



**Our Town Frederiksted, Inc.**  
**P.O. Box 653**  
**Frederiksted, VI 00841**  
**Office: (340) 772-3550**  
**Email: ourtownfrederikstedinc@outlook.com**

January 25th, 2024

Senator Milton E. Potter  
35th Legislature of the Virgin Islands  
Chairperson, Committee on Disaster Recovery, Infrastructure, and Planning  
3022 Est. Golden Rock  
Christiansted, VI 00820

Good Morning, Honorable Senator Potter, Honorable Members of the Committee, other Honorable Senators present and the listening and viewing audience. My name is Shomari Moorehead, and I have the honor of serving as the President of Our Town Frederiksted, Inc. (OTF). On behalf of OTF, a community advocacy organization deeply committed to the preservation and growth of the Historic District of Frederiksted since 1988, I would like to address our stance on Bill #35-0202. While we support the intentions of this bill, we find ourselves unable to wholeheartedly recommend or endorse its current iteration. Our concerns are rooted in the perception that the bill is vague and lacks critical process and controls to protect against potential corruption, graft, and fraud resulting from its subjective provisions.

It's essential to note that this bill emerges just one year after the designation of our territory as a National Heritage Area. This designation holds tremendous potential to boost tourism, foster economic development, and above all, preserve our rich history and culture. These facets are the underutilized gems that can set St. Croix apart as a unique tourism destination and a cherished place to live and work. National Heritage Areas (NHAs), recognized by Congress, are places where natural, cultural, and historic resources converge to form a nationally significant landscape, narrating stories that celebrate our diverse heritage. Unfortunately, the current version of the bill fails to adequately protect our town and the broader community. As a National Heritage site, preserving Frederiksted's character and that of the territory's historic districts is paramount.

Our organization acknowledges the importance of striking a balance that allows property owners to restore or rebuild while respecting and honoring the area's character to promote economic, social, and community development.

Let me succinctly outline our primary concerns:

**Section (a):** We believe that relying on the Historic Preservation Commission to subjectively identify structures "historically preserved due to cultural or historical significance" creates an arbitrary process. It might be more prudent to identify structures constructed after a specific date, rather than attempting to discern cultural or historical significance.

### **Our Town Frederiksted Vision Statement**

*The lead advocate for community development and transformation of the town of Frederiksted and outlying areas.*



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**Section (b):** We have substantial concerns regarding Section 285, which effectively restricts modifications without approval. Any language suggesting that building permits should be "relaxed" without sufficient public outreach is problematic. Our historic architecture adds value to our town, and we have a responsibility to protect both interior and exterior historical elements. The language permitting a "case-by-case" basis without obligating the HPC to amend or update its rules and regulations is concerning. The term 'relaxed' is also concerning, as it may create a laissez-faire environment prone to liability issues for property owners and developers who misinterpret it.

The stipulation of "pictures available" is inadequate, implying that property owners can act freely if no pictures exist. We insist that regardless of visual evidence, buildings should be restored as historically accurately as possible. We should also allow approved substitutes for building materials, fixtures, and embellishments that have become difficult for property owners to obtain.

**Section 1(a):** This section could be revised to utilize the existing list of historic properties, eliminating the need for a new list.

**Section 1(b):** We need clarification on whether SHPC is the body responsible for reviewing applications "on a case-by-case basis." This should not be subject to constant changes, and an application process should be outlined.

**Section 1(b)(ii):** We recommend changing "portion" to "portions" to account for properties on corners.

Regarding dangerous structures, we suggest that property owners should be allowed to demolish and rebuild if necessary for public safety, while maintaining the architectural style and character of the surrounding area.

If we are imposing additional responsibilities on the Historic Preservation Commission, it is essential to ensure they are adequately resourced for effective enforcement. Presently, there seems to be a lack of consistent enforcement, leading to unequal treatment of property owners. Clear guidelines and stronger enforcement measures are needed. It is imperative to note that alongside specific changes in this section, there needs to be systemic reform of the Historic Preservation Commission (HPC) rather than a piecemeal approach. For example, currently there are challenges stemming from existing restrictions that make it difficult for property owners to secure property insurance. This obstacle contributes to the potential for blighted and abandoned properties, further underscoring the need for comprehensive reform within the HPC to address these issues holistically. The HPC must be adequately staffed and resourced to ensure fair and effective enforcement of the guidelines outlined in the law.

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In summary, this revised bill requires significant refinement. As it stands, many sections lack clarity and should be restructured to align with Historic Preservation Guidelines. It is crucial to consider the current challenges faced by property owners and incorporate reasonable accommodations and robust enforcement mechanisms for the bill's success.

In conclusion, OTF supports the initiative behind Bill #35-0202 but cannot endorse its current form. We deeply appreciate the Committee's willingness to hear our concerns and hope that together we can work towards a solution that preserves our community's heritage while promoting sustainable development. Thank you for your time and consideration.

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