



# Parliament of Sint Maarten

## Staten van Sint Maarten

To the Hon. Minister of Public Housing, Spatial Planning, Environment and Infrastructure  
Mr. E.J. Doran  
Government Administration Building  
**Philipsburg**

UV/017/2021-2022

Philipsburg, September 20, 2021

Re: Questions from MP R.A. Peterson regarding long lease land issuance at Over the Bank/Vineyard Heights

Hon. Minister Doran,

Herewith I submit to you questions from Member of Parliament, MP Mr. R.A. Peterson, according to article 62 of the Constitution and Article 69 of the Rules of Order of the Parliament of Sint Maarten.

The letter is self-explanatory.

Yours truly,

R. Brison  
President of Parliament



Raeyhon A. Peterson, LL.M

Member of the Parliament of  
Sint Maarten

Sint Maarten, 15 September 2021

Mr. Rolando Brison  
President of Parliament  
Parliament of St. Maarten  
Wilhelminastraat 1  
Philipsburg, St. Maarten

STATEN VAN SINT MAARTEN			
Ingek. 15 SEP 2021			
Volgnr. 15101521-22			
Par.	J	16	CMG

Subject: Questions to Minister of VROMI regarding long-lease land issuance at Over the Bank/Vineyard Heights

Dear Mr. Chairman:

Pursuant to article 69 of the Rules of Order of Parliament, I hereby request that you forward the attached questions to the Minister of VROMI, the Honorable Minister Egbert J. Doran. Thank you for your assistance in this matter.

Respectfully,

Mr. Raeyhon A. Peterson, LL.M  
Member of Parliament



# Raeyhon A. Peterson, LL.M

---

## Member of the Parliament of Sint Maarten

Sint Maarten, 15 September 2021

Minister Egbert J. Doran  
Ministry of VROMI  
Soualiga Road 1  
Philipsburg, St. Maarten

Honorable Minister Doran:

In the week of Thursday June 17<sup>th</sup> to Wednesday June 24<sup>th</sup> 2021 of the Central Committee meeting on the National Budget 2020, I asked your person several questions regarding the issuance of long lease land in the Over the Bank, certificate of admeasurement 162/2014 (Vineyard Heights).

Taking into consideration the recent reports in the press, my questions from the Central Committee and Public meetings for the Budget 2020/2021 and the recent letter of 9 September 2021 sent to your person by the National Ombudsman of Sint Maarten, I have the following questions:

1. Based on my experience as Head of Domain Affairs, I know that parcels cannot be issued in long lease if there is no infrastructure for accessibility in place. Issuing land before there is infrastructure in place has caused the Ministry of VROMI legal issues in the past. In light of this, has infrastructure been put in place in the area prior to issuing parcels?
2. In 2016, approximately 50 persons were awarded parcels of land in the Over the Bank area. They all received draft decrees pertaining to the land, with the advice from the then-Minister to approach Kadaster to make the certificate of admeasurement for their parcel in the area. Recent reports in the media imply that a new group of 25 persons have also received the exact same draft decrees, with no mention of an official certificate of admeasurement.
  - a. Are these reports true?
  - b. In your response to my question in the Public handling of budget 2020, when I asked if the original 50 persons would be contacted, you stated, verbatim: *"The draft decrees that were signed in 2016 by the then Minister of VROMI were issued while the property was still in court. Taken the aforementioned into consideration and the fact that proper procedures based on the fact that it was in court were not followed. This process was discontinued. A sound approach to best address the situation was determined within the Ministry of VROMI. We inquired for legal advise which we received from our Landsadvocaat Gibson and Associates, where then it indicated that for instance once you apply at a certain period in time and the time elapse where those persons received a draft decree, as you mentioned MP, the time period is 6 months so once that elapsed and nothing else was continued and anybody else that let's say for instance once they inquired, we were able to communicate with them but based on that decree it expired so therefore we could not continue and the process was discontinued with those applicants.*



*Of course we are still seeking the most feasible way to deal with that situation as I find it was a very unfortunate situation, which is my personal opinion."*

- i. Considering this response, can it then be stated that the Ministry of VROMI provided the previous applicants with a "grace period" to contact the Ministry?
  - ii. If not, then did the Ministry reach out on its own to the 50 persons who also received the same document from Government with the intention to issue a parcel of land to them in long lease?
  - iii. If so, what were the responses received?
  - c. Given the principle of equality, were these 50 persons who received a draft decree in 2016 taken into consideration when issuing these new parcels of land in the same area?
  - d. If not, why? Based on your mention of receiving advice from Landsadvocaat Gibson & Associates, which we can assume informed your decision-making in this, can a copy of this advice be provided to the Parliament of Sint Maarten?
  - e. Requests for long lease land are known to date back to the 1990s; the general assumption would be that older requests would be honored above more recent, i.e., the first come/first served principle.
    - i. How many of the persons who recently received draft decrees were on the long lease request registry prior to December 2019?
    - ii. Referring again to the advice received from Landsadvocaat Gibson, how did the Landsadvocaat advise that issuance of these parcels be handled?
3. Was a tender done for the recently displayed architectural rendering of the area?
- a. ICE provided renderings for the infrastructure in the area in 2015/2016. Considering the Ombudsman's comments on continuity and consistency, why were the original plans from ICE, that contained the original layouts for the already-paid for meetbrieven by the previous applicants of 2016, not mentioned or used in the new proposed developments for the area, and which company won the bid?
  - b. Can the documents pertaining to this tender or bid be provided to Parliament?

Respectfully,



Raeyhon A. Peterson, LL.M  
Member of Parliament  
Party for Progress