

## **Testimony on the Proposed Zoning Use Variance (Bill No: 35-0137)**

Gifft Hill Land, LLC - Parcel 9-3 Est. Glucksberg, St. John, VI (Permit Application: ZAJ-23-1)

Submitted by: Michelle Herzog, Trustee of 9-2 Estate Glucksberg, St. John

Submitted date: April 16, 2024

As the neighbor of the Gifft Hill Land, LLC (GHL) build, I, Michelle Herzog, respectfully submit my testimony to be read into the record on Wednesday's (4/17/24) Committee of the Whole. Please consider my concerns and suggestions below regarding the Senate package that suggests granting the applicant a use variance for a "lodging/rooming house".

- Bill No. 35-0137 Section 1 asserts a zoning use variance, referencing Drawing No. D9-1234-T75. This drawing portrays two buildings, each containing 12 units, with the possibility of an additional four buildings, each containing 12 units. This raises the question: how this proposal is even under consideration, as it would allow 6 total buildings with an unbelievable number of tenants living on this piece of property...all too vague! The current bill doesn't specify how many rooms this permission would cover or what the design should be. Why are we having a hearing if we do not have all the information? The Senate is being asked to approve a vague plan, potentially allowing for a project that hasn't been properly reviewed by the public, which could lead to unforeseen consequences and negative impacts on neighboring properties. Please consider this concern.
- The proposed development raises concerns about overcrowding, not only from the building design, but also the parking. While tenants will have assigned parking spots, there's uncertainty about visitor parking. This could lead to increased demand and potential misuse of the Gifft Hill School's parking lot, similar to issues seen in Cruz Bay. Despite warnings about parking on Gifft Hill Road leading to ticketing and towing, without enforcement, this behavior may persist, affecting both the school and local residents. It's likely that vehicles will park on Gifft Hill Road, school lots, and neighboring driveways due to insufficient parking within the complex. This lack of parking options becomes problematic with a large number of tenants and visitors. Please consider this concern.
- The proposed building design raises numerous concerns. Approving the container concept could introduce an architectural style that may detract from the island's natural beauty. The container house concept, resembling living in cages, features small metal boxes without air conditioning for bedrooms and common areas enclosed in fencing. This design could rapidly spread across the island without restrictions on the number of residents per unit. I urge the Senate to consider the legacy they wish to leave for St. John. Please consider this concern.
- The proposed bill permits a use variance for Parcel 9-3 Glucksberg, but it isn't tied to a specific design or the developer who pledges affordable housing. To prevent confusion, the Senate could adjust the bill to link it with a specific design, long-term leases, and prohibit the transfer of these new rights. If the use variance isn't tied to a specific project and developer, it only applies to the land, potentially leading to unforeseen outcomes. Please consider this concern.
- The bill being considered by the Senate is very unclear and covers a lot of ground, leaving room for various interpretations and designs beyond what's currently suggested. To prevent confusion, the Senate could revise the bill to set a limit on the number of rooms permitted under this variance for a "lodging/rooming house. Please consider this concern.

In summary, I urge the Senate to give due attention to my concerns, ensure thorough planning for this project, and disclose these plans to the public prior to reaching any decisions. Furthermore, I emphasize the importance of holding GHL accountable in this process.