EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

GL# 34-17-1244

OCT 27 2017

Speaker Benjamin J.F. Cruz

NOV 17 2017
Time: 152 [ ] AM [ ] PM File No. ____
Received By: ____

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
The Thirty-Fourth Guam Legislature
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: GLUC Zone Change Approval from "A" (Rural) to "M-1" (Light Industrial) zone for Lot 5328-REM (Pagat), in the municipality of Mangilao, under Application No. 2016-44

Bueñas Yan Hafa Adai Speaker Cruz:

I am pleased to submit for you and your colleagues the above-referenced zoning documents for the Legislature's consideration. This is pursuant to **Title 21, Guam Code Annotated (Real Property), Chapter 61 (Zoning Law), Part 4, Section 61647.**

I have **APPROVED** the Applicant, **Joseph M. Palomo,** represented by Harry D. Gutierrez, request to re-zone from "A" (Rural) to "M-1" (Light Industrial) zone for the proposed construction of a commercial building with office space, veterinary clinic, pet store and boarding facility, on Lot 5328-REM, in the municipality of Mangilao.

I am sure you recognize the public benefits of this endeavor, and respectfully ask your expeditious response.

Eddie Baza Calvo
Governor of Guam

2017 NOV 17 PM 2:07

1244

GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2016-44
LOT 5328-REM
MUNICIPALITY OF MANGILAO

COPY

ATTACHMENT 1

Space for Recordation

Government of Guam, Department of Land Management
Office of the Recorder

File for Record is Instrument No. 914811

On the Year 20 17 Month 11 Day 15 Time 3:54

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder Jane Yamasaki
JANE T YAMASAKI

GLUC ZONE CHANGE

APPLICATION NO.: 2016-44

APPLICANT: JOSEPH M. PALOMO
(ADMINISTRATOR)

PREPARED ON OCTOBER 13, 2017

FROM: "A" (AGRICULTURAL/RURAL)

TO: "M-1" (LIGHT INDUSTRIAL)

LOT: 5328-REM

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: MANGILAO

PLACE NAME: PAGAT

SCALE: N/A

AMENDMENT NO.: A-81

ZONING MAP NO.: F3-67S40

THE GUAM LAND USE COMMISSION, AT ITS
HEARING ON MARCH 9, 2017
APPROVED IN WHOLE THE ZONE CHANGE
FROM "A" TO "M-1" ON LOT 5328-REM
MUNICIPALITY OF MANGILAO

==========

[X] APPROVED IN WHOLE
[ ] APPROVED IN PART
[ ] DISAPPROVED

JOHN Z. ARROYO
CHAIRMAN
GUAM LAND USE COMMISSION

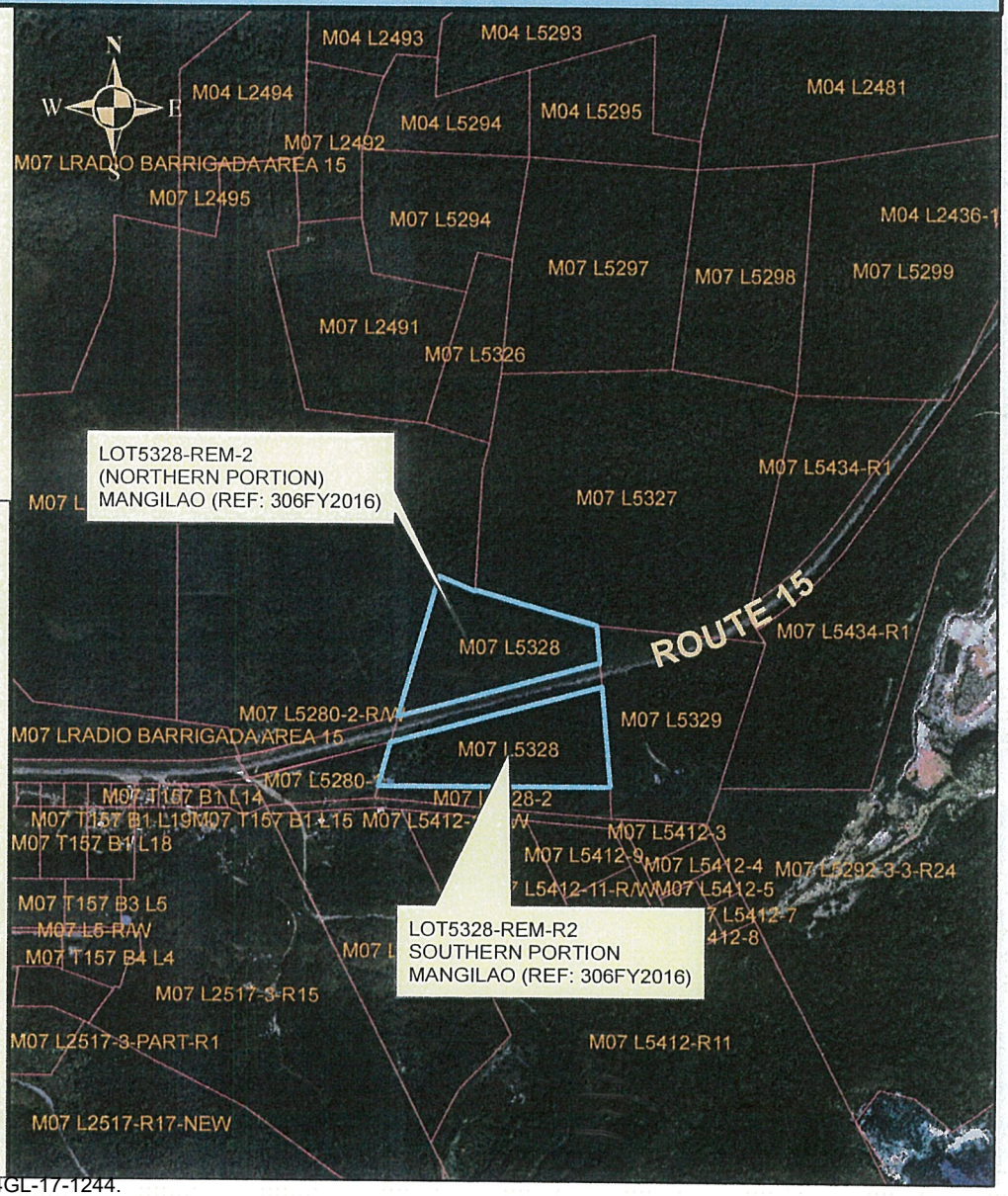
10/26/17
DATE

==========

[ ] APPROVED IN WHOLE
[ ] APPROVED IN PART
[ ] DISAPPROVED

EDDIE BAZA CALVO
GOVERNOR OF GUAM

11/3/17
DATE



Application No.:	2016-44
JOSEPH M. PALOMO, ADMINISTRATOR	
ZONE CHANGE	
Accepted Date:	31-Aug-16
Case Planner:	Penmer G.

HARRY D. GUTIERREZ
Consultant
119 Gutierrez Way
Agana Heights, Guam 96910
482-5315 / 477-7880

ACCEPTED 8/31/16 PG

August 20, 2016

To: Mr. Michael J.B. Borja, Director of Land Management &
Executive Secretary, Guam Land Use Commission
ITC Bldg, Suite 700, Tamuning, Guam 96911

P. Gutierrez 8/23/16
RECEIVED
Land Plng Div

Subject: Zone Change Application for Lot 5328-REM, Pagat, Mangilao for the Estate of Vicente Palomo Castro & Joseph M. Palomo (Administrator), c/o Harry D. Gutierrez

Dear Mr. Borja

On behalf of my client, and pursuant to Sections 61630 through 61634, Part 3, Article 6, Changes of Zones, Chapter 61 – Zoning Law, Title 21 Guam Code Annotated. I am submitting the enclosed zone change application for your review and consideration before the Guam Land Use Commission, for a Zone Change from "A" (Agricultural) to "M-1" (Light-Industrial) Zone

The subject lot is vacant and are located in Pagat, Mangilao and is fronting the Gloria Nelson GPA/GWA office complex, and approximately 1,500 feet southwest of Hawaiian Rock Products quarry in Mangilao. For your information Route No. 15 run through the lot creating a northern and southern portion, further the access to the public right of way (Route No. 15) fronting the basic lot. The subject lot is part of the Federal Return Excess Lands (Ancestral) that the private owners have re-acquired in recent years. The returned lots were zoned to "A" (Agricultural) upon release by the Federal Government to Government of Guam per Title 21, Guam Code Annotated, Section 61217 (See Attachment on Federal Excess Return Lands. As a note, there are M1 zoned lots within 500 – 800 feet of the subject lots and other surrounding and abutting lots are still "A" (Agricultural) zone, see attached land use zoning maps. Guam Land Use Commission rezoned lots to M1 just 1,500 feet north along Route No. 15 near Hawaiian Rock Product Quarry, approximately 600-800 feet south of the subject lot for are existing residential dwellings in this area of Pagat, Mangilao.

Lot to be rezoned are as follows:

Lot 5328-REM (Northern Portion) Area: 27,699 Sq Mtrs or 298,148.4 Sq Ft or 7.45 Acres
Lot 5328-REM (Southern Portion) Area: 27,348 Sq Mtrs or 294,370.3 Sq Ft or 7.35 Acres
Lot 5328-R/W (Right of Way) Area: 8,586 Sq Mtrs or 92,418.58 Sq Ft or 2.31 Acres

Note: See Attachment (Official Survey Maps) , a parceling survey is in review with Land Management under 306FY2016.

ATTACHMENT 2

My clients intent to rezone the property and make it compatible with the same zoning as the other lot and this rezoning is for uses of constructing a warehouse, office space, a veterinary clinic, pet store and boarding facility with adequate parking to be provided for the proposed uses. The structures on the site will be well designed to conform to current building codes and standards that will be situated within the size of the lot. The development sites will be designed to accommodate all required parking and loading, all drainage and other requirements by the zoning law and government permitting requirements for the intended use. My clients will ensure all conditions and other requirements by permitting agencies are to be adhered to from clearing, construction and to final occupancy. The rezoning of the property will not have any adverse impact within the surrounding properties, as the majority of the lots nearby are already zoned M1. If rezoned, the uses will only be for light industrial use and not for other uses that is not permitted in the approved zone. The other current land uses in the area are composed of residential, multi-family, commercial, warehousing, government utility complex a quarry operation. The rezoning of the lot will be compatible with other zoned properties (M1) and will be the same characteristics and will be fenced and landscaped to provide a buffer with adjacent or abutting lots. Based on land use and existing land use activities, the subject lot are deemed undesirable for agricultural uses. All infrastructure are available and existing in immediate area and with access to a major thorough fare along Route No. 15 and to Route No. 10 (Vietnam Vet Highway).

We believe that the rezoning of the lot will not be out of character in the area. On the hand, keeping the agricultural zoning is not feasible as majority of the surrounding lots and proposed uses are already M1 or will be M1. The construction and proposed uses require for M1 zoning to accommodate warehousing and offices and stated uses, etc. The warehouses and facilities will also be available for other uses that requires warehousing of goods and equipment and will be available in support services of the anticipated military build-up in the next few years and for any future warehousing needs available to the public as well.

Section 61630 (GCA of the zoning law mandates that public necessity, general convenience, and public welfare are addressed and justified, that the Commission may recommend to the Governor for approval for an amendment of the zoning map. For the Commission's review and consideration on this application, these three important conditions are presented and justified below.

A. Public Necessity : This area is developing into more light industrial activities and to accommodate a growing population and the anticipated military build up to support services in veterinary care and boarding facility, logistical and storage requirements in the next few years and beyond. There will be a demand for such services, warehousing/storage for all goods incoming and outgoing on the island that will serve the island community;

B. Public Convenience: The proposed warehouse and office and facilities and intended uses on the property would be consistent and convenient with the current land uses of the area and the immediate area and within a radius of 500 to 3,000 feet in Pagat, Mangilao area. The location is central to all area with large population, very near the commercial districts with large population requiring warehousing and other storage space and services proposed on the site

C. General Welfare: The proposed rezoning and uses will protect the general public, the immediate surroundings and properties by being consistent for light industrial activities that is on-going at the present time and for future uses and requirements that is permitted in a light industrial zone. The owners will ensure that all permitting requirements and conditions of the land use commission and all government are adhered to as well as to minimizing impacts to the immediate surroundings and to the general public and specially our environment and the water lens below (part of the Northern Recharge Area). Development on the site will provide employment of local residents and contribute positively to improving the island's growing economy.

Again, all performance standards and requirements by the Application Review Committee (ARC), and the Guam Land Use Commission will be complied with as well as submission of an Environmental Impact Assessment (EIA), is attached and any other requirements pursuant to Sections 61630 through 61634, Part 3, Article 6, Changes of Zones, Chapter 61 – Zoning Law, Title 21 Guam Code Annotated shall be complied with.

Enclosed are additional supporting information for the application and a copy of the official survey maps. On behalf of my clients, we hope that your consideration of this request will be favorable. Should you need additional information or clarification, please don't hesitate to call me.

Respectfully,

Harry D. Gutierrez
Consultant; 482-5315

With Attachments as noted

ZONE CHANGE

TO: Executive Secretary, Guam Land Use Commission
c/o Land Planning Division, Department of Land Management
Government of Guåhan, P.O. Box 2950, Hagatna, Guåhan 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a *Zone Change.*

1. Information on Applicant:

Name of Applicant: Joseph M. Palomo, Administrator of Estate of Vicente Palomo Castro C/O Harry D. Gutierrez, Consultant U.S. Citizen: [ ] Yes [ ] No

Mailing Address: c/o 119 Gutierrez Way, Agana Heights, Guam 96932

Telephone No.: Business 482-5315 Home: _____

2. Location, Description and Ownership:

Subdivision Name: Estate of Vicente Palomo Castro

Lot(s): 5328-REM Block: N/A Tract: N/A

Lot Area: Acres 17.11 Square Meters 63,633 Square Feet: 684,397

Village: Pagat/Mangilao Municipality: Mangilao

Registered Owner: Estate of Vicente Palomo Castro - Supporting Documents/Administor's Deed

Certificate of Title No.: Administrator's Deed Recorded Document No.: 876866

(See attached maps and supporting documents)

3. Current and Proposed Land Use:

Current Use: Vacant Land with right of way (Route 15) crossing the property. Zoned: "A" (Agricultural)

Proposed Use: Warehouse, Office, Veterinary clinic, boarding facility, pet store and permitted uses in proposed M1 Zone Proposed Zone: "M-1" (Light-Industrial)

Master Plan Designation: None

4. Attached a one page typed, brief and concise justification (letter format explaining the compatibility of the proposed project with adjacent and neighborhood developments as they exist; your intentions and purpose of the Zone Change request justifying public necessity, public convenience and general welfare in accordance with ***Guam Code Annotated 21 GCA, Chapter 61, Section 61630.***

5. Support Information. The following supporting information shall be attached to this application:

a. 8 1/2" X 14" map, drawn to scale, showing existing zoning within 1000 feet radius from the subject lot's boundaries.

ATTACHMENT: Section 61630 (Requirements For Changes) and Section 61638 (Review by Municipal Planning Council is attached for your information and guidance in preparation of your Zone Change Application. For additional requirements, visit the Zoning Section, Land Planning Division.

ZONE CHANGE

5. **Supporting Information (Continuation):**

b. All parcels and their uses within 750 feet radius from the subject lot's boundaries. The map shall also contain:

(1) Lot number for every parcel(s);
(2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
(3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
(4) The nearest location of all public utilities to the subject lot;
(5) All natural or topographic peculiarities.

c. 8 1/2" X 14" map, drawn to scale, showing all parcels within 500 feet radius of the subject lot's boundaries. Each parcel shall be identified with property lot number.

d. The most recent survey map, certified and recorded at the Department of Land Management, showing the subject property.

e. A detailed As-Built Plan of the lot shall include the following:

(1) Total number and types of building;
(2) Parcel size in square meters/feet;
(3) Layouts of utilities and drainage;
(4) Proposed lot coverage of building(s) and accessories in square meters/feet;
(5) Approximate gross and net densities allowed on parcel;
(6) Feasibility study;
(7) Topography;
(8) Existing earth faults and sinkholes;
(9) Water courses and lens;
(10) Reservation, conservation and historic places;
(11) Total percentage of open spaces exclusive of parking stalls and other man-man features;
(12) Percentage of building footprint (PD only); and
(13) Compatibility to surrounding uses (PD only).

f. If leased, lease agreement (the assignment of lease and the covenant).

g. An initial comprehensive ***Environmental Impact Assessment (EIA)*** in accordance with Executive Order 90-10.

h. Additional information as required by the Guåhan Chief Planner

Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, applicant must submit the required number of hard copies (32 sets) of the Application and nine (9) copies of the Application in electronic format (example: in CD format, etc.)

6. **Filing Fee: Fifty Dollars ($50.00)** filing fee for the first five pages, and $.25 for any additional page, under Public Law 29-02, Chapter V, Part III *(Fees and Charges Assessed by the Department of Land Management).*

ZONE CHANGE

7. **Required Signatures:** All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

"I hereby certify that all information contained in this application and its supplements is true and correct. I also understand that any misrepresentation in this application shall void the entire submission. Further, that thirty-two (32) sets of the above listed required information is provided."

(RE: Lot 5328-REM Mangilao, Guam)

Joseph M. Palomo - Administrator of subject lot. 8/20/2016

(Owner(s) or Lessee(s) and Date)

FOR:

Harry D. Gutierrez, Consultant 8/20/2016

(Representative, if any, and Date)

(See attached affidavit of Authorization)

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

FOR OFFICIAL USE ONLY

Date Accepted: _____ Accepted By: _____

Date of Notice in Newspaper(s): _____ Date of Notice to Adjacent Property Owners: _____

Date of Public Hearing: _____

Filing Fee(s) Paid *($)*: Yes [ ] No [ ] Check [ ] Cash [ ] Other [ ] _____

Receipt No.: _____ Application Number: _____

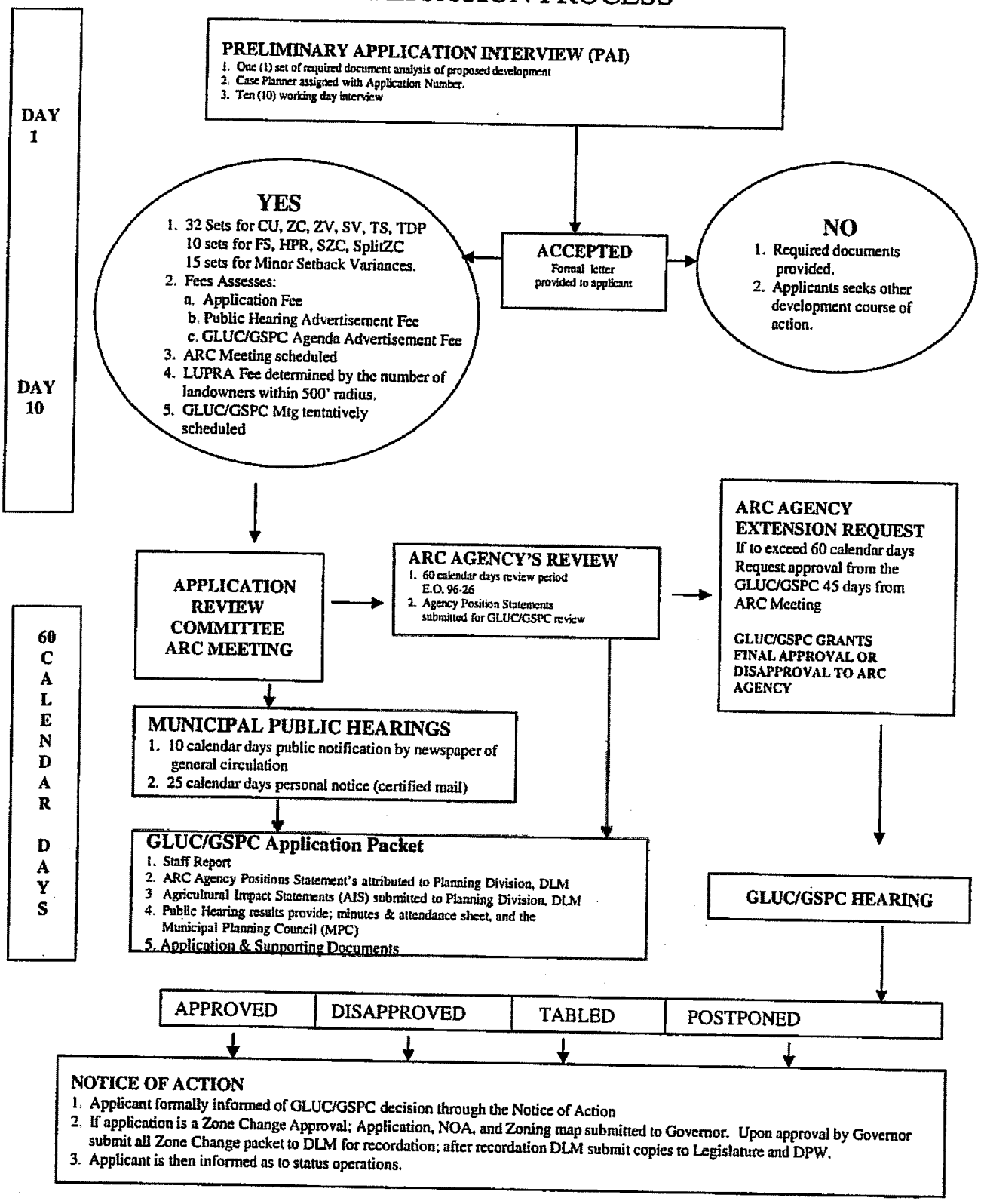
Date of GLUC Action: _____ Conditions: Yes [ ] (See Below) No [ ]

Conditions of Approval: _____

_____

GLUC Resolution No.: _____ Date of Notice of Action: _____

GUAM LAND USE COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
APPLICATION PROCESS



21 GCA REAL PROPERTY
CH. 61 ZONING LAW

PART 3
CHANGES OF ZONES

§ 61630. Requirements for Changes.
§ 61631. Procedure.
§ 61632. Application-Form and Contents.
§ 61633. Hearing Date-Notice.
§ 61634. Decision by Commission.
§ 61635. Planned Development Districts.
§ 61636. Change of Zoning Map.
§ 61637. Agricultural Impact Statement.
§ 61638. Review by Municipal Planning Council.
§ 61639. Summary Procedure for Agricultural and Single Family Residential Rezoning.

§ 61630. Requirements For Changes.

The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience and general welfare justify such action.

SOURCE: GC § 17600.

§ 61631. Procedure.

A proposed change may be initiated by the Commission or by an application directed to the Commission by any person owning or leasing real property within the area covered by the zone.

SOURCE: GC § 17601.

§ 61632. Application-Form and Contents.

An application for a change of zone shall be filed with the Commission upon a form and accompanied by such data and information as the Commission may prescribe.

SOURCE: GC § 17602.

§ 61633. Hearing Date-Notice.

Upon the filing of an application for change of zone, the Commission shall hold at least one hearing thereon in the municipal district where the property to be rezoned is located, as such districts are described in Chapter 40, 5 GCA Government Operations, notice of time and place of which shall be given at least one publication in a newspaper of general circulation, at least ten (10) days before the day of said hearing, and by mail to the Commissioner of the municipal district concerned, and to those landowners owning land within five hundred (500) feet of the property for which rezoning is requested, the mailing addresses for such landowners to be in the Real Estate Tax records.

SOURCE: GC § 17603 as amended by P.L. 10-158.

§ 61634. Decision by Commission.

The Commission shall consider the proposed change of zone and may approve or disapprove the same, in whole or in part. The Commission shall make its findings and determination within forty (40) days from the date of the hearing thereon and shall forward notice of such decision to the applicant, if any. If the application is approved in whole or in part by the Commission, the same shall be forwarded to the Governor who may approve or disapprove the proposed change in whole or in part.

SOURCE: GC § 17604.

§ 61635. Planned Development Districts.

A **PD** District enables the unified development of a substantial land area with such combination of uses as shall be appropriate to an integrated plan for the area. The procedure for establishing a PD District is the same as that for the rezoning of an area, providing that a detailed plan be submitted to and discussed with the Territorial Land Use Commission. The application shall be accompanied by the appropriate fee and the detailed plan, or revision thereof. The Territorial Land Use Commission may approve the detailed plan and rezoning, following the required hearing, upon findings that the plan, considering structures, uses, access, regulations and layout fixed in it, comprises:

(a) An area of sufficient acreage to constitute a large planning unit having special attributes for integrated development;

(b) An appropriate development of the area from the viewpoints of its natural features, location and suitability for particular uses;

(c) A combination of structures and uses which are in reasonable association and proportion to make a harmonious unit and likely to continue compatibly with one another;

(d) All structures, including accessory structures, shall not cover more than thirty percent (30%) of the area;

(e) A project adequately serviced by the necessary public services, existing or proposed;

(f) A project consistent with an appropriate development of adjacent areas and not unreasonably detrimental to the existing structures and uses in such areas; and

(g) An appropriate evolution of the comprehensive plan for that portion of the territory.

(h) All impermeable surfaces considered as a structure constituting gardens, sidewalks, fences, barrier walls, retaining walls, open air recreational facilities exposed to sunlight, swimming pools, and all subterranean structures located beneath grade and covered by earth shall be considered as an open area. In approving a detailed development plan, the Territorial Land Use Commission may impose such

regulations of yards, open space, lot coverage, density, and height as are reasonably required to permit the foregoing findings.

SOURCE: GC § 17605. Subsection (h) added by P.L. 27-24:9 (7/18/2003).

§ 61636. Change of Zoning Map.

Any changes of zones or approval of comprehensive community plan pursuant to this Chapter shall be endorsed and delineated upon the Zoning Map and shall constitute an amendment of said map.

SOURCE: GC § 17606.

§ 61637. Agricultural Impact Statement.

No additional land may be established as a rural zone and no land presently zoned A may be rezoned without the Commission first having considered an agricultural impact statement which shall be submitted by the Director of the Department of Agriculture. This statement shall provide a detailed statement of:

(a) The agricultural impact of the proposed rezoning upon the agricultural components of the Guam Master Plan.

(b) Any adverse conservation or agricultural effects which cannot be avoided should the rezoning be approved.

(c) The Director's opinion whether said rezoning should be approved and reasons therefor.

SOURCE: GC § 17607 enacted by P.L. 12-208.

§ 61638. Review by Municipal Planning Council.

The Municipal Planning Council of each municipal district to be affected by a proposed zone change shall within forty (40) days from the date of a public hearing held thereon by such council express its opinion thereon by resolution adopted by the majority of its members. Such resolution shall be forwarded to the Governor for his consideration thereof pursuant to § 61634 within twenty (20) days from the date of its adoption.

SOURCE: Added by P.L. 20-217:5.

Procedures for Placement of Mandatory Billboard for Public Notification

Effective Date: November 11, 2011

As Approved by the Office of the Guam Chief Planner

Division of Land Planning, Department of Land Management

The purpose for thesefollowing procedures is to clarify and standardize the requirement for the placement of public notice signs on the subject lots under review by the Guam Land Use Commission (GLUC) pursuant to 21GCA, Chapter 61, *Zoning Laws*, Part 3, *Changes of Zones*, Section 61633, *Hearing Dates-Notice (for Zone Change Requests);* Article 3, Section 61303(c*) (for Conditional Use Permit Requests);* Part 2, *Appeals & Review*, Section 61619, *Hearing Date-Notice (for Zone Variance Requests).*Applicants are instructed to review the following steps and procedures and acknowledge its contents and responsibilities. (This document shall be entered as a mandatory information and part of the filed application packet)

A. **SIZE DIMENSION AND SIGNAGE:**

1. The Billboard shall maintain a dimension no smaller than 4 feet by 8 feet (as allowed in a standard-sized plywood board) with a **white background entirely.**

2. In that portion stating **"NOTICE TO REZONE*"** shall be dominantly in English, shall use a letter font size no smaller than 12", and shall be in **red.** This portion of the sign shall take up no less than 2 feet by 8 feet and preferably on the upper half of the sign.

3. In that portion stating **"PUBLIC NOTICE"** shall be dominantly in English, shall use a letter font size no smaller than 8", and shall be in **red.**

4. In that portion stating **"AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE CHANGE"** shall be dominantly in English, shall use shall use a letter font size no smaller than 4-6", and shall be in **red.**

5. In that portion providing:**the title of the filed application; owner and name of the developer; the lot, block, and tract number of the subject lot; and the proposed change of zone, purposed variance, or proposed conditional useregarding** the application, shall be dominantly in English, shall use a letter font size no smaller than 4-6", and shall be in either **red or black.**

6. In that portion providing: **the Date and Time for each Public or GLUC Hearing** shall be dominantly in English, shall use a letter font size no smaller than 4-6", and shall be in either **red or black.**

7. **All characters and letters will be printed in legible and permanent media so as to prevent any possible degradation in material or context due to elements of nature.**

Applicant Initials _____

B. PLACEMENT AND MAINTENANCE OF SIGNAGE:

1. The applicant shall not be restricted to the placement of one billboard advertisement of public notice, but shall opt to place additional billboard as may deemed necessary to insure public notification in accordance with applicable statues is achieved and may be applicable at the recommendation of the Guam Chief Planner.

2. The Billboard shall be erected and displayed in a visible and prominent place on the subject site no less than **5 days after the application has been filed with the Guam Land Use Commission or Guam Seashore Commission, whichever is applicable and in accordance to applicable statue.**
3. Billboards shall be erected and in placed in a location within the subject lot(s) as to avoid any hindrance to pedestrian or vehicular travel. **The billboard shall not be used for the purpose of hindering public access within a Public Right-of-Way.**

4. When facing a roadway or in an area determined as the most obvious and visually accessible, such area where the billboard will be placed shall be free of any object, natural material, or any man-made or natural structure or form that would otherwise hinder visual access to the billboard. The applicant or his authorized agent shall be responsible for maintaining said area and signfor the duration of the application's review and assessment period and no later than **one day after the GLUC/GSPC has rendered a final decision.**

5. The applicant or his authorized agent shall be responsible for updating the billboard, particularly on **public hearing or GLUC/GSPC hearing dates.**

C. OFFICIAL STAMP DATE PROOF OF PUBLIC NOTIFICATION:

In an effort to insure timely public notification of public or GLUC hearing dates, times, and venue the applicant or his authorized agent shall perform the following:

1. Upon notification of a confirmed and scheduled public or Commission hearing date, the applicant or his authorized agent shall enter such date(s) on the billboard **no later than three days after being notified*or as required under statute.***

2. For the purpose of insuring proof new information has been added to the sign within the required timeline, the applicant or his authorized agent shall either:
   a. Obtain a **digital photograph of the billboard, obviously showing the entered date(s).** The digital photograph shall then be sent to the application case planner via email or other electronic media. The date received via email or other electronic media shall serve as the ***date stamp proof*** in accordance with part 1a of this instruction; or
   b. Obtain a **still photograph of the billboard, obviously showing the entered date(s).** The photograph shall then be brought to the office of the application case planner, either personally or by electronic means (i.e. electronically scanned then sent by

Applicant Initials _____

(No Smaller than 4 FT X 8 FT Sign Board)

NOTICE TO REZONE*

*1. Shall Occupy Two (2') Feet X Eight (8') Feet of the Sign Area

*2. Letters are to be Twelve (12") Inches High, Colored Red on a White Background

3. Sign Shall be Erected and Displayed in a Visible and Prominent Place on the Subject Site No Less than **Five (5) Days** after Application is filed with the Commission and Shall be Removed when the Commission Renders a Final Decision or Applicant Officially Withdraws the Application.

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE CHANGE

APPLICATION DESCRIPTION:

OWNER:

DEVELOPER:

LOT, BLOCK, TRACT, MUNICIPALITY:

PROPOSED CHANGE OF ZONE:

	DATE:	TIME:	PLACE:
PUBLIC HEARING:	_____	_____	_____
GLUC MEETING:	_____	_____	_____

Attachments:

A. Environmental Impact Assessment
B. Affidavit of Authorization
C. Ownership/Deeds Documents & Misc Information
D. References for Federal Excess Return Land Zoning and 61217, 21 GCA, Federal Excess Lands Zoning
E. Vicinity Map
F. Land Use Radius Maps
G. Official /Recorded Survey Maps

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)
ENVIRONMENTAL IMPACT ASSESSMENT (SHORT FORM)
October 1999

GEPA has developed this EIA form for use by developers proposing projects or land use activities which may pose only insignificant environmental impacts. This form is provided as an alternative to the EIA standard format provided to satisfy the requirements of Executive Order 96-26. If potential environmental impacts and issues are assessed or determined to be significant either by the applicant or GEPA, a more detailed EIA may be required including a thorough presentation and discussion of alternatives as required by the *Guidelines for the Preparation of Environmental Impact Assessments and Statements* (GEPA October 1999).

This EIA format constitutes the minimum necessary assessment and disclosure of potential impacts for a project. This form may also be used as a preliminary scoping guide or checklist in consultation with the Agency.

Case No : _____

Project Title : **Zone Change**

1. Name, address and business telephone of applicant:

Estate of Vicente Palomo Castro, & Joseph M. Palomo (Administrator)
c/o Harry D. Gutierrez 482-5315 (Consultant)

2. Name, title and telephone number of Representative:

Harry D. Gutierrez, Authorized Representative/Consultant, 482-5315

3. Name, title and telephone number of EIA document preparer :

Harry D. Gutierrez, Authorized Representative/Consultant , 482-5315

4. Location of the proposed project: (include tract, block, lot, municipality and a location map)

Lot 5328-REM, Pagat, Mangilao (see attached survey map); Note: Lot is pending parceling and is in review with Land Management under map no. 306FY2016.

5. Describe the general nature or type of proposed project:

To rezone the subject lot from "A" (Agricultural) to M1 (Light-Industrial) Zone in order to construct a Warehouse, office spaces, a veterinary clinic and support services, a boarding facility, a pet store and other permitted uses in the proposed M1 zone.

6. Are the following critical environmental factors affected by the proposed project? If yes, describe the impact and state why it would not be significant. If not affected, provide reasons why. If more space is required refer to and attach additional sheets.

a. Groundwater recharge area: Yes. No significant impacts as all required permits applied for and controls to protect the environment will be adhered and managed to conformance standards.

b. Watersheds: Yes. No significant impacts as all required permits applied for and controls to protect the environment will be adhered and managed to conformance standards.

c. Wellhead protection zone: None; subject to Guam EPA/GWA Verification

d. Streams, lakes or ponds: None

e. Marine waters: None

f. Reef flats: None

g. Pristine forest: None

h. Critical habitat area: No known critical habitat or nearby exists; subject to clearance from Guam EPA and Dept of Agriculture agencies if required.

i. Wetlands: None

j. Flood hazard area: None

k. Archaeological feature(s) or historical sites:

None; Subject to clearance from Dept of Agriculture & Parks & Rec /HPO agencies if required.

7. Will the project result in any of the following environmental or infrastructure impacts?

a. Production of toxic or hazardous waste: None; subject to permitting agencies consultation & clearances.

b. Dislocation of existing businesses, residents or public areas:

None

c. Production of air contaminants (temporary or permanent): None. Only temporary during construction phase; subject to permitting requirements.

No significant impact.

8. Will the project require an increase in the requirements for any of the following public services (provide estimated quantities or volumes)? If answering yes to any of these items you must describe how the impact affects current infrastructure capacity. In addition, if the applicant/developer proposes contributions or mitigation to offset impacts, describe the contribution or mitigation.

a. Drinking water: Water usage to be determined during permitting phase and will submit use demand and other requirements to agencies upon request.

No significant impact.

b. Sewage disposal (public system) :

Public sewer is available near the area, all structures will be connected to public sewer. If not, will comply to GEPA's on site waste-water disposal systems. No Significant Impact

c. Vehicle traffic: Minimal

No significant impacts/existing activity of warehousing, and employee, and patrons parking adequate on site; easy access to Route No. 15.

9. Will clearing and/or grading be required (include the number of acres and a general description of site soil and slope conditions):

No. Minimal impact only during clearing and grading to prepare the site for development.

10. Will the project utilize an individual waste water disposal system such as septic tank/leaching field system, secondary package treatment system..etc.?)

No. Public Sewer is available near the area. and connected. . If not, will comply to GEPA's on site waste-water disposal systems. No Significant Impact

11. Will the project include the use of above or below ground storage tanks for fuel or water?

Yes, (above ground) if needed, fuel for emergency generator on site, to be cleared by Guam EPA, subject to other clearances should a requirement be needed, will be complied with during permitting process.

If preliminary construction drawing, site plans, or related documents are available please provide such as attachments. For more information and assistance you may call GEPA Environmental Planning & Review Division at 475-1662/3

DECLARATION BY APPLICANT
Based on this assessment, it is reasonable to expect that this project will not result in significant adverse environmental impacts. I/we hereby declare a "finding of no significant impact".

Applicant: Estate of Vicente Palomo Castro & Joseph M. Palomo (Administrator)

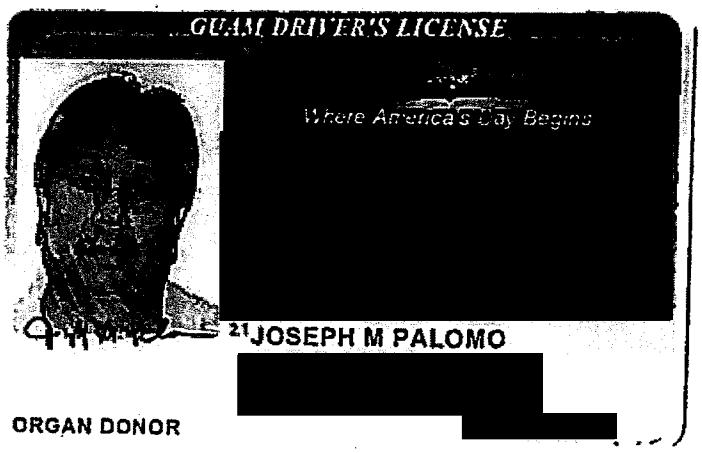
FOR: Harry D. Gutierrez, Consultant

Applicant or Representative(signature)

August 20, 2016
Date

Providing false or misleading information in this assessment may constitute grounds for permit and EIA suspension or disapproval until such time as the applicant or document preparer makes all appropriate amendments or corrections as required by Guam EPA. Statements made in this form are binding for the purpose of environmental protection and the preparer and/or applicant is responsible for the timely implementation of protection and mitigation measures identified. Failure to fulfill stated avoidance, minimization or mitigation measures may also constitute grounds for Agency enforcement actions to the full extent of all applicable environmental regulations and statutes.

GEPA-EPR001 (12/12/96)


GUAM DRIVER'S LICENSE
Where America's Day Begins
21 JOSEPH M PALOMO
[redacted]
ORGAN DONOR

AUTHORIZATION

I, JOSEPH M. PALOMO, administrator of Lot No. 5328 (subsequently to be subdivided into Lot No.5328-REM-1 and Lot No.5328-REM-R2) , Municipality of Mangilao, of legal age and with power bestowed as the administrator of the subject properties, through this instrument s hereby do grant and authorize the following:

1. That **HARRY D. GUTIERREZ** or **JOEL JOSEPH** are hereby authorized to represent me in obtaining a **Zone Change to M1 Application** with the Department of Land Management.

2. That my authorized representative / consultant to conduct himself accordingly to arbitrate, negotiate, commit represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.

I hereunto affix my signatures to this affidavit:

JOSEPH M. PALOMO

ADMINISTRATOR and Date : 8/09/2016

ID OR DRIVER LICENCE

(See Attached Guam Drivers License)

RECORDATION
AT
THE
DEPARTMENT
OF
LAND
MANAGEMENT

Land of Guam, Government of Guam
Department of Land Management
File for record is Instrument No. 876866
For the Year 15, Month 04, Day 04, Time 2:29
Book No. 41 Receipt No. 39937
By: [illegible]

(Space above this line is for Recorder's use only)

ADMINISTRATOR'S DEED

JOSEPH M. PALOMO, as the Administrator with the will annexed of the Estate of Vicente Palomo Castro, deceased ("Grantor"), whose address is Post Office Box 909 . Hagåtña, Guam 96932, does hereby grant, bargain, sell and convey unto **JOSEPH M. PALOMO**, as Administrator of the Estate of Joaquin Blas Palomo, deceased, ("Grantee"), whose address is Post Office Box 909, Hagåtña, Guam 96932, and his successors and assigns in fee simple, all the right, title and interest of the Estate of Vicente Palomo Castro, deceased, in and to those two parcels of real property (the "Premises") situated in the municipality of Mangilao, Guam, and more particularly described in "Exhibit 1" attached hereto.

Together with all appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and also all of the estate, right, title, interest, possession, claims and demands whatsoever, both at law and in equity, of said Grantor, as administrator with the will annexed of the Estate of Vicente Palomo

COPY

Castro, deceased, in and to the above-described Premises, and every part and parcel thereof with the appurtenances thereto appertaining.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described Premises, together with the appurtenances, unto the above-named Grantee, his successors and assigns forever subject to all liens, claims and encumbrances of record.

This deed is made pursuant to the Judgment of the Court as to final distribution in In the Matter of the Estate of Vicente Palomo Castro, deceased, Superior Court of Guam Probate Case No. PR0057-54, filed February 2, 2015, a certified copy of which is attached to this deed.

Grantee acknowledges that water and power (electricity) are immediately available on the Premises or within 100 feet of the property as to Lot 5328. Grantee acknowledges that water and power (electricity) are not immediately available on the Premises or within 100 feet of the property as to Lot 2491.

IN WITNESS WHEREOF, the Grantor and Grantee have caused this ADMINISTRATOR'S DEED to be executed in Hagåtña, Guam this 3rd day of April, 2015.

GRANTOR:

By: _____
JOSEPH M. PALOMO, as Administrator with the will annexed of the Estate of Vicente Palomo Castro

GRANTEE:

By: _____
JOSEPH M. PALOMO, as Administrator of the Estate of Joaquin Blas Palomo

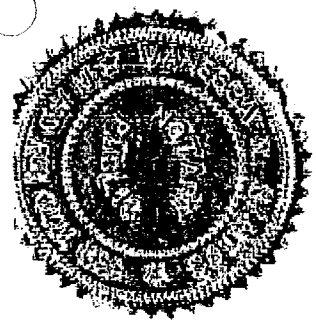
[NOTARY SIGNATURES CONTINUED ON NEXT PAGE]

ACKNOWLEDGMENT

GUAM. U.S.A.)
) ss:
VILLAGE OF HAGÅTÑA)

On this 3rd day of April, 2015, before me, the undersigned notary, personally appeared JOSEPH M. PALOMO, as the Administrator with the will annexed of the Estate of Vicente Palomo Castro, the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

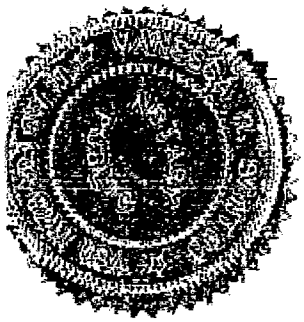


VANESSA R. SANTOS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JULY 06, 2017
238 A.F.C. Flores St., Ste. 801, DNA Bldg.
Hagatna, Guam 96910

GUAM. U.S.A.)
) ss:
VILLAGE OF HAGÅTÑA)

On this 3rd day of April, 2015, before me, the undersigned notary, personally appeared JOSEPH M. PALOMO, as the Administrator of the Estate of Joaquin Blas Palomo, the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



VANESSA R. SANTOS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JULY 06, 2017
238 A.F.C. Flores St., Ste. 801, DNA Bldg.
Hagatna, Guam 96910

D151029.MFT

EXHIBIT 1

PARCEL # 1

Lot 5328, Mangilao, Guam, Estate No. 2482, as said Lot is described in that Retracement Survey Map of Lot 5434 and 5433, as shown on Drawing Number PRB90-179, as L.M. Check Number 093 FY 95, recorded on 30 May 1995 under Instrument No. 529019 at the Department of Land Management, Government of Guam.

PARCEL #2

Lot 2491, Mangilao, Guam, Estate No.1178, as said Lot is described in that Retracement Survey Map of Lot 5434 and 5433, as shown on Drawing Number PRB90-179, as L.M. Check Number 093 FY 95, recorded on 30 May 1995 under Instrument No. 529019 at the Department of Land Management, Government of Guam.

Procedures for Placement of Mandatory Billboard for Public Notification (con't)

email, facsimile, etc). The case planner shall then receive the photo(s) as the date stamp proof of the hearing date in accordance with part 12a of this instruction (in the event a facsimile is used, the case planner shall use the date received in faxed copy as ***the date stamp proof***; otherwise,

c. When personally delivering the photo(s), the applicant or his authorized agent shall submit accordingly using the following form and context for the receipt and acknowledgement of ***stamp date proof***.

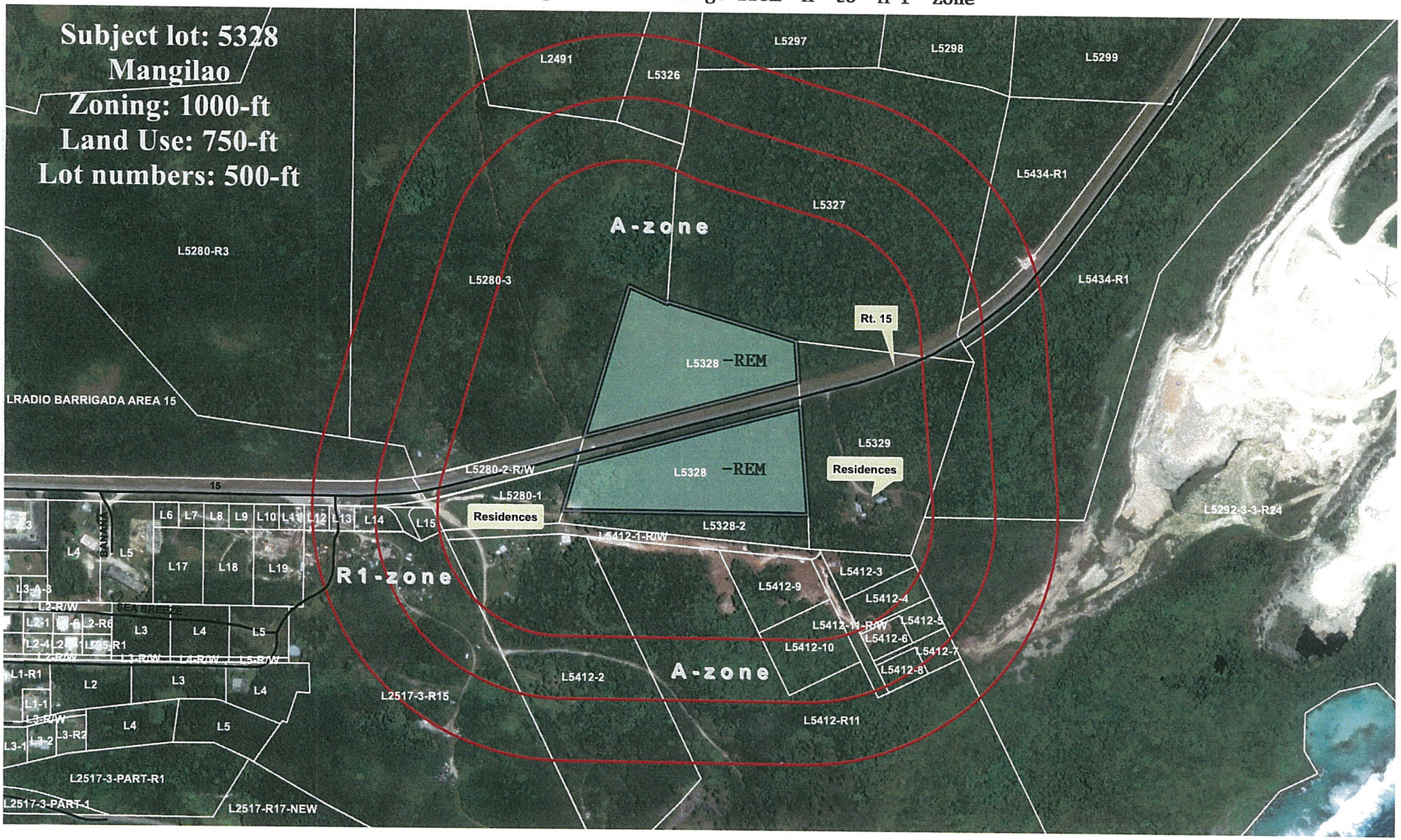
This is to acknowledge that the*applicant's or authorized agent*has submitted proof that dates pertaining the public hearing/Commission were entered in the mandatory Public Notice Billboard pursuant to Part C2a of the *Procedures for Placement of Mandatory Billboard Public Notification.*
DATE NOTIFIED BY CASE PLANNER: _____
DATE ENTERED ONTO BILLBOARD BY APPLICANT: _____
CASE PLANNER ACKNOWLEDGED: _____
GUAM CHIEF PLANNER ACKNOWLEDGED: _____

****This document to have attached a copy of a sign sample.*

I/We have been advised of my/our Case Planner of the requirements of the mandatory installation of a public notice sign as described above and that I am/we are responsible for its installation, maintenance, and updating of said sign as well meeting the requirements of all applicable statues relative to providing appropriate public notice of all applicable public meeting and/or hearing dates concerning my/our land use application as filed with the Division of Land Planning. I/ We understand that any failure to meet these requirements may prevent further processing of my/our application or revocation, thereof.

_____	_____	_____
APPLICANT'S NAME (PLEASE PRINT)	**SIGNATURE**	**DATE**

Attachment – Lot 5328-REM, Mangilao, Guam : Proposed Zone Change from "A" to "M-1" Zone





Micronesian Exotic Animal Specialty Services

Wise Owl Animal Hospital

109 Serenu Ave, Tamuning, GU 96931
671-646-2273 671-646-2264 FAX
www.WiseOwl.net PacificIslandVet@gmail.com

In association/support with:
PACIFIC ISLANDS VETERINARY SERVICES
a non-profit NGO, operating in the North Pacific islands
PacificIslandVet@hotmail.co.uk

May 16, 2016

re: Conditional use permit
Lot 5328 (Northern and Southern parts), Mangilao, Guam

Dear Land Use Commission,

We propose to build a modern Veterinary facility on the above mentioned property. It is presently zoned Agricultural. The facility will include a 6,000 sq. ft. Veterinary Facility, 6,000 sq. ft. Pet Store, a standard boarding facility for 60 dogs/cats, a luxury boarding facility for 30 dogs/cats, Canine-Feline-Avian Quarantine facility, Animal Shelter, employee apartments/housing, and an outdoor public use facility (non-fixed seating). The facility will be an example of an environmentally conscious & friendly construction.

Presently, there are only a few scattered houses in the immediate area.

Survey: The land survey is pending and will be supplied as soon as it is received.

Sewage: A septic system is planned and will include 2 holding (septic) tanks, nitrogen recovery system, and will be built to handle 150% of the expected use. If sewer hookup is required, it is located 3100 linear feet west on Rt 15.

Access: Access is directly from Rt 15 in Mangilao

Outdoor Public Use Facility:
This will be designed for use with dog shows, dog weight pull competitions, and similar events. It could also be used for art shows and other similar public uses.

Parking:

a) There is currently planned 100 parking spaces, plus a separate garage for the WOAH fleet of vehicles.
b) Bicycle parking facilities will hold 12 bicycles

Power: The property is expected to be hooked up to GPA power grid. Additionally, all the buildings will have solar power installed, but without battery backup. We additionally plan to install 5 windmills on the southernmost aspect of the property.

Compatibility:

The area, and adjacent areas, under consideration have not been developed to date. The new GPA/GWA facility is south and east of this property. Hawaiian Rock is to the north and east of the property. Neither shares a border with any of the lots adjacent to us. As such there will be no impact on the neighboring properties from this development, other than increasing their land value.

Wise Owl Animal Hospital (WOAH) has become the largest and most popular Veterinary Facility in Guam. The citizens of Guam have shown that they desire the low cost – high quality medicine and animal care that WOAH has provided for over 11 years. It will be the first Veterinary facility in the Western Pacific that meets American Animal Hospital Association (AAHA) accreditation requirements. With the growing animal/pet population on Guam and the increased care these pets are receiving this facility will have a high demand. Additionally, it should help alleviate the strain on GovGuam related to the Boonie dog problem with its animal shelter.

Presently WOAH employs over 30 people; once the new facility is completed, it will employ approximately 50 people. WOAH has trained, and paid for the training, of over 60 local young adults, who have become Certified Veterinary Technicians (CVT's), many of them are now working in this career stateside. WOAH pays the highest hourly wages of any veterinary facility on Guam. WOAH employees attend the World Small Animal Veterinary Association (WSAVA) Conference – as one of the largest groups - every year since 2013 (Auckland 2013 – Cape Town 2014 – Bangkok 2015 – Cartagena 2016 – Copenhagen 2017). WOAH has been a great promotion for Guam, as our young adults have shown exemplary behavior, participation, knowledge, and courtesy at all these conferences. This year one of our CVT's has qualified to do a scientific presentation at the conference in Cartagena, Columbia.

WOAH and MESS are deeply involved in community events. From participating in Rotary, to being the sister hospital for the non-profit NGO in the FSM; WOAH is deeply involved in Guam's community. Some of these are;

- Sponsoring the USO and VFW
- Sponsoring Dog Shows for the purebred dog clubs
- Sponsoring 5K Races
- Sponsoring numerous dancers (SKIP), and students (internships)
- Sponsoring Habitat for Humanity Quiz nite
- Sponsoring Miss Pacificana
- Participating in Voter participation drives
- Participating in School Career days
- and the list goes on and on.....

Having the MESS/WOAH facility located in such a central location is a benefit to Guam in all the ways mentioned above.

E 166064.7040

(LOT 5434-R1)
P.L. 31-134

LOT 5329
M.A. DWG# 10463

RADIO BARRIGADA BOUNDARY
Y & D DWG# 458631

(334.631)

RB-12

D BY :

TAITANO
D.L.M.

DATE

R. TAGUIAM
APHIC SUPV., D.L.M.

DATE

AMACHO
NG TECH., D.L.M.

DATE

CERTIFICATION

I, FRANK L. G. CASTRO, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION THAT IT IS BASED UPON A FIELD SURVEY MADE IN JULY 2016, IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON. I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THIS MAP

FRANK L.G. CASTRO, PLS NO. 19 DATE

EXPIRES SEPT. 30, 2017

APPROVAL PURSUANT TO TITLE 21, GUAM ANNOTATED, CHAPTER 61, ZONING LAW AND CHAPTER 62, SUBDIVISION LAW

MARVIN G. AQUILAR, GUAM CHIEF PLANNER DATE

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 60, ARTICLE 5, UNIFORM TRIANGULATION SYSTEM AND REGULATIONS THEREUNDER ON THIS _____ DAY OF _____, 2016

PAUL L. SANTOS, PLS NO. 68, GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE

REVISION	BRIEF DESCRIPTION	BY	DATE	APPROVED BY	DATE

FLGC

FRANK L.G. CASTRO
PROFESSIONAL LAND SURVEYOR NO. 19
ISLAND OF GUAM
P.O. BOX 1119, AGANA, GUAM 96932 TEL. NO. 671-687-2746

SURVEY DATA	DATE
RESEARCHED BY: FLGC	JULY 2016
FIELD BY: FLGC-CREW	JULY 2016
FIELD BOOK: FC-016	JULY 2016
COMPUTED BY: FLGC	JULY 2016
DRAWN BY: GP	JULY 2016
CHECKED BY: FLGC	JULY 2016

LAND MANAGEMENT NO.
FY2016

SURVEYOR'S DRAWING NO.
FC16-

SURVEYOR'S DRAWING NO.
FLGC-16

SCALE : SEE PLAN

SHEET NO. 1 OF 1

REMNANT PARCELING SURVEY MAP
OF
LOTS 5328-REM
MUNICIPALITY OF MANGILAO

L.S. 18 SECT. 1 & 4

LOT NO. PROPOSED BOUNDARY OF RADIO BARRIGADA (AREA NO. 15) CIVIL CASE NO. 34-50

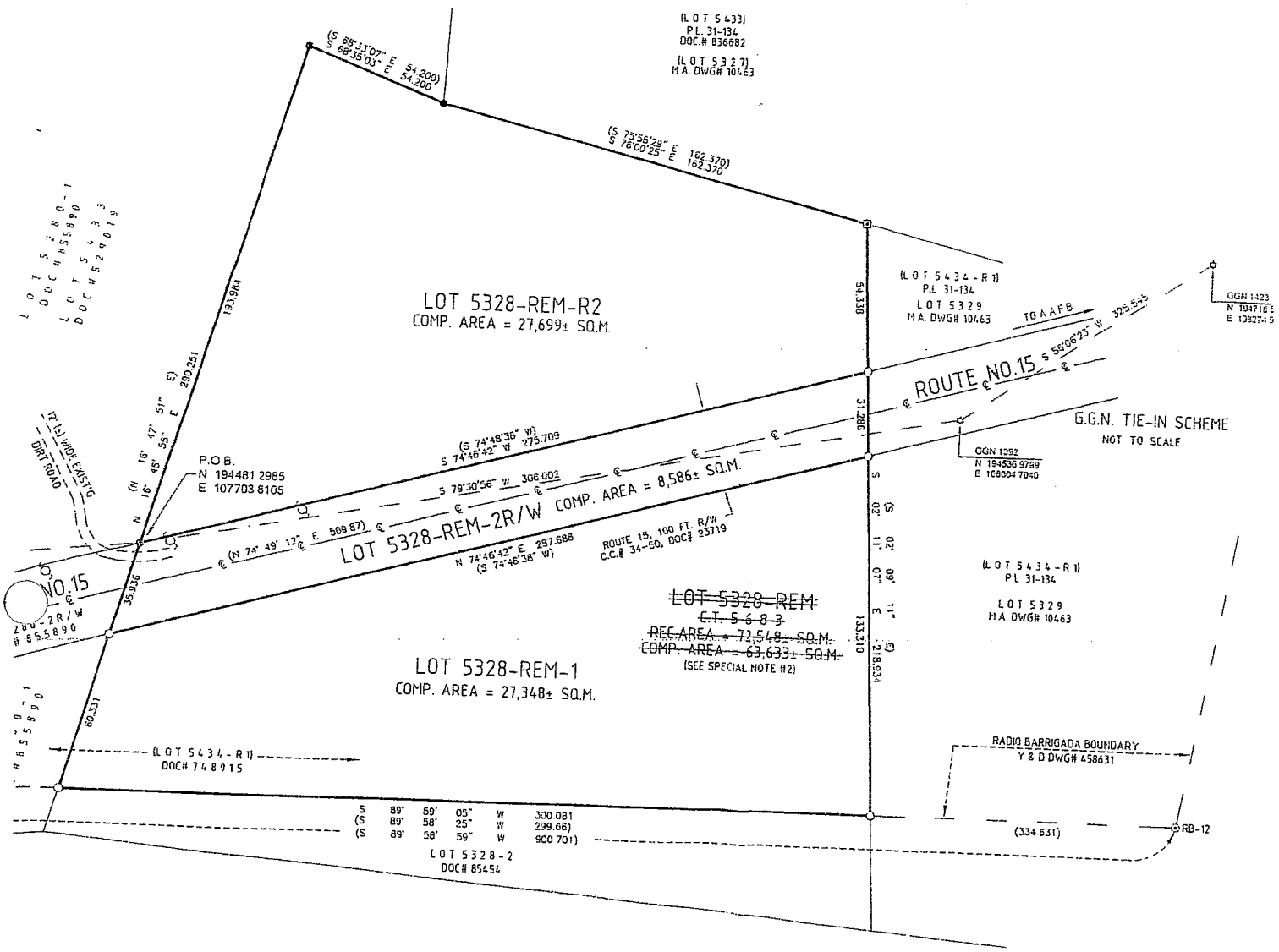
CERTIFICATE OF TITLE NO. 5083

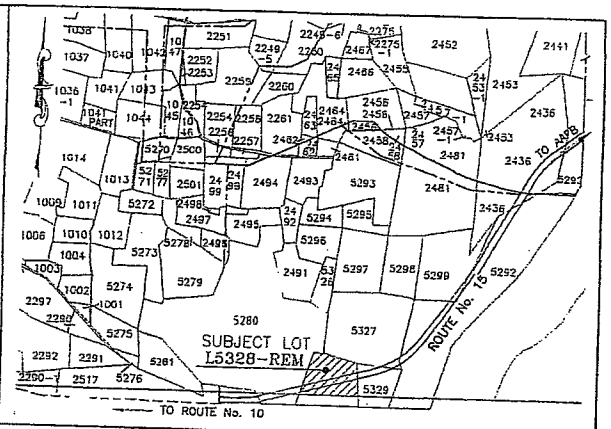
REGISTERED ON: OCT. 29, 1952

IN NAME OF:
THE NAVAL GOVERNMENT OF GUAM, FOR AND ON BEHALF OF THE UNITED STATES OF AMERICA

PREPARED FOR, SATISFACTORY TO & APPROVED BY

JOSEPH M. PALOMO, DOC. # 876866


(LOT 5433)
P.L. 31-134
DOC.# 836682
(LOT 5327)
M.A. DWG# 10463
(S 89°11'07" E 54.200)
S 88°35'03" E 54.200
(S 75°56'28" E 182.370)
S 76°00'25" E 182.370
LOT 5328-REM-R2
COMP. AREA = 27,699± SQ.M
(LOT 5434-R1)
P.L. 31-134
LOT 5329
M.A. DWG# 10463
TO AAFB
S 56°06'23" W 325.545
GGN 1423
N 194716.5
E 109274.9
ROUTE NO.15
G.G.N. TIE-IN SCHEME
NOT TO SCALE
GGN 1292
N 194536.9789
E 108004.7040
P.O.B.
N 194481.2985
E 107703.8105
(N 16° 47' 51" E 290.251)
N 16° 45' 55" E
193.984
12'-0" (±) WIDE EXIST'G DIRT ROAD
(S 74°48'38" W 275.709)
S 74°46'42" W
S 79°30'56" W 306.002
(N 74° 49' 12" E 509.87)
LOT 5328-REM-2R/W COMP. AREA = 8,586± SQ.M.
N 74°46'42" E 297.688
(S 74°48'38" W)
ROUTE 15, 100 FT. R/W
C.C.# 34-60, DOC# 25719
35.936
NO.15
28'W-2R/W
#855890
LOT 5328-REM
E.T. 5683
REC.AREA = 72,548± SQ.M.
COMP. AREA = 63,633± SQ.M.
(SEE SPECIAL NOTE #2)
LOT 5328-REM-1
COMP. AREA = 27,348± SQ.M.
54.330
S 11°20'07" E 133.310
(S 11°20'07" E 218.954)
(LOT 5434-R1)
P.L. 31-134
LOT 5329
M.A. DWG# 10463
60.331
(LOT 5434-R1)
DOC# 748915
RADIO BARRIGADA BOUNDARY
Y & D DWG# 458631
S 89° 59' 05" W 330.081
(S 89° 58' 25" W 299.66)
(S 89° 58' 59" W 900.701)
LOT 5328-2
DOC# 85454
(334.631)
RB-12
LOTS 2 NO-1 DOC #855890
LOTS 5433 DOC #520193



VICINITY MAP
(NOT TO SCALE)

NOTES:

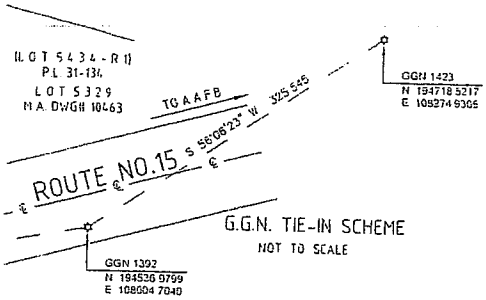
1 SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2 ALL DISTANCES ARE IN METERS, UNLESS OTHERWISE NOTED
3 BEARING AND DISTANCES ARE 1993 GRID, IN PARENTHESIS ARE RECORD DATA
4 SUBJECT LOT IS WITHIN THE NORTHERN AQUIFER
5 SUBJECT LOT IS ZONED "A" AGRICULTURAL AS OF APPROVAL OF THIS MAP. F3-67S-40
6 ASBUILTS EXISTS AS SHOWN AS OF APPROVAL OF THIS MAP
7 QUITCLAIM DEED DOC # 850446 TO ESTATE OF VICENTE PALOMO CASTRO

REFERENCES:

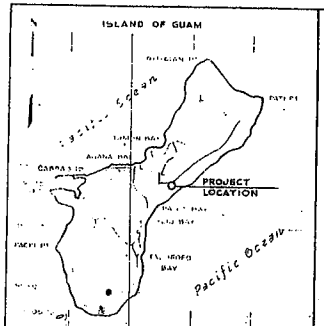
1 LOT PARCELLING SURVEY MAP OF LOT 5280, PREPARED BY PLS# 19
DLM NO 121FY2013, DOC# 855890 .
2. SUBDIVISION SURVEY MAP OF LOT 5434, PREPARED BY PLS# 71
DLM NO 150FY2006, DOC# 748915.
3 M A DWG# 10463, PROPERTY MAP LAND SQUARE 18, SECT 184,
4. BASIC LOT NAVY MAP RADIO BARRIGADA
5 LAND REGISTRATION SURVEY MAP OF LOT 5328-2, PREPARED BY PLS# 6
DLM NO 44FY68, DOC# 85454.

CERTIFICATION

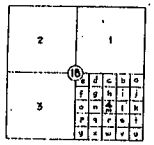
I, FRANK L G CASTRO, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION THAT IT IS BASED UPON A FIELD SURVEY MADE IN JULY 2016 , IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATIONS THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND



G.G.N. TIE-IN SCHEME
NOT TO SCALE



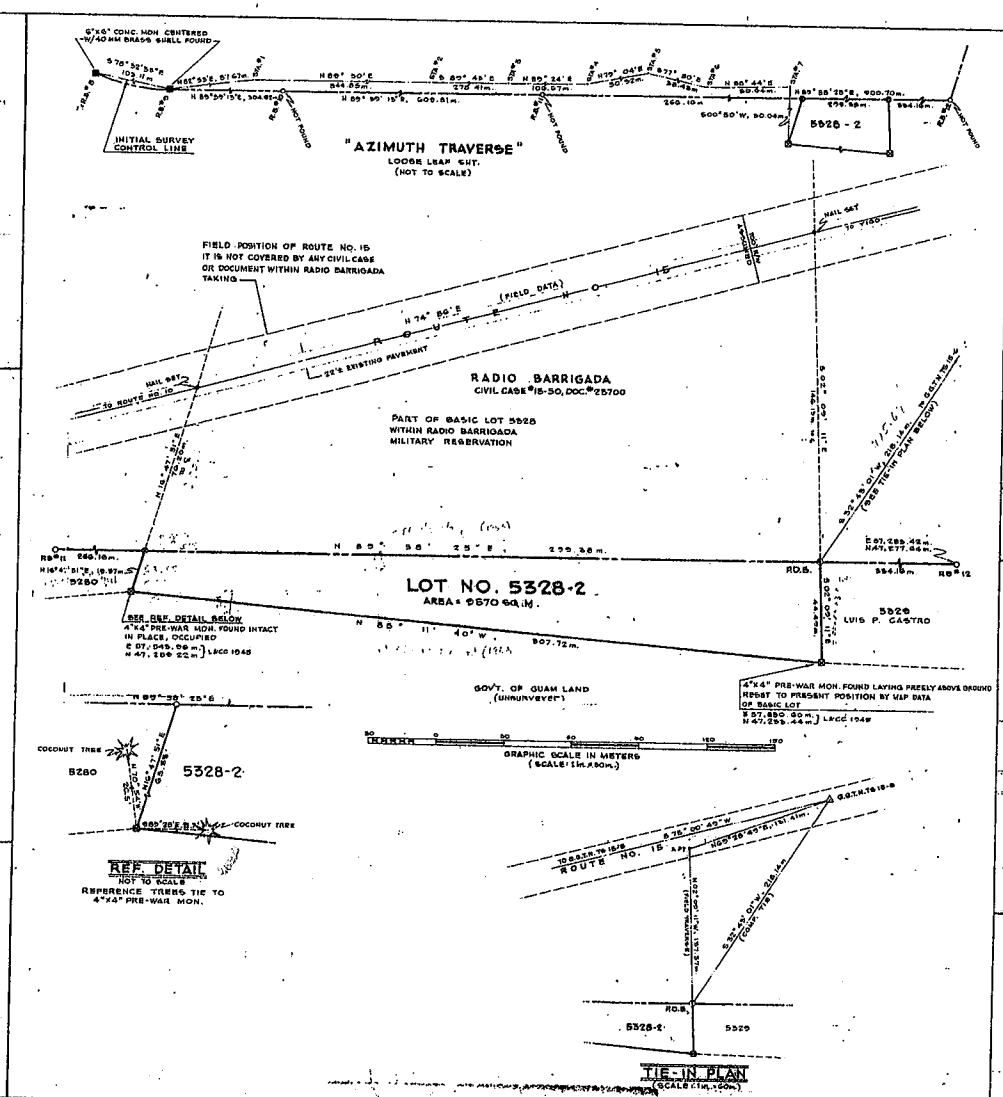
PROJECT LOCATION MAP

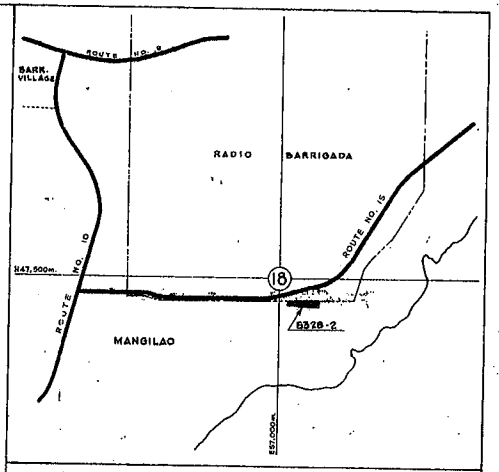


KEY to LAND SQUARE, SECTION and UNIT

SYMBOLS:

- (M) X 4"X4" CONC. MON (PRE WAR) FOUND
- ( ) B 4"X4" CONC MON (POSTWAR) FOUND
- ( ) E 4"X4" CONC. MON. SET
- ( ) ⊕ SPIKE FOUND
- (M) + SPIKE SET
- ( ) ● REBAR FOUND
- (M) R REBAR SET
- (M) O PIPER NOT RETRACED
- (M) Δ SOUTH 1964
- ( ) ▲ LAGCO 1945
- (M) ——— MILITARY BOUNDARY
- (M) ——— SUBJECT PARCEL TIE-IN LINE
- (M) ——— NONE SUBJECT R/LINE





VICINITY INDEX MAP

GRAPHIC SCALE IN METERS

BRIEF HISTORY OF ESTATE NO. LOT NO.

BASIC LOT 5328, WAS ORIGINALLY OWNED BY VICENTE CASTRO PALOMO, THEN WAS DEEDED OVER TO JOAQUIN BLAS PALOMO, UNDER PROBATE CASE# 87-40, DIST. DOC#31064. JOAQUIN BLAS PALOMO TO JOAQUINA M. PALOMO PROBATE CASE# 55-61, DIST. DOC# 61273, THEN JOAQUINA M. PALOMO TO JOAQUIN M. and ANA S. PALOMO (LOT 5328-2) DOC.# 81786

2742	DAY BK #41	BASIC LOT NO. 5328	
25710	M.A. 6646	RADIO BARRIGADA BOUNDARY	34-50
DOCUMENT	MAP NO.	REMARKS	FILE NO.

RECORD DATA

ESTATE NO. BASIC LOT NO.

PROPERTY OWNER OR GRANTOR

Joaquin M. Palomo
GRANTOR

PREPARED BY: DATE: APPROVED BY:

Joaquin M. Palomo
Ana S. Palomo
GRANTEES and CLAIMANTS

GRANTOR

NOTES:

(1) AREA IS BASED ON ORDER, LOT AS SHOWN ON PLAT

(2) BASIS OF BEARING: (M) BASIC LOT DATA
( ) BOTTER SURVEY 1918
( ) LAGCO 1945
(M) PIE 1949
( ) SOUTH 1963

(3) REMAINING PORTION OF BASIC LOT 5328 SOUTH OF RADIO BARRIGADA METES AND BOUNDS DATA IS COMPUTED FROM DATA CONTAINED IN M.A. DWG. 10163, DATED NOV. 1952, SHT. 1 OF 1 AND Y-ID-DWG 498-951, DATED JULY 29, 1949, SHT. 1 OF 2, RESPECTIVELY.

(4) HORIZONTAL CONTROL BY AZIMUTH TRAVERSE ORIGINATES FROM RB#5 AND RB#8 TO A PRE-WAR MON. FOUND ON THE EXTREME SOUTHWESTERLY CORNER OF BASIC LOT NO. 5328 AS INDICATED ON REF. DETAIL ABOVE.

TERRITORIAL PLANNING COMMISSION APPROVAL UNDER TITLE XIX, GOVERNMENT CODE OF GUAM NOT REQUIRED

DATE Sept 19, 1967

TERRITORIAL Chief of Land Planning

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF CHAPTER 3, TITLE 21, GOVERNMENT CODE OF GUAM AND REGULATIONS THEREUNDER ON THIS THE 13th DAY OF September, 19 67

TERRITORIAL SURVEYOR

I, JUAN T. UNTALAN, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON ACTUAL SURVEY MADE ON THE GROUND IN PERFORMANCE WITH ALL APPLICABLE LAW AND REGULATIONS. 19 67.

JUAN T. UNTALAN, R.L.S. NO. 6

REV.	DATE	BRIEF DESCRIPTION	BY	APP'D

SURVEY DATA	DATE
RECORD SEARCH JR.	JUNE '67
SURVEYED E.A.P.	do
BOOK NO. 668-#9	do
COMPUTED J.T.C.	do
DRAWN APP	JULY '67
TRACED TRC	do

GRANTOR

LAND MANAGEMENT DATA

SHEET 44-FY 68

UNTALAN'S SURVEY SERVICES
JUAN T. UNTALAN, REGISTERED LAND SURVEYOR NO. 6
TEL. NO. 723-252 P. O. BOX 2215
EAST AGANA AGANA, GUAM

LAND REGISTRATION MAP OF
LOT NO. 5328-2
SITUATED IN TANAI, MUN. DISTRICT OF BARRIGADA
LAND SQ. 18, SEC. 4, UNIT 4

5328-2
UNREGISTERED
JOAQUIN M. and ANA. S. PALOMO

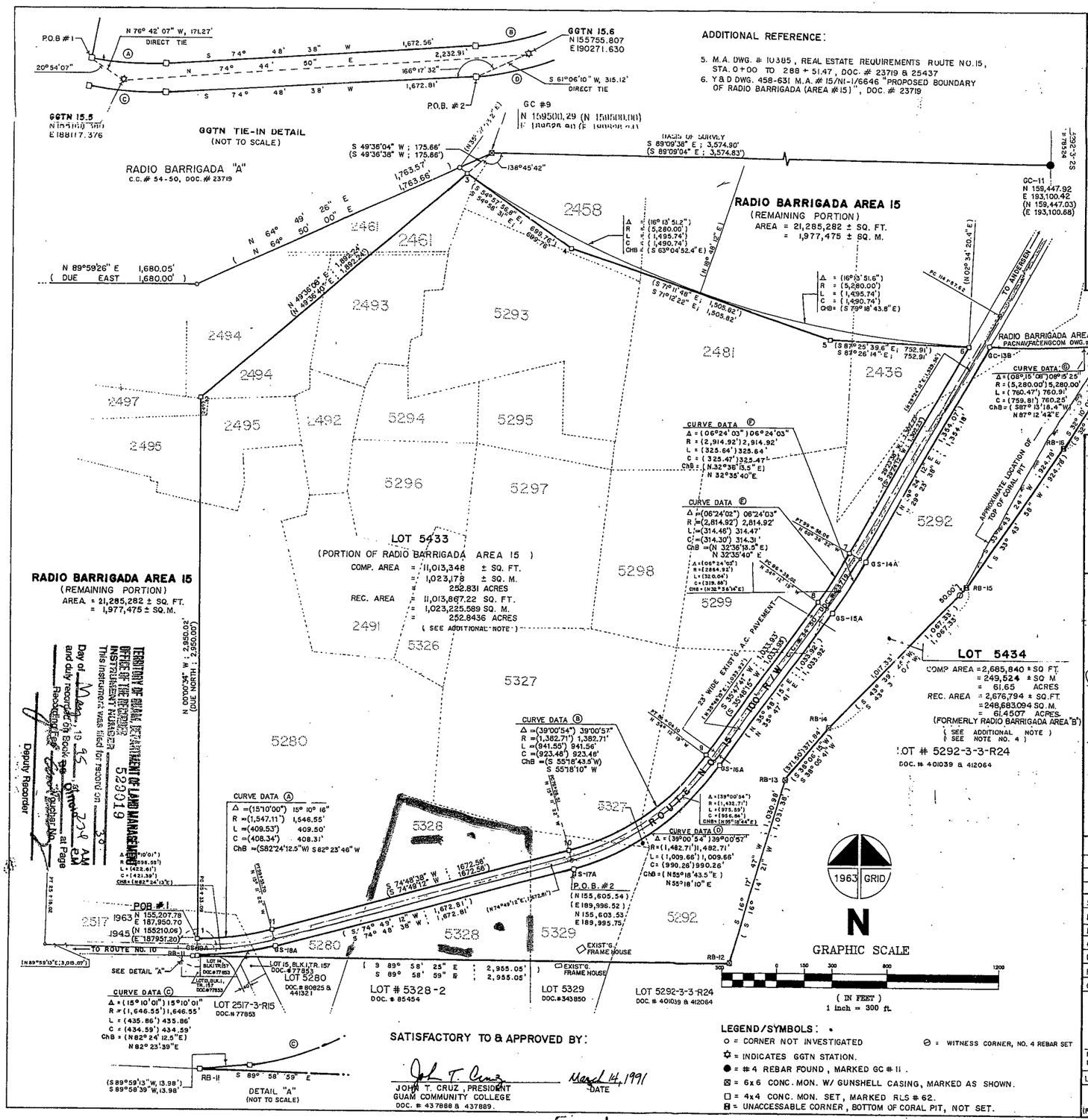
SCALE: 1in.=50m. 730-T67 B

DWN. DEC. 67 TRACED

S-7250

Approved

Doc. No. 34GL-17-1244.



Doc. No. 34GL-17-1244.

SPECIAL NOTES:

1. PER PL 28-126, SECTION 1(d), THIS IS A LOT PARCELING SURVEY AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF PL 28-126, SECTION 1(a).
2. PURSUANT TO 21 GCA, CHAPTER 62, SECTION 62102, ANY FUTURE SUBDIVISION/PARCELLING DEVELOPMENT OF LOT 5280-3 SHALL REQUIRE CREATION OF PUBLIC ACCESS TO THE ADJOINING LOTS.
3. LOT 5280-1, -2R/W and -3 WERE PORTIONS OF LOT 5433 PER 093 FY95 UNDER DOC# 529019.

CHECK BY:

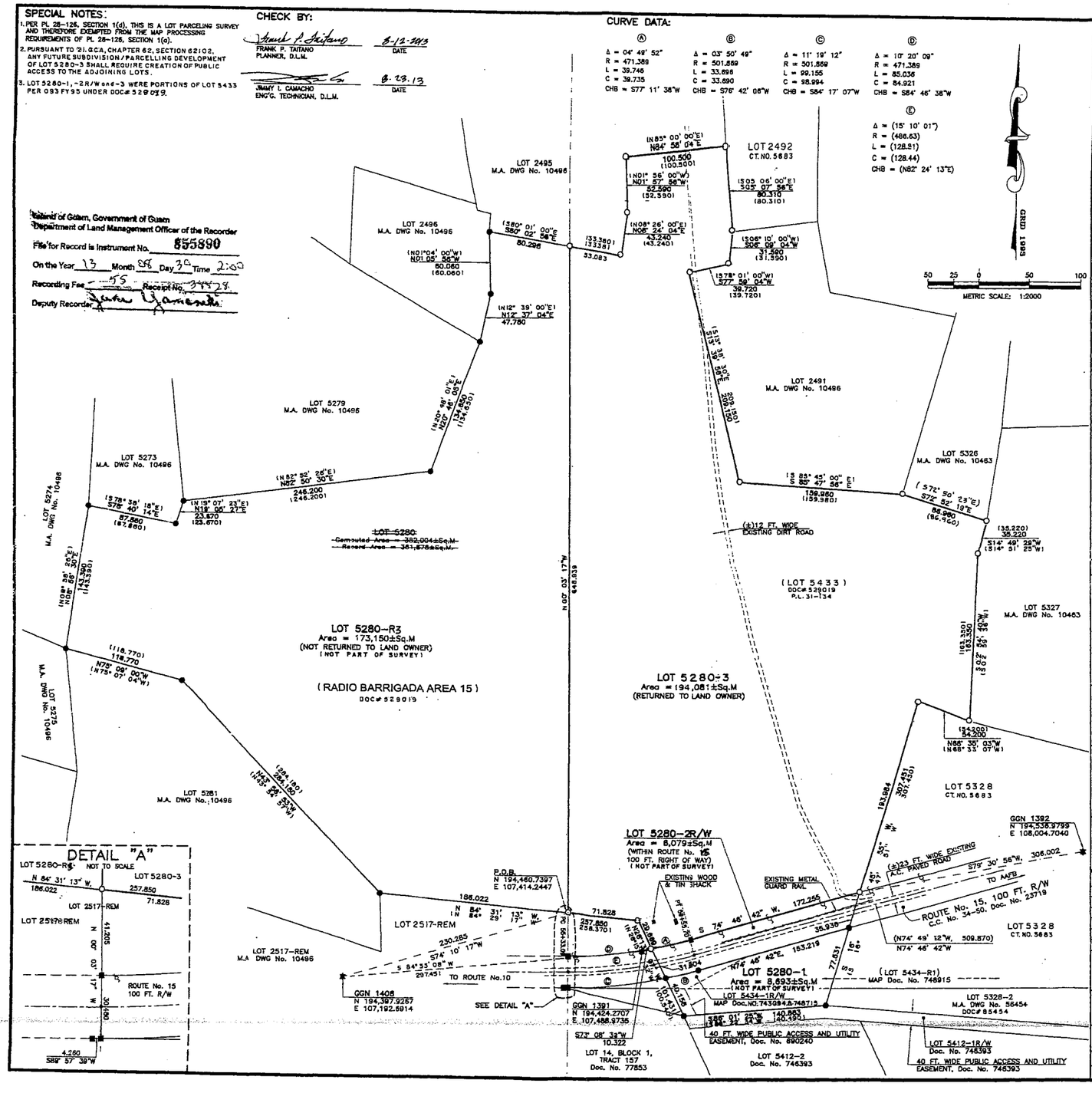
Frank P. Taitano — 8-12-2013
FRANK P. TAITANO — DATE
PLANNER, D.L.M.

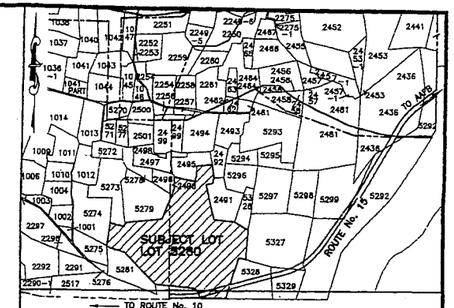
Jimmy L. Camacho — 8.23.13
JIMMY L. CAMACHO — DATE
ENG'G. TECHNICIAN, D.L.M.

Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder
File for Record is Instrument No. 855890
On the Year 13 Month 08 Day 20 Time 2:00
Recording Fee 55 Receipt No. 34528
Deputy Recorder

CURVE DATA:

(A)	(B)	(C)	(D)	(E)
Δ = 04° 49' 52"	Δ = 03° 50' 49"	Δ = 11° 19' 12"	Δ = 10° 20' 09"	Δ = (15° 10' 01")
R = 471.389	R = 501.859	R = 501.859	R = 471.389	R = (486.63)
L = 39.746	L = 33.696	L = 99.155	L = 85.036	L = (128.81)
C = 39.735	C = 33.690	C = 98.994	C = 84.921	C = (128.44)
CHB = S77° 11' 38"W	CHB = S76° 42' 08"W	CHB = S84° 17' 07"W	CHB = S84° 48' 38"W	CHB = (N82° 24' 13"E)





VICINITY MAP
(NOT TO SCALE)

NOTES :

1. SURVEY WAS BASED ON FOUND CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES WITHIN PARENTHESES ARE RECORD DATA. ALL OTHERS ARE 1983 GRID VALUE.
4. SUBJECT LOT IS WITHIN THE NORTHERN AQUIFER.
5. SUBJECT LOT IS ZONED "A" AGRICULTURAL AS OF APPROVAL OF THIS MAP, F3-675 40
6. ASBUILTS EXISTS AS SHOWN AS OF APPROVAL OF THIS MAP.

REFERENCE :

1. DWG No. PIR890-179, RETRACEMENT SURVEY OF LOT 5434 AND LOT 5433 (PORTION OF RADIO BARRIGADA AREA 15), PREPARED BY RLS No. 62, L.M. No. 093-FY95, Doc. No. 529019.
2. DWG No. DAI-S-08-20, SUBDIVISION SURVEY OF LOT 5412, PREPARED BY PLS No. 71, L.M. No. 186-FY2008, Doc. No. 746393.
3. DWG No. DAI-S-08-06, SUBDIVISION SURVEY OF LOT 5434 (SEVERANCE OF RIGHT OF WAY), PREPARED BY PLS No. 71, L.M. No. 150-FY2008, Doc. No. 748915
4. M.A. DWG No. 10385, REAL ESTATE REQUIREMENTS OF ROUTE No. 15 (STA 0+00 TO STA 286+51.47), Doc. No. 23719.
5. QUITCLAIM DEED TO ESTATE OF CATALINA M. CAMACHO, DOC. 858986.

SYMBOLS :

- GGN STATION
- SET NO. 4 REBAR WITH PLASTIC CAP MARKED PLS 18
- FOUND 4x4 CONCRETE MONUMENT MARKED RLS 62, Doc. No. 529019
- COMPUTED CORNER, NOT RETRACED
- CONCRETE POWER POLE

CERTIFICATION

I, FRANK L.G. CASTRO, hereby certify that this map was prepared by me or under my direct supervision that it is based upon a field survey made in NOVEMBER 07, 2012 In conformance with all applicable laws and regulations. That I am responsible for the accuracy of all data and information shown hereon, I also certify that all the monuments are of the character and occupy the the position indicated on this map.

FRANK L.G. CASTRO, PLS NO. 19 — 7/3/13 DATE

Approval Pursuant to Title 21, Guam Code Annotated, Chapter 62, Subdivision Law

MARVIN Q. AGUILAR ACTING GUAM CHIEF PLANNER — 8/12/2013 DATE

This map has been examined for conformance with Title 21, Guam Code Annotated, Chapter 60, Article 2, Uniform Triangulation System and Regulations thereunder on this 27th day of August 2013.

PAUL L. SANTOS, P.L.S. No. 68, GUAM CHIEF SURVEYOR/CHIEF OF CADASTRE

FLGC

FRANK L.G. CASTRO
PROFESSIONAL LAND SURVEYOR NO. 19
ISLAND OF GUAM
P.O. BOX 1119, AGANA, GUAM 96932 TEL. NO. 849-4540/4541

SURVEY DATA	DATE
RESEARCHED BY: FLGC	NOV. 2012
FIELD BY: FLGC-CREW	NOV. 2012
FIELD BOOK: FC-012	———
COMPUTED BY: FLGC	NOV 2012
DRAWN BY: AMM	NOV 2012
CHECKED BY: FLGC	NOV 2012

LOT PARCELING SURVEY MAP OF LOT 5280
MUNICIPALITY OF MANGILAO
L.S. 18 SEC. 1, 2, 3 & 4

LAND MANAGEMENT NO.	121FY2013
SURVEYOR'S DRAWING NO.	FC12-1123
SURVEYOR'S PROJECT NO.	FLGC121123
SCALE:	1:2000 metes
SHEET NO. 1 OF 1	

LOT NO. PROPOSED BOUNDARY OF RADIO BARRIGADA I AREA NO.15) G.U.V.J. L. CASE NO. 34-50
CERTIFICATE OF TITLE NO. 5383
REGISTERED ON: OCTOBER 29, 1952
IN THE NAME OF: THE NAVAL GOVERNMENT OF GUAM, FOR AND BEHALF OF THE UNITED STATES OF AMERICA

PREPARED FOR, SATISFACTORY TO AND APPROVED BY:
GALO E. CAMACHO — DATE
EXECUTORS, DOC# 84473

S-14304

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://dlm.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

November 4, 2016

Honorable Nonito "Nito" Blas
Mayor of Mangilao

Dear Mayor:

The following application has been filed with the Guam Land Use Commission (GLUC) by:

The Applicant, Joseph M. Palomo, represented by Harry D. Gutierrez, request for a Zone Change from "A" (Agricultural) to "M-1" (Light Industrial) zone for uses of constructing a warehouse, office space, a veterinary clinic, pet store and boarding facility with adequate parking on Lot 5328-REM, in the Municipality of Mangilao, under Application No. 2016-44

For any **Zone Change** requests that may have adverse impact on the public's interests, the GLUC is mandated by law to conduct a public hearing in the municipality where the subject lot is located. Accordingly, we would like to schedule a public hearing to be held at the **Mangilao Community Center, November 30, 2016, at 6:00 p.m.**

Please confirm the time, date and place.

Si Yu'os Ma'ase,

MARVIN Q. AGUILAR
Guam Chief Planner

Attachment:
Application Packet

11/22/16
Nonito C. Blas, Mayor
Municipality of Mangilao
Tel. 734-2163/5731 Fax 734-4130
RECEIVED

PUBLIC HEARING MINUTES (Attachment) Lot 5328-REM, Mangilao

The required public hearing was held at the Barrigada Mayor's Office / Community Center on November 30, 2016, at 6:05 P.M. Present were, the Case Planner, Mr. Harry Gutierrez, Consultant, Mayor Elect Allen Ungacta, a neighbor.

The Case Planner presented the proposed project and read the positions statements from Bureau of Statistics and Plans, Guam Power Authority, Parks and Recreation/Historical Preservation Office. Mr. Gutierrez highlighted details of the application and clients intentions; he discussed the time frame of the application process, proposed construction, improvements and compliance of the building code, permits required for new development on the site; access to the site and area of development to maximize the proposed use and permitted uses on the subject lot.

Public comments and concerns that were noted are as follows:

Mayor Elect Allen Ungacta :

He is supporting the zone change as it will be beneficial to the community and create more jobs for residents. That the site ideal for the proposed uses. Advised the Applicant's representative to ensure all development permits are obtained.

Response (Mr. Gutierez, consultant) :

Public sewer is not available on the site , but the development will be connect to the nearest public sewer connection to be coordinated with Guam Waterworks Authority. All other utility infrastructure is available within 100 feet. The on-site ponding basin will be in place and is subject to approval of Guam Environmental Protection Agency, that a holding tank and other waste-water control system may be imposed on site by Guam EPA.

Mr. David Baza: A resident nearby:

He supports the rezoning application and he wants to also rezone his property nearby into light industrial zone.

Page 2: PUBLIC HEARING MINUTES (Attachment) Lot 5328-REM, Mangilao

Mayor Elect Allan Ungacta:

He stated that the municipal planning council will further review the application and will with the consultant and owners ..as how they have invested interests in our village and community and provide more jobs for our residents.

Planning Staff Summary of Public Hearing:

After discussion on rezoning and information given by the consultant, and clarification of the access, development of the site, the public and those in attendance had no objections to the rezoning.

Planning Staff reminded the Mayor to provide a Municipal Planning Council Resolution prior to the Land Use Commission hearing.

Planning informed those in attendance that the Application Review Committee (ARC) had no objections on the application. The next hearing will be with the Guam Land Use Commission (GLUC), ITC Building, and will be announced in the daily newspaper circulation 10 days prior to the hearing date and time.

There hearing was adjourned at 7:05 p.m.

Penmer Gulac, Case Planner

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

DEPARTMENT OF LAND MANAGEMENT

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

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Director

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Website:
http://land.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

March 4, 2017

MEMORANDUM

TO: **Guam Land Use Commission (GLUC) Members**

FROM: **Guam Chief Planner**

SUBJECT: **Staff Report**
Zone Change -Application No. 2016-44
Lot 5328-REM, Mangilao

A. PURPOSE:

1. **Application Summary:** The Applicant, The Estate of Vicente Palomo Castro & Joseph M. Palomo (Administrator), represented by Harry D. Gutierrez, is requesting the approval of a Zone Change from "A" (Agricultural) to "M-1" (Light - Industrial) Zone, in order to allow construction of a warehouse with office space, a veterinary clinic, a pet store and a boarding facility on Lot 5328-REM, Pagat, Municipality of Mangilao.

2. **Legal Authority:** Title 21, Guam Code Annotated, Chapter 61 Title 21 Guam Code Annotated, Chapter 61 Article 6, Part 3 (Changes of Zones), Sections 61630 thru 61638 (Zoning Law).

B. FACTS:

1. **Location:** The subject site is fronting a 100-foot right of way also known as Route No. 15 and also across the new Gloria B. Nelson GPA/GWA office complex which is located on the eastern border of the lot approximately 900 feet east of Route No. 15. The main access to the site is on Route No. 15 in Mangilao. **(See ATTACHMENTS).**

2. **Lot Areas**: At the time the application was accepted the subject properties were undergoing subdivision survey review by the Department of Land Management[1]. The subject lots have been parceled into two lots with one Right of way, and having an area totaling:
   a. Lot 5328-REM-R2 (Northern Portion) 27,699 square meters or 298,148.4 square feet or 7.45 acres; and
   b. Lot 5328-REM-2 (Southern Portion) 27,348 square meters or 294,370.3 square feet or 7.35 acres

ATTACHMENT 5

[1] See DLM Subdivision Survey Map No. 306FY2016, as approved and recorded under DLM Doc. No. 900617.

3. **Present Zoning:** A" (Agricultural) Zone.

4. **Field Description:** The subject is vacant with overgrown vegetation. The topography is sloping towards the lowest point at Route No. 15. Land uses near include residential and subsistent farming or grazing. Within 900 feet a government services utility complex exists and Hawaiian Rock Products exists approximately ½ mile to the northeast. Other properties to the west have been returned to heirs of ancestral land owners, remain in federal hands, and/or are being administered through the Guam Ancestral Lands Commission. The use activities are mixed and all utility infrastructures are within 100 feet of the subject development.

5. **Masterplan:** Not Determined

6. **Community Design Plan:** Conservation

7. **Previous Commission Action:** **None.**

C. APPLICATION CHRONOLOGICAL FACTS:

1. **Date Heard By ARC:** October 6, 2016

2. **Public Hearing:** November 30, 2016

The required public hearing was held at the Mangilao Mayor's Office / Community Center on November 30, 2016, at 6:05 P.M. Present were, the Case Planner, Mr. Harry Gutierrez, the Applicant's representatives, Mayor Elect Allen Ungacta, a neighbor and DLM staff. Total four (4) individuals were present.

(Note: Minutes of the hearing are provided in ATTACHMENT 2)

D. STAFF ANALYSIS: A Zone change must addressed **Public Necessity, Public Convenience and General Welfare** criteria. The applicant provides the following:

In response to *public necessity*, the applicant states the area is developing into more light industrial activities and to accommodate a growing population and the anticipated military buildup to support services in veterinary care and boarding facility, logistical and storage requirements in the next few years and beyond. There will be a demand for such services, warehousing/storage for all goods incoming and outgoing on the island that will serve the island community.

In response to public convenience, the applicant states the proposed warehouse and office and facilities and intended uses on the property would be consistent and convenient with the current land uses in the immediate area and within a radius of 500 to 3,000 feet in Pagat, Mangilao area. The location is central to all areas with large population, very near the commercial

districts with large population requiring warehousing and other storage space and services proposed on the site.

On protecting general welfare of the public, the applicant states proposed rezoning and uses will protect the general public, the immediate surrounding and properties by being consistent for light industrial activities that is on-going at present time and for future uses and requirements that is permitted in a light industrial zone. The owners will ensure that all permitting requirements and conditions of the land uses commission and all government agencies are adhered to as well as to minimizing impacts to the immediate surroundings and to the general public and especially our environment and the water lens below (part of the norther Recharge Area). Development on the site will provide employment of local residents and contribute positively to improving the island's growing economy.

Properties identified in this report are part of federal excess lands returned to heirs of original land owners. Public Law 33-197, as amended, recognized such lands having been under the federal ownership and authority prior to the passage of the zoning code. As a result such properties remained without designated zones. The law assigned a designation of "A" (Rural-Agricultural) to bring these and other "un-zoned" properties into code conformance and by doing so, allow property owners to assert their right to indulge the code and its authority to make certain requests as in this case, to change the properties' zoning designation.

The requested zone change to "Light Industrial" appears to be prudent when considering both past master planning efforts for the general area[2] and past development trend in the immediate area[3]. This and legislative transfer of land and subsequent operation of a public utilities services center impresses a development trend from the past and into present, of which further support non-residential and/or non-agricultural development scheme, thus, the potential for the area to span in the direction towards more commercial and industrial uses.

The applicant has submitted the required **Agricultural Impact Statement (AIS)** with a position from the Department of Agriculture not opposing the zone change and intended development, however requesting appropriated measures be implemented to protect the environment and the Northern Aquifer. The AIS further recommendations a comprehensive landscaping plan that will be incorporated as part of the review and approval of existing or proposed development in the immediate area. Agriculture further offer assistance for proposed development. Based on existing land use of the site, appears that there are no significant impacts on agriculture (subsistence farming) and or existing lands uses in the immediate and near the proposed site.

---

[2] See §80106, Chapter 80,Title 21 Guam Code Annotated relative creating the Provisional Commission wherein it was charged with preparing a comprehensive zoning plan for returned lands under guise of GALC.
[3] As early as 1968, properties adjacent to the Gloria Nelson Utilities Building were re-zoned to "M-2" (Heavy Industrial) zone; Lot 2517-R5.

As a standard performance requirement prior to any development on the site, the applicant/developer must clearly demonstrate, for example, an accommodation of utilities without impacting surrounding uses or users. Measures such a system development charge as asserted by the Guam WaterWorks Authority assure appropriate infrastructure capacities are met prior to progressing forward with any scheme.

With respect to municipal input we defer to minutes provided at the municipal hearing, as scheduled by the GLUC. As of date of preparation of this report the Division of Planning has yet to receive a response from the Mangilao Municipal Planning Council and considers a lapse of over 20 days pursuant to Section 61380 of the zoning code.

RECOMMENDATION: Base on our assessment of the proposed change of zone, we recommend approval of this request provided the applicant secures a resolution from the Mangilao Municipal Planning Council.

If found in favor by the Commission, we encourage the applicant to adhere to all ARC recommendations, conditions and requirements as may be applicable to eventual development of both properties.

Marvin Q. Aguilar
Guam Chief Planner

Case Planner: Penmer Gulac

Attachments:

1. Vicinity Map
2. Minutes of November 30, 2016
3. Subdivision Survey Map No. 306FY2016
4. Agricultural Impact Statement

PUBLIC HEARING MINUTES (Attachment) Lot 5328-REM, Mangilao

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The Case Planner presented the proposed project and read the positions statements from Bureau of Statistics and Plans, Guam Power Authority, Parks and Recreation/Historical Preservation Office. Mr. Gutierrez highlighted details of the application and clients intentions; he discussed the time frame of the application process, proposed construction, improvements and compliance of the building code, permits required for new development on the site; access to the site and area of development to maximize the proposed use and permitted uses on the subject lot.

Public comments and concerns that were noted are as follows:

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He is supporting the zone change as it will be beneficial to the community and create more jobs for residents. That the site ideal for the proposed uses. Advised the Applicant's representative to ensure all development permits are obtained.

Response (Mr. Gutierez, consultant) :

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Mr. David Baza: A resident nearby:

He supports the rezoning application and he wants to also rezone his property nearby into light industrial zone.

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He stated that the municipal planning council will further review the application and will with the consultant and owners ..as how they have invested interests in our village and community and provide more jobs for our residents.

Planning Staff Summary of Public Hearing:

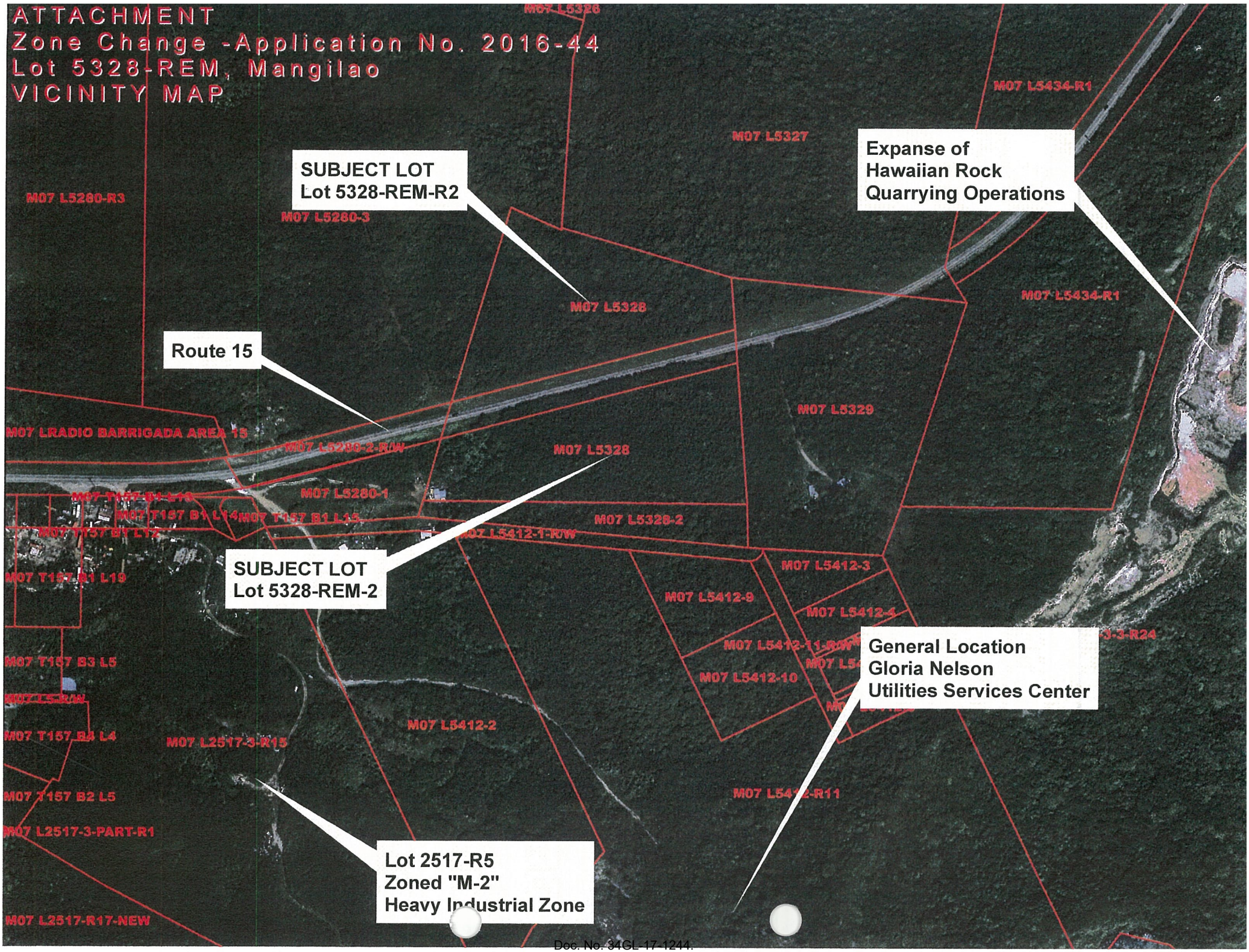
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Planning Staff reminded the Mayor to provide a Municipal Planning Council Resolution prior to the Land Use Commission hearing.

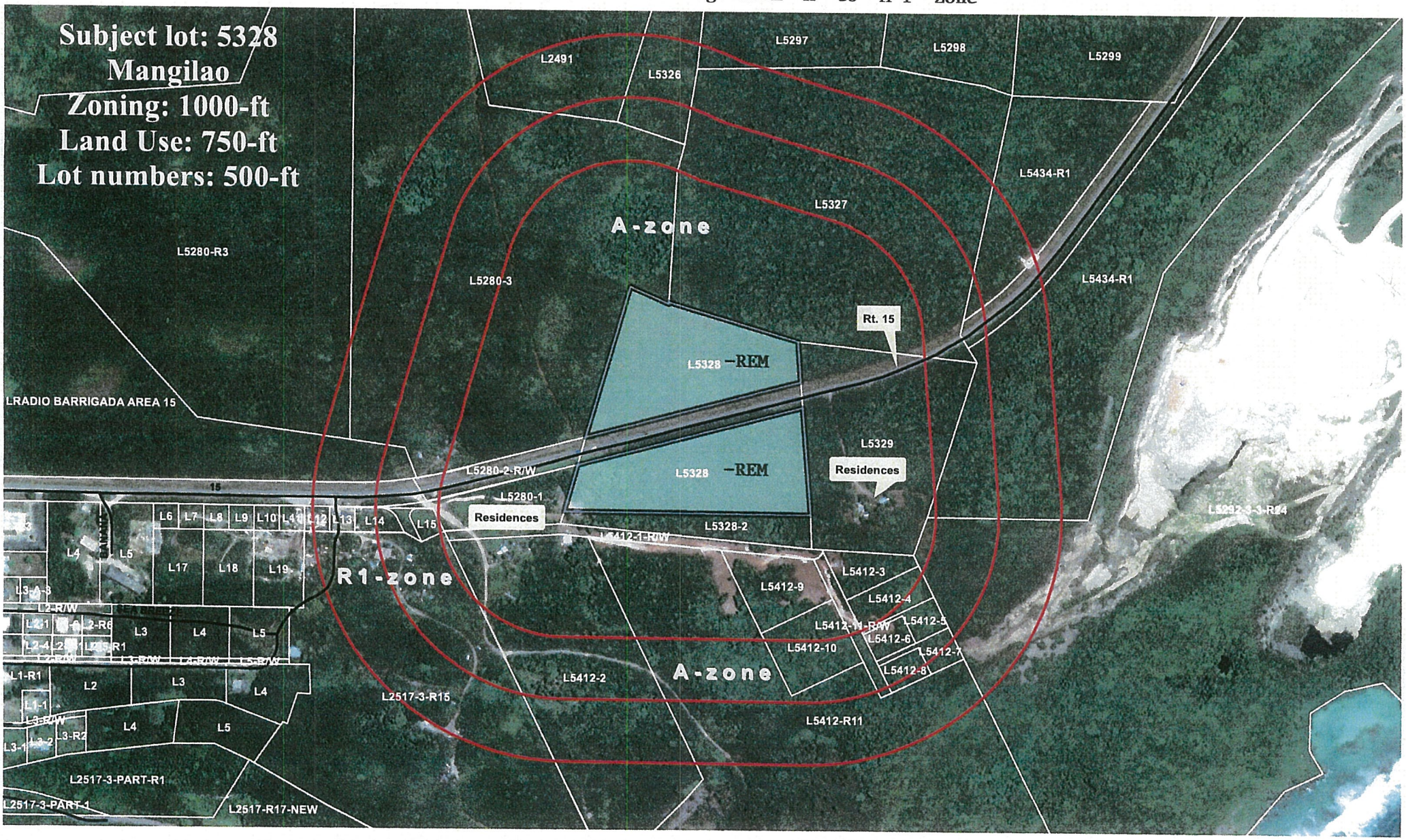
Planning informed those in attendance that the Application Review Committee (ARC) had no objections on the application. The next hearing will be with the Guam Land Use Commission (GLUC), ITC Building, and will be announced in the daily newspaper circulation 10 days prior to the hearing date and time.

There hearing was adjourned at 7:05 p.m.

Penmer Gulac, Case Planner


ATTACHMENT
Zone Change -Application No. 2016-44
Lot 5328-REM, Mangilao
VICINITY MAP
SUBJECT LOT
Lot 5328-REM-R2
Expanse of
Hawaiian Rock
Quarrying Operations
Route 15
SUBJECT LOT
Lot 5328-REM-2
General Location
Gloria Nelson
Utilities Services Center
Lot 2517-R5
Zoned "M-2"
Heavy Industrial Zone
M07 L5326
M07 L5434-R1
M07 L5327
M07 L5280-R3
M07 L5280-3
M07 L5328
M07 L5329
M07 LRADIO BARRIGADA AREA 15
M07 L5280-2-RW
M07 L5280-1
M07 T157 B1 L14
M07 T157 B1 L15
M07 T157 B1 L12
M07 L5328-2
M07 L5412-1-RW
M07 T157 B1 L19
M07 L5412-3
M07 L5412-9
M07 L5412-4
M07 L5412-11-RW
M07 L5412-10
M07 T157 B3 L5
M07 L5412-2
M07 T157 B4 L4
M07 L2517-3-R15
M07 T157 B2 L5
M07 L2517-3-PART-R1
M07 L2517-R17-NEW

Attachment – Lot 5328-REM, Mangilao, Guam : Proposed Zone Change from "A" to "M-1" Zone



Reg #
Clear 2016-44

AUTHORIZATION

I, JOSEPH M. PALOMO, administrator of Lot No.5328-REM-1 and Lot No.5328-REM-R2 , Municipality of Mangilao, of legal age and with power bestowed as the administrator of the subject properties, through this instrument s hereby do grant and authorize the following:

1. That **HARRY D. GUTIERREZ** or **JOEL JOSEPH** are hereby authorized to represent me in obtaining a **Zone Change to M1 Application** with the Department of Land Management.

2. That my authorized representative / consultant to conduct himself accordingly to arbitrate, negotiate, commit represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.

I hereunto affix my signatures to this affidavit:

Joseph M. Palomo

JOSEPH M. PALOMO

ADMINISTRATOR and Date

Eulac 3/7/17 Plng Div

COPY

GUAM, U.S.A.)
) ss:
CITY OF TAMUNING)
ON THIS 10th day of MARCH, 2017, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **JOSEPH M. PALOMO**, and acknowledged to me that he executed the foregoing AUTHORIZATION, as his voluntary act and deed for the purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

NOTARY PUBLIC
My Commission expires:

NORMA MARTINEZ SABLAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **OCT. 01, 2019**
356 S. Marine Dr., Tamuning, Guam 96913

P. Gulac 3/7/17
Planning Dir

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://land.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

DEPARTMENT OF LAND MANAGEMENT

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

March 4, 2017

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Chairman, Application Review Committee (ARC)

SUBJECT: Summary of Position Statements by ARC
Zone Change -Application No. 2016-44
Lot 5328-REM, Mangilao

Listed below is the compilation of Positions received from various ARC Member Agencies as submitted to Planning Division. The conditions as imposed by the ARC Member Agencies are listed when applicable.

1. **DEPARTMENT OF LAND MANAGEMENT (DLM):**
Recommends APPROVAL

2. **BUREAU OF STATISTICS AND PLANS (BSP**
The Bureau has comments with recommendations (Attached Certification).

3. **DEPARTMENT OF PARK AND RECREATION/HISTORICAL PRESERVATION OFFICE (DPR/HPO)**:
DPR/HPO has no objection, and have determined that the proposed project will require additional information and other requirements for proposed development on the site.

4. **GUAM WATERWORKS AUTHORITY (GWA):**
Support the approval with attached recommendations and requirements noted.

5. **DEPARTMENT OF PUBLIC WORKS (DPW):**
No Objections with recommendations and requirements noted.

6. **ENVIROMENTAL PROTECTION AGENCY (GEPA):**
No Position Statement Received as of Staff Report Date.

7. **GUAM POWER AUTHORITY (GPA):**
No Objections with recommendations and requirements noted.

8. **DEPARTMETN OF AGRICULTURE (DoAG):**
No Objections with Recommendations noted on Agricultural Impact Statement (Attached).

EX OFFICIO

1. **GUAM FIRE DEPARTMENT (GFD):**
   No Position Statement Received as of Staff Report Date

2. **GUAM ECONOMIC DEVELOPMENT AGENCY (GEDCA):**
   NO OBJECTIONS.

3. **DEPARTMENT OF EDUCATION (DOE):**
   No submitted Position Statement as of Staff Report date.

4. **DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPHSS):**
   No submitted Position Statement as of Staff Report date.

Marvin Q. Aguilar
Guam Chief Planner

Case Planner: Penmer Gulac
ATTACHMENTS: Position Statements as noted

The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lt. Governor

public works
DIPATTAMENTON CHE'CHO' PUPBLEKO
GLENN LEON GUERRERO
Director
FELIX C. BENAVENTE
Deputy Director

October 26, 2016

MEMORANDUM

RECEIVED
DEC 01 2016
Department of Land Management
Time 10:43 am

TO: Director, Department of Land Management

FROM: Director

APPLICATION: SCZ 2016- 44

APPLICANT: Vicente Palomo Castro and Joseph M. Palomo (Administrator)

SUBJECT: Zone Change from Agricultural ("A") to ("M-1") Light Industrial Zone,
Lot 5328-REM (Northern Portion) Area: 27,699 Square Meters
Lot 5328- REM (Southern Portion) Area: 27,348 Square Meters
Lot 5328-R/W (Rights of Way) Area: 8,586 Square Meters

Buenas yan Hafa Adai!

The applicants, are requesting for a zone change of the above subject properties from "A" to "M- 1". The above subject lots are part of the federal return excess lands (ancestral) that the private owners re-acquired in recent years. The returned lands were zoned "A" upon released from the Federal Government to Government of Guam.

The Department of Public Works (DPW) has completed its review of the subject application and to pro vide the following requirements:

- the rights of way area under Lot No. 5328 - R/W must be coordinated in the Division of Highways (rights of way section); and
- must provide a surveyed map signed by a registered surveyor and recorded from Department of Land Management.

DPW recommends approval, subject to the comments reviewed by the Application Review Committee (ARC) with conditions that all the necessary documentations must be submitted.

If you have any questions, please call Mr. John F. Calanayan, Acting Engineer in Charge or Maryrose M. Wilson, Engineer III in the Division of Capital Improvement Projects (CIP) at 646- 3189/3224.

Dangkulu na Si Yu'os Ma'ase!

GLENN LEON GUERRERO

P. Gulac 12/01/16
Land Planning Div

542 North Marine Corps Drive, Tamuning Guam 96913 ● Tel (671) 646-3131 ● Fax (671) 649-6178

Eddie B. Calvo
Governor

Ray Tenorio
Lt. Governor

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo, Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7; Fax (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822

Robert S. Lizama
Director

William N. Reyes
Deputy Director

In reply refer to:
RC2016-0998

November 25, 2016

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DPR Position Statement on DLM Application No. 2016-44: Zone Change from "R-1" to "M-1" for Lot 5328-REM, Pagat, Mangilao, for the Estate of Vicente Palomo Castro & Joseph M. Palomo (Administrator)

We reviewed the subject application submitted by Harry D. Gutierrez, Consultant, on behalf of Joseph M. Palomo, Administrator of subject estate. Subject Lot 5328-REM is part of what was formerly a 314-acre Guam Community College New Campus Site project area in 1992. An Archaeological Phase II Survey was conducted in 1992 on behalf of the Guam Community College (GCC), which resulted in the identification of sites at various locations within the property. However, the former GCC property was part of the Federal Return Excess Lands that has since been re-acquired by private landowners resulting in Lot 5328-REM being returned to the Estate of Vicente Palomo Castro. The Lot is now subject to various kinds of proposed development which requires the applicant to request for rezoning from R-1 to M-1, in order to conform to compatible M1 use of the surrounding areas.

We have no objection to the approval of the Application, however, the Applicant is required to comply with the following:

- An Archaeological Monitoring and Discovery Plan (AMDP) must be prepared by a qualified archaeologist in consultation with our office, and submitted for review and approval.
- The Applicant will be issued Certificate of Approval (COA) approving the development subsequent to the Applicant's compliance to above requirements.
- All developments on the property must go through the DPW permitting process for proper reviews by the different agencies, including the Department of Parks and Recreation, and may be subject to inspection by our office, before and during construction activities.

If you have any questions with regards to our position, please contact our office.

Robert S. Lizama
Director

Cc: Harry D. Gutierrez, Consultant for Joseph M. Palomo

GUAM WATERWORKS AUTHORITY
Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

RECEIVED
FEB 13 2017
Department of Land Management
Time 1030 Int

MB2/13

MEMORANDUM

February 8, 2017

TO: Michael Borja Director, Department of Land Management

FROM: Miguel C. Bordallo, P.E., General Manager 2/9/17

SUBJECT: Position Statement on Zone Change Application No. 2016-44 for Lot 5328-REM, in the Municipality of Mangilao.

APPLICANT(S): Joseph M. Palomo, Administrator of Estate of Vicente Palomo Castro, C/O Harry D. Gutierrez, Consultant

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Agricultural) to "M-1" (Light Industrial) zone for the proposed construction of a commercial building with warehouse, office, Veterinary clinic, and boarding facility.

This memorandum shall serve as GWA's position statement to the above zone change request related to availability of water and sewer infrastructures to serve the above subject lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development including fire flow without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve property shall be subject to the rules and regulations of GWA. Any required extension to the existing facilities to serve the subject properties shall be at expense of the applicant.

Given the information provided in the application and field observations, the following comments explain GWA's position to support approval of this zone change application:

1. Future development must be covered under a Department of Public Works (DPW) construction permit. Plans and specifications must be submitted for GWA review and approval prior to construction. Submittals shall include water and sewer design calculations and complete drawings and specifications. Design calculations shall include water demand calculations and wastewater production calculations for the proposed development. Drawings shall delineate the water and wastewater service

point of connection and provide specific connection details. If sewage disposal is to be accomplished by an Individual Sewage Disposal System, the plan must be in compliance with Guam Environmental Protection Agency (GEPA) and GWA requirements.

2. GWA requires coordination with the GWA Engineering Department in advance of the permitting process to determine if available water and sewer system capacity can accommodate future development. Any offsite utility improvements necessary to support the proposed development shall be at the expense of the applicant. GWA's approval of the construction permit application will be contingent upon the applicant's agreement to construct the necessary offsite utility improvements. GWA's approval of the occupancy permit application will be contingent upon the completion of the offsite improvements.

3. Public water and sewer infrastructure facilities installed by the developer must meet GWA standards including construction on public rights of way or easements and inspection by GWA. Finalized property maps identifying public rights of way or easements must be submitted to GWA.

4. The nearest public sewer connection is located on Route 15 approximately 3,600 feet West of the subject lot. There is a 12-inch diameter water main and a 20-inch diameter water main fronting the subject lot along Route 15. No connection shall be made to the 20-inch diameter main.

5. The applicant's construction plans shall include the proposed meter size(s) and identify water meters in the public right of way or easement.

6. New development is subject to water and/or sewer system development charges (SDC).

7. Backflow prevention devices are required for non-residential activities.

8. Grease traps or interceptors are required for food service establishments.

9. Stormwater drains shall not be connected to the public sanitary sewer system.

This GWA Position Statement shall remain valid for 365 calendar days from the date of this response. Please contact GWA Engineering Division regarding water and sewer system improvement design and construction standards and

procedures. For additional information please contact Mauryn McDonald, P.E., Permits and New Area Development Supervisor, at 300-6054.

Department of Agriculture
Dipåttamenton Agrikottura

Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

Director's Office 300-7970 / 7969 / 7966
Agricultural Development Services 300-7973 / 7972 / 7967
Plant Nursery 300-7974
Aquatic & Wildlife Resources 735-3955/56; Fax 734-6570
Forestry & Soil Resources 300-7975/6
Plant Inspection Station 475-1426/27; Fax 477-9487
Animal Health 300-7965 Fax 734-6569

Matthew L.G. Sablan
Director

Jessie B. Palican
Deputy Director

RECEIVED
NOV 17 2016
Department of Land Management
Time 2:50 pm

October 25, 2016
Memorandum

To: Director, Department of Land Management

Attn: Executive Secretary, Guam Land Use Commission and Guam Seashore Protection Commission

From: Director of Agriculture

Subject: **"Agricultural & Environmental Impact Statement" for a "Zone Change request on Lot 5328-REM encompassing 17.11 acres located in Pagat Mangilao from an "Agricultural to an M1" (Light Industrial Zone. (Joseph M. Palomo Administrator of the Estate of Vicente P. Castro c/o Harry D. Gutierrez Consultant)**

Agriculture has reviewed the subject lot for a"Zone Change" from "Agricultural to an M1" zone and does not oppose the change provided the conditions of approval listed below have been met prior to any clearing and grading of the site. Based on our agency review of the site there is some minor agricultural activity that is occurring on adjacent lots with evidence of previous activity on this lot but development of this site will have limited impacts to existing production as there are no major island producers currently using this area for crop production.

However, the **Department of Agriculture** must require that due the size of the proposed project scope and amount of land that could be eventually cleared for development, the owners or developers of the site must take the proper steps to ensure that **Guam's Northern Aquifer** is protected and maintained for the benefit of the entire island as it serves as the key source for drinking water. The incorporation of **Best Management Practices** that includes a certain percentage and portion of the lot to be reserved to implement the planting of indigenous tree or fruit species common to this area and northern Guam. Developing and incorporating a **landscaping plan** that uses these species will help re-introduce a vast root system that provides filtration of runoff sediment and contaminants that will damage our aquifer. The benefits of using indigenous trees and other varieties will also provide buffeting from strong winds and erosion control on elevated portions of the lot as well as shading and general improvement to the aesthetics of the site these trees provide.

Please be aware that should the owner and developer of the property decide to proceed with any clearing and grading of the site the **Department of Agriculture** will require the proper **"Clearing and Grading Permits"** recorded by the Department of Public Works.

In addition our agency will require a certified **Biological Survey Report** from a licensed environmental contractor versed in local flora and fauna that has surveyed the lot for any **endangered species** that is protected federally and locally by the **Department of U.S Fish and Wildlife and the Guam Department of Agriculture's Aquatic and Wildlife Division.** No clearing activity can occur without these proper clearances in place as destruction of any **endangered species** is subject under penalty of law and carries fines of $25,000 per individual destroyed and disturbed. For information and inquiries regarding these species contact **Tino Aguon, Jay Gutierrez or Jeffrey Quitugua of the Aquatic and Wildlife division at 735-0294.**

To include a comprehensive **landscaping plan** please contact our **Agricultural Development Services & Forestry** divisions here at the agency for further assistance and guidance at 300-7972 & 7976 respectively. Our Forestry division grows and maintains these native tree species should you choose to incorporate them into the project. Contact their office for assistance and consultation at 300-7976. To use fruit tree and other varieties incorporated onto the site the **Agricultural Development Services** maintains and showcases an "**Organic and Environmental Demonstration Farm** that demonstrates these eco-friendly practices in use. To benefit from this program contact our office at **300-7973/2** and request for **John Borja, Rick Lizama and Pete Terlaje** to schedule a tour and consultation of the available benefits.

Please be aware that the increased loss of Guam's native habitat contributes to a diminished capacity to sustain and support a healthy island community. It is vital that all land developers take a proactive step in preventing and causing this loss by incorporating these Best management practices.

For questions or concerns regarding Agriculture's position please contact our office at 300-7973. Thank you in this regard.

MATTHEW L.G. SABLAN
Director

Department of Agriculture
Dipåttamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913

Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

Director's Office	300-7966 Fax 734-6569
Agricultural Dev. Services	300-7973
Animal Health	300-7964
Aquatic & Wildlife Resources	735-3955 Fax 734-6570
Forestry & Soil Resources	735-3949/51 Fax 734-0111
Plant Nursery	300-7974
Plant Protection & Quarantine	475-1426/1427 Fax 477-9487

www.guamagriculture.org

Matthew L.G. Sablan
Director

Jessie B. Palican
Deputy Director

February 1, 2017

MEMORANDUM

TO: Department of Land Management
Attn: Executive Secretary, Guam Land Use Commission

FROM: Director, Department of Agriculture

SUBJECT: **ZONE CHANGE APPLICATION FOR LOT 5328-REM PAGAT MANGILAO FOR THE ESTATE OF VICENTE PALOMO CASTRO & JOSEPH M. PALOMO (ADMINISTRATOR) FROM "A" (AGRICULTURAL) to "M-1" (LIGHT INDUSTRIAL ZONE)**

Buenas yan Hafa Adai,

In reference to the above captioned subject matter, the property location is ideal for future agricultural development towards food security and sustainability as it was previously used for livestock and crop production, however, in light of the property owner's interest in rezoning for light industries and to further accommodate for the demand in a growing urban population, business and military growth on island, it will be prudent to provide to the demands of the community in this regard.

Therefore, the Department of Agriculture has no objections in the rezoning of the said property from "A" to "M1" but would like to be an advocate in the planting of trees, and other greenery as part of the aesthetics especially trees that are indigenous to Guam and plant species that are non-invasive. As part of the Department of Agriculture's regulatory role, acquiring proper clearing permits and assessment of property through a biological survey report may be required as the development may impact endangered species and or habitats of migrating birds or biological organisms that may have resided over the past years undisturbed.

Should there be any questions in reference to this memorandum, please do not hesitate to contact the department of agriculture at 300-7965/7973. The Forestry and Agricultural Development Services Division can provide assistance recommending the best types of trees and plants to be incorporated into the landscape.

MATTHEW L.G. SABLAN

cc: USFWS

RECEIVED

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

BUREAU OF STATISTICS & PLANS
SAGAN PLANU SIHA YAN EMFOTMASION
Government of Guam
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
Fax: (671) 477-1812

William M. Castro
Director
Manuel Q. Cruz
Deputy Director

NOV 10 2016

RECEIVED
NOV 14 2016
Department of Land Management
Time 3:25 pm

MB 11/14

MEMORANDUM

To: Chairman, Guam Land Use Planning

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: **APPLICATION NO.** 2016-44; **LOCATION:** Lot 5328-REM, Mangilao **APPLICANT:** Joseph M. Palomo, Administrator of Estate of Vicente Palomo Castro; **PROPOSED USE:** Zone Change "A" Rural to "M-1" Light Industrial

Håfa Adai! The applicant, Joseph M. Palomo, Administrator for the estate of Vicente Palomo Castro represented by Harry D. Gutierrez request a zone change from "A" rural to "M-1" light industrial for the proposed development of warehouses, office space, veterinary clinic, boarding facility, adequate parking and other permitted uses on Lot 5328-REM in the municipality of Mangilao. Located directly across the Gloria B. Nelson Public Utilities Complex, the subject lot can be accessed just off of Route 15, which runs directly across the property creating a northern and southern portion. Lot 5328-REM is vacant and comprised of 17.11 acres of limestone forest. Surrounding land uses are a mix of residential, commercial, industrial and government operations.

The Bureau has completed its review of the subject application and provides the following comments and recommendations:

Land Use. The Bureau finds that the proposed project is not consistent with the North and Central Guam Land Use Plan's future land use map designations. The NCGLUP is approved as an element of the Guam Comprehensive Development Plan (GCDP). The subject property is identified "Residential Zone" designation in the Future Land Use Map of the NCGLUP, as stated in Policy LU-1 (b) General Residential:

> *"The Residential category provides for a range of residential densities, ranging from low density single family residences to multiple family structures. Nonresidential uses are generally discouraged except for public facilities, schools, and institutions, provided their nature and location are not*

11/14/16

detrimental to the residential environment. Where neighborhood-scaled commercial and retail is desired in a residential zone, a special design review process should be established to ensure compatibility with surrounding residential neighborhoods."

Agricultural District. The Bureau recommends the applicant to submit an agricultural impact statement addressed to the Director of the Department of Agriculture as required by Guam's zoning law. Lot 5328-REM is located in an "A" Rural zone in the municipality of Mangilao. Guam Code Annotated Real Property Chapter 16, §61637, states:

"No additional land may be established as a rural zone and no land presently zoned "A" may be rezoned without the Commission first having considered an agricultural impact statement which shall be submitted by the Director of the Department of Agriculture. This statement shall provide a detailed statement of:

(a) The agricultural impact of the proposed rezoning upon the agricultural components of the Guam Master Plan.
(b) Any adverse conservation or agricultural effects which cannot be avoided should the rezoning be approved.
(c) *The Director's opinion whether said rezoning should be approved and reasons therefore."*

Aquifer Protection from Industrial Waste. The applicant's Mangilao property is located above the Northern Guam Lens Aquifer (NGLA). The NGLA is an essential resource for Guam and is the primary source of drinking water for eighty percent of the island population. Moreover, the U.S. Environmental Protection Agency has designated the NGLA as Guam's sole source aquifer. Therefore, it is of paramount importance to prevent sources of contamination from entering Guam's water supply. The primary goal for protecting the aquifer is to safeguard human health and the environment by maintaining water quality for continued use.

The Bureau is concerned that industrial activities will have adverse effects to Guam's sole source aquifer. The applicant is advised to consult with the Guam Environmental Protection Agency (EPA) to:

1. Implement practices for managing industrial waste to avoid potential contamination and ensure long term protection of the aquifer pursuant to the "Resource Conservation and Recovery Act of 1976". Practices may include the following, but are not limited to:

    a. Keeping a spill kit close to where spills are likely and ensure all staff know how to use it;
    b. Mopping the workshop floor rather than hosing;

c. Surrounding storage areas with containment berms to control leaks or spills and;
d. Employee training to manage waste and materials properly.

2. Comply with an Aquifer Protection Review pursuant to the "Federal Safe Drinking Water Act," § 1424 and "Guam Safe Drinking Water Act," 10 GCA Chapter 53.

3. Coordinate with Guam EPA for water resource conservation and ensure the NGLA is protected through compliance with the "Water Pollution Control Act," 10 GCA Chapter 47; "Water Resources Conservation Act," 22 GCA Chapter 5; 10 GCA Chapter 46, as amended by P.L. 17-97, and the Guam Water Resource Development & Operating Regulations.

Stormwater Management. Managing stormwater is a key element in the protection of Guam's vital water resource. Surface runoff carries pollutants into Guam waters causing siltation and increasing sediment loads, which impairs receiving waters. The alteration of vegetated areas into buildings, driveways, parking lots, roads and other surfaces prevent water from filtering into the ground and greatly increases the runoff volume created during storms. Studies show that impervious surfaces directly correlate to increased runoff volumes as well as waterway velocities, erosion, and flooding.

Industrial sites are classified as stormwater hotspots which is defined in the CNMI Guam Stormwater Management Manual as "a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxins than are found in typical stormwater runoff, based on monitoring studies." As industrial activities produce high concentrations of pollutants, the Bureau is concerned that industrial activities generated on the property may severely impair water quality of Guam's sole source aquifer. If best management practices are not in place before, during, and after construction to control runoff from the site, this activity can adversely affect Guam's drinking water source and surrounding neighbors. The stormwater manual further states that:

- "...stormwater runoff from hotspots cannot be allowed to infiltrate into groundwater without prior water quality treatment."

- "...a greater level of stormwater treatment is needed at hotspot sites to prevent pollutant wash off after construction. This will involve preparing and implementing a stormwater pollution prevention plan (SWPPP) that involves a series of operational practices at the site that reduce the generation of pollutants from a site or prevent contact of rainfall with the pollutants."

The Bureau recommends the applicant to consult with Guam EPA in preparing and submitting a SWPPP and employing best management practices to control runoff and hazardous waste.

Erosion Control. Controlling erosion and sediment flow from construction sites are a priority with regard to stormwater impacts to receiving water bodies within the project site, which includes the NGLA. Therefore, before any clearing and grading of the property's 17.11 acres, the applicant is required to:

1. Submit an Environmental Impact Assessment (EIA) to Guam EPA.

The Bureau further recommends that the applicant prevent adverse impacts from construction site runoff by employing best management practices. These practices include the following, but are not limited to:

1. Installing perimeter sediment controls to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves the construction site.

2. Where feasible, schedule construction during dry season.

3. Stabilize construction entrances to reduce the tracking of sediment/mud from the construction site onto paved roads and parking lots.

Additional methods are listed in the CNMI Guam Stormwater Management Manual and the Guam Erosion and Sediment Control Field Guide; and can be obtained from the Bureau's website www.bsp3.guam.gov under Gua m Coastal Management Program.

Low Impact Development (LID) Practices. The project site also lies within the Mataguac Spring-Frontal Pacific Ocean Watershed. This area has seen an increase in impervious surfaces throughout the years. In between the years 2005 and 2011, the impervious surface area increased by more than five percent according to National Oceanic Atmospheric Administration's (NOAA) Coastal Change Analysis Program (C-CAP). As surface area increases so does the risk of flooding and degradation of water quality. The Bureau is concerned that additional impervious surfaces may exacerbate flooding in the area and surrounding neighbors if practices are not in place to manage runoff on the property.

The LID approach works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features while minimizing the use of impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

Considering the growing concerns of flooding due to increased impervious surface, the applicant should be required to implement LID practices such as permeable parking and walkways, grassed swales, island bio-retentions, green roofs, and/or rain gardens into the landscape as a means to reduce runoff and control erosion from their property. An electronic file of the Island Stormwater Practice Design Specifications is available on the Bureau's website at www.bsp3.guam.gov under the Guam Coastal Management Program.

Historical and Archaeological Resources. The Bureau recommends coordination with Department of Parks and Recreation, State Historic Preservation Office to ensure the preservation, protection, excavation, and evaluation of specimens and sites pursuant to *"Historical Objects and Sites", 21 GCA, Chapter 76.*

In light of the points presented above, the Bureau finds that the zone change from rural to light industrial zone is not consistent with the North and Central Guam Land Use Plan's residential designation. We further find that industrial activities can detrimentally affect Guam's sole source aquifer and surrounding neighbors if best management measures are not in place to control stormwater runoff and prevent contaminants from entering the aquifer. Therefore, the Bureau recommends objection of the proposed request to rezone Lot 5328-REM in the municipality of Mangilao. Subsequently, if this application is approved, the property owner must be required to comply with established laws and the recommendations stipulated above.

As government officials, it is our primary responsibility to ensure that the construction and operations of this proposed endeavor are in a manner designed to protect public health, safety, and to promote the public welfare and convenience. We also encourage the applicant to protect Guam's natural resources and to ensure they are used in a sustainable manner. Si Yu'os Ma'ase'.

WILLIAM M. CASTRO

cc: GEPA
DPR
DOAG
DPW
GWA
GPA

GUAM VISITORS BUREAU

Public Notice Announcement

The Guam Visitors Bureau will hold its Regular Meeting of the Board of Directors on **Thursday, March 9, 2017 at 3:30 p.m. in GVB's Main Conference Room**. Any individuals needing special accommodations are requested to contact GVB at 646-5278 for assistance.

This ad was paid for by the GVB Membership Fund

DEPARTMENT OF EDUCATION
DIVISION OF SPECIAL EDUCATION

www.gdoe.net
500 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone: (671)300-1627 or 2295
Email: sped@gdoe.net

JOSEPH LM SANCHEZ
Acting
Superintendent of Education

YOLANDA S. GABRIEL
Assistant Superintendent, Sped

DOE-Division of Special Education
Guam Advisory Panel for Students with Disabilities (GAPSD)
General Meeting

March 8, 2017 Wednesday, at 12:00 pm to 1:30 pm
Location: SPED Training Room 2
Chief Brodie Elementary School, Tamuning

For more information and special accommodations please call Special Education Parent Services at 300-2292/1321.

This advertisement was paid for with
100% Federal Funds Part B Grant of Individuals with Disabilities Education Act CFDA #84.027A

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iLEARN ACADEMY CHARTER SCHOOL, INC.
(A NONPROFIT ORGANIZATION)

Statements of Activities
Years Ended September 30, 2016 and 2015

	2016	2015
Revenues and other support (Notes 2 and 3):		
Appropriation - Students	$ 2,475,000	$ 1,459,638
Extnded learning	20,065	
Fundraising		1,861
Miscellaneous	621	
Total revenues and other support	2,495,686	1,461,499
Expenses:		
Contract services (Notes 1, 2 and 4)	1,565,918	1,129,715
Salaries and wages	743,101	313,505
Cirriculum and materials	118,250	57,614
Travel and meetings	11,078	
Insurance	3,983	1,736
Bank charges	295	189
Supplies		3,055
Professional fees	-	850
Total expenses	2,442,625	1,506,664
Change in net assets	53,061	(45,165)
Net assets at beginning of year	(45,115)	50
Net assets at end of year	$ 7,946	$ (45,115)

Statements of Financial Position
September 30, 2016 and 2015

Assets

	2016	2015
Assets:		
Cash	177,946	$ 62,269
Accounts receivable (Note 2)		197,358
Total assets	177,946	259,627

Liabilities and Net Assets

Liabilities:		
Accounts payable (Note 4)	170,000	17289,742
Due from related party (Note 4)		15,000
Total Liabilities	170,000	304,742
Net assets:		
Unrestricted	7,946	(45,115)
Total liabilities and net assets	177,946	259,627

PUBLIC NOTICE

The Guam Council on the Arts and Humanities Agency will hold its Regular Board Meeting on Tuesday, March 7, 2017 at 3:00 pm at the CAHA Office, 1st Floor, Terlaje Professional Building in Hagatna.

Persons requiring special accommodations should contact the GCAHA Office at 300-1204-8 or fax at 300-1209.

"Paid with government funds by Guam CAHA"

GUAM LAND USE COMMISSION
Department of Land Management
ITC Building, Third Floor, Tamuning, GU
P.O. Box 2950, Hagatna, Guam 96932
Tel: 649-5263 Ext. 371; Fax: 649-5383

EDDIE BAZA CALVO
Governor
RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director
DAVID V. CAMACHO
Deputy Director

AGENDA

A regular meeting of the Guam Land Use Commission will be held on Thursday, March 9, 2017 at 1:30 pm, Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning.

I. Roll Call
II. Approval of Minutes – February 23, 2017
III. Old Business
  A. Chin I. Huang; **Tentative Development Plan** to construct a 3-story, multi-family dwelling structure with office/display area, Lot 5142-1-4NEW-R3, Tamuning. [2016-02] **[Continuation-GLUC 10/27/16]**
IV. New Business
  B. Calvo Ent., Inc.; **Conditional Use** request for proposed use of an existing structure as a mini storage facility, Lots 5109-2-1 & 5019-2-R1, Tamuning. [2016-50]
  C. Onward Mangilao Golf Club; Conditional Use request to amend its master plan to allow parceling of portion of Lot 5292-3-3-22 and to allow for potential future development of residential dwellings, Mangilao. [2015-06]
  D. Joseph M. Palomo; **Zone Change** from "A" to "M-1" zone, proposed development of warehouse/office space, Veterinary clinic, boarding facility and other permitted used within an "M-1" zone, Lot 5328-REM, Mangilao. [2016-44]
V. Administrative Matters
VI. Adjournment

Funding Source for this ad provided by the Applicant(s) above.
Person(s) requiring special accommodations please call 649-5263 Ext. 375

GUAM DEPARTMENT OF EDUCATION
OFFICE OF SUPPLY MANAGEMENT

500 Mariner Avenue, Suite A-13 Barrigada, Guam 96913-1608
Telephone 671-475-0438 Fax 671-472-5001
Website: www.gdoe.net/procurement

JOSEPH L.M. SANCHEZ
Superintendent of Education
Acting

CARMEN T. CHARFAUROS
Administrator
Supply Management

REQUEST FOR PROPOSAL

GDOE RFP 006-2017

(RE-ISSUANCE) PROFESSIONAL CONSULTANT SERVICES FOR HEALTH CURRICULUM TRAINING ON THE STATE PREP EVIDENCE-BASED PROGRAM "MAKING PROUD CHOICES"

SUBMISSION DATE: Monday, March 20, 2017 at 3:00 p.m. ChST

Note: It is solely the Offeror's responsibility to review the website on a daily basis for the issuance of Amendments/Clarifications for any possible changes to the RFP.

INTERESTED OFFERORS MAY DOWNLOAD THE RFP PACKAGE AT
http://www.gdoe.net/procurement

RFP packages are available for download on the GDOE website and can be reviewed at the GDOE Office of Supply Management.

A non-refundable fee of $10.00 (cash only) is required upon pick-up or submission.

This advertisement is One Hundred Percent (100%) LOCALLY FUNDED

/s/ CARMEN T. CHARFAUROS
ADMINISTRATOR, SUPPLY MANAGEMENT
For: **JOSEPH L.M. SANCHEZ**
SUPERINTENDENT OF EDUCATION, ACTING

ATTACHMENT 6

FBI director asked Justice officials to refute Trump's unproved wiretapping claim

By Abby Phillip
and Ellen Nakashima
The Washington Post

FBI Director James Comey asked the Justice Department this weekend to issue a statement refuting President Donald Trump's claim that President Barack Obama ordered a wiretap of Trump's phones before the election, according to U.S. officials, but the department did not do so.

Comey made the request on Saturday after Trump accused Obama on Twitter of having his "wires tapped" in Trump Tower. The White House expanded on Trump's comments Sunday with a call for a congressional probe of his allegations.

The revelation, first reported by the New York Times, underscores the fraught nature of the FBI's high-profile investigation into Russian meddling in the 2016 election. A key question fueling that inquiry is whether Trump associates colluded with Russian officials to help Trump win.

Neither Justice nor the FBI would comment Sunday.



ACCUSATIONS: President Donald Trump shakes hands with Canadian Prime Minister Justin Trudeau in the Oval Office on Feb. 13. (Jonathan Ernst/Reuters)

The development came as Trump's charge against Obama – leveled without any evidence – was being rebuffed both inside and outside of the executive branch. It drew a blunt, on-the-record denial by a top intelligence official who served in the Obama administration.

Speaking on NBC News on Sunday morning, former director of national intelligence James Clapper denied that a Foreign Intelligence Surveillance Act (FISA) wiretap was authorized against Trump or the campaign during his tenure.

"There was no such wiretap activity mounted against the president-elect at the time as a candidate or against his campaign," Clapper said on "Meet the Press," adding that he would "absolutely" have been informed if the FBI had received a FISA warrant against either.

"I can deny it," Clapper said emphatically.

In his claims early Saturday morning, the president tweeted that he "just found out" that Obama had "my 'wires tapped' in Trump Tower" before the election, comparing it to "McCarthyism."

"Is it legal for a sitting President to be 'wire tapping' a race for president prior to an election?" Trump asked in another tweet. "Turned down by court earlier. A NEW LOW!"

By Sunday morning, the White House doubled down on Trump's explosive tweetstorm and called for the congressional probe.

Current and former government officials said such surveillance would not have been approved by any senior Justice official in the Obama administration. And Trump's allegation raised hackles in the FBI leadership, insinuating as it did that the bureau may have acted illegally to wiretap a presidential candidate without probable cause that he was an agent of a foreign power, as the foreign intelligence surveillance law requires.

"This is Nixon/Watergate," Trump tweeted Saturday.

A spokesman for Obama countered several hours later that the former president never authorized a wiretap of Trump or any other American citizen. "Any suggestion otherwise is simply false," the spokesman said.

White House press secretary Sean Spicer on Sunday cited "reports" of "potentially politically motivated investigations" during the 2016 campaign, calling them "troubling." But none of the media reports cited by the White House provides evidence of a politically motivated surveillance effort against Trump.

"President Donald J. Trump is requesting that as part of their investigation into Russian activity, the congressional intelligence committees exercise their oversight authority to determine whether executive branch investigative powers were abused in 2016," Spicer said. "Neither the White House nor the President will comment further until such oversight is conducted," the statement added.

GUAM VISITORS BUREAU

Public Notice Announcement

The Guam Visitors Bureau will hold its Regular Meeting of the Board of Directors on **Thursday, March 9, 2017 at 3:30 p.m. in GVB's Main Conference Room.** Any individuals needing special accommodations are requested to contact GVB at 646-5278 for assistance.

This ad was paid for by the GVB Membership Fund

GUAM LAND USE COMMISSION
Department of Land Management
ITC Building, Third Floor, Tamuning, GU
P.O. Box 2950, Hagatna, Guam 96932
Tel: 649-5263 Ext. 371; Fax: 649-5383

EDDIE BAZA CALVO, Governor
RAY TENORIO, Lieutenant Governor
MICHAEL J.B. BORJA, Director
DAVID V. CAMACHO, Deputy Director

AGENDA

A regular meeting of the Guam Land Use Commission will be held on Thursday, March 9, 2017 at 1:30 pm, Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning.

I. Roll Call
II. Approval of Minutes – February 23, 2017
III. Old Business
A. Chin I. Huang; **Tentative Development Plan** to construct a 3-story, multi-family dwelling structure with office/display area, Lot 5142-1-4NEW-R3, Tamuning. [2016-02] **[Continuation-GLUC 10/27/16]**
IV. New Business
B. Calvo Ent., Inc.; **Conditional Use** request for proposed use of an existing structure as a mini storage facility, Lots 5109-2-1 & 5019-2-R1, Tamuning. [2016-50]
C. Onward Mangilao Golf Club; Conditional Use request to amend its master plan to allow parceling of portion of Lot 5292-3-3-22 and to allow for potential future development of residential dwellings, Mangilao. [2015-06]
D. Joseph M. Palomo; **Zone Change** from "A" to "M-1" zone, proposed development of warehouse/office space, Veterinary clinic, boarding facility and other permitted used within an "M-1" zone, Lot 5328-REM, Mangilao. [2016-44]
V. Administrative Matters
VI. Adjournment

Funding Source for this ad provided by the Applicant(s) above.
Person(s) requiring special accommodations please call 649-5263 Ext. 375

FRIENDS OF THE CRIME LAB, INC.
STATEMENT OF ACTIVITIES

	Calendar Year Ended 12/31/16 (Unaudited)
TOTAL SUPPORT AND REVENUE	800
EXPENDITURES	
Program Costs	0
Administrative Expenses	456
Depreciation Expense	160
TOTAL EXPENDITURES	616
CHANGE IN NET ASSETS	184
NET ASSETS AT BEGINNING OF YEAR	12,801
ROUNDING	
NET ASSETS AT END OF YEAR	12,985

STATEMENT OF FINANCIAL POSITION

	ASSETS
Cash and cash equivalents	12,573
Other Assets	412
TOTAL ASSETS	12,985
LIABILITIES	
Accounts Payable	0
NET ASSETS:	12,985
Unrestricted	8,022
Temporarily restricted	4,963
Permanetly restricted	0
TOTAL NET ASSETS	12,985

to certify that the above Statement of Activities and Statement of Financial Position are a true and accurate account of Friends of the Crime Lab, Inc.

GUAM LAND USE COMMISSION

Chairman John Z. Arroyo
Vice Chairman Victor F. Cruz
Commissioner Conchita D. Bathan

Commissioner Tae S. Oh
Commissioner Hardy T.I. Vy

Michael J.B. Borja, Executive Secretary
Kristan Finney, Assistant Attorney General

AGENDA - Disposition

Regular Meeting

Thursday, March 9, 2017 at 1:30 p.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning
[As advertised in the Guam Daily Post on March 2, 2017 and March 7, 2017

I. Notation of Attendance [X] Quorum **1:45 pm** [ ] No Quorum

Present were: Vice Chairman Victor Cruz, Commissioner Conchita Bathan, Commissioner Tae Oh, Commissioner Hardy Vy, Executive Secretary Michael Borja, Legal Counsel Kristan Finney, Chief Planner Marvin Aguilar, Planning Staff Frank Taitano, Penmer Gulac and Recording Secretary Cristina Gutierrez

Excused: Chairman John Arroyo

II. Approval of Minutes

- GLUC Regular Meeting of Thursday, February 23, 2017

Motion to approve the Minutes of February 23, 2017 was passed unanimously; 4 ayes, 0 nay. [No corrections noted]

III. Old or Unfinished Business

Tentative Development Plan

A. The Applicant, Chin I. Huang represented by Ignacio F. Santos, request for a Tentative Development Plan to construct a three-story, eight multi-family dwelling units, with an office and display area, on Lot 5142-1-4NEW-R3, in an "H" (Hotel/Resort) zone, in the Municipality of Tamuning, under Application No. 2016-02. **[Continuation – GLUC hearing, October 27, 2016]**
Case Planner: Penmer Gulac

Action – Motion to approve Application 2016-02 was passed unanimously [4 ayes, 0 nay] subject to the following conditions:

A. **Prior to issuance of an occupancy permit, the applicant shall submit to the Guam Chief Planner for approval, a landscaping plan and project be at least 2% of the construction cost, to be certified as such by a registered Architect or Engineer;**
B. **Pursuant to Section IV(E) of the Interim "H" (Hotel/Resort) Rules and Regulations, a performance bond in the amount of 110% of the infrastructure cost of the project, and not less than $2,000.00 is required, and a copy shall be submitted to the Guam Chief Planner, Department of Land Management, and,**
C. **Pursuant to Section IV(F) of the Interim "H" (Hotel/Resort) Rules and Regulations and based on consultation with applicant's representative, a period of two (2) years will be acceptable time period within which all improvements authorized in the Tentative Development Plan shall be completed.**

ATTACHMENT 7

IV. New Business

Conditional Use

B. The Applicant, Calvo Ent., Inc. represented by Ignacio F. Santos; request for a Conditional Use permit for the proposed use of an existing structure as a mini storage facility, on Lot Nos. 5109-2-1 and 5019-2-R1, in a "C" (Commercial) zone, in the Municipality of Tamuning, under Application No. 2016-50.
Case Planner: Frank Taitano
Action – Motion to approve App 2016-50 was passed unanimously [4 ayes, 0 nay], subject to the applicant adhering to the conditions of the ARC as noted in their official position statements.

C. The Applicant, Onward Mangilao Golf Club (formerly Mangilao Golf Course) represented by W.B. Flores & Associates; request for a conditional use permit to amend its Master Plan to allow parceling of a portion of Lot 5292-3-3-22 (golf course site) and to allow for potential future development of residential dwellings, in an "A" (Agricultural) zone, in the Municipality of Mangilao, under Application No. 2015-06.
Case Planner: Frank Taitano
Action – Motion to approve App 2015-06 was passed unanimously [4 ayes, 0 nay] subject to the applicant adhering to the conditions of the ARC as noted in their official position statements and permitting agencies requirements.

Zone Change

D. The Applicants, Estate of Vicente Palomo Castro and Joseph M. Palomo (Administrator) represented by Harry D. Gutierrez; request for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) zone, for the proposed development of warehouse, office space, Veterinary Clinic, boarding facility and other permitted uses within an M-1 zone, on Lot 5328-REM, in the Municipality of Mangilao, under Application No. 2016-44.
Case Planner: Penmer Gulac
Action – Motion to approve was passed unanimously subject to:

A. ARC recommendations, conditions and requirements as may be applicable to eventual development of both properties as noted in the official position statements; and,
B. Secures a resolution from the Mangilao Municipal Planning Council [4 ayes, 0 nay].

V. Administrative & Miscellaneous Matters

- **Commissioner Oh will not be available for the next meeting scheduled for March 23, 2017.**
- **Noted that today was the last meeting for Legal Counsel Kristan Finney, and Mr. Nick Toft will replace Ms. Finney as Legal Counsel.**

VI. Adjournment [Adjourned at 3:35 p.m.]

Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No. 906324

On the Year 17 Month 04 Day 24 Time 4:20
DE-OFFICIO

Recording Fee _____ Receipt No. _____

Deputy Recorder Jane Yamasaki
JANE T. YAMASAKI

Above Space for Recorder's Use only

ORIGINAL

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Department of Land Management Conference Room
ITC Building, Tamuning

Thursday, March 9, 2017
1:45 p.m. to 3:35 p.m.

ATTACHMENT 8

GUAM LAND USE COMMISSION
Regular Meeting
Thursday, March 9, 2017
Department of Land Management Conference Room
3rd Floor ITC Building, Tamuning

MEMBERS PRESENT:

Mr. Victor Cruz, Vice Chairman

Ms. Conchita Bathan, Commissioner

Mr. Tae S. Oh, Commissioner

Mr. Hardy T.I. Vy, Commissioner

Mr. Michael Borja, Executive Secretary

Ms. Kristan Finney, Legal Counsel

PLANNING STAFF PRESENT:

Mr. Marvin Aguilar, Guam Chief Planner

Mr. Frank Taitano, Case Planner

Mr. Penmer Gulac, Case Planner

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
Attendance Sheet

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

Date of Meeting: Thursday, March 9, 2017 1:45pm

Time of Meeting: GLUC: 1:45pm GSPC:

	GLUC	GSPC
	X	
Regular	X	
Special		
Quorum	✓	
No-Quorum		

COMMISSION MEMBERS	SIGNATURE
Chairman John Z. Arroyo	Excused
Vice Chairman Victor F. Cruz	
Commissioner Conchita D. Bathan	
Commissioner Tae S. Oh	
Commissioner Hardy T.I. Vy	

STAFF	
Michael J.B. Borja, Executive Secretary	
Kristan Finney, Legal Counsel	
Marvin Q. Aguilar, Chief Planner	
Frank Taitano, Planner IV	
Penmer Gulac, Planner IV	
Celine Cruz, Planner IV	
M. Cristina Gutierrez, WPS II	

ADJOURNMENT: GLUC: 3:25pm GSPC:

GUAM LAND USE COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
Public Attendance Record
Location: Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

[X]	GLUC	[X]	Regular	Date:	Thursday, March 9, 2017
[X]	GSPC	[ ]	Special	Time:	1:45 pm
[✓]	Quorum	[ ]	No Quorum	Adjournment:	3:35pm

PLEASE PRINT NAME CLEARLY	APPLICATION NAME AND/OR NUMBER	Telephone No.
Neil Fong		
David Castro		
ALAN EVANGELISTA	Calvo's Enterprises	687.4349
Raymond Salsonio	Calvo Enterprises, Inc.	
TERRY DESOTO	CALVO'S ENTERPRISES INC	727-4874
Leonard Calvo	Calvo Enterprises Inc.	687-2072
Ray Benavente	Calvo Enterprises	488-[illegible]
Jetun Sahni	Mangilao Golf Club	
Lara Ozaki	Glimpses Publications	480-4570

GLUC Form 21 - GLUC Public Attendance Record Form - APRIL 2010

GUAM LAND USE COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
Speaker's Sign-In Record
Location: Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

[X]	GLUC	[X]	Regular	Date:	Thursday, March 9, 2017
[X]	GSPC	[ ]	Special	Time:	1:45 Pm
[✓]	Quorum	[ ]	No Quorum	Adjournment:	3:25 Pm

(THIS RECORD WILL BE USED IN THE TRANSCRIPTION OF THE GLUC/GSPC MINUTES. PLEASE PROVIDE YOUR FULL NAME AND WHO YOU REPRESENT, I.E., ITEM ON AGENDA.)

PLEASE PRINT NAME CLEARLY	APPLICATION NAME AND/OR NUMBER	Telephone No.
Ignacio Santos	Items A & B	777-3862
Wilfred Flores	Onward Mangilao	646-1714
Mary Station		482531

GLUC Form 20 - GLUC Speaker Log Record Form - APRIL 2010

Commissioner Bathan second.

Acting Chairman Cruz seconded by Commissioner Bathan. All in favor of the motion say "aye" [Acting Chair Cruz, Commissioners Oh, Bathan and Vy], all opposed say "nay."

[Motion passed unanimously; 4 ayes, 0 nay]

Acting Chairman Cruz next item on the agenda –

Zone Change

D. The Applicants, Estate of Vicente Palomo Castro and Joseph M. Palomo (Administrator) represented by Harry D. Gutierrez; request for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) zone, for the proposed development of warehouses, office space, Veterinary Clinic, boarding facility and other permitted uses within an "M-1" zone, on Lot 5238-REM, in the Municipality of Mangilao, under Application No. 2016-44.
Case Planner: Penmer Gulac

Marvin Aguilar summarizes the staff report to include purpose, facts, public hearing results, staff analysis/discussion, and recommendation. [For full content/context, see attached report]

[Attachment D – Staff Report dated March 4, 2017]

Acting Chairman Cruz any questions of staff?

Commissioner Oh so, we have not received a resolution from the Mayor's Council, but they did attend the public hearing and the Mayor supports the project.

Penmer Gulac yes the Mayor was in attendance and fully supports the project. There was only one landowner that attended, that showed up and he is in support of the project.

Michael Borja who is the owner of this land? The Estate of Vicente Palomo Castro?

Penmer Gulac yes sir.

Michael Borja and it is one lot divided by Route 15, into two parts. [Mr. Gulac responds "yes."] And both sides want to be rezoned to "M-1"?

Harry Gutierrez when the property was turned over to the estate, they tried to divide it but there was too many people within the estate to have any decent subdivision that would allow each family to have their own lot. So, the Court ruled that they would have to put the parcel up for sale and all the heirs agreed to sell the property. They had several buyers and the only one that came forward was Wise Owl. He made an offer and the Court accepted with a condition that he

will wait until the zone is changed to an "M-1." He wants to put up his clinic there, house all the animals in that area and build a couple of homes and that's about it.

Michael Borja build a couple of homes? In an M-1? [Mr. Gulac replies that it is permitted.] Does an animal hospital require an M-1 zoning?

Marvin Aguilar no sir.

Michael Borja so that is the whole thing about Wise Owl's contribution to this report. I was wondering what his whole play was in this whole thing. He is a potential buyer that wants to move his clinic to this area, and it's for hospital, warehouse, offices and homes.

Marvin Aguilar we took the perspective of the land uses in surrounding area.

[Lengthy discussion ensues on location of the subject property in relation to the location of the new GPA/GWA offices and surrounding lots and its zoning.]

Acting Chairman Cruz questions for staff? [None noted]

Harry Gutierrez Mr. Aguilar said everything I wanted to say, and I will leave it up to the Commission.

Acting Chairman Cruz the original owner of the lot was?

Harry Gutierrez Castro-Mendiola estate; there are three different owners.

Acting Chairman Cruz so, how many original owners are there?

Harry Gutierrez there is only one, but it is divided among twelve families and there is about one hundred-thirty family members. There was no way to subdivide the property and so the Court ordered that they give it to a real estate company to put it up for sale and find the best buyer.

Acting Chairman Cruz but, it hasn't been sold yet? Is the sale conditioned on the zone?

Harry Gutierrez on the zone.

Acting Chairman Cruz that property seems to be like an M-1/M-2 zoning.

Harry Gutierrez further up I've zoned about six lots to M-1.

Acting Chairman Cruz what is the zoning for the GPA/GWA building?

Marvin Aguilar it's zoned agricultural. It was built by law; they asserted in the law to build the facility. The use is permitted by the Legislature.

Acting Chairman Cruz any other questions?

Michael Borja which side of the highway is the animal clinic going to be.

Harry Gutierrez from my understanding it will be on the right side.

Michael Borja is there sewer?
Harry Gutierrez sewer is located at the top of the hill, about a thousand feet away.

Marvin Aguilar there is a church on the southern side of Route 15. That is the extent of the sewer.

Michael Borja the lot below the highway is where the intent to put the animal clinic?

Marvin Aguilar yes, and you are actually sloping right here (referring to the map) and the slope ends right here.

Michael Borja and the animal clinic is down in that lower part and there is no sewer?

Marvin Aguilar yes and there is no sewer.

Penmer Gulac animal waste will be pumped out.

Harry Gutierrez this issue was already discussed with Guam Waterworks.

Acting Chairman Cruz if there is nothing further, I will open for the public comment.

Public Comment **[Seeing none, public comment period was closed]**

Acting Chairman Cruz what is the pleasure of the Commission.

Commissioner Bathan Mr. Chair, I would like to recommend to approve the request for zone change from "A" to "M-1" zone for the proposed development of warehouse/office space, veterinary clinic, boarding facilities and other permitted uses in an "M-1" zone, on Lot 5328-REM, in the municipality of Mangilao, under Application No. 2016-44; subject to the recommendations of the ARC as noted on their official position statements.

Commissioner Oh second.

Acting Chairman Cruz motion by Commissioner Bathan, seconded by Commissioner Oh. All those in favor say "aye" [Acting Chair Cruz, Commissioners Bathan, Oh and Vy], all opposed say "nay."

[Motion passed unanimously; 4 ayes, 0 nay]

V. Administrative & Miscellaneous Matters

Acting Chairman Cruz anything on the table for administrative/miscellaneous matters? [Chief Planner Aguilar responds "none."]

Michael Borja this will be Kristan Finney's last meeting with us. We thank her very much forher time with us and Nicholas Toft should be with us for the next meeting.

[Other administrative matters discussed included the next GLUC hearing date and it was noted that Commissioner Oh will not be available for this meeting. Mr. Borja reminded the Commissioners that the Disclosure Statement required by the Guam Election Commission is due no later than April 21, 2017.]

Acting Chairman Cruz next item on the agenda –

VI. Adjournment

Commissioner Bathan made a motion to adjourn, seconded by **Commissioner Oh**; with all in favor.

The regular meeting of the Guam Land Use Commission for Thursday, March 9, 2017 was adjourned at 3:35 p.m.

Approved by:

Victor F. Cruz, Acting Chairman
Guam Land Use Commission

Transcribed by:

M. Cristina Gutierrez, *Pro Tem*
Planning Division, DLM

Date approved: 4-13-2017

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change*."**

GUAM LAND USE COMMISSION

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

March 29, 2017
Date

To: **Estate of Vicente Palomo Castro**
& Joseph M. Palomo (Administrator)
Represented by Harry D. Gutierrez
c/o #119 Gutierrez Way
Agana Heights, Guam 96910

Application No. 2016-44

The Guam Land Use Commission, at its meeting on: **March 9, 2017**,

XX / Approved ____/ Disapproved ____/ Approved with No Conditions

____/ Tabled

Your request for a **Zone Change for Lot 5328-REM, from "A" (Agricultural) to "M-1" (Light-Industrial) Zone, in the Municipality of Mangilao.**

ATTACHMENT 9

NOTICE OF ACTION
Estate of Vicente Palomo Castro
& Joseph M. Palomo (Administrator)
Represented by Harry D. Gutierrez
Lot 5328-REM, Municipality of Mangilao
Date of GLUC Hearing: March 9, 2017
Date of Preparation of NOA: March 29, 2017

Application No. 2016-44

ZONING

__XX__/ **ZONE CHANGE *****

_____/ Conditional Use Permit

_____/ Zone Variance

[ ] Height
[ ] Density
[ ] Setback
[ ] Use
[ ] Other (Specify)

_____/ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

____/ Tentative

___/ Final

___/ Extension of Time

___/ PL 28-126, SECTION 1(A)

NOTE ON ZONE CHANGE

*****Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]**

SEASHORE

___/ Wetland Permit

____/ Seashore Clearance

MISCELLANEOUS

___/ Determination of Policy and/or Definitions

___/ Other (Specify)

HORIZONTAL PROPERTY REGIME

___/ Preliminary

___/ Final

___/ Supplementary (Specify)

NOTICE OF ACTION **Application No. 2016-44**

Estate of Vicente Palomo Castro
& Joseph M. Palomo (Administrator)
Represented by Harry D. Gutierrez
Lot 5328-REM, Municipality of Mangilao
Date of GLUC Hearing: March 9, 2017
Date of Preparation of NOA: March 29, 2017

APPLICATION DESCRIPTION:

The Applicant, Estate of Vicente Palomo Castro & Joseph M. Palomo (Administrator Represented by Harry D. Gutierrez, request for a Zone Change from "A" (Agricultural) to "M-1" (Light - Industrial) Zone in order to allow for development and construction of a warehouse, office spaces, Veterinary clinic, a boarding facility and allow other permitted uses within an "M-1" zone, on Lot 5328-REM, in the Municipality of Mangilao.

COMMISSION DECISION:

The Guam Land Use Commission **APPROVED** the Applicants request without Conditions.

4.24.17 4.24.17

Marvin Q. Aguilar **Date** **Victor Cruz** **Date**
Guam Chief Planner **Vice Chairman**
Guam Land Use Commission

Case Planner: Penmer c. Gulac
Attachment(s): Staff Report ; GLUC Meeting, March 9, 2017

Cc: Building Permits Section, DPW (Attn: Bldg Official)
Real Property Division, Department of Revenue and Taxation

NOTICE OF ACTION **Application No. 2016-44**

Estate of Vicente Palomo Castro
& Joseph M. Palomo (Administrator)
Represented by Harry D. Gutierrez
Lot 5328-REM, Municipality of Mangilao
Date of GLUC Hearing: March 9, 2017
Date of Preparation of NOA: March 29, 2017

==========

CERTIFICATION OF UNDERSTANDING

I/We, _____/ **Harry D. Gutierrez, Rep**
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/**We,** further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

_____ _____ _____ 4-25-17
Signature of Applicant Date Signature of Representative Date

==========

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

_____ _____ _____ _____
Applicant(s) Date Representative Date

Reference No. **Application : 2016-44**

To: Director, Department of Land Management
Director, Department of Public Works

Upon review of the decision of the GLUC to approve the zone change and in accordance with Title 21 GCA §61634, I hereby indicate my decision below on the proposed change, and any changes approved shall be endorsed and delineated upon the zoning map, and shall constitute an amendment to such map pursuant to Title 21 GCA §61630. **PERMITS SHALL NOT BE ISSUED UNTIL THE AMENDMENT TO THE MAP HAS BEEN MADE.**

[✓] **APPROVED**

[ ] **APPROVED IN WHOLE**

[ ] **DISAPPROVED**

EDDIE BAZA CALVO
Governor of Guam

11/3/17
Date

DECISION GRANTING ZONE CHANGE
(with findings)

Guam Land Use Commission

WHEREAS, the following decision of the Guam Land Use Commission is made in accordance with 21 GCA §61630, now therefore;

WHEREAS, prior to consideration of the application by the Guam Land Use Commission, a hearing on the Zone Change was held on the **30th day** of **November**, **2016** in the Municipal District of **Mangilao** where the property to be rezoned was located pursuant to Title 21 GCA §61633.

WHEREAS, notice of the time and place of the hearing was published in a newspaper of general circulation on the _____ day of _____, **2016** as evidenced by an affidavit of publication attached as **Exhibit A**.

WHEREAS, notice was mailed to the Mayor of the Municipal district concerned and to those landowners owning land within 500 feet of the property where the property to be rezoned is located as evidenced by the affidavit of mailing attached as **Exhibit B**.

BE IT RESOLVED, that on the **9th** day of **March**, **2017**, a hearing of the Guam Land Use Commission (GLUC) was held in accordance with notices duly issued to consider the application of **The Estate of Vicente Palomo Castro** for a Zone Change of **Lot No. 5328-REM**, Municipality of **Mangilao**.

A quorum of the Commission was present. In attendance were:

1. **Mr. Victor F. Cruz, Vice Chairman**
2. **Ms. Conchita D. Bathan, Commissioner**
3. **Mr. Tae Oh, Commissioner**
4. **Mr. Hardy Vy, Commissioner**

Appearing for the applicant were: **Mr. Harry D. Gutierrez, Representative**

Also appearing and testifying on the above project was:

none in favor/against

After considering all the statements and testimony presented by interested parties the GLUC finds that the application for zone change is granted on the following grounds: (Note: All three (3) sections should be answered.)

(a, b) Public Necessity and Convenience: The following facts support a finding that public necessity and convenience justifies the zone change:

We, Commission have reviewed the application and find that, as presented by the applicant's and their representative and that all conditions imposed by the Commission and the Application Review Committee position statements for the zone change has been satisfied as well as the above sections.

(c) **General Welfare**: **The following fact supports a finding that the General Welfare of the public is best served by the granting of a zone change**:

We, Commission have reviewed the application and find that, as presented by the applicant's and their representative and that all conditions imposed by the Commission and the Application Review Committee position statements for the zone change has been satisfied as well as the above section.

We, the Commission, find that from a planning perspective the site is best suited for light industrial activities, followed by commercial activities and other permitted uses.

The members, after due consideration voted to approve the application. The vote of the members was as follows:

4 Ayes **0** Nays **0** Abstentions

This decision was adopted this **9th** day of **March**, **2017**, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.

Victor Cruz
Vice Chairman,
Guam Land Use Commission

AFFIDAVIT OF PUBLICATION

I, the undersigned, do hereby depose and state that:

1. I am an employee of the Department of Land Management, Government of Guam, and I am not an interested party in the above-entitled matter.

2. I have personal knowledge of all the facts herein.

3. I am competent to testify to the matters stated herein and would so testify in any hearing concerning this matter.

4. On **November 15, 2016**, I submitted the Official Memorandum (attached as **Attachment A**) from the Guam Chief Planner to the Guam Daily Post, Tamuning, Guam; a request to publish the 2 x 2 legal notice to appear on Sunday, November 20, 2016 for Application No. **2016-44 (Joseph M. Palomo)** to be heard on November 30, 2015, at the Mangilao Community Center. Proof of advertisement is attached as **Attachment B**.

5. This Affidavit is executed as proof of the compliance with 21 G.C.A. Section 61633 (Hearing Date – Notice).

In WITNESS, WHEREOF, I hereby affix my signature this 20th day of October, 2017.

M. Cristina Gutierrez
Word Processing Secretary II

Island of Guam)
) ss:
City of Tamuning)

Subscribed and sworn to before me this 20th day of October, 2017.

Notary

TERESITA A.C. TOVES
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JULY 13, 2019
P.O. Box 2950 Hagatna, Guam 96932

EXHIBIT A

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://dlm.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

November 15, 2016

Guam Daily Post
388 S. Marine Corps Drive
Suite 301
Tamuning, GU 96913

Hafa Adai!

Please publish this legal public hearing notice on a **2x2** inch column ad to appear on **Sunday, November 20, 2016.**

Attached is a check for **$96.00** to cover the enclosed government advertisement scheduled for the abovementioned date.

Please email proof to cristina.gutierrez@land.guam.gov for review and approval.

Thank you for your anticipated cooperation on this request.

Regards,

Marvin Quintugua Aguilar
Guam Chief Planner

Attachments:
Public Hearing Ad

ATTACHMENT A

Get results in our **CLASSIFIEDS**

THE GUAM DAILY POST

Call: (671) 649-1924
Fax: (671) 648-2007
Email:
advertise@postguam.com

Department of Land Management
P.O. Box 2950, Hagåtña, Guahan 96932
Tel: 649-5263 Ext. 375; Fax: 649-5383

EDDIE BAZA CALVO, Governor
RAY TENORIO, Lieutenant Governor
MICHAEL J.B. BORJA, Director
DAVID K. CAMACHO, Deputy Director

PUBLIC HEARING NOTICE

Date: November 30, 2016
Time: 6:00 pm
Place: Mangilao Community Center

For: Joseph M. Palomo; request for zone change from "A" to "M-1" zone for the proposed development of warehouse/office space, veterinary clinic and boarding facility, Lot 5328-REM, Mangilao. [2016-44]

Funding Source provided by the Applicant. Persons requiring special accommodations, please call Cristina at 649-5263 ext 375 or email at cristina.gutierrez@land.guam.gov

little type
BIG RESULTS
use the classifieds whether you're buying or selling

Louie J. Yanza
YANZA • FLYNN • TIMBLIN, LLP
One Agana Bay
446 East Marine Corps Drive, Suite 201
Hagatna, Guam 96910
Telephone: (671) 477-7059
Facsimile: (671) 472-5487
Attorneys for Petitioner
WARLY D. GAID

SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE OF
ROSEMARIE MIRANDA GAID,
Deceased.
PROBATE CASE NO. PR0118-16
NOTICE OF HEARING ON PETITION FOR LETTERS OF ADMINISTRATION
THIS NOTICE IS REQUIRED BY LAW YOU ARE NOT REQUIRED TO APPEAR IN COURT UNLESS YOU DESIRE

NOTICE IS HEREBY GIVEN that the Petitioner, WARLY D. GAID, has filed herein a Petition for Letters of Administration on the above-referenced Estate, reference to which Petition is made for further particulars, that the time and place of hearing of the same has been set for December 2, 2016 at the hour of 9:00 a.m. at the Superior Court of Guam, 120 West O'Brien Drive, Hagåtña, Guam, and that all persons interested are hereby notified to appear and show cause, if any they have, why the Petition should not be granted.

Dated: October 12, 2016.

DANIELLE T. ROSETE,
CLERK OF COURT
SUPERIOR COURT OF GUAM
By: /s/ TAMMY L. PINAULA
DEPUTY CLERK

GUAM INDUSTRIAL SERVICES INC.
dba: GUAM SHIPYARD

Is currently hiring for the following full-time position:

EXECUTIVE ADMINISTRATIVE ASSISTANT

Competent Executive Administrative Assistant to provide personalized secretarial and administrative support in a well-organized and timely manner. Will work on a one-to-one basis on a variety of tasks related to President's working life and communication. Reporting directly to the President, the Executive Administrative Assistant serves as the primary point of contact for internal and external constituencies on all matters pertaining to the Office of the President. The ideal individual will have the ability to exercise good judgment in a variety of situations, with strong written and verbal communication, administrative, and organizational skills, and the ability to maintain realistic balance among multiple priorities. Must be able to work under pressure at times to handle wide variety of activities and must be able to work independently.

MAJOR DUTIES AND RESPONSIBILITIES:

- Provides clerical support to the President and senior managers and executives
- Perform daily clerical duties such as answering and screening telephone calls; taking messages.
- Perform administrative functions, including but not limited to: filing, imaging.
- Plan meetings and take detailed minutes and accurately enter data
- Coordinates and submits request for base access to Naval Base Security for vendors, subcontractors and guests.
- Develop and maintain efficient documentation and filing system
- Make travel arrangements and reservations for the President and senior managers.
- Create spreadsheets and presentations
- Performs other duties as assigned.

REQUIREMENTS, KNOWLEDGE, SKILLS, ABILITIES & PERSONAL CHARACTERISTICS:

- Full comprehension of office management systems and procedures
- Ability to operate office machines, such as computer, typewrite, calculator, binding machines & copiers.
- Excellent knowledge of MS office including but not limited to Microsoft Word and Power Point.
- Ability to interact with people of all levels in and outside the organization.
- Proficiency in English with high level of verbal and written communication skills
- Ability to multi task and prioritize daily work load
- Exemplary planning and time management skills
- Legal secretarial experience is a plus.
- With minimum college education.

Interested individuals may send resume to:
Email to: gsy@guamshipyard.net
Submission deadline is November 25, 2016

Guam Shipyard is an Equal Opportunity Employer and a Drug free work place

Did you survive abuse within the Archdiocese of Agana?

If you are a survivor of sexual abuse by a Catholic priest, **you have legal rights.**

Changes to Guam's statute of limitations laws mean that even if the abuse occurred when you were young, you can now pursue justice.



YOU ARE NOT ALONE.
IT WAS NOT YOUR FAULT.
THE TIME TO ACT IS
NOW.

YOU NOW HAVE A CHANCE TO DISCOVER WHAT THE DIOCESE REALLY KNEW ABOUT ITS PRIESTS.

Call **(671) 646-2047** or visit **guamsexualabuseattorneys.com** to speak confidentially with attorneys who can explain your rights.

The information in this attorney advertisement is intended for survivors of child sexual abuse, including abuse by Catholic priests within the Archdiocese of Agana. This attorney advertisement is being provided by the Guam law firm of Dooley Roberts Fowler & Visosky LLP, 865 S. Marine Corps Drive, Suite 201, Tamuning, Guam 96913, whose attorneys are licensed to practice in Guam, and by the Seattle law firm of Pfau Cochran Vertetis Amala PLLC, whose attorneys are not licensed to practice in Guam but who have represented and helped many abuse survivors.

ATTACHMENT B

AFFIDAVIT OF MAILING

I, the undersigned do hereby dispose and state that:

1. I am an employee of the Department of Land Management, Government of Guam, and I am not an interested party in the above-entitled manner.

2. I have personal knowledge of all the facts herein.

3. I am competent to testify to the matters stated herein and would so testify in any hearing concerning this matter.

4. On **November 18, 2017,** I, Ernest V. Santos deposited in the United States Postal Service in Tamuning, Guam, via certified return receipt mail (attached as **Attachment A**), six (6) sealed envelopes, with postage fully paid, each containing a copy of the Notice of Public Hearing for **Joseph M. Palomo** (attached as **Attachment B),** addressed to the following property owners:

Castro Jose Borja, Thompson Julia Castro & Castro Juan Borja	P.O. Box 92	Valley, WA. 99181
Chamorro Land Trust Commission	P.O. Box 2950	Hagatna, Guam 96932
Guam Power Authority	P.O. Boc 2977	Hagatna, Guam 96932
Fadian Development Inc.	P.O. Box FB	Hagatna, Guam 96932
Estate of Camacho Catalina Eclavea	P.O. Box 183	Hagatna, Guam 96932
B & K Development LLC	P.O. Box FB	Hagatna, Guam 96932
Santos Vicente Baza, Estate of	P.O. Box 6122	Merizo, GU 96915
Nonito "Nito" C. Blas	P.O. Box 786	Hagatna, Guam 96932

5. The above referenced names and addresses are those of the landowners owning land within five hundred (500) feet of the property for which rezoning is requested, including those to the Commissioner of the Municipal District concerned.

6. This Affidavit is executed as proof of the compliance with 21 G.C.A. Section 61633.

EXHIBIT B

IN WITNESS, WHEREOF, I hereby affix my signature this 20th day of October, 2017.

ERNEST V. SANTOS
Land Agent Supervisor

Island of Guam)
) ss:
City of Tamuning)

Subscribed and sworn to before me this 20th day of October, 2017.

NOTARY PUBLIC
TERESITA A.C. TOVES
GUAM, USA

Notary

TERESITA A.C. TOVES
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JULY 13, 2019
P.O. Box 2950 Hagatna, Guam 9693[illegible]

EXHIBIT B

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .47
Certified Fee	$3.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

Postmark Here: NOV 2016 — TAMUNING STA — BARRIGADA GU

Sent To: Mayor of Mangilao
Street, Apt. No.; or PO Box No.:
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

7012 0470 0002 4484 2458

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®

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Certified Fee	$3.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

Postmark Here: NOV 2016 — TAMUNING STA — BARRIGADA GU

Sent To: SANTOS VICENTE BAZA
Street, Apt. No.; or PO Box No.: ESTATE OF
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

7012 0470 0002 4484 2434

U.S. Postal Service™
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Certified Fee	$3.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

Postmark Here: NOV 2016 — TAMUNING STA — BARRIGADA GU

Sent To: BJK Development LLC
Street, Apt. No.; or PO Box No.:
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

7012 0470 0002 4484 2434

U.S. Postal Service™
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For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .47
Certified Fee	$3.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

Postmark Here: NOV 2016 — TAMUNING STA — BARRIGADA GU

Sent To: Chanco Catalina E.
Street, Apt. No.; or PO Box No.: ESTATE OF
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

7012 0470 0002 4484 2410

U.S. Postal Service™
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(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	$ .47
Certified Fee	$3.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

Postmark Here: NOV 2016 — TAMUNING STA — BARRIGADA GU

Sent To: Fadian Development
Street, Apt. No.; or PO Box No.: Inc.
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

7012 0470 0002 4484 2410

U.S. Postal Service™
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .47
Certified Fee	$3.30
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

Postmark Here: NOV 2016 — TAMUNING STA — BARRIGADA GU

Sent To: Castro Jose Bunn, Thompson
Street, Apt. No.; or PO Box No.: Julia Castro Castro
City, State, ZIP+4: Juan Bonn

PS Form 3800, August 2006 — See Reverse for Instructions

ATTACHMENT A

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

Street Address:
590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

[2015-34]

Website:
http://dlm.guam.gov

E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

November 4, 2016

Dear Sir/Madam:

An application has been filed with the Guam Land Use Commission (GLUC) by:

The Applicant, Joseph M. Palomo, represented by Harry D. Gutierrez, request for a Zone Change from "A" (Agricultural) to "M-1" (Light Industrial) zone for uses of constructing a warehouse, office space, a veterinary clinic, pet store and boarding facility with adequate parking, on Lot 5328-REM, in the Municipality of Mangilao, under Application No. 2016-44.

For any **Zone Change** requests, the Guam Land Use Commission is mandated by law to conduct a Public Hearing in the Municipal District where the property is located. Accordingly, a Public Hearing on this application is scheduled to be held:

PLACE: **Mangilao Community Center**
DATE: **November 30, 2016, Wednesday**
TIME: **6:00 p.m.**

As a property owner identified within 500 feet of this proposed development, we invite you to attend this Public Hearing and participate in the review process and to express your opinion on this application. If you are unable to attend the Public Hearing, please submit written comments to our office on or before the scheduled Guam Land Use Commission which will be published on the Guam Daily Post and noted on the applicant's onsite sign. Our office is located on the third floor (room 304) of the ITC Building and written comments should be addressed to:

Chairman, GLUC or Executive Secretary, GLUC
c/o Department of Land Management
Land Planning Division
P.O. Box 2950, Hagatna, Guam 96932

ATTACHMENT B

Accordingly, a GLUC Hearing for this application will be advertised in the Guam Daily Post open ad, Government meeting and the website.

You may review the development application at our office or your Mayor's Office.

Thank you for your interest.

Si Yu'os Ma'ase,

MARVIN Q. AGUILAR
Guam Chief Planner