

## OPPOSITION STATEMENT:

### APPLICATION ZAJ-23-1 by GIFFT HILL LAND, LLC to REZONE PARCEL 9-3 ESTATE GLUCKSBERG, ST. JOHN from R-2 to R-4

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

I strongly object to the proposed transition to R-4 zoning and instead implore Giffit Hill Land, LLC (GHL) to establish a living environment that better suits this residential area of St. John. It is important that DPNR and Legislature shift their focus towards assessing the potential repercussions of implementing R-4 zoning, rather than solely permitting individual leases. Please see below for reason for my opposition:

- I appreciate Mr. Ari Goldschneider's intention to create housing that can accommodate many people, supporting the goal of providing long-term housing for those in need. However, it became clear that the definition of "long-term" in this case refers to any period over 90 days, which is only considered long term for seasonal workers and not permanent residents. I want to ensure this distinction is understood. While Ari Goldschneider claims to aim for long-term housing for permanent St. John residents, I feel that his true intention is not aligned with this goal. Roosevelt David's opening statement referenced a purpose for this build as he spoke from the heart stating "indigenous St. Johnians had to leave St. John to find homes elsewhere". While this issue holds personal significance for Roosevelt David, it is unrelated to Ari Goldschneider's intention behind constructing the building. When Ari reached out to the public, he did not even ask the appropriate questions to confirm this purpose of this build as mentioned by Roosevelt David. He failed to confirm whether he had spoken to any indigenous St. Johnians, as was noted while being asked to clarify multiple times during the virtual meeting on May 22nd. This raises a disconnect. Ari's statements during the virtual meeting indicate that his waitlist includes workers from bars and restaurants, with 50% residing on St. John and 50% on St. Thomas. It is essential to stick to the facts here and avoid manipulating emotions if the intention is not genuinely to help. I ask DPNR to consider this when recommending their decision.
- Ari Goldschneider mentioned that he spoke to bar/restaurant employees who share two-bedroom apartments with 4-5-6 people. It's important to note that such living arrangements can occur anywhere, even if a lease allows only one person per room. As Ari Goldschneider rightly pointed out, there is a housing crisis and people need rooms. However, this raises concerns, especially when considering the potential increase to accommodate 72 bedrooms, which by the established Virgin Island standards, already allows for over 140 people on this 1.14 acres and could easily lead to more than 140 people living on his property without permission or safeguards because it has been stated there are no means to monitor the number of individuals living in each unit. Furthermore, it is important to acknowledge that according to an email dated 5/5/23, from Ms. LaPlace, it was stated that "R-4 would allow maximum of 67 bedrooms." However, GHL has already exceeded this limit with proposed drawings featuring 72 bedrooms. How was this oversight possible, and why is such a violation even being contemplated? I ask DPNR to consider these concerns when making their recommendation to Legislature.
- If Ari actually intends to lease out the property to seasonal workers, he has already received comments that local restaurants and even St. John Rescue may be interested in leasing an entire building for their workers. This

would create a community of individuals with a shared connection. This arrangement would benefit everyone involved while keeping R-2 zoning intact, ensuring that each building has only one lessee who would be fully responsible for their employees. Holding them accountable would be easier as they would answer to the single lessee—the company that hired them. Many businesses are likely to find this arrangement feasible.

Implementing such an approach would promote a stronger sense of community responsibility among the tenants, leading to better property maintenance and increased safety for residents. Additionally, if this is the sole purpose of the proposed rezoning, it would eliminate the need to change the zoning designation from R-2 to R-4. I ask DPNR to strongly consider this approach when making their recommendation to Legislature.

- The proposed development presents concerns of overcrowding, as indicated by the inclusion of 72 units and only 45 parking spaces according to the latest drawings from the May 22<sup>nd</sup> virtual meeting. Tenants with cars would occupy their assigned parking spots, but the whereabouts of visitor parking remain uncertain. The increased overcrowding and parking demand may result in the misuse of Giffit Hill School's parking lot, similar to how the public misuses parking lots in Cruz Bay. It has been stated that parking on Giffit Hill Road would lead to ticketing and towing. However, until enforcement measures are implemented, this abuse is likely to persist, affecting both the school and the local residents who rely on participating in and supporting school events. It is reasonable to assume that vehicles will indeed park on Giffit Hill Road, the school parking lots, and neighboring driveways if they cannot find available space within the complex, which currently does not exist. Consequently, this situation becomes problematic with a large number of tenants and their visitors having insufficient parking options. Additionally, it would be helpful to know the location of charging stations for e-bikes, as mentioned per Ari Goldchneider during the virtual hearing, and whether their installation would further impact available parking spaces. I ask DPNR to take these issues into consideration when making their recommendation to Legislature.
- The design of the proposed building raises multiple concerns. Approving the container concept and changing the zoning to R-4 would introduce a new architectural style that could detract from the natural beauty of the island. This container house concept has a simple character appearance of living in cages. You have a small metal box with no air conditioning for a bedroom and a common living area enclosed in fencing, which may quickly spread throughout the island without any restrictions on the number of people allowed to reside in a single container cage. I ask you, DPNR and Legislature, is this the legacy YOU wish to leave behind for the stunning island of St. John? If your answer is yes, it deeply saddens me and leaves me profoundly disappointed in the collective path you have chosen. As mentioned earlier, while it is assumed that each room could house two people, there are no limitations if five or six individuals decide to live in a unit under an R-4 zone lease. Placing the highest-density zoning available on St. John within an established, lightly populated residential area raises concerns. Furthermore, allowing the applicant and others to develop projects similar to Grande Bay on just one acre of land creates unnecessary issues that can be easily avoided by not approving the rezoning from R-2 to R-4. I ask DPNR to consider this when making their recommendation to Legislature.

- During the meeting, Ari Goldschneider stated that he would keep the leases as long-term, but later, when asked if he could guarantee this, he mentioned considering converting to short-term if long-term leases were not feasible. This shift in stance within a short period of time raises questions about trust and understanding regarding the project. Consequently, the community has numerous concerns and questions about what exactly will be built in our neighborhood. I ask DPNR to consider our concerns when making their recommendation to Legislature.
- During the online hearing, Ari made an erroneous claim that if the zoning changed to R-4, the property would still be classified as a single-family project. However, as clarified by Ms. LaPlace, the change would actually result in a multi-family development. Moreover, constructing a high-density multi-family complex in a single-family residential zone, particularly across from two schools, is unacceptable. I am perplexed as to why the possibility of changing the zoning from R-2 to R-4 is even being entertained. This situation is highly absurd and raises serious concerns. Again, I ask DPNR to take this into consideration when making their recommendation to Legislature.

Please note the following:

- I have personally emailed 30 signed petitions, with one petition signed by 2 people, to Ms. Laplace opposing the rezoning.
- The individuals listed below expressed their request to be added during the meeting: Alex Gibney, Susan Silverman, 9-4 Robert Bailey, 9-4 Athenia Sewer-Bailey, Julie King, Raven Phillips, 9-6 James Uhlik, David DiGiacomo, Tamara Stevens, Tom Miles, Joan Wilson.
- Excluding those who emailed their signed petitions directly to Ms. LaPlace, the total number of people supporting the petition now stands at 42.
- Kindly be aware that the mentioned total reflects the data up to 6/2/23 when this document was sent to Ms. Laplace via email. This total number may increase.

There are a couple questions that were asked during the Virtual Hearing on May 22nd but remained unanswered. I kindly request that these questions be answered before June 9th:

- How does the master plan address the grade changes, considering the slope on this site? Barry was not available to address this question during the meeting, so could he provide an answer now?
- Can you provide and explain the runoff/drainage plan? Ari stated that it was part of the approved building permit phase, but I did not come across any documents regarding this. Please clarify the process.

In summary, the proposed changes raise significant concerns regarding their impact on the neighborhood, including increased density and the potential for projects that do not align with the existing character of the area. Additionally, these changes would have negative consequences for the surrounding properties and the environment. Therefore, I firmly express my opposition to the proposed rezoning change to R-4 and urge the DPNR and Legislature to consider ALL concerns mentioned above before making their final decisions. I sincerely appreciate your consideration of my concerns.