

From:

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4D-7A Estate St. Joseph and Rosendahl
St. Thomas, VI 00802

Date: March 31, 2025

To:

Leia LaPlace-Matthew
Territorial Planner
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Division of Comprehensive and Coastal Zone Planning
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Subject: Opposition to CCZP0003-25 - The Residences at 340 North

Dear DPNR representative(s):

We are writing to formally express our opposition to the proposed planned area development (PAD) of 4I Remainder and 4J Remainder Estate St. Joseph and Rosendahl. As a resident and stakeholder in this community, we are deeply concerned about the potential adverse effects this project could have on our environment, quality of life, community cohesion, and real estate property value.

1) High-density development should not be built within a low-density neighborhood

Firstly, the design of 64 attached units and 16 detached units—a total of 80 units on about 11 acres—goes against the nature of how this community is built. We are a community with primarily single- and two-family homes spaced apart on lot sizes of 1/3 an acre or more. The proposed high-density development is not in harmony with the existing neighborhood and would forever change the aesthetic value and quintessential look of this charming Caribbean hillside community.

To delve deeper on this point, it is our understanding that VI housing code* specifically prohibits the development of a PAD on R2 land—unless it is built along the same density pattern. The code states that, on a parcel of land zoned at R2, a maximum of 2 dwellings can be built on an area spanning 10,000 square feet, which is .23 acres (so, 1 dwelling per .115 acres). If you build 80 new residential units, you would need to distribute them across an area of 9.2 acres. So, to construct 80 units over a span of less than 9.2 acres (which is what this PAD proposes), you would have to build UP, not OUT. In other words, each residential unit should have a certain area of land solely unto itself, which is literally the definition of low density and what the code was written to preserve.

While a PAD can be approved to be built on R2 land, the code further states that, if approved, a PAD must be built in the same density pattern of the surrounding neighborhood. In this neighborhood, all adjacent properties consist of one residential unit on at least .25 acres (most are at least 1/3), which is low density and in contrast to the PAD's high-density formation.

*See:

2019 U.S. Virgin Islands Code

Title 29 – Public Planning and Development

Chapter 3 – Virgin Islands Zoning and Subdivision Law

Subchapter I – Zoning Law 229. Development provisions

<https://law.justia.com/codes/virgin-islands/2019/title-29/chapter-3/subchapter-i/229/>

R-2 Residential—Low density one- and two-family

(d) Much of the so-called residential property in the Virgin Islands is presently zoned R-10, in theory requiring a minimum lot area of 10,000 square feet. Because that pattern has already been established, the R-2 Residential areas will maintain the same minimum lot requirements. Incongruous uses, such as business and industry, will not be permitted except that planned developments are allowed, provided the density pattern is retained.

2) Access via Gooseberry Lane is destructive and unsustainable

Access to this site via Gooseberry Lane off Skyline Drive (officially Valdemar A. Hill Senior Drive) would have a detrimental impact on the residents of Gooseberry Lane, both during and after construction. Currently, this estate road is only wide enough for one car to pass at a time. The entrance and egress from Skyline to Gooseberry are at such an angle that most cars turning out of Gooseberry heading east must make a three-point turn to get on to Skyline. Additionally, the turn off/down Gooseberry to the road alongside the site is another extremely tight turn. Currently, any type of car and most certainly construction vehicles cannot navigate this hairpin turn without having to go forward and back up multiple times. In their current condition, both Gooseberry and the road running adjacent to the site are too narrow, in poor standing, and steeply sloped.

Gooseberry borders residential properties with no turnaround points except for residential driveways. As a resident off Gooseberry, we were not informed or consulted regarding any potential changes to or usage of this road as a possible construction access point. It is our only way out to Skyline, so any vehicle parked on our road for any length of time will block in and out access to multiple residences. How will the developers account for this fact, both during road improvement and the longer development phases? Further, how will they expand access around the hairpin turn—will they pave a wider road cutting right through the 4J-2 parcel?

It should also be noted that this access is not detailed in the submitted plans. In fact, the “renderings” do not show it at all. The “construction site plan” also does not show a road extension but only mentions a “right of way.” Connecting this development to Skyline Drive and Rosendahl Road would create a “shortcut,” leading to cars driving through the area as a way to bypass the existing roads. This will create hardship for all residents who currently live in this area as well as residents of the new development.

3) Increased congestion around Gooseberry and Skyline

This development will lead to a significant increase in vehicle construction traffic on Gooseberry and Skyline, starting with the constant rumble of construction vehicles parading down this winding estate road past family homes with children and pets for the duration of the construction phases, to the increase in traffic once the development is finished. The area around Skyline and Gooseberry is already prone to heavy traffic during peak hours, and adding a new development will exacerbate this issue, causing more delays and potentially hazardous driving conditions.

In fact, the developers have commissioned no studies on the effect of increased congestion to the community roads both during and after construction. With 80 potentially 3-bedroom homes, this will bring in 240 new cars. What studies can show possible congestion effects and ways to mitigate those effects?

4) Increased storm drainage and runoff

First, any change to Gooseberry would redirect the flow of storm waters, potentially impacting current residents.

Second, the site for this development is located on a steep hillside (40-70% grade) that is a natural drainage area for the surrounding area. Several guts run through here carrying large amounts of rainwater. The clearing and development will cause significant runoff into a system that cannot handle the current water flow in times of heavy rainfall and could end up redirecting water into adjacent properties, including the Raimer Cemetery. All this water runs into Magens Bay and the lower-lying communities. In fact, in the past year alone, Magens has been closed for swimming due to bacterial contamination from excessive runoff. This development will only exacerbate that problem in the future.

5) Detrimental environmental impact on tree boa and other native species

This development would have a detrimental effect on native species, including the Virgin Islands tree boa, a species listed on the US Endangered Species list and found to live within the parcels in question, and potentially other resident species like the red-footed tortoise. According to the environmental assessment (flora and fauna report), the surveyors found adequate prey base, but did not see any boas. The national US Fish and Wildlife Service’s Information for Planning and Consultation (iPaC) site states that the VI tree boa “could occur on this property.” Essentially, just because one was not

seen by the surveyors does not mean that one does not live there. A species listed on the US Endangered Species list should be protected not only from extinction, but also from its habitat being wrongly infringed upon or destroyed.

Some final thoughts:

We would like to point out that as the owner of a property that borders this site, we were never notified of this project as required by law. If we were not included on the “certified” list of adjacent property owners, who else was left out?

Financially, this development appears to be a house of cards, dependent on many government agencies coming in to help subsidize the project, yet according to the developer, none are on board. Making a claim of “affordable housing” is both false and dangerous. Without millions of dollars in government subsidies, these properties will go on the market to the highest bidder (i.e., part-time residents or people who make their primary residence on the mainland and may use these units as Airbnb’s). As we all know, the market always determines the price.

It is highly concerning that the developer would start construction without funding programs in place. The developer is willing to tear up Gooseberry Lane and clear 11 acres of lush bush without being certain that he will be able to sell at prices “affordable to locals?” As it stands, without government funding, his construction costs will force him to sell to the highest bidder and/or delay or even stop construction. We object to this poor planning and waste of natural resources. This island is more than “bush”—it’s peace and quiet, and that is why we love the community, as it is.

We urge you to carefully consider the implications of this development and explore alternative plans that better align with the needs and wishes of our community. We are confident that more sustainable and community-friendly options can be identified with thoughtful collaboration and input from residents.

Thank you for your attention to this matter. We trust you will give our concerns the serious consideration they deserve.

Sincerely,

Kevin Horan and Jeanene Swanson