain a motion for the GLUC agenda.

Nonie Amar, GEPA made a motion to approve the GLUC agenda for September 14, 2023.

Tony Palomo, GPA seconds the motion.

Chairperson Cruz accepts the motion made by GEPA, and seconded by GPA. Noting no discussion, the motion was put to a vote with all in favor of approval.

**[Motion passed unanimously; 6 ayes, 0 nays.]**

Moving on to the next item on the agenda.

#### V. Administrative and Miscellaneous Matters

Chairperson Cruz members were informed on BSP's upcoming Planners Symposium scheduled for September, and that there is also a tentative forestry plan summit planned. Chairperson Cruz was unsure of the final date for this, and will forward the invitations to the members.

Brian Hess, GWA asked that the email be forwarded to Jeannette Owens who is the Assistant General Manager of Engineering at GWA.

Jeffrey Quitugua, DoAG remarked that they will be hosting a public outreach meeting for the Habitat Conservation plan that will be held at UOG and tentatively scheduled for October. Mr. Quitugua had no further details and will provide updates as soon as they are available.

Chairperson Cruz noting no further business and/or discussion, Chairperson Cruz moved onto the next item on the agenda and asked for a motion to adjourn today's meeting.

VI. Adjournment

Nonie Amar, GEPA made a motion to adjourn. The motion was seconded by Jeffrey Quitugua, DoAG.

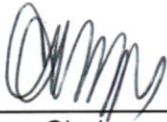
Chairperson Cruz accepts the motion made by GEPA, seconded by DoAG, and puts the motion to a vote.

The motion was passed unanimously, the meeting was adjourned by Chairperson Cruz.

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The regular meeting of the Application Review Committee for Thursday, August 17, 2023 was adjourned at 10:15 a.m.

Approved by:



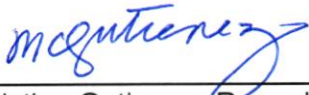
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Celine L. Cruz, Chairperson  
Application Review Committee

Date approved:



Transcribed by:



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M. Cristina Gutierrez, Recording Secretary  
DLM Planning Division

# APPLICATION REVIEW COMMITTEE

## Committee Attendance Sheet

Department of Land Management Conference Room  
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

MEETING: ☒ Regular ☐ Special

Thursday, August 17, 2023

Time: 9:33 AM

Adjournment: 10:15 AM

MEMBER	STATUS	SIGN IN (Please Print)
1 DLM, Guam Chief Planner	(Chairperson)	
2 DPW/CIP	(Member)	
3 Guam EPA	(Member)	
4 Bureau of Statistics & Plans	(Member)	
Bureau of Statistics & Plans	(Member)	
5 Department of Agriculture	(Member)	
6 Guam Waterworks Authority	(Member)	
Guam Waterworks Authority	(Member)	
7 Guam Power Authority	(Member)	
8 Department of Parks & Recreation-HPO	(Member)	
9 Joint Regional Marianas	(Ex-Officio member)	
10 Department of Chamorro Affairs	(Ex-Officio Member)	
11 Guam Fire Department	(Ex-Officio Member)	
12 Department of Public Health & Social Services	(Ex-Officio Member)	
13 Guam Public School System	(Ex-Officio Member)	
14 Guam Economic Development Authority	(Ex-Officio Member)	

### DLM Staff

Joseph M. Borja, Director

Richard B. Arroyo, Deputy Director

Celine Cruz, Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

M. Grace Vergara, Planner IV

Sonega Gogue, Planner III

Theresa D. Guevara, Planner II

Edward Sanchez, Planner I

M. Cristina Gutierrez, WPS II

Sabina Waguk, CSR



## Public/Speaker - Sign-In Sheet

**590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning**

10-15 km

GLUC Form 14 - ARC Public/Speaker Sign-In Sheet - April 2010





## **Application Review Committee**

Guam Land Use Commission/Guam Seashore Protection Commission  
Department of Land Management

# **AGENDA**

**Thursday, August 17, 2023 @ 9:30 a.m.**

Department of Land Management Conference Room  
590 S. Marine Corps Drive, 3<sup>rd</sup> Floor, ITC Building, Tamuning

### **TIMELINE FOR APPLICATION ON THIS AGENDA**

**Day #1 – August 17, 2023**

**Day #30 – September 17, 2023**

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I. Attendance

Roll Call

[ ] Quorum

[ ] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes for Thursday, August 3, 2023

III. New Business

Tentative Subdivision

- A. Application No. 2021-29, the Applicant, Perez Properties, Inc.; a request for a Tentative Subdivision to construct sixteen (16) single-family residences (Villa Serena), on Tract 18208 (formerly Lots 1087-A-1 thru 1087-A-6, and Lot 1087-B-1), in the Municipality of Barrigada, in an "R-1" (Single Family Dwelling) zone. Case Planner: Grace Vergara

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, September 7, 2023 [No Agenda]  
B. GLUC Regular Hearing, Thursday, September 14, 2023 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment



## **Application Review Committee**

Guam Land Use Commission/Guam Seashore Protection Commission  
Department of Land Management

# **AGENDA – No Agenda**

**Thursday, September 7, 2023 @ 9:30 a.m.**

Department of Land Management Conference Room  
590 S. Marine Corps Drive, 3<sup>rd</sup> Floor, ITC Building, Tamuning

### **TIMELINE FOR APPLICATION ON THIS AGENDA**

**Day #1 – September 7, 2023**

**Day #30 – October 7, 2023**

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I. Attendance

Roll Call

[ ] Quorum

[ ] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes for Thursday, August 17, 2023

III. New Business [None]

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, September 21, 2023 [Tentative]
- B. GLUC Regular Hearing, Thursday, September 28, 2023 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment





# GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez  
Vice Chairperson (Vacant)  
Commissioner Leilani R. Flores

Commissioner Nonito V. Blas, Jr.  
Commissioner (Vacant)

Joseph M. Borja, Executive Secretary  
Kristan K. Finney, Legal Counsel (OAG)

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## **AGENDA - Tentative**

**Thursday, September 14, 2023, 2023 @1:30 p.m.**

**Department of Land Management Conference Room**

**3<sup>rd</sup> Floor ITC Bldg., Tamuning, GU 96913**

*[As advertised in the Guam Daily Post – September 7 & September 12, 2023]*

*Livestreamed on YouTube at Guam Department of Land Management Channel*

I. **Notation of Attendance/Roll Call** [ ] Quorum [ ] No Quorum

II. **Approval of Minutes**

- GLUC Regular Meeting Minutes of Thursday, April 27, 2023

III. **Old or Unfinished Business [None]**

IV. **New Business**

Horizontal Property Regime

- A. Application No. 2023-41, the Applicant, Home Equity, LLC represented by Atty. Jannalyn C. Damian; requests issuance of a Final Public Report, for a two-story, ten-unit townhome complex to be known as Plumeria Townhomes, on Lot 7NEW, Block 4, Tract 90, in the Municipality of Tamuning, in an "R-2" (Multi Family Dwelling) zone, HPR No. 175. Case Planner: Celine Cruz

V. **Administrative & Miscellaneous Matters**

Conditional Use – Renewal

- B. Application No. 2020-36B, the Applicant, Midong E&C Corporation represented by FC Benavente, Planners; is requesting renewal of a previously approved Conditional Use Permit, to allow for the construction and operation of a Temporary Workforce Housing Facility, to house up to 256 temporary workers, on Lot 5029-1-4, in the Municipality of Dededo, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano
- C. Application No. 2020-05B, the Applicants, Noli J. and Rita L. Serrano represented by Harry D. Gutierrez and Carlos R. Untalan, are requesting renewal of a previously approved Conditional Use Permit to allow for the continued operation of its Temporary Workforce Housing Facility, to house up to 32 temporary workers, on Lot 8, Tract 1141, in the Municipality of Dededo, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

- D. Application No. 2020-41B, the Applicant, NAN Inc. represented by W.B. Flores & Associates; is requesting renewal of a previously approved Conditional Use Permit to allow for the continued operation of a Temporary Workforce Housing Facility, to house up to a maximum of 852 temporary workers, on Lot 2278-R1, Estate 1117 (Tiyán), in the Municipality of Barrigada, in an "M-1" zone (Light Industrial).
- Case Planner Frank Taitano
- E. Application No. 2020-45B, the Applicant, IAN Corporation represented by Kyle M. Borja, is requesting renewal of a previously approved Conditional Use Permit, to allow the continued construction and operation of a Temporary Workforce Housing Facility, to house up to 135 temporary workers, on Lot 5224-3-3 & Lot 5224-3-1-R1, in the Municipality of Barrigada, in an "M-1" (Light Industrial) zone.
- Case Planner: Frank Taitano

## **VI. Adjournment**