

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON MAY 2, 2017 AT THE SANGGUNIANG SESSION HALL**

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Glenn M. Aldover,	“
Hon. Sergie Rex M. Atienza,	“
Hon. Alyssa Renee A. Cruz,	“
Hon. Oliver Z. Macatangay,	“
Hon. Armando C. Lazarte,	“
Hon. Karlos Emmanjuel A. Buted,	“
Hon. Julian B. Villena,	“
Hon. Gerardo A. dela Roca,	“
Hon. Nestor E. Dimacuha,	“
Hon. Angelito “Dondon” A. Dimacuha,	(ABC-Rep.)
Hon. Hamilton G. Blanco,	Councilor
Hon. Nelson J. Chavez,	“

“On motion of Councilor Dela Roca seconded by Councilor Cruz, the following Resolution was Adopted:

RESOLUTION NO. 116 S. 2017

**APPROVING THE SITE DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF RIPRAP
AND LEVELLING FOR THE PROPOSED LAND DEVELOPMENT PROJECT OF
MT. DAHILIG STONE, INC. TO BE LOCATED IN BARANGAY MAHABANG DAHILIG,
BATANGAS CITY**

WHEREAS, the Mt. Dahilig Stone Inc. applies for site development permit for its land development project in Mahabang Dahilig, Batangas City involving a 48,509.00 square meters property;

WHEREAS, the project is limited to site levelling (horizontal only) and clearing only for future possible purposes;

WHEREAS, the CPDO conducted an evaluation of the application and recommends the approval subject to certain conditions;

NOW THEREFORE, be it resolved as it is hereby resolved by the Sangguniang Panlungsod in session assembled, to approve as it hereby approves the aforesaid application of Mt. Dahilig Stone Inc. subject to the following conditions:

1. The proponent will construct riprap along Tabangao River bank and 2.5 meters high concrete perimeter fence, as per submitted plan;
2. Necessary measures as to be recommended by the City Engineering Office be considered to ensure that no flooding and/or mass movement or landslides will occur in the project site and nearby communities whenever the land development may be allowed;

Continuation of Resolution No. 116 S. 2017

**APPROVING THE SITE DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF RIPRAP
AND LEVELLING FOR THE PROPOSED LAND DEVELOPMENT PROJECT OF
MT. DAHLIG STONE, INC. TO BE LOCATED IN BARANGAY MAHABANG DAHLIG,
BATANGAS CITY**


3. The guidelines and measures for land developing shall be complied strictly by the proponent based on the recommendation of the local engineering office and other concerned agency;
4. The proponent or any other third party that may acquire the property will not conduct any activity other than horizontal development and that the development permit to be issued shall solely for levelling purposes only.
5. No quarrying activities shall be conducted within the project site unless and until a quarry permit is obtain from the Provincial Mining Regulatory Board (PMRB) of Batangas Province;
6. Any activities that will endanger the general welfare, safety and health of the residents within the immediate vicinity of the project site, if proven shall be cause for the revocation of any permit that will be issued to the project and will immediately cause the termination/cancellation of the project activity.
7. The proponent shall comply with all the conditions stipulated in the Environmental Compliance Certificate (ECC) granted to the project by the EMB – DENR on December 23, 2016 and the City Environmental Certificate (CEC) issued by the City ENRO on January 24, 2017.

RESOLVED FURTHER, that the permit hereby granted is subject to strict compliance with the conditions hereinabove stated and to all other related laws, ordinances and other government issuances.


APPROVED.”

 SPONSOR : COUN. GERARDO A. DELA ROCA
 : COMMITTEE ON ENVIRONMENT URBAN
 DEVELOPMENT LAND USE AND ZONING

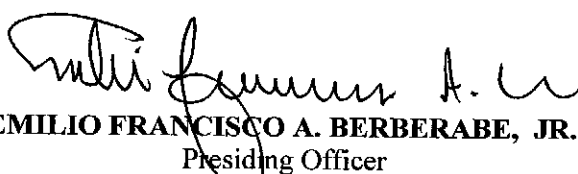
I hereby certify that the foregoing Resolution No. 116 S. 2017 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on May 2, 2017.


IVY AUDREY B. TELEGATOS
 Board Secretary I
 Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
 Secretary
 Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
 Presiding Officer

ODT/IADT/ystingchuy...

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE REPORT

TO : The Honorable Sangguniang Panlungsod

FROM : The Committee on Environment, Urban Development,
Land Use and Zoning

SUBJECT : Land Development Project of Mt. Dahilig Stone Inc. in
Barangay Mahabang Dahilig, Batangas City

Referred to the Committee on Environment, Urban Development, Land Use and Zoning is the Application for Development of Lot No. 12552-B located in Mahabang Dahilig, Batangas City filed by the Mt. Dahilig Stone, Inc. The application was indorsed to the Sangguniang Panlungsod by the City Mayor on March 29, 2017.

The Committee held an initial hearing on March 30, 2017 where the members of the Sanggunian met with the representatives of Mt. Dahilig Stones, Inc., City Planning and Development Office and City ENRO. However, the Committee was not able to discuss the details of the project and requested the applicant and the Zoning Officer to submit certain documents relative to the application. The Committee Hearing was reset to a later date.

The second committee hearing was held on April 20, 2017. Present during the hearing were the members of the Sangguniang Panlungsod, Johnilito B. Ramirez, Vicente Pastor, Jr. and Modesto Mantuano, all representing the Mt. Dahilig Stone, Inc.; Charmaine Landicho and Ailyn Montero, of the City ENRO, and Delia Licarte of the CPDO.

The application is for Site Development Permit for the proposed Land Development Project - horizontal only, at Lot No. 12552-B located in Barangay Mahabang Dahilig, Batangas City. The area applied for development is approximately 48,509.00 square meters classified as Agricultural Development Zone. The property is owned by Ma. Isabel M. Pastor and Ma. Rita M. Pastor which is subject of a Memorandum of Agreement with the Mt. Dahilig Stone, Inc.

A Barangay business clearance was issued for the leveling and site development. The project was also granted an Environmental Compliance Certificate (ECC) by the DENR-EMB, and the City ENRO issued a City Environmental Certificate (CEC) to the proponent.

The details of the project, its scope and duration are contained in the Evaluation Report of the Zoning Division of the City Planning and Development Office.

The more important issues discussed in the Committee Hearing are:

1. What is the purpose of the land development?

It was clarified that the application is for levelling only and no construction will be done. Councilor Nestor Dimacuha pointed out that the levelling activity is similar to quarrying. The proponent stated that the earth moved will not be sold but will be used as filling materials for the area being levelled. The proponent is yet to determine what will be done with the property after it is levelled, and will secure the appropriate permits as may be secured. As to the point raised by Councilor Nestor Dimacuha, quarrying activity needs permit from the provincial government.

2. Why did the Pontefino project which is similar to this development of Mt. Dahilig, did not secure approval of the Sangguniang Panlungsod?

The CPDO explained that the Pontefino land development project was preparatory to the construction of condominium buildings which is required to seek permit from the HLURB. Due to this, the Pontefino project did not pass thru the Sangguniang Panlungsod but secured the HLURB clearance.

3. Did the project proponent secure permit for the trees that will be cut/felled in the course of the levelling activities?

The City ENRO took note of the fact that some 76 mango trees in fruit-bearing age will be cut aside from the other trees that will be felled due to the clearing activity. The proponent explained that the mango trees are no longer viable for economic purposes because the area is usually affected by typhoons and its geographic location. The City ENRO submitted a Tree Assessment and Replacement Report. In said report the 96 trees to be cut will be replaced with 384 native trees of no less than 8ft. in height and drum size. These trees may be planted on an area dedicated for presentation or to be donated to the City Government for greening programs.

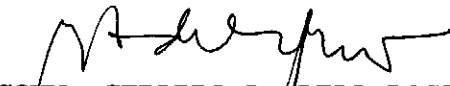
RECOMMENDATIONS:

Considering these findings by the Committee, the Committee recommends:

1. The approval of the application subject to the following conditions:
 1. The proponent will construct riprap along Tabangao River bank and 2.5 meters high concrete perimeter fence, as per submitted plan;
 2. Necessary measures as to be recommended by the City Engineering Office be considered to ensure that no flooding and/or mass movement or landslides will occur in the project site and nearby communities whenever the land development may be allowed;
 3. The guidelines and measures for land developing shall be complied strictly by the proponent based on the recommendation of the local engineering office and other concerned agency;

4. The proponent or any other third party that may acquire the property will not conduct any activity other than horizontal development and that the development permit to be issued shall solely for leveling purposes only.
 5. No quarrying activities shall be conducted within the project site unless and until a quarry permit is obtain from the Provincial Mining Regulatory Board (PMRB) of Batangas Province;
 6. Any activities that will endanger the general welfare, safety and health of the residents within the immediate vicinity of the project site, if proven shall be cause for the revocation of any permit that will be issued to the project and will immediately cause the termination/cancellation of the project activity.
 7. The proponent shall comply with all the conditions stipulated in the Environmental Compliance Certificate (ECC) granted to the project by the EMB - DENR on December 23, 2016 and the City Environmental Certificate (CEC) issued by the City ENRO on January 24, 2017.
2. The Adoption of this Committee Report.
 3. The approval of the Resolution hereto attached.

Respectfully submitted, May 2, 2017.


COUN. GERARDO A. DELA ROCA
Chairman

Committee on Environment and Urban Development
Land Use and Zoning


COUN. SERGIO REX M. ATIENZA
Member


COUN. ALYSSA RENEE A. CRUZ
Member


COUN. JULIAN B. VILLENA
Member


COUN. ARMANDO C. LAZARTE
Member



Republic of the Philippines
Batangas City

City Planning and Development Office

City Hall Complex, P. Burgos Street, Batangas City 4200
Tel. Nos.: (043) 723-1832 (telefax) / 773-6100 loc. 2090 & 2092 (CPDC) /
2093 (ACPDC) / 2091 (Admin. Division) / 2094 (Zoning Division)
email add: cpdobatangacity@yahoo.com.

EVALUATION REPORT

NAME OF APPLICANT : MT. DAHLIG STONE, INC.
By: JOHNLITO B. RAMIREZ
President

AUTHORIZED REPRESENTATIVE : JULIAN PEDRO M. PASTOR

ADDRESS/TELEPHONE NUMBER : # 235 Meralco Road, Brgy. Banaba
South, Batangas City
/ 0917-880-7457

PROJECT TYPE : Land Development Project
(horizontal only)

PROJECT LOCATION : Brgy. Mahabang Dahilig,
Batangas City

PROJECT AREA : Approximately 48, 509.00 sq.m.

RIGHT OVER LAND : Memorandum of Agreement
Owner : Ma Isabel M. Pastor
& Ma. Rita M. Pastor
Lot No. 12552 - B
TCT No. CT - 7

SITE ZONING CLASSIFICATION : Agricultural Development Zone
(ADZ)

SUBJECT : Request for a Site Development Permit for the proposed Land
Development Project - horizontal only, at Lot No. 12552 - B
located in Brgy. Mahabang Dahilig, Batangas City.

A. SITE DESCRIPTION

The land to be developed is located at Sitio Kanluran, barangay Mahabang Dahilig, Batangas City containing an area of approximately 4.8509 hectares, more or less. The site is accessible by a barangay road from the Batangas Bay Road passing through barangay Tabangao Anibulong and Tabangao River going to the project site. It is approximately 2.0 kilometers away from the Batangas Bay Road, 2.5 kilometers away from the Pilipinas Shell Refinery Complex, 11.0 kilometers away from the City Hall, and 100 meters away from the nearest residential settlement.

The project site has a flat to gently sloping terrain, planted to more or less 76 mango trees. There are also some cattles and goats being taking care within the project site. There is also an existing – one storey residential building at the site.

The site is bounded by the following:

- East - agricultural land
- North - agricultural land and residential settlement
- West - agricultural land
- South - Tabangao river and residential settlement


B. EVALUATION OF FACTS

1. The project site is within the designated Agricultural Development Zone (ADZ) per the Batangas City Zoning Ordinance, which is intended for agricultural production activities such as crops, tree- farming and pastureland for goats and cattle raising.
2. The Punong - Barangay of barangay Mahabang Dahilig issued a barangay business clearance to the applicant for leveling and site development project on January 6, 2017.
3. The proponent was granted an Environmental Compliance Certificate (ECC) for their land development project located at barangay Mahabang Dahilig, Batangas City by the Department of Environment and Natural Resources (DENR) through the Environmental Management Bureau (EMB) on December 29, 2016.
4. The proponent was granted a City Environmental Certificate (CEC) for their land development project located at barangay Mahabang Dahilig, Batangas City by the City Environment and Natural Resources Office (City – ENRO) on January 24, 2017.
5. The proponent Mt. Dahilig Stone Inc. through its representative and co – owner, Mr. Julian Fedjo M. Pastor of the proposed land development project - horizontal only, to be located at Mahabang Dahilig, Batangas City, as per consideration of the Sangguniang Panlungsod must ensure of the following:
 1. The proponent will construct riprap along Tabangao River bank and 2.5 meters high concrete perimeter fence, as per submitted plan:
 2. Necessary measures as to be recommended by the City Engineering Office be considered to ensure that no flooding and /or mass movement or landslides will occur in the project site and nearby communities whenever the land development may be allowed;
 3. The guidelines and measures for land developing shall be complied strictly by the proponent based on the recommendation of the local engineering office and other concerned agency;
 4. The proponent will not conduct any activity other than horizontal development within the project site;
 5. No quarrying activities shall be conducted within the project site unless and until a quarry permit is obtain from the Provincial Mining Regulatory Board (PMRB) of Batangas Province.
 6. Any activities that will endanger the general welfare, safety and health of the residents within the immediate vicinity of the project site, if proven shall be cause for the revocation of any permit that will be issued to the project and will immediately cause the termination/cancellation of the project activity.

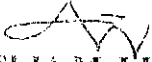
7. The proponent shall comply with all the conditions stipulated in the Environmental Compliance Certificate (ECC) granted to the project by the EMB - DENR on December 23, 2016 and the City Environmental Certificate (CEC) issued by the City ENRO on January 24, 2017.

March 27, 2017

Prepared by:


ROBERTO ANTONIO R. BUCANEGRA
Designated Zoning Inspector


ALEX M. GONDA
Designated Zoning Officer I


BELIA M. LICARTE
Zoning Officer IV

Noted by:

JANUARIO B. GODOY
City Planning & Development Coordinator