

Re: Application No. CCZP0003-25 – Public Hearing Responses

DPNR Zoning Division,

Thank you for the opportunity to respond to the public comments and community concerns submitted during the public hearing process for the proposed Residences at 340 North development. We appreciate the high level of engagement and want to take this opportunity to clarify and address the questions and concerns raised in each major area of focus.

Access Road & Traffic

Summary:

Community members raised questions about the suitability of Gooseberry Lane as a primary access point, citing its current width, alignment, and the implications of increased traffic during and after construction.

Response:

We understand the concerns regarding Gooseberry Lane and appreciate the opportunity to clarify the planned improvements. While the road is currently narrow and cannot accommodate two-way traffic, we have assessed the existing right-of-way (ROW) and confirmed that there is sufficient space to expand Gooseberry Lane to a functional two-lane road. This improvement is within the scope of the development and will be coordinated with the Virgin Islands Department of Public Works to ensure appropriate design and execution in accordance with public safety and engineering standards.

While we understand the interest in a traffic study, it's important to acknowledge that developments of this scale are not typically subject to such requirements under current Virgin Islands law or planning policy. Moreover, the island's unique infrastructure limitations mean that even with a study, the broader road network would still face constraints that only large-scale public investment could address. Given the terrain, high costs, and limited space for expansion, significant roadway improvements are largely in the hands of the government.

Regarding emergency access, we have been in contact with the Virgin Islands Fire & Emergency Medical Services (VIFEMS) and have shared the development layout with them. They have provided input on road access and general emergency circulation, and we will continue coordinating with them as the project moves forward to ensure proper access and safety.

For solid waste, residents will utilize off-site public dumpsters, which is the current standard practice in surrounding neighborhoods. While some communities use centralized on-site waste systems, we have opted not to implement one due to concerns about pest attraction, odor, and

the significant cost burden it would place on future homeowners via HOA dues. Additionally, we've informed the Virgin Islands Waste Management Authority (VIWMA) of the project, and they are aware of the development and our waste management approach.

Lastly, while Gooseberry Lane is a primary point of access for the initial phases, a secondary road access through Parcel 4 Remainder is also being considered and will be discussed in upcoming sections of this response.

Stormwater Runoff & Environmental Impact

Summary:

Concerns were presented regarding the project's potential effects on stormwater runoff, drainage patterns, slope stability, and the surrounding natural environment, including nearby public areas such as Magens Bay.

Response:

We hear and fully appreciate the community's concerns regarding water runoff, flooding, and erosion. That's why our development team placed a strong emphasis on proactive and sustainable stormwater design from the outset of planning.

As detailed in the Planned Area Development (PAD) application summary and explained by our civil engineering consultant, we are designing a comprehensive stormwater management system that is capable of retaining runoff from a 20-year storm. A stormwater management system works by capturing, slowing, and storing rainfall on-site so that it can either be absorbed into the ground or released gradually, minimizing erosion, flooding, and impact to surrounding areas. To clarify, a "20-year storm" refers to a rainfall event with a 5% probability of occurring in any given year. Most residential projects begin design around a 10-year storm event, so this development represents a significantly more resilient approach than the standard baseline — especially for a residential project of this size in the territory.

Unlike many previous residential developments in the Virgin Islands, which often lack formal or modern stormwater infrastructure, this project integrates best management practices (BMPs) from the ground up.

To address erosion concerns, we have developed a detailed Erosion and Sediment Control Plan, which outlines protective measures including:

- Installation of silt fencing to contain sediment movement
- Stabilized construction entrances to minimize tracking of dirt and debris onto public roads
- Proper phasing and stabilization of soil during site work to reduce runoff exposure

These controls are embedded in our design development plans and will be implemented in active coordination with DPNR, which serves as the regulatory and enforcement agency for construction-related environmental impacts. We are committed to working hand-in-hand with them to ensure full compliance with environmental laws and to uphold the highest construction standards.

In support of this, the project underwent a full Environmental Report prepared by BioImpact, Inc., a leading local environmental firm. This report, included in our development application, involved in-depth flora and fauna assessments across the site. Their findings confirmed no significant environmental impact. While the habitat is suitable for certain species like the Virgin Islands Tree Boa, no individuals were observed during extensive site visits. These professional findings were submitted as part of our official development packet.

To go a step further, we have reached out to the University of the Virgin Islands Extension Services and are in discussions to develop a voluntary Reforestation Plan. This effort aims to replant native and locally adapted trees that will both enhance the visual character of the development and support ecological balance. While this level of initiative is not typically required under current policy, we felt it was an important opportunity to be proactive and demonstrate environmental responsibility and thoughtful land stewardship.

Considerable time, effort, and technical expertise have been dedicated to making this project as environmentally responsible and sustainable as possible — not just meeting standards, but exceeding them wherever we can.

Wastewater & Cistern Concerns

Summary:

Comments addressed the design and long-term operation of the proposed wastewater treatment system, including its proximity to existing wells and potential environmental impact.

Response:

We understand that wastewater treatment is a critical concern for the community, especially given historical challenges in some areas of the territory. That's why we've invested in a professionally engineered, decentralized treatment system that is both modern and proven, specifically tailored to the conditions at 340 North.

Our system has been designed by Susan Parten, P.E., a highly respected wastewater design engineer with extensive experience throughout the U.S. Virgin Islands. Ms. Parten has led the design of numerous successful wastewater systems in the territory, including the Mountain Top Condominiums on St. Thomas — a 23-unit complex situated on steep terrain, operating effectively since 2014 with a similar treatment process.

The planned system for 340 North includes:

- Primary treatment through 1,500-gallon, two-compartment septic tanks located at each residential building.
- Secondary treatment utilizing AdvanTex AX-Max™ fixed-film packed-media units from Orenco Systems — engineered to be fully enclosed, odor-free, and highly efficient.
- Tertiary polishing through intermittently dosed sand filters, improving the effluent quality for potential reuse.
- Disinfection through UV irradiation and low-dosage chlorine (when reused water is needed).
- Subsurface dispersal fields with zoned dosing areas that allow for gradual, non-disruptive release of treated effluent into the soil.

This system is low-profile, quiet, and designed for long-term reliability with scheduled maintenance built into HOA operations. All components will be reviewed and permitted by DPNR, which regulates wastewater systems in the territory.

We are also highly sensitive to concerns about nearby wells, especially the Raimer family's actively used well. While this well is located over 600 feet from any component of our wastewater treatment system, we have still taken extra precautions to protect groundwater resources. For reference, the standard practice in many jurisdictions recommends a minimum setback of 100 feet between septic systems and potable wells. By exceeding this distance sixfold, we've gone beyond conventional practice.

Additionally, beyond residential wastewater and water supply, we are also planning for site-wide fire safety support. We are currently working with the Virgin Islands Fire and Emergency Medical Services (VIFEMS) to determine the appropriate sizing for dedicated cisterns that will support emergency fire response on-site. This is not a regulatory requirement, but something we proactively included in our planning to ensure the development is equipped to handle unforeseen events. It's an example of how we're thinking outside the box and going beyond basic compliance to prioritize community safety and resiliency.

Finally, each home will also be equipped with its own rainwater harvesting cistern, consistent with local code. These systems will be designed based on roof area and occupancy to provide reliable domestic water, meeting the requirements of the Virgin Islands building code.

Density, Zoning & Aesthetic Impact

Summary:

Community feedback included questions about the development's density, how it aligns with current zoning and neighborhood character, and the architectural compatibility with surrounding homes.

Many residents felt that the proposed development's scale is inconsistent with the existing low-density, single-family neighborhood and expressed concern that it would change the character and visual landscape of the area.

Response:

We understand the desire to maintain the character of the community, and we believe that well-planned density can co-exist with neighborhood integrity. Without utilizing a PAD format, the cost per lot would make these homes financially inaccessible for many native and local first-time aspiring homeowners. Architecturally, our homes are designed with a Virgin Islands-inspired aesthetic, grounded in the region's building traditions and adapted for modern living. Rather than mimic a single visual style, our design embraces scale, material use, and building rhythm that reflect local heritage.

The property is zoned R-2, and under the Virgin Islands Zoning Code, parcels of 5 acres or more within R-2 zoning are eligible for Planned Area Development (PAD) approval. This allows for a more flexible layout and housing mix when paired with responsible site planning, infrastructure, and open space preservation — all of which are central to our approach.

The proposed development includes 80 residential units (64 townhomes and 16 detached homes) over approximately 11 acres. Our land use approach preserves the majority of the site:

- 35% Developed Area
- 5% Active Open Space (for recreation, walking trails, and community gardens)
- 60% Passive Open Space (natural green space, buffers, and stormwater features)

This means that 65% of the land remains open, a conscious choice to preserve viewsheds, protect drainage corridors, and maintain the natural slope and beauty of the area.

Interiors feature open-concept layouts that blend functionality with style — providing comfortable, flexible living spaces that suit today's homeowners.

We're also prioritizing resilience and sustainability through the use of Insulated Concrete Form (ICF) construction, which offers:

- Hurricane resistance via solid, poured concrete walls
- A tight, energy-efficient building envelope for long-term savings
- Improved performance in disaster-prone environments

Our pitched, sloped roofs without overhangs on the townhome models are designed to reduce wind uplift during hurricanes, improving building safety in accordance with local conditions. All structures are being designed to adhere to current building codes and standards for structural, environmental, and residential performance in the Virgin Islands.

By adopting more efficient and thoughtful development strategies — including compact neighborhood design, integrated infrastructure, and sustainable construction — we can expand access to homeownership and help build more resilient, inclusive communities. This approach allows us to offer greater affordability to members of the local workforce and first-time homebuyers, while preserving natural land features and remaining rooted in the character of the Virgin Islands.

As Virgin Islanders — and like many across the United States — we are confronting the impacts of a growing national housing shortage. The demand for quality, attainable homes far exceeds the current supply, both locally and nationally. At the same time, rising construction costs, labor shortages, and increasing regulatory oversight are putting pressure on traditional development models.

Many native Virgin Islanders have been priced out of conventional homeownership, unable to secure a piece of land to call their own. To help address this, we must embrace housing solutions that reflect both economic and environmental realities — without sacrificing quality, safety, or community values.

The Residences at 340 North reflects this approach: a modern, locally focused development designed to foster opportunity, support generational wealth, and contribute to a more sustainable and equitable future for all.

Project Viability, Transparency & Affordability

Summary:

Several comments focused on the project’s financial structure, clarity of intent, investor transparency, and whether the homes would remain affordable and accessible to Virgin Islands residents.

Response:

We recognize the deep concern in the community regarding the affordability of new housing — and the fear that projects labeled “affordable” may ultimately contribute to gentrification or displace long-term residents. That’s exactly why the Residences at 340 North has been intentionally designed to align with the needs, income levels, and homeownership goals of Virgin Islanders.

We understand the skepticism. Housing prices have climbed steadily, wages have remained relatively flat, and many families have been priced out of the market altogether. But this project is not about pushing people out — it’s about creating a pathway in.

To do that, we've designed the community to be compatible with existing federal and local housing support programs that were specifically created to address these affordability gaps. There are funding streams currently available — for housing, infrastructure, and homeownership — that were intended to support exactly this kind of development: resilient, code-compliant, moderately priced homes for working families.

We've had conversations with the Virgin Islands Economic Development Authority (EDA) and local lenders to understand how the VI Slice Moderate-Income Homeownership Program can be applied to our project. We've also engaged with the Office of Disaster Recovery (ODR) to explore how aspects of the Own a Lot, Build A Home program could work in tandem with our development. These discussions have shown that there are viable and realistic pathways for Virgin Islanders to access these homes — especially when paired with closing cost assistance, down payment support, or subsidized financing.

We've also received expressions of support from community development financial institutions (CDFIs) and mission-aligned lenders, and were awarded a \$100,000 grant from Enterprise Community Partners, a leading national affordable housing nonprofit. This grant was awarded specifically to strengthen the housing development ecosystem in the Virgin Islands and shows that trusted institutions recognize both the need — and the strength — of this project.

We know there is concern about homes being flipped or used for short-term rentals. That's a valid concern, and we are actively exploring mechanisms to discourage speculative buying, including eligibility screening and residential use covenants. The intent of this development has always been to provide stable, permanent housing opportunities — not to add to the short-term rental inventory.

It's also important to recognize the moment we are in. Across the country, unspent federal housing dollars are being reallocated or reduced due to underutilization. We are seeing longstanding programs and agencies face funding cuts because of delays in project readiness. In this context, the Virgin Islands must not only obligate — but expend — the resources that have already been set aside. Projects like 340 North are exactly what these funds are meant to support. But timing is critical, and inaction risks missing this window of opportunity.

Finally, we believe this development represents more than just housing — it represents a model for public-private collaboration that brings policy, financing, and construction expertise together to serve the people who need it most.

We are not just building homes. We are building access, equity, and long-term opportunity — and we are ready to move forward. What we ask now is for the support of leadership and local agencies to help bring this vision to life.

Raimer Family & Cultural Heritage Concerns

Summary:

Members of the public, including Raimer family descendants, commented on the development's proximity to culturally significant land features, including a family cemetery and tamarind tree, and the implications for estate subdivision and access.

Response:

We want to begin by expressing our deep respect for the Raimer family's legacy and ancestral connection to the land. We recognize that these concerns go beyond development — they speak to identity, history, and cultural preservation. We are approaching this matter with the care and sensitivity it deserves.

To be clear, our development will have no impact on the Raimer family cemetery or the ancestral tamarind tree. The proposed access road through Parcel 4 Remainder has been designed to run approximately 500 feet from the cemetery boundary, ensuring that it does not encroach upon or disturb this culturally significant area in any way. Additionally, the tamarind tree is located on Parcel 4-H — a completely separate parcel that is not part of the development (which is limited to Parcels 4-I and 4-J), nor is it part of the cemetery parcel. As such, the tree will not be impacted by any aspect of our proposed design.

Throughout the planning process, we engaged in good-faith conversations with the late Attorney Karl Percell, who had been representing the estate, as well as with several Raimer family members who have taken active steps to maintain the property and resolve the estate. According to the 1977 adjudicated order, the estate consists of 17 original heirs, and efforts were underway to complete a subdivision so each heir could receive their rightful share.

A major obstacle to this process has been the lack of access to the proposed subdivided parcels, as required by territorial law to complete any subdivision. To address this, we proposed building an access road at no cost to the family — a solution that would:

- Enable the subdivision of the land and help resolve the long-standing estate,
- Preserve the cemetery through formal designation as its own protected parcel, and
- Provide secondary access to our development.

This proposal was discussed and supported in a family meeting with over 15 Raimer descendants, many of whom have been actively involved in handling the estate. The majority expressed support for the plan, recognizing its potential to benefit all parties by providing access without cost and allowing the estate to move forward.

It's important to reiterate that we do not require the access road through Parcel 4 Remainder to move forward with our development. If the family prefers not to proceed with the easement, we are fully prepared to remove the access road from our plans. Our intention has only ever been to offer a mutually beneficial solution that could assist in resolving the estate while ensuring we remain respectful of its history.

We sincerely hope the Raimer family is able to complete the subdivision and settle the estate in a way that honors their shared legacy. We remain committed to doing what is least impactful and most respectful to their wishes.

In addition, our own parcel — where the Residences at 340 North is proposed — underwent a formal Cultural Resource Assessment (CRA) as part of our Planned Area Development (PAD) submission. This archaeological survey was conducted by Cocosol International, Inc., a highly qualified firm that has completed numerous assessments across the territory and was among those listed on DPNR's recommended archaeologist reference list.

The findings of the assessment were:

- No Historic Sites Found: No significant precolonial settlements or artifacts were identified on the property.
- Rubble Wall Discovered: A historic dry-laid stone wall was identified, but it was determined to be not eligible for listing on the National Register of Historic Places.

Importantly, our development plans will not disturb this stone wall. It will be preserved in place, in keeping with our commitment to respecting both environmental and cultural features of the site.

Conclusion

We have made every effort to respond to the public's comments with clarity, care, and transparency, based on our best understanding of the concerns raised. For many of the design and engineering-related topics — including stormwater management, roadway access, wastewater systems, and infrastructure — we have reiterated solutions that were already developed, submitted as part of our PAD application (which is publicly available), and presented during the public hearing through our accompanying PowerPoint presentation. From the beginning, our goal has been to engage in meaningful dialogue, provide accurate information, and ensure this project is not only understood, but also recognized for its thoughtful planning, alignment with community needs, and long-term vision for housing in the Virgin Islands.

However, we also recognize that not all opposition stems from technical concerns. Some commentary reflects what is commonly referred to as "Not In My Back Yard" (NIMBY) sentiment — a resistance to new housing development based primarily on proximity or change to existing surroundings. While we understand these emotions, we must also acknowledge a greater

truth: **Virgin Islanders need housing.** It is easy for those who already own homes to say they don't want more housing nearby. But every day that housing creation is delayed, **Virgin Islanders who are without access to safe, affordable, and attainable housing are missing a critical opportunity** — an opportunity this development is working to provide.

At its core, the Residences at 340 North represents a sincere effort to contribute something meaningful: a place where Virgin Islanders can build lives, families, and futures. We remain committed to delivering a development that is not only technically sound, but socially responsible — a model for how we move forward together.