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0:00:00 out 10 which is along the center line road or the main artery leading in and out of cruise bay st john at this time there are no other residentially developed properties adjacent to my client's property and my clients also own the two acres of residential zone property located immediately adjacent to the south of the subject property that we are asking to be rezone My clients who are local residents, Ms. Blake was a health administrative professional for many, many years here in the Virgin Islands, and her son, Mr. Carlwood, is currently serving as a marshal in the court systems here in the Virgin Islands. They wish to make commercial opportunities for small businesses to become available on island of St. John. Of all three Virgin Islands, St. John has the least available commercial and retail zoned opportunities for legitimate small scale businesses to pursue or provide self-sustaining secondary business ventures. In accordance with the procedures established by the Virgin Islands Department of Planning and Natural Resources and the VI Code, we met with and complied with all of the requirements set forth by the Division of Coastal Zone Planning for submitting this application, including participating in their public hearings, which afforded us the opportunity to present and defend our petition and address any concerns raised by others, other divisions within the Department and adjacent property owners and the general public.

0:01:52 I am therefore respectfully requesting the legislature's careful consideration, review, and approval of my client's petition to rezone the subject property from R2 residential low density one and two family to B2 business secondary. kindly find and close all of the requisite documents usually required which were submitted to the department of planning and natural resources uh they included pre-application processes that we went through and formal application documents uh to make our application complete i would all i would like to thank you and your august body for affording us a further opportunity in this in this hearing today to explain and or to defend why we think that this this piece of property should be uh rezoned uh from its current r2 residential uh use or app or classification to a b2 which we believe will serve the community the larger community of st john and especially afford small businesses on st john where land is is a premium and opportunities for expanding and providing st john with its own unique set of with its own unique set of circumstances

more opportunities for both people who want to go into business and to afford the community at large better opportunities at accessing those businesses hearing i would like to rest my my present my initial presentation and i avail myself to address and answer any questions

- 0:03:44 that you or members of your committee of the whole will have thank you very much brian turnbull Thank you, Mr. Turnbull. We'll now hear from the representative of ZAJ-21-2, Ms. Ms. Gwenda Degu. Ms. Degu, are you ready? Yes, yes. You may proceed. Good afternoon, Madam President and Senators. My name is Gwenda Degu of 3-4 Beaver Hongburg, St. John. I am three years old. I was born on the island of Angola to Matilda and Egbert Conner.
- 0:04:26 I migrated to Tartola, British Virgin Islands, and then to St. John. I have been a resident of St. John for over 40 years. I have three children, Stafford, Lyndon, and Joseph. My mother used to come to St. John from Tartola weekly in 1969 to sell fruit juice. I would travel with her to help her. I made St. John my home in 1979. My passion is cooking, and then when I cook, I cook with love. Over the years, I have worked with several establishments on St. John, including the Old Gallery, Fred Bar and Restaurant, the Culinary, just to name a few.
- 0:05:09 I worked for the School Lunch Program for the VI Department of Education for about 20 years. I retired in 2009. I worked at the Julius Paul School and then to the Guy Benjamin Elementary School. My students would tell you I catered for them, especially if they had special needs, such as vegetarians. In 2008, a gentleman gifted me a mobile van with my intention that when I retire from the VI government, I will open my own business.
- 0:05:41 The mobile food van became stationary in 2010. I have a mobile food van license and a catering license in 2011. This is where my business operation has been and continues to be. After Hurricane Oma and Maria, I was hired to prepare meals for the VI Water and Power St. John Fire Department, VITEMA, St. John, and on occasion I also provided food for but VI National Guard members when they distribute supplies after the hurricane on St. John at no cost. I have donated and still continue to donate food to the Catholic Charities Soup Kitchen on St. John. I have been a member of the St. John First World Committee organization for many years.
- 0:06:31 I have participated in food fairs and have had carnival booths for over 30 years. In April 2019, License and Consumers Affairs emailed us, let us know that the mobile van license had changed to a Restaurant B. Because the van was no longer a mobile, I agreed to go through the process of being aware of what it needed. Excuse me. I went through the process not being aware of what it would be involved. On October 9, 2019, DCLA again contacted us, and the process was started to get a Restaurant B license. As we were going through the renewal steps, DPNR stopped it.
- 0:07:21 This is when we found out that the Restaurant B license was not allowed in an R1 zone. DPNR came to inspect the business. Their conclusion was that I was doing a catering, not a restaurant. DPNR requested that we do a building drawing for the structure. That was where we completed it and submitted it. My business license expired on January 31st, 2020.
- 0:07:56 I reapplied for both licenses, the catering and the mobile van. Because of online, there was no way to separate them. They both were denied because of zoning issues. I was told if I was found in operating my business, I would be fine. So with that hanging over my head, I decided to go ahead to rectify the situation and try to get the zoning changed. In February 2020, December 29, 2020, I only did food sale for what would have been Parade Day for St. Thomas Carnival and what would have been food fair for St. John and a few catering including for the VI election system. After making several inquiries about the catering license in December 2020, DCNL contacted us and stated that we would give that they would give me a catering license stipulations one stipulation was that i will only be keeping where someone hires me to cater an event they explained that how i operate up the business is basically how a restaurant operates so i could not use the catering license for this i received my catering license on december 30th 2020 it expired on January 21st, 2021. It had to be renewed on February 1st, 2021. As a result of limitation, I decided to continue with the rezoning process. We applied to the rezoning property from R1 to B2. In August 6th of 2021, we have a public hearing and a rezoning EPNR, where I stated my intentions, which are to operate a restaurant and for apartments on october 19 2021 we received from dpnr a report on the hearing which recommend a variance to use a property as a restaurant
- 0:10:01 thank you for your consideration thank you uh mr gu what i'm going to do is ask the um individuals who are in block two to turn off their screens so we could um we're having some broadband challenges so turn off your screens that would be uh liliana balado de o'neil uh timothy and maria granderson and um yousef turn your screens off so we can see if we can get those other folks up who are in this particular block please Ali Youssef yes can you please turn your screen off and put your mic on mute okay we're now going to go to ZAT 21.6 authorized agent Roosevelt David Mr. David are you ready and can you hear us yeah we are not hearing you I don't know if you are hearing us this is difficult yeah I don't understand what's happening with your system I really don't want to take a recess, but I'm going to have to.

- 0:11:44 We're going to go to the Department of Planning and Natural Resources. I wanted to really make sure I did this in order. We're going to ask DPNR, as they make the presentation this afternoon, the report on petitions um that they uh also provide us with some visuals of the um properties or the maps in question please so uh mrs laplace matthew you may proceed good afternoon again senate president before you go let me just be clear you may proceed with uh zaj-21-1 thank you good afternoon again members of the 34th legislature the viewing and listening public report on petition to amend official gonnemap number sjz-2 application number z aj-21-1 petition of jennifer blake and jason calwood authorized agent brian turnville requesting that parcel number 22-h-1 estate inahide number one cruise bay quarter st john be rezoned from r2 residential low density one and two family to b2 business secondary neighborhood project profile owner applicant jennifer blake and jason a callwood as per deed of gift dated december 24 2015 document number two zero one seven zero zero zero one six nine brian turnbull was granted special power of attorney the property consists of one point one two acres as shown on olg drawing number d9-9412-t019 the property is undeveloped proposed use
- 0:13:53 business uses to include retail and opposite the surrounding area consists of vacant land and residences which are to zoning infrastructure water needs will be supplied by cistern and wastewater will be handled by a sewage treatment plan public response at dpnr's public hearing held august 5 2021 no opposition or concerns were expressed with the proposal analysis during the department's public hearing mr brian turnable testified the two-phase development would take two to four years to complete the first phase would consist of excavation and development of the first 5 000 square foot floor of a proposed two store two floor building based on the economy the second floor would be completed for a total of five days per floor and 10 000 square feet of rental space amenities would consist of an on-site backup generator and common trash collection area in analyzing the applicant's request the department considered the appropriateness of the requested b2 zone for the proposal and area the nearby existence of retail and office uses would lessen the reliance of having to utilize a car to obtain goods and services residents would need the type of uses proposed while could decidedly lessen the desirability of the area for exclusively low density residential use could also spur the development of more intense residential activity, thus generating a support population for the uses to be provided at the subject property. There were no concerns expressed by the public indicating neighbors were not against a manageable and gradual increase in uses slash density in the area. The Department's opinion, however, is that the B3, Business Scattered Zone, is most appropriate the petition because it was primarily intended to permit small neighborhood serving retail businesses
- 0:16:08 within residential districts usually a single store or small strip mall a lesser impact may occur with the b3 than the requested b2 zone the b3 zone was established to accommodate the interspersing of business uses in residential areas and it would allow a lesser intensity of uses than what would be allowable by the other business zones between and before the b3 zone would permit the non-residential uses petitioned by the applicant retail and office spaces as well as allowing the residential use of the property mixed-use community benefits residents particularly in those areas where walkability is desirable in conclusion the b2 zoning is not found too often in st john and it was intended for shopping centers immediately adjacent to primary business areas the applicant's proposal for convenient business services for area residents would be accomplished with the b3 zoning which was primarily intended to permit small neighborhood serving businesses within residential districts recommendation the department of planning and natural resources recommends that official zone and map number sjv-2 be amended from r2 residential low density one or two family to b3 business scattered for parcel number 22-h-1 estate inahide number one cruisbury quarter st john died by assistant commissioner keith richards dated october 19 2021. so now i will share my screen of the photos and location map so we have photos showing the property home runs undeveloped
- 0:18:05 and the surrounding area on a location map showing uh the property marked with a dot um showing its location in st john and that ends the visual portion and the recommendation report of the part thank you Thank you, Mrs. Laplace-Matthew. We'll now move to Z-A-J-2-1-2. Good afternoon again. This is Leah Laplace-Matthew, Territorial Planner.
- 0:19:00 report on petition to amend officials on a map number SJV-2, application number ZAJ-21-2. Petition of Gwenda Dagu requesting that parcel number 3-4, Estate Evil-Hausberg, number 7, Cruz Bay Quarter, St. John, be rezoned from R1, residential load entity, to B2, business secondary neighborhood. project profile owner applicant gwenda stafford linden and joseph dagu as full warranty d dated may 4 1993 document number 2466-1993 the property consists of 0.52 acres as shown on olg drawing number d9-5506-t93 a single family dwelling that the applicant gwenda delu also operates for catering business from the property the proposed use is a restaurant and three dwellings surrounding uses zones the area consists of vacant land a church and residences with r1 and r2 zoning infrastructure water needs are supplied by cistern and wastewater handled by septic public response at dpnr's public hearing held august 5 2021 10 neighbors slash community members voiced their support for mr group's proposal to expand her catering business into a resident to a restaurant and add two more dwelling units on her property after the hearing 11 neighbors slash committee members submitted letters of support one neighbor submitted a letter with concerns on the impact of heavy truck traffic a restaurant generating noise and the current

- 0:20:54 kitchen use for catering not being properly permitted and not meeting set facts analysis during the department's public hearing miss gwenda dugu testified it is her intent to convert her catering business into a restaurant by offering expanded days of operation and outdoor seating for 10 she also wishes to add two additional dwelling units underneath her current dwelling resulting in three floors and three dwellings on the property neighbor and public support for mr goo's restaurant and additional dwellings prompted the department to analyze the appropriateness of the b3 zone for the proposed use slash increase in density the b3 zone allows over 140 uses and was intended for residential densities of 120 persons per acre currently the department has an infill and amnesty program authorized by act number 8398 and administered by dpnr's division of building permits the program would allow the applicant to commence and adding the two lower infill dwelling units without a zoning map amendment also it is the department's opinion that the b3 business scattered zone is not appropriate for allowing the restaurant conversion or rather the granting of a use variance although the b3 business scattered zone was primarily intended to permit small neighborhood serving retail businesses within residential districts there has been only one rezoning granted in the general area the state glocksburg and this was to allow a small shopping center the use friends would allow for the restaurant operation while keeping with the development provisions of the current r1 zoning recommendation the department of planning and natural resources recommends that parcel number 3-4 estate river house birth number 7 cruise bay quarter st john be granted a use spirits for restaurant signed by assistant commissioner keith richard dated october 19
- 0:22:55 2021. Now I will share the visual portion for this application. So this is the photo for the trailer that's used for the catering business. I'm going to ask all the testifiers, if you're not, or everyone on the teams, to please mute your mics. We're hearing our feedback. I'm not sure where it's coming from, but as I look at it, I'm seeing for the most part Everyone is on mute.
- 0:24:00 And surrounding area. And then the location map showing the site on St. John, the marker right here is the property and that in the visual portion of the application thank you yeah it is the video we're not hearing it anymore right all right let's see if mr. Roosevelt David is ready I'm not seeing him on the screen uh can you please proceed with zat-216-6 uh mrs laplace matthews please good afternoon okay so we have report on petitions um i i think we're having a difficult time hearing when you are the one speaking we there's a lot of feedback i don't know if it's something going on in the background but we realize this when you're speaking yes i do have a fan in the background uh um you're gonna have to turn it off a minute please because we are our our sonographer is having a hard time hearing and my colleagues are asking for recess but even getting better if the
- 0:25:51 if I'm isn't turned off, so I beg your indulgence, please. You know, we're still hearing it. You're still hearing it? No? You sure?
- 0:26:30 Good afternoon. Is that better? Yes. I think I'm hearing something else, I guess. You may proceed with ZAT-21-6, please. Okay. Good afternoon. Report on petition to amend official zoning map number STZ-4. application number zat-21-6 petition of simra y james sydney roosevelt st c david authorized agent requesting that parcel number 11-16 estate content 7ba south side quarter st thomas be rezoned from r2 residential low density one and two family to r3 residential medium density project profile owner applicant simra y james as per warranty deed dated december 9 1993 document number 64 slash 1994 special power of attorney was granted to roosevelt st c david the property comprises 0.51 acres and is described on drawing number g9-721-t63 the property has a cistern on it right now proposed use a single five-story building comprising 10 dwelling units to be used for long-term rentals surrounding uses slash zones to the north are two five-story apartment buildings to the east south and west are vacant land surrounding zones are r2 and r3 infrastructure water needs will be supplied by public water lines and cistern wastewater will be handled by the public sewer lines public response there has been there has been no opposition to the proposed rezoning other than the applicant's representative no one else spoke in support of questioned or commented on the petition that deep in our public hearing held october 18 2021 analysis during the department's public hearing mr david testified the one phase development would take 18 months to complete. The development would consist of six one-bedroom units and four
- 0:28:50 two-bedroom units, depending on cost. The development would consist of the amenity of a laundry room for on-site tenants' use. The subject property is surrounded on its southern side by R3 zone property, and three properties to its north will re-zone to R3 zoning. Surrounding development includes multifamily and guesthouse use. We lost you.
- 0:29:22 Are you muted? You muted. You muted. Technology would do it to us every time, right? Go ahead. Okay. I'm sorry. Where did you last hear me? Guesthouse. Okay. So surrounding development includes multifamily and guesthouse uses. There was no public opposition to the petition. Due to the nature of the request and the zoning and character of surrounding properties, the department views this petition as reasonable. Recommendation, the Department of Planning and Natural Resources recommends that parcel number 11-16 estate content 7BA Southside Quarter St. Thomas be rezoned from R2, residential low density one and two family to r3 residential medium density signed by assistant

commissioner keith richards dated november 30 2021 and i will now share the visual portion for this application so this is the photos of the property and surrounding area the roadway leading to the property the property and nearby areas are undeveloped and the location map showing the property location on St. Thomas that ends the visual

0:31:12 portion of this application and ends the department's recommendation report. Thank you. thank you uh mrs lapas matthews uh mr david is uh in transit to dpnr and he indicated that he will be be there in one minute so we're going to take a two minute recess so he can get there and get started get his cell set up so we can proceed with this meeting the committee stands in recess for two minutes We'll be right back. Thank you.

0:33:12 Let's go. We'll be right back. Thank you.

0:34:42 We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back.

0:37:12 We'll be right back. We'll be right back. We'll be right back. Thank you. Thank you.

0:39:42 the committee is back on record mr. Roosevelt David are you ready can you hear me we can hear you you may proceed with your testimony on ZAT-21-6 Thanks. You may proceed.

0:40:11 Good. Good afternoon, Madam Chair, and all of the distinguished senators who present, and others. I am very, very pleased that I could come here to the potential of this very, very important committee of the whole meeting. My name is Bruce Feltz Zen Clayton, Licensed and Consultant Realty. One minute, Mr. David. we're getting feedback um could you okay you may be better now much better um i'm gonna ask you to start over please thank you good day madam chair and all other distinguished senators here today and others i am very very pleased to be here today at this very special committee of the whole meeting to present on behalf of my clients my name is roosevelt st claire david licensed consultant and realtor i'm here today representing simra james sydney and our husband victor sydney in their request through his own property number 11-16 estate content 7ba south side quarter st thomas from our two to our three the specific purpose is to construct a single five-story apartment building which will accommodate 10 rental units the family has met all the governmental requirements and shall comply with all other rules and regulations that may be established mr and mrs sydney are cognizant of the fact that there is much uncertainty where the economy is concerned particularly with the serious threat of economic instability due to the existence of this terrible pandemic surrounding us nonetheless my clients have faith that there will be a rebound like it

0:42:19 has always been as some of you may be aware the applicants have been in business in this community for approximately 50 years serving residents and visitors with distinction their give back to the islands has been never ending yet no matter how difficult things have become victor's hideout is always there ending a helping hand madam chair i am always pleased to come back to this august institution where i have served for five terms with humility pride and respect to present on matters of this nature my view has always been that the first branch of government clearly understands what are some of the critical issues and ideas that trigger economic activity create jobs locally and assist in building new revenue streams not only for the investors but also for the local treasury i am asking you i'm asking you for full support and your vote on this project so it could come another success story and that all of us could be proud of i thank you thank you for the time thank you uh mr david um testifiers we're gonna go to a three minute round colleagues three minutes uh senator alna francis heiliger you're recognized for your three minutes good afternoon to my colleagues good afternoon to the people of the territory good

0:44:11 afternoon to the testifiers as I start off with my first round I would like to ask a few questions in regards to the Blake Callwood property the first thing I want to ask has to do is that this is an undeveloped area from what we're discussing that the individuals that are directly adjacent to this property has anyone gotten any response from them are those properties developed or residential? Mr. Turnbull can respond or somebody. I can respond. Senator, the immediate properties adjacent to my clients properties are undeveloped.

0:44:58 These are residentially zoned properties but most of the area is not developed with residential properties or developed as yet as residential properties there there are a few residentially developed properties one is to the north across the street from the property the center line road that runs with the property then there's a major gut down below that road and then up on the other hill or north of this property so so basically from just a visual standpoint if the other adjacent properties decide to develop residential it'll be this 10 unit business complex and potentially homes next door if they do decide to develop i'm trying to get a visual and pretend if you're building this property how how tall do you intend to build it because i want to get an idea as to how it might affect other residential homes in the area one minute sure uh the proposed uh structure that uh we presented to dp and r and we we didn't make the presentation here today but they're all two store there would be two-story structures uh the entire building would not be larger than as we indicated in the presentation five thousand i'm running out of time could you tell me a height a height based on the plan stories okay height do you have numbers 35 feet because i what's the maximum you can go up for a two-story building well the maximum it depends

on the on the the design of the structure they could go anywhere a minimum of eight feet uh to about 10 feet so you're looking at 20 okay maybe 20 feet 20 to 25 feet thank you totals in height from ground to top of floor thank you so much um

0:47:02 mr gu how are you madam chairman i at least try to get to mr gu i are you there ma'am yes hi how are you i'm fine good good well it seems you have been in this community for quite some time um with your particular situation when it comes to the community have they expressed any kind of support as it relates to potentially doing what you would like to do or has anyone has any issues with it that you've heard about no only one person i heard um decline but everybody in favor of it okay um to dpnr do you think by doing this particular project is going to substantially change the look of the area or when it comes to other businesses or residential do you think that this being here is going to be a major problem good afternoon um you're referring to miss douglas property no because she already has her catering operations so it shouldn't be too much of a difference to the ship the restaurant okay well well um as for the last one i i think i'm gonna wrap up because we're out of time um thank you oh well well he she said i could wrap up i just wanted to ask quickly on this um 10 dwelling unit it's in a content area in a residential area has there been any pushback

0:48:50 or any major concerns as it relates to this particular property and the amount of investment that's all i need to know uh what would you would you repeat that question please hi i wanted to know has there been any um i think there wasn't any major pushback but i wanted to find out about the investment aspect of it oh okay um there wasn't any pushback whatsoever um it's about 1.5 million dollars that's going to be invested into that property okay and affordable housing is it going to be just regular housing or is it going to be open for affordable housing it's it's um apartments that would be affordable but at the same time the investors would have a return okay on their money but it's going to be very affordable okay thank you very much i appreciate the additional time madam chair no problem senator uh senator de graff you're recognized for your three minutes i thank you madam madam chair good afternoon colleagues good afternoon testifiers all of you listening and present i stand in support of all of these measures that we have here before us. Mr. Turnbull, what the recommendation by DPNR, is that satisfactory? Would that accomplish the mission you're trying to accomplish, you're trying to get to?

0:50:11 MR. Yes, I would agree, Senator, that I would accept DPNR's recommendation. They always seem to have a better sensitivity towards the community. Of course, I did not think that the B2 was going to be, was aggressive because really the focus of our, my clients rezoning is to really to not operate in a congested area like downtown Coos Bay and to afford, you know, health services, doctor's offices and those kinds of small businesses, barbershops, and so forth, in a convenient way where you could get in and get out without. But as long as the B3 can accommodate these same activities, then by all means, we would accept that.

0:51:10 Thank you, sir. Thank you for that. Ms. Dagung, also, does that change from what you requested to the recommendation by DPRNR? that suffices to accomplish your mission as to what you're trying to get to yes okay great and uh to senator david former uh senator uh season's greetings to you uh thank you for checking on me before and um again i stand in support of those um measures that uh mr sydney and his family is is trying to accomplish. One thing about how much persons will it · let me see, the total number was 10 · no, I · MS ORTAGUSSKI- One minute. But again, I stand in support. Thank you for the time, Madam Chair.

0:52:03 MR. Thank you. I thank you for the greetings and the same G on your family. MS ORTAGUSSKI- Thank you, Senator. Senator Javon E. James, you're recognized for your three minutes. Good afternoon to the people of the U.S. Virgin Islands. Thank you, Madam Chair, for the time. And it's a great feeling today to be on St. John for this awesome hearing. Big up to the senator at large. Well, in all seriousness, I want to say when it comes to the vetting process, I understand that it has to come through the legislature. And one thing I do support is the recommendations and the expertise of the subject matter experts. So my question to DPNR, when it comes to the first item on the agenda for the Calwood family, I'm assuming based on your testimony you stand in full support of this rezoning, right?

0:53:04 Correct, but as a B3 rather than the B2. Awesome. And as far as what was discussed in the meetings when it comes to the adjacent properties, were there any concerns, major concerns, I should say, major concerns? No, there were none. Okay. And then that's number two. and as far as the actual authorized agent mr turnbull are you there yes i am when it comes to the the actual business and the neighborhoods as far as your the conversations that the individuals that you represent can you speak to some of the things that were discussed initially and were approved or changed as a result of those conversations were there any concerns in the beginning not that i uh i'm aware of uh basically uh this mother and son uh property owner team uh has been deeded this as a gift and in fact it's a mother and five sons and they would like to help themselves they're keeping most of the property in the residential classification two acres of it it was a total of 3.1 acres and they felt that the one acre that's along the road could be put to a better use to accommodate small businesses afford small business persons 30 seconds with assistance Thank You mr. Turnbull and the second

- 0:54:52 item on the agenda that speaks to allowing a restaurant, an apartment. I look forward to supporting that. I don't have any questions regarding that. But last but not least, authorized agent, Mr. Roosevelt David. How are you doing today? Yes. All is well. All is well. You never fail to amuse us when you come before us. You're a good talker. But as far as the rezoning of the property, I do support it. And Madam Chair, thank you for the time. Thank you, Senator James. I have to agree with your sentiments.
- 0:55:32 Senator Joseph, Carla Joseph, you're recognized for your three minutes. Thank you kindly, Madam President. A pleasant good afternoon to my colleagues, season's greetings to everyone, and also a pleasant good day to the testifiers, our listening and viewing audience I stand in support of all three zoning rezoning in this block as is my usual modus of operandi I have visited each of the sites and had conversations with not only their neighbors but also with each applicants on their rezoning. I want to first off talk about the rezoning for Jennifer Blake and Jason Calwood. My team and I visited this site. It's an undeveloped site. It is close to a ready commercially zoned facility that is owned by one of St. John's very own, I believe his name is Llewellyn Sewer. And so this This is fitting. I really enjoy seeing our people who are making great strides to improve and be able to have a level of successful legacy here in the Virgin Islands. It's very encouraging. The next site I visited was a site for Ms. Gwenda DeGue as well as her sons. I had a very robust conversation with Ms. DeGue, and Ms. DeGue indicated that she's been in operation of this business for a number of years, and she wants to become compliant. She indicated in my discussions with her, her only opposition was from her neighbor across the street, and the reason was that maybe she served better food than they do. she has a they was having a bed and breakfast and she probably served better food it is not
- 0:57:41 miss de gu intention as the one opposition for this rezoning had indicated that it will be generating noise in fact miss de gu indicated in my conversations with her she said no the only thing i like to listen to is gospel music on my radio and if it is playing a little coming in a bit sketchy she's going to put it outside so i really want to commend her and i really thank her for taking the time 30 seconds the last individual uh site i visited was that of mr miss simra james sydney and it was a pleasure visiting that site uh i wanted to ask mr david because i wasn't short on my visit is this property does it have any structural or any structures in place on it mr david yeah yes there's a cistern in it a cistern i i don't recall seeing the cistern when i was there but i do recall seeing that is a really steep gut but But that's for them when they're working to develop it. The property is a steep property. It is going to take some major excavation and development of the property. But I am, again, in support of that because, again, that is a deep tie. That family has deep ties with the Virgin Islands. My only concern with all three is that we are sure that these properties stay within the Virgin Islands people so that we don't have any individuals just coming in, especially in St. John. I know there's a strong commitment from Ms. Dagu family, as well as from Mr. Jason Calwood. I know him personally, Taku. And so I really want to commend DPNR. Before I close out, I wanted to ask each of the applicants here, Mr. Brian Turnbull first, are you satisfied with the recommendation that DPNR has granted?
- 1:00:06 Yes, as I indicated before, as long as the recommended classification of the B3 would afford my clients what their intentions are to afford small business opportunities to St. Johnians, and even try to accommodate some of the health services, doctor's offices, and so forth. So as long as those are activities that would be accommodated, I have no problem with DPNR sensitivity to the area. Okay, beautiful. Thank you. And Mr. Gu, I already know your answer because you told me you were more than satisfied as well as the Sydney's indicated that. Madam Chair and colleagues, I definitely will be in support of all of these rezoning as I've done extensive research on all three thank you kindly for the time thank you senator uh senator steven de peyn senior you're recognized for your three minutes thank you for the time i'm sure good afternoon colleagues good afternoon to listen of your audience uh season's greetings to everyone within the sound of my voice I first want to start off saying, Mrs. Blake and Mr. Calwood, thank you all for attempting to actually fill a serious void on the little big island of St. John.
- 1:01:35 As affordable retail space and office space is almost nonexistent, this venture should definitely allow St. Johnians who want to go into business for themselves an opportunity to be entrepreneurs. And since the Coosby area is becoming overly congested, this is the ideal location for this venture. How are you gonna spend the rest of my time talking about? Bragging about Miss Gwen Dagu. Miss Gwen, as she is affectionately known. My Christian colleagues, you know when you're in St. Croix and you're craving some mouth-watering pizza, Napoleon's come to your mind, that's the first thing that comes to your mind. And when you want some nice chicken, the chicken shack kind of comes to your mind.
- 1:02:20 When we come out to St. Thomas now, in the country area, you want some good chicken and fries. Leaves in Smith Bay comes to mind. When you're in the downtown area, you want to relax, have a nice sit-down lunch with some nice views, some nice ambience, get some nice boiled fish and fungi. Petit Pongong comes to mind. Well, when you're on St. John, and you want some serious crab and rice, canking butter sauce, oxtail, mouth-watering wilks, seafood color loo, Miss Gwen's cook shop definitely comes to mind. And today I know how y'all get a chance to see why Miss Gwen's cook shop

stands above the rest. your taste buds i know have been changed after today this iconic humble loving precious angelic lady in st john who has a heart of pure gold loves to cook as much as she loves st john she's been cooking all her life and let me tell you she is the lebron james of cooking on little big island of st john according to her testimony after she retired she decided to start open a small mobile cook shop to support her family and continuing what she loves to do. She was so good at what she used to do that after Hurricane Maria, the government hired her to do a Herculean task of cooking for Whopper, the linemen and Vitima. She even saw fit to give back to the community during this time of disaster by feeding the National Guard personnel who came to St. John to give us supplies free of charge. At the time when people were trying to fend for themselves She was still thinking about the community and others in the community. She has also been providing food to Catholic Charities to feed the homeless,

1:04:15 mentally ill, and the less fortunate for years. Come on, 30 seconds, Mr. Chair. One person even wrote, Ms. Gwen's restaurant is a great representation of St. John culture, which, if we are not careful, is soon to be wiped off from the island completely. it is a diamond in the rough 20 years of proudly feeding the st john community and i'm asking all of my colleagues to join with me at the appropriate time in session and vote a resounding yes to miss gwen's place or should i say lady gwen's palace thank you for the time mr chair love you miss gwen season's greetings thank you very much it's under the pain you look like you really got some other food boy cook you well we're in love city right we don't expect anything less so you come to love city you want to make sure you enjoy good food absolutely uh next uh we'll hear from senator carrion um you're recognized for your three minutes thank you mr chair and good afternoon to all especially to the great people of St. John, so great to be on this side of the U.S. Virgin Islands, particularly right here in Love City. So I do have a few questions. Let's start by the last one we have here in Block 1, Z-A-T-21-6. Mr. Roosevelt, good afternoon to you, sir.

1:05:51 good afternoon um it seems to me so this is a 10 unit apartment that uh yes attention to build okay yes it is would it be a one one bedroom two bedroom they are going to be six one bedrooms and four two bedrooms or two bedrooms all right what about and maybe miss laplace could also jump in what about the parking in the area Oh, there's quite a lot of parking. It's 0.51 acres, and that's about 22,000 square feet.

1:06:29 So there's lots of parking, over 20, between 20 and 30 parking spaces that have there. Okay, so we'll have room and space for parking. And DPNR is comfortable with that, Ms. LaPaz? Yes, Senator. Okay, very well. But there's another question I had in regards to the building. This is a five-story building. Do we have any other multiple-story buildings in the area? Immediately across from that lot, there are two five-story buildings, and several properties in the area have already been rezoned R03, just like is being requested here now.

1:07:11 Okay. And I understand there's no complaints or concerns brought by members of the community. Is that correct? instead they embrace it all right now will the view to any other of the adjacent properties be blocked one minute none whatsoever miss laplace um we really wouldn't be able to tell until our building is constructed um the area is elevated so we don't we don't expect there to be any blockage Okay, so for a five-story building that will be erected there, so other properties around won't be affected, their view won't be blocked? That's what you're confirming this afternoon?

1:08:03 Correct. Okay. Ms. Laplace, do you have any other concerns with regards to any of the other rezoning that are before us? No, Senator. Okay. Well, that's some good news. It's not every time that we have rezoning that are before this body that you don't really have concerns or recommendations that are contrary to what they are being requested. I was surprised to see your recommendation from DPNR from a B2 to a B3, which is not usually the case. You're actually telling them to improve. So I will be voting on affirmative in this block. Thank you very much, Mr. Chair.

1:08:48 MR. Thank you very much, Senator Carriong. And those of you that may just be joining us, today we are over at the Clion H. Cricky Legislative Conference Room on St. John, and of course, we're hearing · we're in the Committee of the Whole again, and we're hearing some requests for some zoning map amendment applications. Next, we'll go to Senator Johnson. recognize for your three minutes at this time good afternoon to you mr chair good afternoon to the people of the territory good afternoon to the testifiers and the viewing audience i've been looking over this thing quite and the senator prior to me spoke it's uh surprising and good to see that there's no conflict with um dpnr and a lot of these um cases however mr roosevelt Yes, sir. How are you doing today? All is well. All is well. Good. This particular project that you represent, and Senator Tiaro pretty much asked some of the questions, and I like seeing development, especially in these times when it comes to residential here, because our territory is a plague right now for residency apartments, for people, and I love seeing this.

1:10:07 besides that you're saying five stories is there going to be some escape hatch on this property like for a case of fire areas that people could use more than one way to get out of that property absolutely the road is um it's going to be wide and and and that's just accessing that property but immediately above that there's another road that could also be used as an access of egress road and the buildings your windows are you going to have emergency hatch windows in that structure

well the contractor and the the architect they will tell me what kind of windows but i believe the the greatest safety would be applied okay i i have no other issues besides those i was interested about the exit and entrance point and i i do support these initiatives i i really stand behind seeing production, especially when our people are doing good things. And in this case, we definitely need some apartments on all the islands. And so I, you know, give the lead when the appropriate time I will be voting on all these measures in the first block.

1:11:18 Thank you. Thank you very much, Mr. Chair. Thank you. Thank you, Senator Johnson. Next, we'll go to Senator Potter. You recognize for your three minutes at this time. Hey, good afternoon. Thank you very much, Mr. Chair. Good afternoon to the fine people on the island of St. John. Good afternoon to all of the testifiers here before us today. I'm always pleased when I see Belgian Islanders with the entrepreneurial spirit, and that is what we are seeing here today with all three zoning requests. I noted for us, beginning with the collard and blake rezoning um dpnr has made a recommendation to for uh b three business scattered as opposed to the requested b2 and dpnr can you explain again why um you're making that recommendation as opposed to the b2 the b2 excuse me good afternoon they have a plus tertiary planner the b2 zone is a more intense um zone development wise it's where we usually find our major shopping centers so for the smaller strip mall um developments the b3 is more appropriate okay thank you and mr thornville good afternoon sir good afternoon senator now i'm assuming that we are talking about a commercial business a commercial building correct that is anticipated to be constructed um does that throw a curveball for um the applicants as far as being able to achieve well dp and i did have a discussion with me about what they will potentially uh considering to do um as a former uh dp and a planner myself i may have differed with them

1:13:22 just slightly but uh at the end of the day i i i respected their their sensitivity to the neighborhood and to uh all these kinds of matters and as i indicated to two of the other set two or of the other senators earlier uh as long as my clients can can provide additional business opportunities because we really believe this is this is going to be a single building it's only two stories it's in scale and character uh with the neighborhood i i i didn't realize that uh that the planning might not have shown you i don't know if your package includes what the what we proposed or the concept of what we proposed but it's a small building in context with what we call the neighborhood it's not going to be more than two stories and it's all self-contained but it would give small bays a thousand square foot of space to a small business person so you could have five people down on five business types on the on the first floor and five office types on the second floor like doctors so that people could run in and quickly go to a doctor visit without hassling with downtown Coos Bay. So as long as the B3 is going to do that, yeah, so by all means, we have no problem with that.

1:14:41 Okay, excellent concept. Thank you. Ms. DeGoo, the LeBron James of cooking. And that's an incredible statement. So the next time I'm on St. John, I'm going to make sure I have a meal from you. um how does the i know dpnr said that they were recommending uh a use variance for the restaurant and i think in your request you were looking for uh the b3 zoning to do the restaurant as well as some apartments i'm going to ask dpnr if we were to take your recommendation for the variance for the restaurant how would that impact mr gu's request for the apartment building it wouldn't because right now there's an infill program that she can immediately develop the apartments right now okay okay thank you very much for that and of course the cds they've been successful entrepreneurs here in the virgin islands for decades um through good times and bad i noticed that there was no opposition to the rezoning um dpnr found the request to be reasonable my only question was answered which was whether or not uh the apartment dwellings would be considered um affordable and i know affordable is in the eyes of the behold these days. But affordable housing stock in the Virgin Islands have become virtually non-existent over the last couple years. So Senator David, good afternoon. What would you consider the anticipated pricing range for these one-bedroom units? You said six one-bedrooms and four two-bedrooms. Give me an example of a projected cost for a one-bedroom

1:16:36 unit as well as a two bedroom unit as we speak the analysis analyses are being developed the cost of funds the cost of construction the cost of operation and once a break even point has been had which is expected to be shortly you're talking probably around a thousand to twelve hundred for the one bedrooms and between 15 and 18 for the two bedrooms okay which means that um you're breaking even, and then the investors are getting a return on their money. MR.

1:17:11 All right. I got you. Well, I wish · I wish all of the applicants today the very best of luck. I think that all of the initiatives are great ones, and at the appropriate time I will throw my support behind all three initiatives. Thank you very much for the time, Mr. Chair. MR. Thank you very much, Senator Potter. Senator Saru, you're recognized for your three minutes at this time. Thank you. Thank you. Thank you, Mr. Chan. Good afternoon to those listening and viewing. Senator David, how are you? All is well. All is well.

1:17:45 Pass it on. Pass it on. You got it right. So the apartment that you are here to advocate for, this apartment, does it obstruct any views of any other existing homeowners in the area? No, none whatsoever. As a matter of fact, to the east of it, it's vacant land. And because of the elevation, just comparing it to the other two five-story buildings across the street, they

don't block anybody at all. so similarly explain to me your location because i i couldn't find a map in my notes where are you located in contact yeah well it's um just before you get to um um scottery the road immediately adjacent to the scottery road you make the right turn just below it immediately that's the road there it's about 30 is that's where you have those like um peach buildings already i am not certain that's the color but they have two five-story buildings right across from yeah okay i know what you mean where it was that free turning and where they were um make doing construction on the the road that we came in yes a little below okay yes and they're the peaches coralish um buildings already there okay get it yes so that's where you're that's where you're adding this this building too so above you would be um this this steakhouse i'll repeat that well you have a you have clear view but you also have a steakhouse fairview is clear views below is below but that's you know you can go yes yes yes okay and i know

1:19:34 what you're talking about because that connects you if you keep finding out what it connects you straight to soul bug um one minute okay so not obstructing any views okay uh quickly apartments everybody's spoken of a need for affordable housing but my concern is look at saint john for example people come on the rezone and they ask for apartments and then they flip them to veloza airbnb and the housing stack um diminishes i know we can't tell you what to do with your property um but i'm just asking that you not take these apartments that you come here today to advocate for and turn them into villas and airbnbs because that's what we continue to do and that people just don't have any place to live okay senator david we are genuine we are genuine people okay so i would like for you and demonstrations to keep it as apartments deal There will be apartments.

1:20:32 Okay, good. Ms. Dago, Ms. Gwen. Hello. Hi, time. Mr. Chair, 30 seconds. Ms. Gwen, your story really troubled me, you know, and I'm going to, I stand in support, but I'm very troubled by your process from 2019, where you had all these back and forth, then your business license ended up expiring, and then you went to reapply and they tell you that you know you can't have it because you don't have the proper zoning and then you went through these stipulations and they give you a license for a month and you come back and then it was renewed and blah blah blah we can't treat people like you like that but when you drive the islands you have these illegal construction homes going up no permits know this know that dpna fails to do its enforcement on those those millionaire homes where you're going through the ringer just to cater some food so miss gwen that's not for you to answer but i appreciate you because in a sincere culture bearer and we have to take care of our own and thank you for what you do and continue to do and at the appropriate time i will vote in the affirmative for your request okay MS.

1:21:48 Thank you. MS. You're welcome. And Mr. Tumble, same for you. I run out of time. Thank you. MR. Thank you. Senator. MS. Thank you, Senator Saro. Senator Kurt Vele, you're recognized for your three minutes. SEN. SEN. SEN. SEN. SEN. SEN. SEN. SEN. controversial zonings, one where variants, I have no issues, I just feel a bit sorry for what Ms. Dagu have gone through, knowing that she's retired from school lunch and school lunch workers never really made a lot of money. So I can only imagine what the retirement pension is and you have a craft in which you're able to sustain your family, so I am sure that this body is going to make sure that you're in a position to continue doing what you love to do. So I'm going to be in support of all of these measures when they come to the floor.

1:22:51 Thank you, Madam Chair. MS. Thank you, too. MS. Thank you, Senator Veerle. Senator Marvin Blayden, you're recognized for your three minutes. SEN. Thank you, Madam Chair. Good afternoon to my colleagues, people of Virgin Islands, viewing and listening audience, staff, central staff. First, I want to thank all of the testifiers for the testimonies, and I want to commend DP&R today for honestly not only saying no to some of these variants, but actually making recommendations that make sense for those involved in these zoning amendments. I must say, though, that when it comes to these H21-1, or maybe it's Mr. Turnbull on the island of St. John, the zoning request to have and provide opportunities for individuals who basically want to create and open businesses. I think it's a very noble thing to do, and I believe it's needed on the island of St. John to create commercial opportunities. So I definitely will be supporting that request.

1:24:12 Secondly, I want to go to former Senator Bozheville, St. C. David. Good afternoon, sir. CAT-21.6. Of course, everyone knows me for housing and economic development, so definitely 10 units six one bedroom four two bedroom apartments um our housing stock we know have been depleted tremendously and we're in their need of um more housing opportunities and it's a great investment for anyone so definitely i will be supporting also this piece of zoning amendment. And lastly, Ms. Gwen, I am honestly touched by your testimony, 73 years of age, and you're still trying to do and want to do something that you love because you love cooking. And I believe that reminds me of my mom. You know, she also worked as a food service worker and she enjoyed cooking so much and she did many of the same things and I believe that um you know it's difficult at times when you know you go through so much to do something so simple in the noble cause that you are doing on behalf of many other individual and as my former my senator stated what you have done after the hurricane I continue to do on many for many people here in Love City. And I believe that we must reach a point where we streamline processes and make it easier for individuals to actually create opportunities and assist

with what they love in terms of building opportunities and creating wealth and generating not willing for the families and themselves and i believe that uh as we do more research because i

1:26:09 know when i went off ireland several weeks ago i went and i did some research in this regard and this respect because there are many other individuals who are having issues when it comes to um actually opening and cooking from their homes etc and in many states they are doing that and they're creating opportunities for their people so i think we should likewise do the same here And again, I support all three zoning amendments, and I want to thank you for the time, Madam Chair. Thank you, Senator Blayden. Senator Genevieve Whitaker, you're recognized for your three minutes.

1:26:46 Good afternoon. Can you hear me? Yes, we can. Thank you. Good afternoon, Chairwoman. Good afternoon to my colleagues. Good afternoon to to testifiers, I, too, join with my colleagues in support of all of the requests. I want to highlight especially the efforts being made as we address, of course, our housing issues and also specifically when we talk about the importance of our food and the culinary area. I want to really, and for one, I wanted to put out that I also, too, agree about how we are moving forward with our processes. As one who has assisted a number of nonprofits and for-profits, I know the challenges that exist in our government, and I hope that we continue on that route where our respective departments are assisting with what is really going to continue to go forward as really support for grassroots efforts and efforts for our people to be part of economic development. And specifically to Ms. Dagu, I want to say that I would soon like to have your consideration to work along with me and others to focus on workforce development in the culinary arts area. Right now I'm actually pushing for the respective entities to support workforce development in culinary arts and to support business like your business that you're putting together that we would have interested young people in culinary in support of your business and their efforts to understand the industry. In terms of I go on to the efforts in terms of developing apartments and buildings, I want a consideration to be put out. I had a constituent meeting earlier today and elderly lady who was concerned about her daughter and and who is mentally ill, where she would be placed. And she's at this point struggling

1:28:46 where she can be placed in a home or a place where she would be taken care of. And so I would really like for us to really concern the consideration of homeowners using efforts to build facilities for our elderly as well as person with disabilities where they can be independent. So while I can't tell you how to run your business and how to move in that regard, but a consideration to maybe possibly be made where we're building infrastructure that would support that number of our seniors and personal disabilities have to leave off island because of our housing crisis. So again, I want to say that I am in support of all of the measures going through each one.

1:29:30 I find that, again, specifically CHA 21-1, JA21-2 and first CAT21-F6 in support of all these measures. And let's continue to work together to support the development of industry. So that's all I have to say. And thank you. Thank you, Madam Chair. And thank you again, testifiers. Thank you. Thank you, Senator Whitaker. Senator Noveli Francis, Jr., you're recognized for your three minutes.

1:30:11 Thank you very much, Madam Chair, and good afternoon to you and my colleagues, and certainly good afternoon to the testifiers. I want to start off by saying that this block speaks to economic development, housing, and we know about critical needs for housing stock and housing inventory in this territory as well as food and food services restaurant i want to say commendations to dpnr for not only um you're responding to these requests but also make recommendations i've been a strong advocate just don't say no but make recommendation by which and we could ensure that we continue to see economic development and be able to work on the behalf of the people of the version so again commendation to dpnr for your good work here government for the people and by the people so thank you for that uh i'm specifically proud i'm very proud of mr gu today i sat and i listened to your testimony you represented yourself number one and you represented yourself well and um i can't wait i can't wait for a cook-off because i want to see if you could do a better wilkes and butter sauce than i do but i'd love to have a cook-off with you and um while my senator at large said that you're the best um wilkes i don't know i don't know if you know anything about food uh so i want to be the the judge of that. But I'm really proud of you. I mean, you represented yourself well. You read your testimony well. You could see the passion that you have for what you do.

1:31:54 And like you say, you cook with love. And I could see that, you know, again, with how you really, you know, speak to your development. And thank you for staying the course, because obviously you could have given up. You could have thrown your hand up and say, no, I'm done with this and move on to something else but you stayed the course and I want to thank you for that one minute I want to also commend the other representative certainly Roosevelt David and mr. Brian Turnbull for the work that they're doing again because I truly believe as the people's representative you know in these requests that in fact that you're looking out for the best interest and not just the people but also making sure that individuals are adhering to the rules and regulations of the territory. So thank you. And I just wanted to ask you Mr. Turnbull and Mr. Roosevelt David, quickly, in regards to funding, we haven't spoken a lot about funding today in regards

to some of the projects that you intend to undertake. Construction work right now is extremely expensive. Is there adequate funding to at least start these projects, at least in the first phase that you have mentioned? And also whether or not there's any utilities infrastructure in place or you will also be responsible for putting in those utilities.

1:33:10 If you could just respond to those two issues real quickly, I'll appreciate it. Thank you very much for the time, Madam Chair. MR. If I can go first, Senator, I would just simply say that, indeed, getting the support of the legislature for the rezoning of my client's property is a very first step. They now have to, of course, now put a complete business plan. It wants to rezone and takes place and only it wants to rezone and take place. Put together a complete business plan and may even have to be that they may have to look for business partners or associates. You know, their five sons and a mother and all of low Virgin Islands means, you know, of people who work their way up through the government of the Virgin Islands. and we know what those government salaries are. So, again, because of the opportunities that they might be affording to other Virgin Islands, those and so forth, we believe that there is a strong possibility of attracting the kind of financing that we would need. And we believe that the financial institutions in the Virgin Islands, especially at this time, are keenly aware and keenly sensitive to some of these needs can structure financial arrangements with small family owners who wants to pursue this line of business. So specifically, we do not have a specific financial plan in terms of the finances. And that's why we focus, that's why we told DPNR and the public that this is not necessarily going to be a one-shot deal where we have the means necessarily to go at it and compete it

1:34:59 all one time it will be phased uh and depending again upon the interest shown by the uh by the private sector the local virgin islands private sector thank you and if i may say roosevelt david my clients their land already has tremendous value which is equity in addition to that they have equity investment that's required and they're capable of doing that and because of the long track record here in the virgin islands in business any bank would want to finance their project so i don't see any problem whatsoever thank you for your responses and um i too rise in support of all of the um rezoning requests in this particular block particularly with the recommendations of DPNR. The last time we had a zoning discussion with DPNR, we did, we had a really tough discussion with DPNR around making the necessary recommendations. I want to also commend them for doing so. But colleagues, I have to tell you, I wasn't aware of this, but But, you know, the way to a person's heart is through their stomach.

1:36:21 So today, the meal that we had, that we ate, apparently came from Ms. Degu. This is a small community, you know, so when we have business opportunities, that's what we have to do. So it's, no, you're not obligated to vote, but I'm just sharing that I did not know that. So I'm learning that, and I asked folks how the food was, and everybody was like, the food is good.

1:36:53 So, Ms. Degu, I think your strategy worked today, based on all that I've heard earlier. Also, Mr. David Simra Sidney is a young lady that I've worked with when I worked at the Virgin Islands Port Authority. She was actually my lead payroll person, and I'm very proud that she has the vision to look towards her retirement and utilize the property that she has to really expand economic development as well as our housing stock here in the Virgin Islands. We know that that has been a challenge since the storms, and of course, it is going to take us some time to get back to where we were. It's amazing how it takes just a few hours to destroy all that we have, but we have to take years upon years to rebuild. So I want to commend her, and I definitely will support the zoning, her zoning requests. Jennifer Blake and Jason Calwood, it seems as if they are very interested in opening offices, etc. here in St. Croix. and of St. John, and of course that's important. We have to ensure that there's economic development and there are opportunities here in this island of the district of St. John as well. So I am in full support with the rezoning recommendations from DPNR.

1:38:36 But DPNR, I have a quick question. My question is around, so once the application is submitted and the hearings take place, is there an opportunity, and based on your recommendations, is there an opportunity for the applicants to make amendments to their application? And I ask the question because it would make, you know, our process so much easier. So I would like to hear from you how that works, or how it can't work, or why it can't work.

1:39:13 Good afternoon. There is opportunity to make amendments. The department has to evaluate it and determine if it has to go back to the public, however. I see. So, for instance, in two instances that in this particular block, your recommendations are different to what came before us. I think, one, you're the Gwena Daggu, you're asking your preference of a use variance, and the Blake Calwood, you're asking for a B-3. Your recommendation, rather, is a B-3. So what do you mean if, depending on what it is, you have to go back to the public? If it's an amendment that the applicant proposes in terms of what they presented to the public, then we would have them go back to the public.

1:40:10 But if it's something that we analyze and we see that another zone or another method is more appropriate for getting their proposal, then we make that suggestion in the recommendation report. To the legislature. Okay. I guess there's a reason for that. I don't really have any other questions. Colleagues, I think we've exhausted this particular block. I'm going to ask the representatives for the respective zoning requests. to give a quick 30-second closing remark. We're going to start with

Mr. Brian Tombo of ZAJ-21-1. Madam President and members of the 33rd Legislature, I just would like to thank you on behalf of my clients, Jennifer Blake and Jason Carlwood. We consider it an honor and a privilege, first of all, to be given this opportunity. and we thank you for all of the express expressions of support and we look forward to not disappointing you and or the community under your leadership hereafter when these properties are put into commercial use for virgin islanders especially so we thank you again And we look forward to the conclusion of this matter, hopefully with the governor's signature.

1:41:44 Thank you, Mr. Turnbull. Mrs. Gwenda Degu, ZAJ-21-2, you're closing remarks for 30 seconds. Yes, I would like to thank everybody for considering me and saying what they have to say about me. And I really want to continue serving my community, especially when I have to serve the, when storms and things come on, I can serve them without fail, not even thinking about money, just to make sure they have a meal, you know, especially Catholic charities and things like that, the homeless, and I thank you very much. Thank you, Mrs. Degu. And Mr. Roosevelt David of ZAT 21-6, how do you say hands?

1:42:40 MR DEGUEZ- Madam Chair, I am always very excited and, in fact, passionate to come here to present these types of projects before you, because one cannot build any wealth without having been a part of the economy and this is exactly what's happening and i'm so proud of that and my people in saint john what they're doing as well but equally important to me is the fact that the legislature the 34th legislature understands this and this is what makes it easy for local people to move forward and build wealth so i thank you very much thank you uh mr david uh dp and i you know that you're going to be here with us for the second block uh we're going to ask the block one testifiers to move forward with to go ahead and um sign off and ask the uh block two testifiers to sign on and we're going to take a two minute recess while we take care of those logistics the committee stands in recess for two minutes Let's get started.

1:44:45 We'll be right back. Let's go. We'll be right back.

1:46:15 We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back.

1:48:45 We'll be right back. Thank you. the committee is out of recess madam clerk please read the items in block [3 such phrases repeated 19 times · standby audio before the proceeding, transcribed by the recogniser as speech]

1:58:12 Block number two, ZAC-21-11, Genoviva M. Tirado, authorized agent Liliana Bellardo de O'Neil. Plot number 96, estate profit, King Quarter, St. Croix, be rezoned from R4 residential medium density to B3 business scatter. The purpose of the request is to allow a convenience store and deli. Invited testifiers, Genevieve M. Tirado, authorized agent Liliana Bellardo de O'Neal, applicant. Jean-Pierre L. O'Reo, commissioner, Department of Planning and Natural Resources. Leah Laplace-Matthew, territorial planner, Division of Comprehensive and Coastal Zone Planning, Department of Planning and Natural Resources. cac-21-4 timothy and marie granderson plots number 167 and 168 estate clifton hill king quarter st croix be resumed from r2 residential low density one and two family to b2 business secondary neighborhood or b3 business scatter the purpose of the request is to allow freight forwarding services invited testifiers timothy and marie granderson applicants jean-pierre l oriole commissioner department of planning and natural resources leah laplace matthew territorial planner division of comprehension comprehensive and coastal zone planning department of planning and natural resources zac-21-10 ali and hamad yousaf of new foundation company llc plots plot numbers 174 and 175 estate peters rest queen quarter st croix be rezoned from r2 residential low density one and two family to b1 business central district the purpose of the request is to allow business uses invited testifiers ali and hamad yusuf applicants jean-pierre orio commissioner department of planet and natural resources Leah Laplace-Matthew, Territorial Planner, Division of Comprehensive and Coastal Zone Planning, Department of Planning and Natural Resources. This concludes the reading of Block Number Two.

2:00:36 Thank you, Madam Clerk. Our applicants, I'm going to ask you to please place your name on the record. We're going to start with ZAC-21-11, authorized agent Liliana Bellardo de O'Neil. Please place your name on the record. Thank you so much. MS. Ms. Liliana Bellardo de O'Neil. MS.

2:01:05 Thank you. Representative from ZAC 21-4, Timothy and Marie Granderson, please place your name on the record. TIMOTHY GRANDERSON, My name is Timothy Granderson, accompanied with my son, my wife, and myself. Thank you. ZAC 21-10, Ali and Hamad Youssef of New Foundation Company, LLC.

2:01:40 Please place your name on the record. Ali Youssef. Thank you, Mr. Youssef. We're going to move to the testimony. We're going to begin with ZAC 21-11, Property Geneva M. Tirado, Authorized Agent Liliana Bellardo-Dionil. You may proceed with your testimony. MS.

2:02:08 Thank you. It's Genoveva Tirado. Good afternoon, Madam President Fred Gregory, Distinguished Senators and everyone present i'd like to say happy day and um my name is like i stated before liliana belardo de o'neil and i thank you all for giving me this opportunity to be here today to represent henoveva tirado miss tirado is requesting a zone change for plot

number 96 estate profit from r4 to zone b plot 96 is 96 000 square feet shown in public work map 997 and this property is adjacent to plat 97 which is already sewn b3 and plat 96 which is also owned by miss tirado and will be used to provide ample parking for customers. Misty Rudder is requesting this sound change because she wants to renovate the building that now exists in the plot and convert it into a modern convenience store with a deli. The convenience store will not only serve the property of profit community but it would also benefit adjacent communities such as harvey and clifton hills and others the community store will be managed and eventually owned by her granddaughter mrs annie davison who is willing to come back home and be close to her grandmother as many of you know miss tirado is in her golden age and is very happy to have her

2:03:56 granddaughter come back home to run the business and not become dependent on government handout. Mrs. Tirado has been a businesswoman for many years. She is well known in the community. She owns a lot of property and businesses in Frederickstead, in Christianstead area, and Mrs. Tirado has contributed greatly to the community as a businesswoman. Therefore, the community store, as I stated, would be managed by her granddaughter. The Saldana community store in the area has been closed for many years since Mr. Saldana dead. Therefore, the assessment that was carried out indicated that there is a need for the convenience store and it is most welcomed by the community.

2:04:49 This vandalized building would no longer be an eyesore to the community, nor a haven for homeless or other illicit activity, nor a garbage dump. this building was a bar and restaurant known as the sulima since the 1980 this business operated for many years with the permit granted as a non-conforming use under the grandfather clause that existed prior to the new enactment sewn in law that was passed on october 1st 1972 that amended Title 29 of the VI Code, Chapter 3, Subsection 1234.

2:05:34 The renovated structure will have an office, bathroom, so male and female, storeroom, a kitchenette, and an open area to accommodate shelves. A big parking lot and plat 96, which as I stated is owned by Ms. Gerardo, and hours of operation of the business that's expected to be from 7 a.m. to 9 p.m. Plans are to hire five to six employees from the neighborhood and a rotating schedule to include part-time high school students and a full-time security at securities. And this business will benefit the economy and it will be businesses of female women in business.

2:06:19 I was listening earlier to Ms. Gwen, and I said it reminds me of Ms. Tirado because I don't understand why when it comes to women like us, we have to go through so many hassles and headaches before we can get through the process and the procedure that is needed to get into business when we should be in full support of women in business. Mrs. Tirado has been anxiously waiting for this hearing to consider her zone change from R4 to B3 to start rebuilding. She has worked out the financing for the construction of the structure.

2:06:56 Once this is completed, she acquires all necessary permits, licenses, and help permit. The convenience store will be a go, thanks to your all-hard work. Mrs. Tirado often stated that she hopes to live long enough to see this dream come true for the sake of her granddaughter, whom she loves dearly. Many may wonder why only now she's requesting this song change. Well, let me tell you that for many, many years, she has tried under several departments of DPNR, commissioners, and governor to harm her business to continue to operate under the grandfather clause.

2:07:40 But all requests were denied. She lost this clause because in 1989, Ms. Tirado became very ill and had to go off island for extreme medical attention. and care. The business was closed for several years. During the absence, the business was vandalized and everything was stolen and she had to start from ground zero. Mrs. Tirada, with much sacrifice, was able to renovate the building and was ready to open when she suffered a great disappointment once more because her permit to arrange for the grandfather clause was denied under the old son-in-law.

2:08:28 During this struggle, the building was against vandalized and Mrs. Tirado then decided to act on Commissioner Diane Henry's recommendation and request the stone chain from R4 to B3. i am here helping mr rather by doing my free time to walk on through the process it has been a long and costly one but i thanks god that it looks like we are finally reaching the end of the road to conclude i would like to say that the property is is a kind of plot which connected to long and caja saldania no one came forward to oppose the request in fact we got a letter from mr emilio torres the president of the profit community action communities supporting this venture the property is connected to the sewer line and have public work water it doesn't have a flooding problem there is no historical or cultural resource in the land this business will not create nuisance to the community because do not have loud music or noise personally i must say we have been involved in this community for a long time as a school counselor i drove through this too that many were afraid to walk broken from the students when they were absent from classes for more than three days

2:10:18 i have seen this community that was lately one of the worst in st croix in becoming very progressive an active community where anyone can come in without fear of being mugged. The roads are paved, wooden sewer lines installed, a great new park, two churches, and the majority of the residents are very, very good people.

- 2:10:49 They miss having the community center which provided venue for activity for youth and old, wedding birthday parties and education forum now it has been abundant and iso please senators i know this is off the project the the object but i beg you to look into this and bring this community center back to life again i sorry for deviating but i have to make a plug I thank you all for giving me this opportunity to come before you on behalf of Mrs. Tirado and I show you how great it will be for the community to have a modern community store in the area because it will give a new site it will rebuild the damage and dump area and and community residents are all excited about it.
- 2:11:51 I humbly request that you please peruse all the documents submitted to PNR and grant Mrs. Tirado the B3 request stone and change. Again, thank you and wishing you all a great Christmas, safe holiday and may the good Lord continue please bless each and every one of you and give you the strength you reap in your being a good public servant now i'm open for questions and i will answer the best of knowledge thank you mrs liliana belado de o'neil for your testimony we're now going to hear uh from mr timothy Granderson of ZAC 21-4. Mr. Granderson, you may proceed. Chairperson Donna Fred Gregg, President and members of the 34th Legislature.
- 2:13:00 One minute, so it's Ms. Maria Granderson that's testifying? Yes, please. Okay, Marie? Okay, we want to make sure that we have the information correct for the record. we weren't aware of that uh so you may proceed miss marie mrs marie grander again pardon start over yes ma'am start over okay you may proceed my name is marie granderson um and i want to say good day chairperson honor fred gregory senate president and a member of the 34th legislature. Thank you for the opportunity to appear before you today.
- 2:13:51 We are the owners, my husband and I, are the owners and operator of Distant Freight. A temporary trade-forwarding business that specializes in the shipment of goods and material to various Caribbean islands. We have been operating since 2006. small family business is located on our one minute uh one minute one c cliff hill one minute mrs granderson could you go back two sentences you're breaking up go ahead you may proceed from the beginning man no no no just two sentences okay yes our small family business is located on our commercial plot We are here today to request a zoning of parcel number 167 and 168 Clifton Hill from R2 Residential to B2B3 Business Secondary for the relocation of our shipping business of Distant Trade Inc.
- 2:15:41 By doing so, Distant Freight would have more space for its operation. Distant Freight in the shipping operation handles items as barrels containing food, building materials, household items that are loaded into trailers and ship to their designated location. This business strives with customers being able to see operation leading up to the final day of location. Based on a previous claim about the water flow, A topographic survey was conducted and the drawings were made to show how water runs and how it would be channeled.
- 2:16:43 This was given to the PNR. Distant Freight is prepared to take the necessary step to ensure that our operation is neighborhood business-friendly and non-destructive the community. In doing so, we will strive to maintain good public relations. Thank you for the opportunity to present you to a person, Donna Gregory, Senate President, member of the 24th legislature.
- 2:17:27 We are prepared to answer any questions you may have. Thank you, Mrs. Granderson. We'll now hear from ZAC 21-10, Ali Anhamad Youssef of New Foundation Company, LLC. Is it me or is it by you as well before I start? I think it's you. We're not hearing an echo. Okay. Then I'll try to continue because it's echoing pretty bad over there.
- 2:18:10 Sure. We're hearing a terrible echo online. I guess everybody who's connecting online is hearing a very terrible echo. Media, we're going to have to mute. I'm sorry, Senator Vialia, did you see? One second, Mr. Youssef. Are we still hearing the echo? Are you still hearing the echo? Yes. Yes. Media.
- 2:18:38 Is there something you can try, or is it just a second? So one second, one second, Mr. Youssef. Okay. Make sure our mics are closed and the respective islands are muted as well, media. Mr. Youssef, are you still hearing an echo? Yes. The committee stands in recess for one minute. Not from you.
- 2:19:07 From where? One second. From my end. The committee stands in recess for one minute. Thank you. We'll be right back. Thank you. We'll be right back.
- 2:21:14 We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you.
- 2:23:44 We'll be right back. Thank you. [2 such phrases repeated 13 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 2:30:14 Thank you. on the record. Mr. Ali Youssef you may proceed with your testimony. Thank you again for fixing it. Good day Honorable Chairwoman Donna Fred Gretchen and all other Honorable Distinguished Senators in attendance. My name is Ali Youssef, a local businessman who was born and raised in the island of St. Croix. I've been living on the in the united states virgin islands for all 30 years of my life my i have probably our roots deep the united states virgin islands

- we do not plan on moving anywhere else as planning to pursue the love of entrepreneurship today i am representing myself as to resolve who adjacent properties located at 174 and 175 is safety address my request is to rezone both properties from r2 to b1 the purpose of this request is to allow for the development of restaurant and my family and i have been operating many successful businesses on islands since i was we all see this rezoning as an opportunity to create
- 2:32:06 jobs during the construction phases and permanent jobs later as we hope are allowed pursue this project with the support of the body from past experiences with construction we know firsthand how many residents a construction site can benefit from we also see how many local business from the concrete plans to benefit from construction sites. As requested from DPPNR, I was instructed to approach my neighbors and inform them as to what I am trying to do with properties.
- 2:32:45 I went out and met with each one of my closest neighbors in each direction. I started with my business neighbors who are just across the street from the land that I have met with the owners of Blue Water, Blue Mountain Water, Reliable Rentals, and Bunkers of St. Croix, who are all available to take a couple of minutes of time and allow me to explain to them what my intentions are. They each were on board with my plans, even the rest of the pro-business they were doing.
- 2:33:18 Unfortunately, when we had the meeting with DPPNR, they brought up the same concern. The concern was that the possibility of me diverting from my proposed plans and then opening a gas station. Even though a gas station was unmentioned during our meetings, they seemed unconvinced. I mentioned to them during the meeting that even if I was successful in getting properties gas station is not allowed under the v1 zoning i purposely requested to the v1 zone from the beginning to hope they have convinced the neighborhood that a gas station is not my plans i hope i am hoping that this legislative body understands that is not my intention Madam President, my surroundings from the south and the west are all zoned ranging from industrial, commercial, and business.
- 2:34:19 The Hess back road that the peace plan sits roadside on is obviously business oriented and constant development in the area is endless. I don't understand their concerns regarding gas, but when I showed them all the evidence research early close that a gas station couldn't be placed there uncompensated from a local water company to a local to a local hauling service i do not see why a restaurant coffee house would interfere or disrupt their day-to-day business on the north side of the property where the residents reside i had one objection to the proposed plan mr wilfredo rivera immediately and then say more than the land should remain residential and the development house on i did not get more out of them than i did not be optioned besides mr rivera one other resident thanks to the local concerns to the plan those terms were where the fumes from restaurants was going to be placed for the events and if i was planning on fencing the problems i can reassure you that i will do whatever to address any concerns i would love of the of the united states virginians to be one i am now ready questions you may have thank you thank you mr yousef uh we're we're gonna now go to the Department of Planning and Natural Resources, that they can place their reports on the record.
- 2:36:26 Mrs. Laplace-Machus, you've already placed your name on the record earlier, but please do so when you begin to speak. Mr. Keith Richards, likewise, when you speak please place your name on the record for the new stenographer. You may proceed with ZAC-21-11, Ms. Tarado, Agent Liliana Bellado de O'Neil. You may proceed, Mrs. Mathieu. Good afternoon.
- 2:37:09 This is Leah Laplace-Matthew, Territorial Planner with DGNR's Division of Comprehensive and Coastal Zone Planning. I'll be presenting report and petition to amend officials on a map from SCZ-12. Application number is EAC-21-11. Petition of Genoviva M. Terrado, authorized agent Liliana Bellardo-Riannil, requesting that plot number 96, estate profit, King Quarter St. Croix, be re-zoned from R4 residential medium density to B3 business scatter. project profile owner applicant and we use danielson and carlos wang mateo i'm geneviva m terado as per date of gift dated november 2 2019 document number two zero two one zero zero one nine five two liliana belardo daniel strength of attorney the property consists of zero point two two zero three eight acres as shown on drawing number nine nine seven dated november 23 1960 and revised september 20 1968. current use the property has a damaged building previous use of the bar restaurant these uses operated under 234 of the token law non-performing uses section 234 h states any non-conforming use of land or building which has ceased by discontinuance or abandonment for a period of three years shall thereafter conform to the provisions of this subchapter the non-conformance use of the property ceased over three years ago thus the applicant
- 2:39:09 chose to seek occurrence status rezoning proposed use a convenience store and deli surrounding uses zones the surrounding area consists vacant and residences that are 4 and b3 zoning infrastructure water is supplied by public water lines and wastewater handled by public sewer lines public response at dpnr's public hearing held august 5 2021 no opposition or concerns were expressed with the proposal a support petition with 70 signatures was submitted analysis during the department's public hearing this is the lord of the anneal testified the property would always use commercial restaurant bar the last business use closed in 1990s and currently the structure is in disrepair fast the property's past business uses operated under the non-conforming or grandfather status and could not be reopened due to more than three

years having last it is miss tarado's intent to repair the structure and operate a convenience store and selling her major concern for the area not being a residential use is the proximity to the pollution experience from the diageo and lime tree in western states she plans to enhance the property and provide a much-needed service community because another neighborhood convenience due to its owner's passing as previously mentioned section 234 h of the zoning code place the discontinuance or abandonment period of three years that thereafter a property must conform to the provisions of the zoning law which was adopted on october 1 1972. This provision allowed for legally established uses to continue, even though the new zoning

2:41:10 would not have allowed access. The abandonment period allowed for the eventual implementation of conformities. The intent was that eventual conformity of the development of an entire zoning area would happen. After analyzing the applicant's request, the property's location within a residential subdivision and the previous four zoning map amendments grant is profit the department recommends new experiences rather than rezoning although the b3 business scattered zone was primarily intended to permit small neighborhood server retail businesses within residential districts there has only been one rezoning granted in a state profit the other three zone and map amendments which would be more appropriate for property in the residential subdivision surrounded by residential iso recommendation the Department of Planning and Natural Resources recommends that Platte number 96 estate profit King Quarrestain Croix granted use variants for convenience store and deli signed by assistant commissioner keith richard dated october 4 2021. and i'll now go to the visual portion for this application so we have the photos of the property and surrounded area the damaged building on the property.

2:43:19 and then surrounding buildings. And this is the location map of the property. That ends the visual portion and DPNR's recommendation for this application.

2:43:49 thank you thank you uh mrs math the plus uh matthew you may proceed with uh zac 21-4 thank you report petition to amend officials on a map number scz-12 application number zac-21-4 Petition of Timothy and Marie Granderson requesting that Platt Numbers 167 and 168 Estate Clifton Hill, King Quarter St. Croix, be rezoned from R2 Residential Low Density 1 and 2 Family to B2 Business Secondary Neighborhood or B3 Business Scattered. project profile owner applicant timothy and me marie granderson as per warranty deeds dated december 5 2014 and june 18 2018 document numbers 2 0 1 4 0 0 4 1 3 3 and 2 0 1 9 0 0 2 0 8 The properties comprise a total of 0.5988 acres, as shown on drawing number 2972. The properties are vacant.

2:45:18 Proposed use, relocation of distance freight, a freight forwarding business. Surrounding uses slash zones. properties are zoned r2 b2 c commercial and p public with a mix of vacant land residential and business uses infrastructure water needs will be supplied by cistern and public water lines wastewater will be handled by septic system public response prior to deep in earth public hearing held june 7 2021 four letters of support for services would apply two adjacent property owners came to dpnr and verbally expressed opposition slash concerns with the with the proposal the reasons for opposition slash concern were one trailers blocking roads suspicion two road destroyed by construction activity three road is not paved and concerned with health impacts due to dust or rats being attracted to the area due to presence of trailers five want irrit a residential analysis during the department's public hearing mr and mrs fenderson testified the shipping business operates on land they own that is adjacent to the subject properties They wish to relocate the business so that the operation has more space.

2:46:55 The operation will take place in seven trailers temporarily. Later, a concrete building will replace the trailers. The Virgin Islands Code established the requested B2-B3 zoning districts for the accommodation of business uses within residential areas. They are typically where we find our large shopping centers and smaller strip malls. These zones allow for over 140 uses, many of which may not be compatible with nearby low-density residential uses. The Department has recognized that impacts can occur when near residential areas less the desirability of the area for residential use.

2:47:35 The area has had three resorts, one in 1989, a second in 1990, and a down-zoning of one in Clifton Hill from C to B2 in 2018. The number of attempts does not indicate the area's changing, thus the Department is not inclined to recommend a re-zone it. Also, there is no requirement for zoning map amendment applicants to develop as per the of the conceptual drawings once a map amendment granted it is determined that i use friends appropriate allowing for the requested use while limiting development by the development provisions of the current r2 zoning example maximum lot occupancy of 30 percent maximum height of two stories and minimum setbacks of 15 feet in the front and 10 feet on off their sides recommendation department of planning and natural resources recommend that plot numbers 167 and 168 estate piston hill king quarter sanctuary be granted a use variance for freight forwarding services the following conditions one no storage shall occur outside and two a bufferable pig fencing wall or green hedges approximately seven feet to eight feet high shall be installed to just access to and protect adjacent residency zone properties signed by assistant commissioner richards dated august 4 2021. now i'll share my screen for the visual so this shows the properties and the adjacent area

- 2:49:25 Thank you. In the background here is the applicant's other property wants to be Clifton Hill with the current shipping business. And this is the 167-168 that they want to move the shipping business to. And this is the location map showing the properties And that ends the visual portion of the presentation for application ZAC-21-4.
- 2:51:03 I'll go ahead with the report for application number ZAC-21-10. Report and petition to amend officials on a map number SCZ-12. Petition of Ali Yousaf and Hamad Yousaf of New Foundation Company, LLC. Requesting that plot numbers 174 and 175, Estate Peters Rest, Queen Quarter, St. Croix, be rezoned from R2, Residential Low Density 1 and 2 Family, to B1, Business Central Business District. Project Profile, Owner and Advocate. New Foundation Company, LLC, as per Warranty D, dated March 3, 2021, document number 2021-000992.
- 2:52:01 The properties comprise a total of 0.626 acres, as shown on drawing number 1708, dated February 25, 1965. Currently vacant land. The proposed use is restaurants slash coffee shop or office buildings. Surrounding uses slash zones. Surrounding properties are zoned R2, R3 residential medium density, I2 light industry, and I1 heavy industry. With a mix of vacant land, residential, and business slash industrial uses.
- 2:52:39 Infrastructure. Water needs will be supplied by cistern and or public water lines. and wastewater handled by septic system public response one letter of opposition was submitted for the file and five adjacent property slash business owners placed on the record of dpnr's july 15 public hearing their opposition and concerns to propose rezoning the reasons for opposition slash concern were one residential neighborhood that doesn't have a business in their front yards wanted to stay or to zone two when gas station moratorium lifts could turn into a gas station which means 24 hours operation noise gas rooms impact the residents while water contamination three quiet neighborhood nearby businesses operate eight to five concerned with impact slash noise of business operations longer than eight to five four conceptual plans building with parking look like it's taking up more than 50 percent of the lot five location of parking do not want parking on northern residential street and have a fence slash wall placed along northern boundary to minimize noise slash impacts from cars slash traffic 6. Restaurant fumes, slash exhaust gases, and mitigation, so northern residents are not impacted.
- 2:54:15 7. Properties should be completely fenced, slash secured, to discourage loitering after hours. Analysis. During the Department's public hearing, Mr. Ali Yusuf testified the intent is to develop two buildings, one store each which will be used for a coffee shop and restaurant or office spaces. The property sits at the intersection of two busy roadways, Route 68, which is commonly referred to as Hess Road, and Route 81, which leads north to the Sire Farm intersection lights. To the west and south are commercial businesses, bunkers of St. Croix Inc., reliable rentals and sales, and Blue Mountain Water.
- 2:54:57 In analyzing the applicant's request, the department considered the following. One, the requested B-1 zoning was intended for the central business districts of Charlotte-O-Mali, Christiansted, and Frederickstead Town, allowing a larger density than the R-2 zone and 190 uses. Although the B-1 zone does not allow for gas stations, it does allow uses that may be incompatible with residential neighborhoods, namely bars slash liquor stores and dance halls slash nightclubs. 2. Past rezonings were granted for southern properties from I2 to I1 and from A1 to R3. The properties are part of a residential subdivision with residential use on the northern and eastern sides.
- 2:55:46 There have been no past rezonings granted within the subdivision. The Department's opinion is that the rezoning of the property to B1 is not appropriate. A use variance with conditions would be more appropriate allowing for the requested use while limiting development by the development provisions of the current R2 zoning. For example, maximum occupancy of 30%, maximum height of two stories, and minimum setbacks of 15 feet in the front and 10 feet on all other sites. The Department of Studying and Natural Resources recommends that plot numbers 174 and 175, Estate Peters Rest, Queen Quarter, St. Croix, be granted use variances for coffee shops and ice cream parlor restaurants and offices general and professional with the following conditions one parking shall be placed on the western and southern portions of the property and two a buffer of opaque fencing wall or green hedges approximately seven feet to eight feet high shall be installed along the northern and eastern boundaries to address impacts to and protect nearby residentially zoned properties signed by by Assistant Commissioner Keith Richards, dated August 4, 2021. And I'll now share the visual portion for this application.
- 2:57:13 So this is a picture, an aerial of the two properties that are vacant, and a zoom-up aerial of surrounding areas, highlight in the surrounding businesses another zoomed out aerial of the property and the surrounding area that ends the visual portion and the department's recommendation for this application thank you Thank you, Ms. Laplace, Mrs. Mathieu. Colleagues, we're going to go to a three-minute round. Senator Alma Francis Heidegger, you may proceed.
- 2:58:03 Good afternoon, once again to my colleague, to the testifiers. Good afternoon to the people of the territory, specifically the island of St. John, as we are spending some time over here um what i want to ask specifically i want to direct my first

set of questions to mr yusuf um based on the testimony um from dpnr it seems that this parcel has the most pushback as they went through a litany of issues or potential concerns do you have an issue with their suggestion as opposed to changing the zoning to go and deal with a use variance specifically for what I don't have a I'm sorry I don't have a problem with experience at the moment so I don't have a problem well that's good to hear well then we're fine the second thing I want to ask I want to go to Mr. Timothy family how are you I'm doing fine good good I was here looking at the geo map and I was looking to see exactly where your business is located and I noticed your two parcels one is directly adjacent across the road from your business and the other one is like next to each other where exactly with your extension do you plan on expanding your business specifically what you want to do because I also noted next to your parcel is a residential home. So if you're going to be expanding, could you explain to me a little bit as to how this potentially could affect that house? Because when it comes to freight companies, my vision is trucks and trailers and a whole lot of things. And I'm trying to see how you're going to coexist

- 3:00:01 extending a little bit further over, literally next to someone's home. one minute the area where we have the business operation right now is it on 1C Clifton Hill and the area where we have to shift the business to is 167 and 168. So you want to relocate the entire business from where it is across the street to these two parcels? Or are you going to exist there and then extend it? That's what I'm trying to understand.
- 3:00:53 Yeah, we're going to move the business from 1C to 167 and 168. okay the the trailers is only going to be temporary until we are able to put some more finance together and start a building on 167 and 168 time oh so the 160 1c clifton hill Presently that's what we are using. And the building is almost 95% finished.
- 3:01:37 I wish I could have get some pictures. I am running out of time, sir. Well, my time is up. So I'm going to try to leave the rest of my questions. Hopefully my colleagues will tackle some of them um but um thank you so much for the time madam cheer thank you so much mr timothy for your thoughts thank you senator de graaf you're recognized for your uh three minutes thank you madam chair uh in regards to the grandison family uh were you here before the senate before or it was regarding these same properties or properties in the area?
- 3:02:19 Yes. Yes. Yes. Okay, it was regarding the same properties? Yes. Okay, and from then to now, what was the situation? Has anything changed from then to now? uh the only thing that changed is that we have completed 90 of the building where we are going to be house uh temporarily um a short-term rental and the containers you see next to the building are containers that we're conducting the distanced building in, the trailers. So we need to remove those trailers from there and prepare the parking area for 1C Clifton Hill, which is going to be a short-term rental business.
- 3:03:24 Okay, so there's a business in the trailer now, and you're finishing up a building where you're 90% completed and then you will get rid of the trailers and conduct the business in the building? That's what you're saying? No? Not into the building because the building is going to occupy with other businesses, other areas so that can be rental to other folks that need to establish a business or establish whatever. But Offset is going to be used as a short-term rental, which is going to add in the hotel industry.
- 3:04:10 One minute. Okay. All right. Again, thank you for the time. That was mainly my concern with the three, basically, to get that cleared up. Thank you for the time, Madam Chair. Thank you, Senator. We're going to go a little out of turn because senator francis has a matter that he must address this afternoon so senator francis noble francis here recognized for your three minutes thank you very much madam chair Mr. Granderson, what was your intention of that building initially?
- 3:05:03 Initially, we was going to put a gas station. It was approved to put a gas station. But since the building had to be added second floor, we changed that. And we said we are not going to put a gas station anymore, we're going to put a second floor and do the short-term rental. So what's on the bottom floor of the building? you intend to do on the bottom floor we intend to rent it for businesses okay and the other shipping companies container companies are located in other areas have you look at the feasibility of actually utilizing those satellite areas for container I have looked at it and that's the only place available for us to put the the containers to continue the business so is your intent then to relocate next door um adjacent to where you're at now and do a do a construction or just to have the trailers located there are you putting in a building as well to support the um container containers yeah to put the containers to continue the business and in the future to erect a building so that we can add also rooms if there is a business that is in demand which i believe there is on 167 on 168. so on 1c you know when customers come to drop off um their their um the material
- 3:06:58 the wares for the purpose of shipping or relocating where do you put those things is that being held in the in the warehouses um to the bottom floor no in the trailers that is next to 1c cliff tunnel building so it goes directly into the trailer yeah it goes directly into the trailer okay very well 30 seconds um real quickly mr youssef in regards to your uh the coffee shop and ice cream parlor you say you didn't have any issues with the use variants that have been recommended by dpnr what about the recommendation for putting up a buffer to again ensure that there is no hindrance or problems with

the neighbors are you okay with that as well i am yes okay what else uh do you intend what about the parking lots have been recommended in terms of where you will be locating the parking lot uh are you willing to conform with that as well yes one of the residents had an issue with another issue he had a concern as to where the parking would be and i told him that um we were planning to have the parking lot set up closer to the main road so uh he was fine with that and that's what initially we were planning on doing so um if i could just wrap up real quick you currently have designs and everything prepare for the um the build out of the coffee shop and ice cream parlor or you are waiting approval uh conceptual plan i've waited approval for actual plans okay thank you thank you madam Thank you, Madam Chair, for the time. Thank you, colleagues, for allowing me to advance you in today. Thank you.

3:08:45 SECRETARY KERRY. Thank you, Senator Francis. Senator Javon E. James, Sr., you're recognized for your three minutes. Thank you, Madam Chair, for the time. Good afternoon, testifiers. Good afternoon, once again, to the people of the U.S. Virgin Islands. When it comes to Plot Numbers 167 and 168, Estate Clifton Hill, I'm only interested in the recommendations that were suggested by DPNR, and it seems to be only two recommendations, And it basically speaks to no storage shall occur outside and a buffer, fancy, what have you. So to the individuals, which is the Timothy and Marie Grandison family, any other concerns or issues you may have?

3:09:47 Are you going to be able to meet the requirements made mentioned in the recommendations? MR. Yes. The requirement that is recommended, if we say yes to that recommendation, then when the time comes, the building is complete, and how are we going to proceed with the building? Are we going to come back again a second time to get the rights to put a building?

3:10:32 Okay. And some of the public responses were they wanted the area to stay residential. They had a concern with pests. They also made mention that the road is not paved. I'm not sure that's a private road or a public road. If that's a public road, that's an issue of the government of the Virgin Islands. So if that is the response of the public, then we have that obligation to deal with the Virgin Islands government. But it also made mention to the road destroyed by construction activity. DPR, can you speak to if that is true, what is transpiring there when it comes to that?

3:11:10 That was a concern brought by adjacent property owners that the road was being destroyed by construction. Is it a valid concern or issue? Is that really transpiring there? It is valid. There is commercial activity, and it is a valid concern, especially with the road not being paved. And that's a public road, right? Or a private road?

3:11:40 I do not recall if it's a public road. I believe it's private because it's a small residential subdivision. Okay, that's something you have to look into. I know my time is almost over, but I just want to say to Mr. Ali Youssef, you're comfortable with the use variance, right? I am, Senator. All right, and I'm happy to see that young people are doing things in the West Virgin Islands, and I'm happy that you're representing yourself. Most people usually bring somebody forward, and I'm happy to see that you're handling things accordingly. And last but not least, when it comes to the application number ZAC21-11, I will be supporting that.

3:12:22 So in conclusion, I will be supporting all three measures that we have before us. And thank you, Madam Chair, for the time. Thank you, Senator. Senator Franklin D. Johnson, you're recognized for your three minutes. Good afternoon. Thank you very much, Madam Chair. Good afternoon to the testifiers. Ms. Bellardo, are you still there? All right, I'll go to the Grandison and think until we get Ms. Bellardo there.

3:12:54 I am, I am. Okay, well, let's stick with you for a minute. Ms. Bellardo, I want to say thank you to you for your hard effort and work with Ms. Bellardo. I know about this project from the past administration, and I think a lot of time Ms. Tirado was led in the wrong direction. So I want to say thank you to you and to DPNR for working closely with Ms. Tirado to get this project where it's at now. Thank you.

3:13:23 And I know what Ms. Tirado wants to do, and she had the business before. It's good to see that she's still got that drive to want to go back into that small mom and pop's business. that that will be very good for that neighborhood and i want to say thank you and i definitely will be supporting this initiative because i spoke to mr rado and i think she held me responsible for some times that it didn't went forward which i had no i had no way of doing anything with it but i definitely will be voting in favorable for her and that and i want to say thank you for working with her very diligently thank you senator and mr granderson good afternoon i must say i tip my hat off to you you've been eagerly doing your business walking doing everything you can and infusing the money into that building to complete it and i understand what your obligations what you're trying to do and what is important is that you need to get the trailers off for that property and move it so that that business could flourish and if that business could force with the rental to the bottom then you could build up the next area and have it more applicable and and follow the guidelines i appreciate dpnr giving you some guidelines with that buffer i would appreciate if you stick to the guidelines with the buffers that they're actually to put in place because i understand exactly i know the business i've did business with you and your business is a

well-needed business you supply a lot of stuff to the people from the eastern caribbean and it's a lot of back and forth it's a it's a win-win i appreciate what you're doing and i know you you're off a little bit there perhaps but you're still going and you work very hard and i take my hat off to you for that and i hope that when i'm your age i could still be going that strap so keep the faith up and um when the time come i will definitely be so

3:15:24 supporting this initiative too and to you sir i i um i realize that you made you made mention more than one time that you have no intention for a gas station and i hope that you proceed and continue to proceed in that direction time because i think that's where you will meet resistance from anybody in this community at this point in time however there's There's a, Madam Chair, may I complete?

3:15:52 May I wrap up, Senator? Yeah. There's a bill, bill number 340010 that has a monitoring for five years. So for sure nothing is going to happen. But I really appreciate that you stick to what your plans are. And you already say you have no problem with the buffer that DPNR is putting in place. And I appreciate that. And at the given time, I will definitely support it. And DPNR, again, I said, I tip my hat off to you guys for really walking with these entrepreneurs that want to do business. Thank you very much, Madam Chair.

3:16:27 Thank you, Senator Johnson. We have another slight deviation. There's a whole lot going on today. So, Senator Vele, you're recognized for your three minutes. Three minutes. Thank you so much, Madam Chair. And let me go quickly. The property that the Yusuf family is trying to develop has been recommended at use variance. Hence, no gas station will be built there. And I think that we need to make sure that the use variance is in that particular rezoning and give them the opportunity to open that coffee shop and other business that they want to develop there.

3:17:09 And this is an area to have businesses across the street. um tirado that building was a business for a number of years it would have been grandfathered in but the business closed so if the business had remained open it would have been grandfathered in because there were businesses there before the zoning laws were enacted so i don't have an issue with rezoning the tirado property the last one the grandison i know that was before us before and there was strong opposition from the neighbors objecting to trailers being park adjacent to their property and i think when we are making these decisions you know we want businesses to try but we also got to respect the wishes of the homeowners and if you own a home a residential home i mean to develop a business with a building is one thing but to park seven trailers and just have trailers there in a yard right adjacent to your property there was stronger position before and the same opposition is there and the question was asked before as to whether or not you would try your best to not utilize um 168 because if you don't utilize 168 then you're not going to bother 169 because 169 is a residential but you want to use both 167 and 168 so you're going to be encroaching on 169 that residential property can't you just develop 167 yes is adjacent to 169 is 169 a residential property

3:19:00 But I'm talking about where the containers are going to be sitting for temporarily is between 168 and 167. And 168 is right next to 169. That is my issue. Yeah. At the appropriate time, I'm going to make up my mind. But I can't see the container. You have had this container business, this freight business, how long? Say it again.

3:19:34 How long have you been in the freight business? Since 2006. So there's no time period or time certain that you're going to have the trailers for a year or two years and then move into a building. Time. The trailers have existed for 18 years right now. The building has been building for maybe the same time period. And we have to respect the property rights for the owners of 169 and those other properties. Thank you so much. Yes. Madam Chair.

3:20:09 Thank you, Senator. Senator Kala-Joseph, you're recognized for your three minutes. Thank you so much, Madam Chair. Pleasant good afternoon to everyone, our testifiers. I really am elated this afternoon to see the number of economic development that is being spurred on both the small island of St. John as well as our big island of St. Croix. So it's very good to see those things occurring. One of the things I really always take interest in, and especially when we are having developments and proposed businesses in certain areas or whether the proposed business owners have done some homework and to see if their business is going to actually be feasible and so let me just start off my question and this is the feasibility because you want a rezoning. However, does this rezoning to do what you're proposing to do? Is there a market for it? Is there a demand? When I, especially when I go to St. Croix, I see a lot of businesses in operation, but I also note that there are a lot of businesses who have structures and they're not operating. There's nothing happening in those areas. So I don't want it to become a vacant desert. Well, it can't be a vacant desert, but it become an area where there's just a whole bunch of concrete buildings and actually no operation exists after you get these zoning in place. We want to see you thrive. So first I'll go with the Tirado rezoning amendment.

3:22:15 One minute. Ms. Bilado de O'Neal, kindly indicate to us whether you've done or your clients have done any kind of market study to see if this business is going to be viable based on what you are recommended to use it for. Good afternoon, Senator Joseph. Nice to see you. You look lovely. Thank you kindly. You too. Senator, we made an

assessment, and we walked the community, and based on the prior business that she had there, which was very popular, not only for the community of profit, but many, many other people visited her restaurant, which was good food. I think it was better than Mr. O'Neill food.

3:23:05 And based on our assessment and our contact with the community, the business will be profitable. The business is welcome. And I think that given Ms. Tirado, known as Jenny, Ms. Jenny and her granddaughter, both women, an opportunity to pursue this venture, it's really recommendable. and we would like your support thank you okay thank you so much madam chair I know my time has been called but I would like to extend that same line of questioning to the other applicants who are reconsidering and if they could be succinct that would be helpful since I'm after going to have to ask you to wrap up please so you could wrap up because what's happening is we have a whole host of things going on today as we all know and you know we also have to be succinct so I'll allow you to wrap up okay okay that's not a that's not a problem so let me just ask that same question to the mr. Youssef because I'm not gonna go with granderson because I know their property their business has been in operation from since 2006 so mr. use if you're a brand-new property applicant and owner tell us tell us whether or not you've done any study regarding the market feasibility of your business in this area yes we've been in business for over 30 40 years and every day we crunch numbers and we see if something is feasible if it's not feasible and um going trying to go into the restaurant business we've uh seen uh friends and family go into there so we just uh you know there's nothing wrong with asking them if it's feasible if it's uh if it's worth it um when we applied it was a free

3:25:14 when we purchased the land it was pre-corona i believe and then when we applied to rezone it it was uh things weren't as bad as they are right now in terms of uh supply and demand and And in terms of pricing, as many of you know, the food industry, they've gone up with their prices. And that's because the suppliers have gone up. It's just a whole chain reaction kind of thing. So it's not the best time to go into the restaurant business, but it's still feasible. Okay, thank you so much. And at the appropriate time, I will be casting my vote. Thank you.

3:25:48 Thank you, Senator Joseph. Senator Stephen DePayne, Sr., you're recognized for your three minutes. Thank you. Thank you for the time, Madam Chair. I too would like to echo the sentiments of my previous colleagues, Ms. Bilardo. Thank you very much for working with Ms. Bilardo as she is seeking out to open a convenience store in Delhi, which I do believe is actually more conducive to that area. So that's definitely something that's a request I can definitely support. Thank you.

3:26:22 Mr. Grandison, one question, one of my colleagues alluded to this earlier that the trailer storage was causing a road in the problem. Is that a road in problem being created by the storage of your trailers in that area? Thank you very much. Mr. Grannison, one second.

3:27:10 Mr. Grannison, Mr. Grannison, media, is that on Mr. Grannison's end or end? Because of his answers, I can't understand a word he's saying. Mr. Grannison, let me ask you a question. If Mr. Grannison goes through with this project, unless it's six months after he decides to build an outside storage what will happen at that time if the condition is included as part of the approval of the zoning map amendment we would have to do enforcement action if there's out there Okay, you all have · you all actually follow up less than every six months to ensure that they're actually following the recommendation that you all made?

3:28:12 Yes, we'll do a follow-up. Okay. Yes, Mr. Ganesan, you can try your audio again, please. Can I repeat the question? Yes, I was asking that one of my colleagues alluded earlier that there was a rodent probably being caused by your trailers. Is that so? Is that the case? That's not true.

3:28:41 Yes. That's not true. We cannot afford to have any rodents in the trailers because it's people's goods that's in the trailer. There's no rats as some people talking about, and there is no rodents at all, at all, at all, at all. MS. Time. Okay. Thank you very much for your response. I won't take any money at the time. At the appropriate time, I'll cast my vote, Madam Chair. Thank you very much for the time. MS. Thank you, Senator Payne. her samuel carillon you are recognized for your three minutes thank you good afternoon once again to my colleagues and to the testifiers um let's uh dive in quickly um miss laplace with regards to the 168 and 167 estate estate clifton hill um the properties east to it what are they zoned They're zoned commercial.

3:29:51 Commercial. Well, one was rezoned to B3, I believe. So one is B3 and the other one is commercial. There's two properties to lease. Okay. I see that within the variance, you have a clause that states no storage shall occur on the property. why is that no no outdoor storage so nothing stored outside of the trailers oh nothing stored outside of the trailers okay so they can in fact then with the variance plays the trailers on a property and be able to continue their freight business but just nothing can be stored outside in open out of the traders all right okay mr. Granderson do you have any issues then with with what the recommendations at the PNR are establishing no but I have a question and I as I in process

of completing the building and we probably about 90% finish So we need to install our AC, our lighting system, our panel system, and so forth. And we finished that building.

3:31:28 We're doing the business, the freight forwarding business, and 168 and 167. so when the funds be made available and we want to construct a building how do we stand i think that's a that's a question for um dpnr 30 seconds and it has consumed a lot of my time that i have available um well the variance just establishes those two points so um i i don't see any issues that you have a building anything else but that's something you could address with with with dpnr now uh with the mystery other case i want to understand uh miss laplace um why a variance instead of b3 which was requested in short term can you please summarize we looked at um the history and there was only one b3 rezoning in the area other granted um others that were granted were used variants so there's a b3 what east west of her property that she's requesting ton to the north so north of it so there's already a b3 they were established okay um thank you madam chair i just i at the perfect time i'll be voting an affirmative on on each of these uh rezoning that we have today um i do believe that uh it's commendable that we have these individuals in our community that are local and really want to embarge in opening new business and expanding their businesses. So I'll be supporting each and every one of them. Thank you.

3:33:12 Thank you, Senator. Senator Marvin Blayden, you're recognized for your three minutes. Thank you, Madam Chair, and good afternoon again to the testifiers in this block. Let me ask quickly, I know that Mr. Yusuf and the Grandesons both said they don't have an issue with D.P. and our recommendations with the conditions, but I know Mr. Grandeson have a concern in respect to his 90 percent completed billing and having it to be 100 percent and what happened in the interim. I'll give D.P. and us a minute to respond to that if there is any recommendation or anything that needs to be done in the interim but let me before i do that let me go to um former senator belana de o'neil good afternoon good afternoon senator and let me ask um i'm just happy to see that there were no opposition when it comes to your zoning requests 70 people petition in support of it is going to create six or seven employment opportunities for individual in the area is going to get rid of an eyesore you know which we have been a grave a haven for grave runs at some time and um i must say um it's development like those that makes a big impact in a community and that's a great investment in our um small beautiful island let me um say uh i am definitely in support quick question i know what the restaurant and bar before how many parking spaces um are we speaking up for for that um billing good afternoon senator blyden senator blyden the plat 96 which is a whole plant belongs to mrs

3:35:00 tirado and that is going to be converted into ample sparking places for customers that will be coming to the store, and I'm sure that they are not going to be there altogether, but there will be ample parking. I couldn't tell you how many, because it will have to be divided on both sides to see how many cars can be accommodated, but I can assure you there will be many parking for the constituent and the people that comes to the business.

3:35:29 Okay. Thank you for that. Let me go back to Ms. Laplace-Machuel in respect to descent freight and concern that Mr. Grandison has in respect to his billing of 90% completed and him adhering to the zoning recommendation along with the conditions. Ms. Laplace-Machuel, is there anything, is the Grandison going to be in violation in the interim? 30 seconds.

3:35:57 until I find a permanent relocation and construction of that building, that structure? If I'm understanding, he means on the 1C Clifton Hill? Yes. Not from a zoning standpoint. I'm not sure what building permits, which is a different division, if there would be any issues. From a zoning standpoint, no. Okay, very well. Mr. Garnison, I'll recommend that you follow through with your concerns in order to assure that you still adhere to the law and that you can fulfill your goal in continuing your business and expanding your business for you and your family. Thank you so much, Madam Chair, for the time. Thank you, Senator.

3:36:46 Thank you, Senator Blyton. Senator Whitaker, you're recognized for your three minutes. Good evening. Good evening to all. Good evening, Madam Chairwoman. Good evening to all the testifiers and applicants. I, too, join in in support of most of the measures. I want to dive right in just for the sake of time. And also, I wanted to also emphasize that I really will plan on very short notice to be able to, I would want to make a decision but also seeing the properties. I want to really, really highlight, and I really appreciate the work of your former Senator of the Lauderdale Neal and you actually reaching out to the community. I think that speaks volumes about you as an applicant and along with your team. And so I think that's really good. We want to get perspective from persons in the community when such changes are taking place. I would even emphasize the importance of town halls And what I would suggest to the DPNR officials, Ms. LaPaz and Matthew, and also the leaders at the DPNR, the efforts when we do these kind of zoning changes, let's look at, we use this hearing process, but we should also look into some town hall meetings.

3:38:06 And that's what's important as we build community and rebuild communities, that committee perspective is done in those town halls. To the Randersons, Timothy and Marie Randersons, about was a question concerning um the your experience um in in um in this in this area in in freight work manufacturing and what is it your background experience as it pertains to freight Services. My background is experience. I obtained a license from the federal government which is the NVOCC

license.

3:39:01 One minute. And that gave me the right to do the freight forwarding business. And from 2006, I've been operating that freight forwarding business. Well, when we started, it was a little tomorrow because we had to gain customers. We had to please a lot of people and try to work together with our neighbors. And I also was a construction worker, that design, that build.

3:39:50 I was also, I was also working with the Ovens oil refinery. Time. Just because of time, well, first of all, I wanted to say that I appreciate what you're expressing. You do have the background, and I think, and the reason why I asked you that, and the reason why I think this is so important, when we look at, because I've one of the things I'm pushing for you hear about the 2040 vision economic development authority and we're supporting um wealth development in the virgin islands and we're supporting this and that with a piece on a paper um I want to say to um Mr Granderson and to and to your team there and to your family that that's what's important getting the credential in um which you in the background to do the work um I would like to and I'm saying that to you as well as to all the applicants um would you consider a supporting workforce development that is um encouraging young people and school-aged children to get involved in business development. One of the things I'm pushing for is entrepreneurship at the school level.

3:41:00 What are your thoughts around that? And that's actually every applicant, if I have time, Madam Chairwoman. So that's a question to each person. I'll start with the Granderson. Would you support entrepreneurship and skill building? Thank you. thank you senator whitaker your time has been called um oh i'm sorry but they can proceed with answering very quickly please yes thank you thank you thank you madam chairman hi i i also want to say to you that um um my children uh my grandchildren is also participating in operating the business so they are very much important to me right now okay and if anyone you know that wants to understand that not to know they are welcome too mr youssef yes you may respond ask the question again uh the question was around whether or not you are interested in supporting workforce development with our young people in the virgin islands oh yes definitely thank you uh senator former senator blado de o'neil i know the beauty of this project that ms tirado has gotten involved is that she is planning to hire part-time students from this nearby central high school and train them into business or whatever field that they would like and that's taking care of the um young people and she plans to hire neighborhood young people to work in the in the business so she's making a big contribution

3:42:54 to the development of community youths in the community thank you uh mrs bolado de o'neil So we've basically come to the end of today's meeting, and I will offer my comments. Who did I miss? Senator Potter, I missed you? You were not up on the screen. I apologize. I should have called you a long time ago. You may proceed, Senator Potter.

3:43:26 No problem. I'll be brief, though. One thing, when the people of the Virgin Islands entrusted me with this job, as their senator, I guess, maybe less than a year ago. One of the big things, one of my priorities was to ensure that we support and encourage development and expansion of business in this community. And particularly when it comes to Virgin Islanders who have put their head on the block through good times and bad to develop businesses in this territory.

3:43:59 and it's really about business development that sustains the services and goods that we and privilege privileges that we have here in this community so i always try to find a way to support and encourage business development however of course and obviously neighbors also have the right to the quiet enjoyment of their property and i wanted to ask i think dpnr did a reasonably great job of trying to find some balance i'm not just saying no no no but they tried to identify some compromise position i think i have to applaud them for that i wanted to ask the grandsons i wanted to really commend them for their business document and their commitment to this territory i wanted to ask because dpnr said that they were recommending a use variance with stipulations of no storage and the buffer fencing and so forth mr granderson is this something that you will be able to live with yes i will uh there is there is the the use variance um um according to what uh dpna recommended um the the buffer the buffer zone um the the trough and um plants or or concrete wall uh five six feet or eight feet uh i i i can do that one minute thank you for that um mr youssef you i really have any questions for you because you said that you will be willing to

3:45:50 live with the recommendations of the use variants with the stipulations that dpnr offered so kudos to you um thank you for your willingness and um senator of a lot of your name yes senator good afternoon good afternoon how are you doing today i am blessed thank you good i know dpnr also recommended a use variance rather than a b3 for the convenience store and the deli Is that something that your client, Ms. Tirado, will be able to live with to accomplish her goals?

3:46:28 Senator, that's a very good question, and I thank you for it. I would say no, because the plot next to her, which is adjacent to her property, is already sown B3. and Mr. Rado has struggled with this sewn-in request for so long that I think that she deserved the B3 sewn-in change. Okay, I know that she indicated it's a long-time businesswoman here in the community and there was no opposition to the sewn-in request and it is also an opportunity to improve and I saw just an abandoned

derelict building so okay thank you for that information and at the appropriate time I will vote on these three initiatives thank you very much thank you senator Potter and as I indicated earlier we've come to the end of our day and I will offer my comments around these three zonings that's before us. I have a question of DPNR around the Granderson zoning, rezoning requests. I know that the discussions are basically around a buffer and fencing but is there any concerns about noise and trucks moving back and forth etc in that particular area DPNR no I'm hearing you know okay good no there were no concerns based on how

3:48:24 the grandisons operate their business okay so there were no concerns okay well what i'll say is today um from block one and now we're in block two we're wrapping up block two um our entire discussions were around economic development for folks who are virgin islanders folks who have chosen to grow their business here and contribute significantly to the economic development of this Virgin Islands. So we must be cognizant of that.

3:48:58 We continue to talk about growing small businesses and supporting our own businesses, our own people and their business. And I think it's so important that we give strong consideration to these recommendations that's before us. However, I will say that I am only inclined to support these measures based on the recommendations from DPNR. We've worked really hard with DPNR, have significant conversations around them with, you know, they come before us and they say, well, this can't be done. But I think what's important is they've brought before us today recommendations, and they They are the professionals, and we have to, absent of a land and water use plan, I think it's important for us to respect that. We have to consider not what's in front of us today, but what will be in front of the U.S. Virgin Islands long after many of us are gone. So I think that's very important for us to keep in the forefront of our minds. I want to commend Mr. Youssef for continuing on and being a small businessman in this Virgin Islands. It's not easy, and I will definitely support his requests through the use variants as recommended.

3:50:24 Thank you, Madam. He has made all the indications that he is willing to adhere to the conditions and hence my support. Of course, the Toronto matter, the Toronto structure, that particular structure is basically a derelict building right now in the Island District of St. Croix. And our responsibility as legislators is to ensure that if we have an opportunity to change the narrative on derelict buildings, that we in fact do that. And it's commendable that a woman of her age is actually still wanting to make changes and still wanting to invest in business in her community and recognize that she has a granddaughter and her granddaughter would come and provide the necessary support. And I also want to thank the former senator.

3:51:24 I think it's very admirable of you to support Ms. Tirado. It speaks volumes of who I always know you, who you are, our, and is, and remains, that you are just doing this out of the goodness of your heart. That is just, you know, a lot of times we think that we don't have good in the Virgin Islands, but when we have people like yourself, we know that we have good. So I want to thank you for staying here in the paint with us. And I know that you have some of your own challenges that you have to deal with. So I'm going to try to wrap this up quickly. So, and then the grandisons, I do have some concerns, and I really have to drill down further because quiet enjoyment of property is very important. So I will drill down on this further.

3:52:12 I will perhaps make a visit to ensure that I am not making the decision only because of economic development, but making a decision because it's within the best interest of not only economic development, but the best interest of the overall community where this particular project is proposed to sit. So, again, I want to commend every single person on this call who came before us today with regards to this zoning request. You are a fabric of the Virgin Islands community, and we ought not to ignore that you are still wanting to contribute to our Virgin Islands. So that's very important, and provide whatever services that you can to us as Virgin Islanders. So I want to thank you for that.

3:53:04 And without further ado, what I'm going to do is ask each one of you, 30 seconds, just put your closing statement on the record, and we're going to start with, we're going to start with the former senator, Liliana Bellado de O'Neil. Thank you, Senator. Those words that you said about me, it's really pleasing, and I'm honored to hear them. And I'd like to thank the DPNR staff, especially Mrs. Laplace, she has been very helpful.

3:53:40 I want to thank each and every one of you for taking time to be here. And I wish I had been in St. John and salute all my friends there. I commend you for taking this here in St. John. and he I respectfully and humbly ask to consider giving Mrs. Tirado affectionately known as Jenny song b3 for business and remember plat 97 adjacent to her is already sound b3 and the other plant next to her belongs to Mrs. Tirado and then there are a couple of other blank and abandoned houses for B3 would not be a problem in that community. Thank you so much. Have a pleasant evening. Thank you. Mr. or Mrs. Granderson? 30 seconds, close. Well, I want to thank senators and colleagues In closing, I would like to if you approve my request, and I'm really ready to continue with this housing more people temporarily, even if you have to use 67 and 68. Thank you again.

3:55:22 very much appreciated thank you uh mr yousef 30 seconds close i just wanted to thank everybody um today um madam president and all the honorable senators and so thank you everybody first So, I'm proud of this. Thank you, Representative from DPNR Assistant Commissioner or Mrs. Leah Laplace-Machus, either one, close. Hi, good afternoon. Thank you again for allowing the department to face this recommendations on the record.

3:56:06 We need a lot of analysis to determine what would be best for the council as well as the surrounding area. Thank you and I wanna thank everyone for literally spending the day with us. Today was a long day. We started out at the ribbon cutting of the Veterans Drive and we came over to St. John, started our meeting a little later and our day is not ended. We are heading to a viewing for Mr. John Griot. So, I want to thank you for your time today and your honest candor and, of course, your, again, wanting to continue to provide economic development and support to the Virgin Islands community. I want to take this opportunity to also thank the members of the central staff, and I'm not going to call them out today, all central staff employees that provided support to us today. I want to thank you, and let's get home safely. If we have no other business, the Committee of the Whole is hereby adjourned. Oh, I'm sorry.

[illegible]

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke - only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

5x **Senator Franklin D. Johnson**

heard in this transcript as: Johnson

5x **Senator Marvin Blyden**

heard in this transcript as: Blayden, Blyton, Marvin Blayden

5x **Senator Milton E. Potter**

heard in this transcript as: Potter

4x **Senator Carla Joseph**

the surname alone also matches: Clifford Joseph; Karla J. Joseph
heard in this transcript as: Joseph

4x **Senator Genevieve R. Whitaker**

heard in this transcript as: Genevieve Whitaker, Whitaker

3x **Senator Janelle K. Saro**

heard in this transcript as: Saro, Saru

3x **Senator Javan James**

heard in this transcript as: Javon E. James, Javon E. James Sr.

3x **Senator Kurt A. Vele**

heard in this transcript as: Kurt Vele, Vele

3x **Senator Novelle Francis**

heard in this transcript as: Francis, Noveli Francis Jr.

3x **Senator Steven D. Payne Sr.**

heard in this transcript as: Payne, Stephen DePayne Sr., Steven D. Payne Sr

2x **Senator Alma Francis Heidegger**

2x **Senator Marise C. James**

the surname alone also matches: Javan James; Giovanni James Sr
heard in this transcript as: James

2x **Senator Samuel Carrion**
heard in this transcript as: Carriong

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

- Bill 34-0010** Act 8442 · March 2021 · An Act directing the Commissioner of the Department of Planning and Natural Resources to impose a five-year moratorium throughout the Virgin Islands on the issuance of all permits for the construction and operation of gasoline stations ---0
- Act 8398** Act 8398 · An Act providing an amnesty for property owners who have enclosed or have started to enclose the remaining usable space under their houses without submitting building plans to the Department of Planning and Natural Resources for approval or without the issuance of a building permit and the enclosed space or the space to be enclosed does not exceed the boundary of the existing structure ---0
- Act 8442** Act 8442 · March 2021 · An Act directing the Commissioner of the Department of Planning and Natural Resources to impose a five-year moratorium throughout the Virgin Islands on the issuance of all permits for the construction and operation of gasoline stations ---0