

APPLICATION REVIEW COMMITTEE REGULAR MEETING MINUTES
DLM Conference Room, 3rd Floor, ITC Bldg., Tamuning, Guam 96913
Thursday, March 16, 2023 • 9:30 a.m. to 9:49 a.m.

I. Notation of Attendance/Roll Call

Chairperson Celine Cruz called to order the regular meeting of the Application Review Committee for Thursday, March 16, 2023 at 9:30 a.m.

Present were: Chairperson Celine Cruz (DLM), Tony Palomo (GPA), Mary Rose Wilson (DPW), Vince Laguana (GWA), Nonie Amar (GEPA), Christian Benitez (BSP), Jeffrey Quitugua (DoAG), and Penmer Gulac (Case Planner).

Noting a quorum for today's meeting, Chairperson Cruz moved on to the next item on the agenda.

II. Approval of Minutes

Chairperson Cruz before the members today is the approval of the last meeting Minutes of Thursday, February 2, 2023. Members were provided a copy via email, and have had ample time to review it. Chairperson Cruz asked for a motion for action.

Jeffrey Quitugua, DoAG made a motion to approve the Minutes of Thursday, February 2, 2023.

Nonie Amar, GEPA seconds the motion.

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

[Motion passed; 7 ayes, 0 nays]

III. New Business

Conditional Use

- A. Application No. 2023-21, the Applicants, Arnold Marcus and Evangeline Marcus represented by Frank C. Roberto; are requesting a Conditional Use permit to allow for the construction and operation of a multi-purpose building with a church, assembly hall, classrooms, office, nursery/daycare facility, and storage spaces, on Lot 23, Tract 542, in the Municipality of Dededo, in an "A" (Rural) zone. Case Planner: Penmer Gulac

Chairperson Cruz opened the floor to the applicants' representative for a brief presentation for the members; and, asked that they state their name for the record.

Frank C. Roberto with Mr. Roberto today is Mr. Arnold Marcus, the applicant and the Pastor of the Micronesian Outreach Ministry Church.

Mr. Roberto explained that the subject lot is located on Chalan Koda in Dededo. The plan is to construct a one-story building to house the church. There are about 40 to 60 church members that attend the church and continued to present the main points of the church. Mr. Roberto

presented that there will be ample parking with approximately 58 parking stalls and 3 disabled parking stalls. Access to the property is from the west side of Route 28, YSengSong Road, and there is a 50-foot right-of-way known as Chalan Koda, which is 1.5 miles away from the subject parcel.

The infrastructure including water, power, and telephone are available for the subject lot; however, the sewer connection is quite a distance away from the subject lot so they will plan on using a leaching field/septic system that will be in accordance with GEPA's wastewater disposal requirements. There will be an onsite runoff drainage or ponding basin for the facility, and the applicant is committed to moving this project forward and will comply with all other requirements from the permitting agencies.

Mr. Roberto sees this project as a positive addition to the area and the idea of this project is so that the church members have a safe haven to attend to practice their faith. In closing, Mr. Roberto informed the committee that other than their Sunday services, they have a prayer group that meets on Thursdays. In closing, Mr. Roberto informed the members that at this time, they are currently using the Nazarene Church in Dededo, which allows them only to hold the services at a certain time slot.

Arnold Marcus Mr. Marcus is the current Pastor of the Micronesian Outreach Ministry church and is before the ARC today to request approval of his conditional use permit request. Pastor Marcus explained that they are sharing the Nazarene Church located in Dededo to hold church services, and the difficulty he is experiencing is his church service begins at 12:30; but since they are sharing an assembly hall, he is at the mercy of when the other service ends. He added that they often begin late and end early due to time constraints. Pastor Marcus would like to build the facility so that he has more time with his members for church services and would also like to resume his youth ministry program.

Chairperson Cruz opened the floor to the members for questions and comments.

Tony Palomo, GPA commented that GPA has no objection and is in favor of the application. Mr. Palomo asked that the applicant submits their plans along with a proposed power demand for review by a GPA engineer.

Vince Laguana, GWA comments GWA is in receipt of the application and is currently being reviewed. Mr. Laguana added that at this time, GWA has no objections to the development. He further noted that the application did not state the approximate distance from the nearest sewer line to the subject lot, and believes that if the subject lot is within 200 feet of a sewer line, the law requires that they connect to a public sewer. But based on the application the applicants intend to use a leaching field/septic tank system.

Frank Roberto confirmed that a leaching field/septic tank system will be used for the project.

Vince Laguana stated that GWA encourages the applicants to work with their Permits and Engineering division to discuss the project in order to determine if the existing water system can accommodate the development, and all other comments will be noted in their position statement.

Christian Benitez, BSP remarked that BSP's concern is that the subject property is located in a very low-density residential designated area under the Northern/Central Guam Land Use Plan, and under low-density residential designation the intention is to protect the northern aquifer lens. Any other concerns will be addressed in the official position statement.

Jeffrey Quitugua, DoAG stated that DoAG has no issues with the purpose of the application; however, they request that the applicant works closely with the department during the permitting process to mitigate any issues that they may have in the area.

Nonie Amar, GEPA in response to GWA's comment, Mr. Amar noted that the nearest sewer line is 2,500 feet, which is far. He added that GEPA does not allow any commercial or industrial development activities without a sewer connection. The position statement provided is not a rejection of the project; an appeal can be made to the Administrator of GEPA who has the discretionary authority to approve the use of a leaching field/septic system. As it stands right now, GEPA will not allow any development without sewer infrastructure.

Mary Rose Wilson, DPW Ms. Wilson's concern is safety. After reviewing the application, Ms. Wilson comments that the distance between the isles is not 6 feet between pews; and because the pews are fixed fixtures that cannot be moved because it does not provide the space needed, unlike folding chairs. The left/right side isles lack the six feet needed in cases of medical emergencies, fires, natural disasters, etc. Ms. Wilson noted she has several other concerns that will be addressed in the position statement.

Penmer Gulac, Case Planner remarks that he spoke with the applicant and advised him to work closely with the agencies to mitigate any issues or concerns they may have. Mr. Gulac further commented that Pastor Arnold is a retired combat veteran and will comply with the regulations of the permitting agencies to move this application forward, and he will be available for any questions or assistance. Lastly, members were informed that the required billboard sign is on-site.

Chairperson Cruz this application is not a zone change; but, Chairperson Cruz asked that the applicant/consultant adjust the site plan. She further added that when there are uses that are along distance boundaries, i.e., bounded by other agricultural properties; there is a need for a 20-foot setback from the side yards and rear yards. It will be better to provide the setbacks so there is a bit more of a buffer between the church's activities and the agricultural or residential activities that are permitted in the adjacent lots.

Moving on to the next item on the agenda –

IV. Approval of ARC Agenda

Chairperson Cruz members were informed that there are no agenda items for the next ARC meeting scheduled for April 6, 2023, and there will be no meeting on this day.

The GLUC agenda is tentative at this time and is scheduled for Thursday, April 13th.

Next item on the agenda –

V. Administrative and Miscellaneous Matters

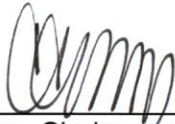
Chairperson Cruz noted that she had no further business for discussion and opened the floor to the members. Noting none from the members, Chairperson Cruz was ready to entertain a motion for adjournment.

VI. Adjournment

Chairperson Cruz accepts the motion to adjourn today's meeting made by Tony Palomo (GPA), seconded by Christian Benitez (BSP). The motion was put to a vote with all in favor of adjournment.

The regular meeting of the Application Review Committee for Thursday, March 16, 2023 was adjourned at 9:49 a.m.

Approved by:

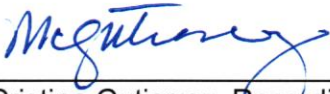


Celine L. Cruz, Chairperson
Application Review Committee

Date approved: _____

4/20/23

Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

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, March 16, 2023

Time: 9:30 AM

Adjournment: 9:49 AM

MEMBER	STATUS	SIGN IN (Please Print)
1 DLM, Guam Chief Planner	(Chairperson)	
2 DPW/Vertical	(Member)	Maryrose M. Wilson
DPW/Horizontal	(Member)	
3 Guam EPA	(Member)	Nonie Amar
Guam EPA	(Member)	
4 Bureau of Statistics & Plans	(Member)	Christian Benitez
Bureau of Statistics & Plans	(Member)	
5 Department of Agriculture	(Member)	Jeff Quintana
6 Guam Waterworks Authority	(Member)	Vince Lagrana
Guam Waterworks Authority	(Member)	
7 Guam Power Authority	(Member)	Ty Pagan
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

Celine Cruz, Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

M. Grace Vergara, Planner III

Sonoga Gogue, Planner II

Edward Sanchez, Planner I

M. Cristina Gutierrez, WPS II

Sabina Waguk, CSR



Application Review Committee

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

AGENDA

Thursday, March 16, 2023 @ 9:30 a.m.

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

TIMELINE FOR APPLICATION ON THIS AGENDA

Day #1 – March 16, 2023

Day #30 – April 16, 2023

I. Attendance

Roll Call

[] Quorum

[] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes for Thursday, February 2, 2023

III. New Business

Conditional Use

- A. Application No. 2023-21, the Applicants, Arnold Marcus and Evangeline Marcus represented by Frank C. Roberto; are requesting a Conditional Use permit to allow for the construction and operation of a multi-purpose building with a church, assembly hall, classrooms, offices, nursery/daycare facility, and storage spaces, on Lot 23, Tract 542, in the Municipality of Dededo, in an "A" (Rural) zone.
Case Planner: Penmer Gulac

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, April 06, 2023 [No Agenda]
B. GLUC Regular Hearing, Thursday, April 13, 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 MEETING

Thursday, April 6, 2023 @ 9:30 a.m.

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

TIMELINE FOR APPLICATION ON THIS AGENDA

Day #1 – April 6, 2023

Day #30 – May 6, 2023

I. Attendance

Roll Call

[] Quorum

[] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes for Thursday, March 16, 2023

III. New Business

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, April 20, 2023 [Tentative]
- B. GLUC Regular Hearing, Thursday, April 27, 2023 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairperson Arthur D. Chan, Jr.

Commissioner Leilani R. Flores
Commissioner Nonito V. Blas, Jr.

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

AGENDA - TENTATIVE

Thursday, April 13, 2023 @1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post on April 6th and April 11th, 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, February 9, 2023

III. Old or Unfinished Business [None]

IV. New Business

Conditional Use

- A. Application No. 2020-03B, the Applicant, Black Construction Corporation; submits its annual status report for a previously approved Temporary Workforce Housing Facility, on Lot No. 5103-2R-1, in the Municipality of Tamuning in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano
- B. Application No. 2020-44B, the Applicant, Black Construction Corporation; submits its annual status report for a previously approved Temporary Workforce Housing Facility, on Lot 5161-1-1, Tract 260, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

V. Administrative & Miscellaneous Matters

VI. Adjournment