M-NCPPC Development Review Division
Zoning, Special Exception and Departures Checklist

Submittal Date: 3-5-2025

Project Name & Number DONALD V. BORGWARDT FUNERAL HOME, SE-4848

Technician Review Date: 3-5-2025 Date to Supervisor: 3-5-2025

Reviewer: Evan King

Date Comments Transmitted to Applicant: 3-19-2025

Revised Plans/Documents Received: _____

PLANNING TECHNICIAN - REVIEW OF BASIC REQUIREMENTS

DOCUMENTS REQUIRED:

- ❑ Typed and signed Application Form
- ❑ Business Entity with MD Verification & DAMS entry
- ❑ all documents/plans required for acceptance
- ❑ Zoning Sketch Map (no older than 6 months)
- ❑ Conditions of all previous approvals, including comments ~~from M-NCPPC Permits Office or DER violations~~
- ❑ Approval Letter for SWM Concept Plan
- ❑ ~~Tree Conservation Plan or~~ Exemption Letter
- ❑ State Ethics Commission Affidavit(s)
- ❑ Property Survey, sign/sealed+ bearings/distances
- ❑ **Pre-Acceptance Assessment Reviews from Transportation and Historic Preservation filled out & signed by their staff person**
- ❑ Affidavit of Informational Mailing (letter, "Receipt," list of addressees, & affidavit of mailing)
- ❑ Receipt and All applicable pre-assessments checklist /Scoping Agreement and
- ❑ Point-by-Point Response of Revised Submission (**to be submitted after our initial review comments**)

Property Survey:

- ❑ Professional Signed and Sealed
- ❑ Bearings and Distances in Feet

SITE PLAN Requirements:

General Notes:

- ❑ Subdivision Name
- ❑ Total Acreage **(broken down by all zones)**
- ❑ Existing Zoning
- ❑ Proposed Use of Property
- ❑ Number of Lot, Parcels, Outlots & Outparcels
- ❑ Breakdown of Proposed Dwelling Units by Type
- ❑ Gross Floor Area (Commercial/Industrial Only)
- ❑ 200 Foot Map Reference (WSSC)
- ❑ Tax map number and grid
- ❑ Aviation Policy Area (airport name and APA #)
- ❑ Water/Sewer Designation (Existing)
- ❑ Water/Sewer Designation (Proposed)
- ❑ Stormwater Management Concept Number
- ❑ 10-foot Public Utility Easement along all rights-of-way
- ❑ Mandatory Park Dedication (if applicable, how to be provided)
- ❑ Cemeteries on or contiguous to the property (indicate yes or no)
- ❑ Historic Sites on or in the vicinity of the property (indicate yes or no)
- ❑ Wetlands (indicate yes or no)
- ❑ 100-year floodplain (indicate yes or no)
- ❑ Within Chesapeake Bay Critical Area (indicate yes or no)
- ❑ Source of topography
- ❑ Applicant (indicate either owner or contract purchaser)

Drawing Requirements:

- ❑ Title Block
- ❑ Revision Block
- ❑ Professional Signed and Sealed
- ❑ Location Map
- ❑ North Arrow
- ❑ Drawings at Same Scale
- ❑ Property Boundaries Outlined in Red with Bearings and Distances
- ❑ Zoning of Subject Property
- ❑ Total Area Calculation in Square Feet or Acres
- ❑ Adjacent Properties – Owner's Names, Lot, Block, Zoning, Use and Buildings Within 50 feet
- ❑ Location, Area, Height and Distance to Property Line for Existing and Proposed Buildings, Structures and Uses
- ❑ Dimensions of all Existing and Proposed Buildings and Structures
- ❑ Layout of Parking and Loading Facilities
- ❑ Access and Internal Circulation
- ❑ Schedules for Required Parking and Loading Spaces
- ❑ Typical Sizing of Parking and Loading Spaces

- ❑ Typical Screening of Loading Facilities
- ❑ Drive Aisles - Location, Width, Circulation and Street Connection
- ❑ Proposed Striping Method
- ❑ Lighting - Location, Height and Luminaire
- ❑ Waste Storage Areas and Typical Screening
- ❑ Typicals for Fences and Retaining Walls
- ❑ Existing and Proposed Rights-of-Way and Easements
- ❑ Street Names and Distance to Nearest Intersecting Street
- ❑ Existing Vegetation or Tree Cover
- ❑ Tidal and Nontidal Wetlands
- ❑ Stormwater Management Facilities
- ❑ Storm Drains
- ❑ Steep Slopes
- ❑ Perennial Streams
- ❑ 100-Year Floodplain
- ❑ Notes of Prior Approvals (i.e., Application # for all prior cases)
- ❑ Current Zone Standards -Yards or Building Setbacks, Lot Area, Lot Coverage and Lot Width
- ❑ Keyed Locations of Landscape Materials
- ❑ Planting Schedules:
  - ❑ Residential Requirements
  - ❑ Commercial/Residential Landscaped Strip
  - ❑ Parking Lot Landscaped Strip
  - ❑ Perimeter Area
  - ❑ Interior Planting
  - ❑ Buffering Res from Streets
  - ❑ Bufferyard Planting
  - ❑ Planting Details and Specifications
  - ❑ Plant Substitution Notes
  - ❑ Existing Trees and Preservation Deta

PLANNER - Statement of Justification Review:

- ❑ Specific Special Exception Requirements - Section _____
- ❑ General Special Exception Requirements - Section 27-317
- ❑ Variances from Special Exception or Zoning Requirements - Section 27-230
- ❑ Alternative Compliance with the Landscape Manual - Section 1.3
- ❑ Certification of Non-conforming Use 27-244
- ❑ Departure from Landscape Manual Requirements - Section 27-239.01(a)(9)(A)&(B)
- ❑ Departure from Parking/Loading Design Standards - Section 27-239.01(b)(7)(A)
- ❑ Departure from Parking and Loading Spaces - Section 27-588(b)(7)
- ❑ Departure from Design Standards 27-239.01
- ❑ Departure from Sign Design Standards - Section 27-239.01(a)(9)(A)
- ❑ Special Permits 27-239.02
- ❑ Conventional Zones - Section 27-157(a)

APPLICATION DEFICIENCIES

TECHNICIAN COMMENTS:

1. Please complete and sign a current application form, dated 2023

SUPERVISOR COMMENTS: JDH 3/18/2025 **X SCHEDULE FOR SDRC**

~Provide height and show dimensions of the proposed chimneys on the evaluation

~Label pervious plans as their SE case numbers not CVIP-SE-484-02, etc

~Provide dimensions of distance from proposed and existing building to all property lines on all four sides. Clarify if a departure is needed and submit the required materials, or if the improvements that required the previous departure have been removed.

~Planning Board level case for new use.

REVIEWER COMMENT:

Show circulation/drive aisles and parking space dimensions

Provide current landscape plan including all drawing requirements not applicable to site plan

Label distances of structures, proposed and existing, to property boundaries on all plans

Not ready to accept – EJK 3/19/2025

Subdivision Section: Okay to accept. SKC 3/14/2025

The subject property, Parcel 42, has no applicable preliminary plan of subdivision (PPS) or final plat. Per Section 24-107(c)(7)(C) of the prior Subdivision Regulations, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from filing a PPS and final plat. Per the narrative, a 3,000 square foot office space and 1,400 sf garage was approved on the property on November 7, 1990 (Special Exception SE-3988). However, the garage was not constructed, and a 3,101 square-foot addition was constructed after January 1, 1990.

The applicant proposes a second addition of 1,664 square feet on the property. The total GFA added after January 1, 1990 will be, therefore, 4,765 square feet of GFA, less than 5,000 sf. This development will be exempt from a PPS and final plat.

MG 3/16/25

Environmental Planning Section: Okay to accept, with Comment #1 being addressed with the acceptance package. Comment #2 may be addressed after acceptance. CM 3/5/2025.

1. The site has an approved natural resource inventory equivalency letter, NRI-075-2024. Provide the equivalency letter in the case file.
2. A statement of justification discussing how the project will meet the policies of the "Environmental Infrastructure" section of the 2010 Approved Subregion 1 Master Plan found on Pages 35-42

Note: The standard letter of exemption from the woodland conservation ordinance, S-075-2024, was valid as of June 30, 2024 and pursuant to Prince George's County CB-077-2024 shall remain valid until June 30, 2026, on which date the exemption will expire.

Geotechnical review OK to accept. DS 3/10/2025

Transportation Planning Section:

Ok to accept. NS 3/12/2025

Historic-Archeology Section:

No further information is required. OK to accept. AGC 3/5/25

Community Planning Division:

Generally ok to accept. 27-317(a)(3) states that for approval, the proposed use will not substantially impair the integrity of any validly approved Master Plan; however, a statement of justification discussing this criterion is not required for submittal per 27-296. Staff suggests providing a memorandum discussing how this proposal and use complies with the development pattern elements, environmental infrastructure, and other applicable chapters of the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment.* ENL 3/11/2025

Special Projects :

SPS has no comments for the subject case type

Parks Department:

Case Number & Name: SE-4848 DONALD V. BORGWARDT FUNERAL HOME

Assigned Reviewer:

Please use the box to state the purpose of the application, as you want it to appear in DAMS description: *(Note DAMS description can only hold 180 characters)*

Funeral parlor or undertaking establishment and crematory.

SELECT the REVIEW level

	Planning Director level review Posting is waived OR Posting is required?
X	**Planning Board level review**

SELECT SDRC scheduling option-

X	**YES, application must be scheduled for SDRC**
	NO, application does NOT need be scheduled for SDRC

Date/Initials: _____ Ready for Pre-Acceptance. ~~I have reviewed the sign posting map linked and agree OR have changes.~~

Date/Initials: _____ Items needed to complete processing

Supervisor's Approval: _____

_____

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

Contact: DRDapplications@ppd.mncppc.org

APPLICATION FORM

APPLICATION TYPE: Special Exception ☐Revision of Case # N/A

Companion Cases: NRI-075-2024, WCO Ex S-075-2024, SDCP 41723-2024-SDC

Payment option: ☐Credit Card ☑Check (payable to M-NCPPC) *Do not submit payment until requested by staff*

PROJECT NAME: Donald V. Borgwardt Funeral Home

Complete address (if applicable) 4400 Powder Mill Road, Beltsville, MD 20705

Geographic Location (distance related to or near major intersection)
Located along the northeast side of Powder Mill Road, approximately 250-feet northwest of its intersection with Roby Avenue

Total Acreage: 1.74 acres	Aviation Policy Area: N/A	Election District: 1
Tax Map/Grid: 12/F3	Current Zone(s): RR (submitting under prior R-R)	Council District: 1
WSSC Grid: 215NE05	Existing Lots/Blocks/Parcels: Part of Parcel 42	Dev. Review District: N/A
Planning Area: 61 - Fairland-Beltsville & Vicinity	In Municipal Boundary: N/A	Is development exempt from grading permit pursuant to 32-127(a)(6)(A)? ☐ Yes ☑ No
Tax Account #: 0061812	Police District #: VI - Beltsville	General Plan Growth Policy: Established Communities

Proposed Use of Property and Request of Proposal:
Special Exception Request to add a 1,664 sf. building addition to an existing Funeral Home or Undertaking Establishment for the use of a Crematory. Minor reconfiguration of the existing parking compound.

Please list previously approved applications affecting the subject property:
SE-3267 - (PGCPB 81-219), SE-3988 - Decleration of Finality Issued by DC on 2-22-1991).
AC-90159 & DDS-397 - (PGCPB No. 91-1)
Other Approvals - NRI-075-2024, WCO Ex S-075-2024, SDCP 41723-2024-SDC

Applicant Name, Address & Phone:
Donald V. Borgwardt
4400 Powder Mill Road,
Beltsville, MD 20705

Owner Name, Address & Phone:
(if same as applicant indicate same/corporation see Disclosure)
Donald V. and Katherine L. Borgwardt
4400 Powder Mill Road, Beltsville, MD 20705

Consultant Name, Address & Phone:
Atwell, LLC - (Mr. Barry Caison)
11721 Woodmore Road, Suite 200
Mitchellville, MD 20721, (301-430-2000)

Contact Name, Phone & E-mail:
Mr. Barry Caison, 301-430-2000, (bcaison@atwell.com)

Attorney - Mr. Russell W. Shipley, Shipley & Horne, P.A.
301-925-1800, (rshipley@shpa.com, jferrante@shpa.com)

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures):

Donald V. Borgwardt	3-21-2025	Donald V. Borgwardt	3-21-25
Owner's Signature (signed)	Date	Applicant's Signature (signed)	Date
Contract Purchaser's Signature (signed)	Date	Applicant's Signature (signed)	Date
N/A			

FOR STAFF USE ONLY Application No.(s):

SUBDIVISION CASES: Preliminary Plan of Subdivision/Conservation Sketch Plan

Type of Application (Check all that apply): ☐Conventional Subdivision ☐Conservation Subdivision
☐ Conservation Sketch Plan ☐ Subdivision Ordinance Interpretation ☐ Vacation Petition

Variation, Variance or Alternative Compliance Request(s): ☐Yes ☐ No	Applicable Zoning/Subdivision Regulation Section(s): _____

Total Number of Proposed:
Lots _____ Outlots _____ Parcels _____ Outparcels _____

Number of Dwelling Units: Attached_____ Detached_____ Multifamily_____	Gross Floor Area (Nonresidential portion only): _____

SUBDIVISION CASES: Final Plat

Water/Sewer: ☐DPIE ☐Health Department	Number of Plats: _____
Detailed Site Plan No.: _____	WSSC Authorization No.: _____
Approval Date of Preliminary Plan: _____	Check box if a hearing is requested: ☐

URBAN DESIGN AND ZONING CASES

Type of Application (Check all that apply): ☐Certification of Nonconforming Use ☐ Conservation Plan
☐ Detailed Site Plan ☐ Planned Development ☐ Secondary Amendment ☑ Special Exception
☐ Zoning Map Amendment ☐ Zoning Ordinance Interpretation

Details of Request: Special Exception Request to add a 1,664 sf. building addition to an existing Funeral Home or Undertaking Establishment for the use of a Crematory	Applicable Zoning Ordinance Section(s): Section 27-317 - Req. Findings for Approval of a SE Section 27-341 - Specific SE Req. for Cemetery or Crematory Section 27-357 - Specific SE Req. for Funeral Parlor or Undertaking Establishment

Total Number of Proposed:
Lots 0 Outlots 0 Parcels p/o 1 Outparcels 0

Number of Dwelling Units: Attached N/A Detached N/A Multifamily N/A	Gross Floor Area (Nonresidential portion only): Exist. Funeral Home - 8,101 sf.(to remain), Proposed Crematory - 1,664 sf., (Total GFA = 9,765 sf.)
Variance Request: ☐Yes ☑No	Applicable Zoning/Subdivision Regulation Section(s): N/A
Departure Request: ☐Yes ☑No	Application Filed: ☐Yes ☑No
Alternative Compliance Request: ☐Yes ☑No	Application Filed: ☐Yes ☑No

APPLICATION FORM DISCLOSURE

List all persons having at least five percent (5%) interest in the subject property ONLY required for Special Exception and Zoning Map Amendment Applications.

Owner(s) Name (printed)	**Signature and Date**	**Residence Address**
Donald V. Borgwardt - President & 100% Shareholder	Donald V. Borgwardt 3-21-25	4400 Powder Mill Road, Beltsville, MD 20705
of Donald V. Borgwardt, Funeral Home, P.A.		

If the property is owned by a corporation, please fill in below.

Officers	**Date Assumed Duties**	**Residence Address**	**Business Address**
Donald V. Borgwardt	President & 100% Shareholder	4400 Powder Mill Road, Beltsville, MD 20705	4400 Powder Mill Road, Beltsville, MD 20705

Officers	**Date Assumed Duties**	**Date Term Expires**	**Residence Address**	**Business Address**

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1800
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

March 24, 2025

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to The Process Guidelines for Development Review Applications, Informational Acceptance Mailing letters regarding the application for Special Exception, SE-4848 - "Donald V. Borgwardt Funeral Home", were mailed to all adjoining and abutting property owners, registered associations, municipalities within a mile, and previous parties of record on or about March 24, 2025.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this paper are true.

Russell W. Shipley

3-24-25
Date

STATE OF MARYLAND :
COUNTY OF PRINCE GEORGE'S :

I, **MARILYN K. TAYLOR**, a Notary Public of said County, do certify that Russell W. Shipley, personally appeared before me and made known to me to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his free act and deed.

Marilyn K. Taylor
NOTARY PUBLIC

My Commission expires: 07/24/2028



LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

March 24, 2025

VIA FIRST CLASS MAIL

RE: Project Name - Donald V. Borgwardt Funeral Home
Special Exception No. SE-4848

Dear Neighbor:

This correspondence is being sent to you because you have been identified as one of the following: an adjoining or abutting property owner, a municipality within one (1) mile, a previous party of record, and/or a registered homeowners or civic association. This letter is to inform you that The Maryland-National Capital Park and Planning Commission, MNCPPC is ready to accept the subject application.

The address of the subject property is 4400 Powder Mill Road, Beltsville, MD 20705. The subject property consists of 1.74 acres in the RR (Residential, Rural) Zone, and is located along the northeast side of Powder Mill Road approximately 250-feet northwest of its intersection with Roby Avenue. The existing funeral home has been in operation on the property since approximately 1985 and was approved as part of prior Special Exception applications, SE-3267 & SE-3988. The nature of this review is to add a 1,664 square-foot building addition to the funeral home that will contain a crematory. Minor revisions to the existing parking compound are also proposed.

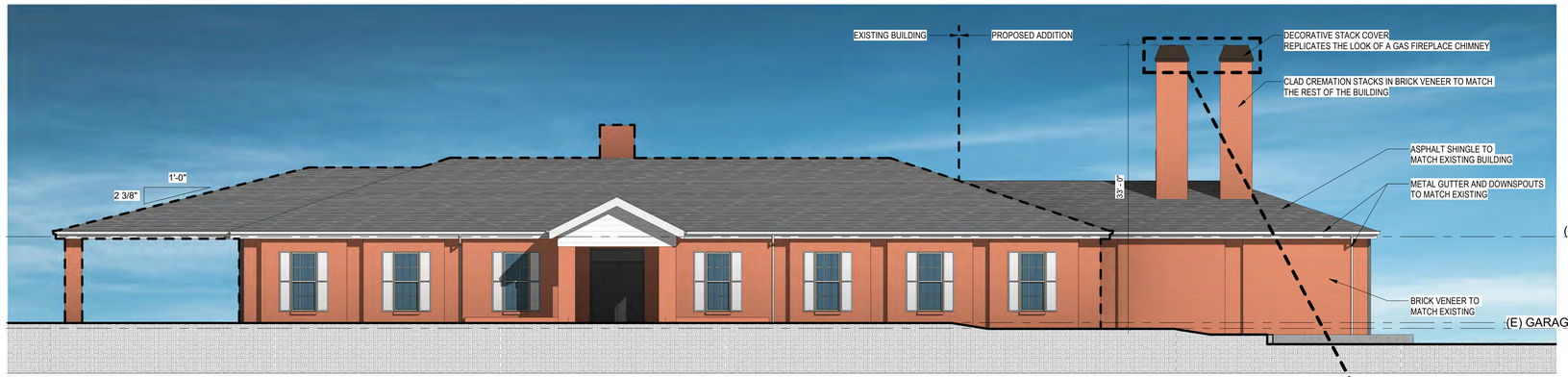
Once the application is formally accepted, it will be scheduled for a future Planning Board hearing. If you have not already registered to become a person of record, you are encouraged to do so at this time. As a Person of Record, you will be notified of the future Planning Board hearing and may be entitled to certain rights under the Zoning Ordinance, Subdivision Regulations, and Woodland and Wildlife Habitat Conservation Ordinance, but registration is required. You may register online at https://www.mncppcapps.org/planning/Person_of_Record/default.cfm, or you may submit your name, address, and the above referenced application number and name by mailing a written request to:

The Maryland-National Capital Park and Planning Commission
Development Review Division
1616 McCormick Drive
Largo, MD 20774

If you have already registered to become a person of record from an earlier mailing for this application (SE-4848), you do not have to register again. Being a person of record on a separate application on the same property does not make you a person of record for the subject application. You must request to become a person of record for each separate application (separate applications have different application numbers). If you have any questions or comments about this application, or if you are interested in receiving more information, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Russell Shipley at 301-925-1800 or at rshipley@shpa.com, or the M-NCPPC at 301-952-3530.

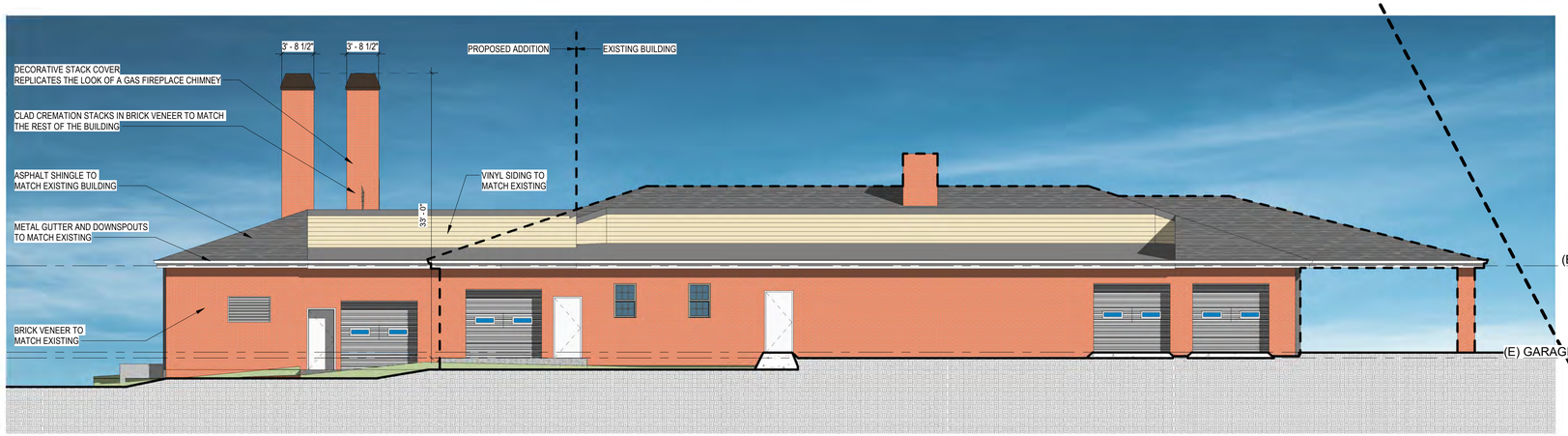
Sincerely,

Russell W. Shipley



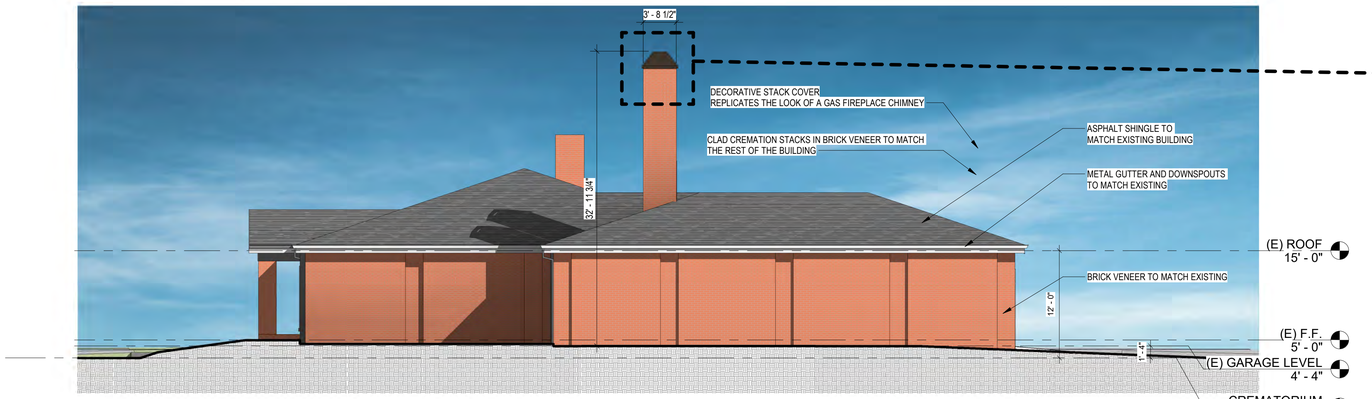
3 P1 **EXTERIOR ELEVATION SOUTH - ADDITION**

SCALE: 1/8" = 1'-0"



2 P1 **EXTERIOR ELEVATION NORTH - ADDITION**

SCALE: 1/8" = 1'-0"



1 P1 **EXTERIOR ELEVATION EAST - ADDITION**

SCALE: 1/8" = 1'-0"



CREMATORIUM STACK CLADDING EXAMPLES

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AREL ARCHITECTS, INC.
5827 ALLENTOWN WAY
TEMPLE HILLS, MD 20748
TEL 301-868-2735 | FAX
301-449-7400
WWW.ARELARCHITECTS.COM

AREL ARCHITECTS FOR:

DONALD V. BORGWARDT
FUNERAL HOME AND CREMATORY

March 20, 2025

EXTERIOR VIEW + ELEVATIONS

LAW OFFICES
SHIPLEY & HORNE, P.A.
1101 Mercantile Lane, Suite 240
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Telephone: (301) 925-1800
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*Also admitted in the District of Columbia

March 25, 2025

VIA ELECTRONIC MAIL
Mr. Jeremy Hurlbutt
Zoning Section, Supervisor
Development Review Division
Prince George's County Planning Department
1616 McCormick Drive, 2nd Floor
Largo, MD 20774

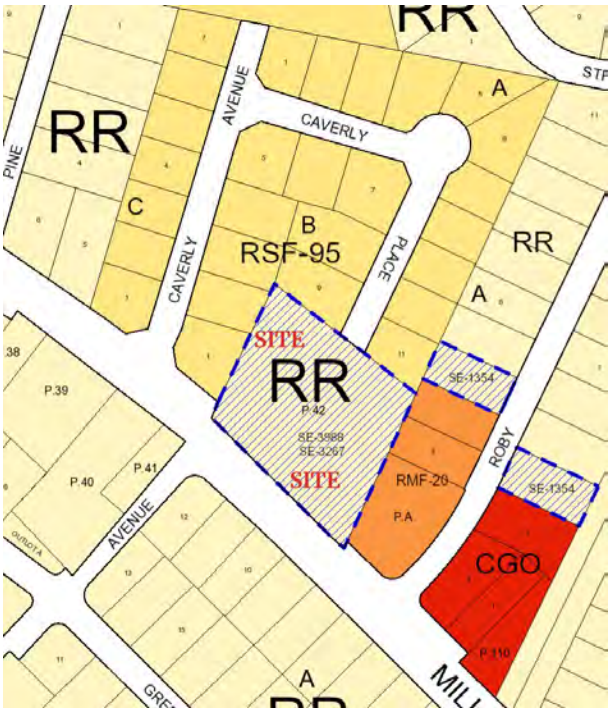
RE: DONALD V. BORGWARDT FUNERAL HOME
Special Exception No. SE-4848
(Funeral Home & Crematory)
Revised Statement of Justification

Dear Mr. Hurlbutt:

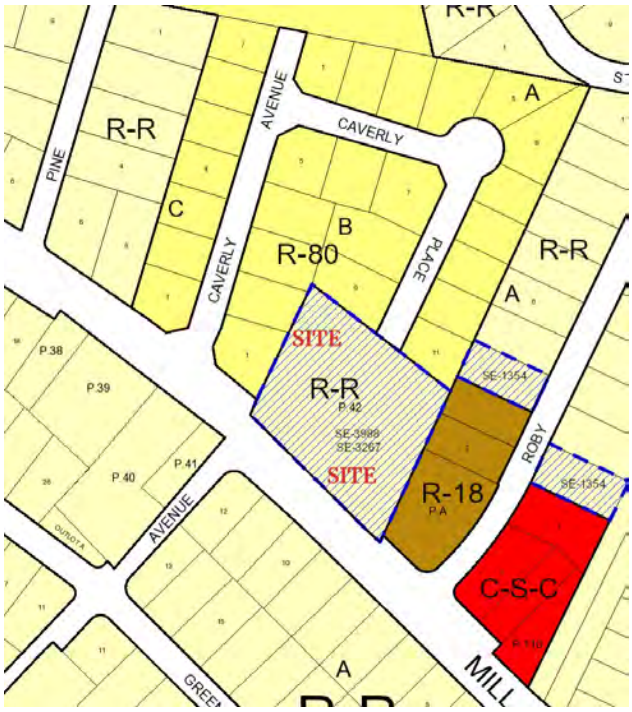
On behalf of our client, Donald V. Borgwardt, (the "Applicant"), Russell Shipley, and Shipley and Horne, P.A. submits this statement of justification in support of Special Exception No. SE-4848. The Donald V. Borgwardt Property (the "Property") is a tract of land located along the northeast side of Powder Mill Road approximately 250-feet northwest of its intersection with Roby Avenue. The subject Property is known as Part of Parcel 42, which is a legal tax parcel, (created prior to January, 1982) and has a premise address of 4400 Powder Mill Road, Beltsville, Maryland 20705. The Property has two existing direct access points to Powder Mill Road that will remain in place. Powder Mill Road is a Master Planned Collector Roadway with a designated right-of-width of 60 to 80 feet, (MD-212A). No additional access points are proposed with the subject application.

The Property consists of approximately 1.74 acres, (75,967 square feet), and is located in Planning Area 61, within Councilmanic District 1, and further located on Tax Map 12, in Grid F3. The Property is currently located in the RR (Residential, Rural) Zone. Notwithstanding, the Applicant elects to utilize the R-R (Rural Residential) Zoning provisions of the prior Zoning Ordinance in effect prior to April 1, 2022, as described herein.

Current Zoning Map



Prior Zoning Map



A. BACKGROUND

Previous Approvals

The prior approvals for the subject Property include the following:

October 1, 1981 – Special Exception, SE-3267, is recommended for approval by the Prince George's County Planning Board for a Funeral Home and its associated parking and loading on 1.7 acres in the R-R (Rural-Residential) Zone via Planning Board Resolution No. PGCPB 81-219.

December 28, 1981 – Special Exception, SE-3267, is approved by the Zoning Hearing Examiner (the "ZHE") with two conditions for a Funeral Home and its associated parking and loading on 1.7 acres in the R-R (Rural-Residential) Zone.

March 12, 1982 – Variance (Appeal No. 7202) is granted to waive the requirement for a 6-foot-high fence along the western property line to be located 5 feet away from the adjoining residential lot line pursuant to Section 27-357(a)(6). **Note - This requirement no longer exists in Section 27-357(a), the Specific Special Exception Requirements for a Funeral Parlor or Undertaking Establishment.*

November 7, 1990 – Special Exception, SE-3988, is approved by the ZHE with no

conditions for a 30' X 100' addition to the rear of the existing Funeral Home for use as office space. This approval also included a 28' x 50' detached garage and the reconfiguration of the existing loading area. The relocation of fencing along the rear property line was required prior to signature approval of the SE plan to conform with Alternative Compliance application, AC-90159, shown below:

January 17, 1991 – Alternative Compliance application, AC-90159, (for Section 4.7 of the Landscape Manual), and DDS-397, (to waive 30 feet of the required 50-foot setback for access to a loading space adjoining a residential zone), is approved by the Planning Board via PGCPB Resolution No. 91-1.

February 22, 1991 – The District Council elects not to hear Special Exception, SE-3988, and the prior decision from the ZHE becomes final.

June 10, 2024 – Natural Resources Inventory Equivalency Letter, NRI-075-2024, is approved by the Environmental Planning Section.

June 10, 2024 – Woodland Conservation Letter of Exemption, S-075-2024, is approved by the Environmental Planning Section.

February 7, 2025 – Site Development Concept Plan No. 41723-2024-SDC is approved by the Department of Permitting, Inspections, and Enforcement ("DPIE").

B. ELECTION TO UTILIZE PRIOR ZONING PROCEDURES (Section 27-1903(b))

On April 1, 2022, the approved Countywide Sectional Map Amendment ("CMA") and the updated Prince George's County Zoning Ordinance ("New Zoning Ordinance") became effective and rezoned the subject Property from the R-R (Rural Residential) Zone to the RR (Residential, Rural) Zone.

Notwithstanding, the Applicant elects to have SE-4848 reviewed utilizing the applicable provisions of the prior Zoning Ordinance pursuant to Section 27-1903(b) of the current Zoning Ordinance which states the following:

27-1903. Applicability

> ***(b) Except as otherwise provided in this Section, development applications of any type for properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the subject property.***

RESPONSE: All of the subject Property was included in prior special exception applications, SE-3267 & SE-3988, which approved the use of the existing funeral home on the subject Property. These applications were reviewed and approved utilizing the provisions of the prior Zoning Ordinance. Section 27-1903(b) allows development

applications that are not located in the LCD, LMXC and LMUTC Zones to utilize the prior Zoning Ordinance for the development of the property. The existing funeral home and proposed crematory will be owned and operated by the same business entity, and the special exception boundaries included in the prior approved applications, (SE-3267 & SE-3988), will remain unchanged. As a result, it makes perfect sense from a planning perspective to utilize the same requirements reviewed and approved at the time of the prior special exception applications to be utilized with the current application. As a result, the Applicant is requesting that SE-4848 be reviewed utilizing the R-R Zoning provisions of the Zoning Ordinance that existed prior to April 1, 2022.

C. NEIGHBORING USES AND ZONES

The Property consists of 1.74 acres in the R-R (Rural Residential) Zone, and is further located in Planning Area 61, Councilmanic District 1, and Tax Map 12, in Grid F3. The Applicant's Property is improved with an existing 8,101 square-foot funeral home that was approved per prior special exceptions applications, SE-3267 & SE-3988. The subject Property is surrounded to the north, south, east and west by the following uses:

North: Detached single-family dwellings in the R-80 Zone within the Caverly Hills Subdivision, and the terminus of Caverly Place, (a 50-foot wide public right-of-way).

South: Powder Mill Road, a Master Planned Collector Roadway with a designated right-of-width of 60 to 80 feet, (MD 212A), and beyond, detached single-family dwellings in the R-R Zone within the Homedale Subdivision

East: A vacant parcel at the corner of Powder Mill and Roby Avenue in the R-18 Zone (owned by the Applicant), and a small multifamily building in the R-18 Zone, (also owned by the Applicant). Further to the east is Roby Avenue, (a 50-foot wide public right-of-way), and beyond, The Beltsville-Adelphi Boys & Girls Club, and a commercial convenience center containing a food & beverage store (7-11), hair salon, nail salon, restaurant, and general/medical offices in the C-S-C Zone

West: Detached single-family dwellings in the R-80 Zone within the Caverly Hills Subdivision, and beyond, Caverly Avenue, (a 50-foot wide public right-of-way)

D. NEIGHBORHOOD BOUNDARIES

As described in prior approved SE-3267, the property is located between Pine Street and Roby Avenue, and fronts along the northern side of Powder Mill Road (MD 212A). The Property adjoins lots developed with detached single-family and multifamily dwellings,

(apartments). The nearest commercial use is located just east of Roby Avenue. The neighborhood boundaries are delineated by Old Gunpowder Road, Avondale Road, Lincoln Avenue, Emack Road, Foreston Road, Greenwood Road, Kenny Street, and 34th Place.

As further described in prior approved SE-3988, the neighborhood of the Property is the area located between Ammendale Road, Lincoln Avenue North, Emack Road, Greenwood Road, Kenny Street, and 34th Street and Old Gunpowder Road. The general neighborhood is described as being residential in nature with a convenience commercial center located just across Roby Avenue.

Consistent with these prior approved special exception applications, the Applicant would describe the neighborhood of the Property as being the area located between Ammendale Road and North Lincoln Avenue, (**to the North**), Emack Road, (**to the East**), Greenwood Road and Kenny Street, (**to the south**), and 34th Place and Old Gunpowder Road, (**to the West**).

With the exception of one new institutional use located along the southwest quadrant of Ammendale and North Lincoln Avenue, (The New Temple of Jain Society of Metropolitan Washington at 4241 Ammendale Road), the Applicant contends that the general neighborhood described in the prior special exception applications remains the same as being "residential in nature with a convenience commercial center located just across Roby Avenue".

E. DEVELOPMENT DATA SUMMARY

DEVELOPMENT DATA SUMMARY		
	Prior Approved Applications (SE-3267 & SE-3988)	**Proposed (SE-4848)**
Zones:	R-R	RR (Former R-R Zone applies)
Uses:	Funeral Home or Undertaking Establishment	Funeral Home or Undertaking Establishment & Crematory

Gross Floor Area:	**SE-3267** Funeral Home - 5,000 sf. Detached Garage - 988 sf. (Note - Detached Garage was not constructed) **SE-3988** Funeral Home - 5,000 sf. Addn. for Office Space - 3,000 sf. New Detached Garage - 1,400 sf. (Note - Detached Garage was not constructed)	**Existing** Funeral Home - 8,101 sf. (to remain) **Proposed** Crematory - 1,664 sf. **Total GFA** = 9,765 sf.
Total Gross Acreage:	1.74 acres	1.74 acres
100-Year Floodplain	0.0 acres	0.0 acres
Net Acreage:	1.74 acres	1.74 acres

Street Views of Property & Existing Funeral Home





F. RELATIONSHIP TO COUNTY PLANS AND POLICIES

Plan Prince George's 2035

This special exception application requests the approval of a proposed 1,664 square foot addition for a crematory operation to the existing funeral home or undertaking establishment facility on the subject property. The Property is currently within the RR Zone, which was formerly known as the R-R Zone. According to the approved 2035 General plan, the subject Property has a future land use of "Residential Low" and is within the "Established Communities" growth tier, as shown on the Growth Policy Map. Prior to the approval of the 2035 General Plan, the subject Property was classified within the "developing" growth tier within the 2002 General Plan.

The requested special exception fulfills the goals of the "Established Communities" Growth tier as the proposed application allows for the context-sensitive expansion of an existing commercial development. The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home or undertaking establishment on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan. This proposed expansion location was specifically chosen to place

the crematory in close proximity to the existing funeral home and preserve views from Powder Mill Road and the surrounding neighborhood. The development proposed will thereby further allow the funeral home facility to expand its services that it offers its customers and enhance job growth opportunities at the site.

The following demonstrates how the proposed special exception application is in substantial harmony with the tier-specific policies established in *Plan Prince George's 2035*. The land use policies for *Plan Prince George's 2035* are as follows:

POLICY 1:

Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

Goals

LU1.1 ***To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).***

LU1.2 ***Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.***

LU1.3 ***Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).***

LU1.4 ***Annually review and report on county growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.***

LU1.5 ***Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).***

LU1.6 ***Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.***

RESPONSE: The proposed development contributes to Policy 1 by facilitating the development recommended for the subject Property in both Plan Prince George's 2035 and the 2010 Subregion 1 Master Plan with uses that are permitted in the prior R-R Zone via special exception approval. This development is entirely consistent with the vision, policies, and strategies contained within Plan Prince George's 2035. In Plan Prince George's 2035, the subject Property is within the Established Communities designation on the Growth Policy Map. These are areas outside Centers and Districts that are served by public water and sewer.

Furthermore, as discussed below, the 2010 Subregion 1 Master Plan recommends a "Residential Low" use for this Property. This special exception proposes a minor expansion of the existing funeral home building that will allow the business to offer another service for its customers. This expansion would be for a crematory use as a component of a funeral home facility that has continuously been found to be in conformance with the prior R-R Zone and surrounding community via several prior SE approvals.

This proposed development will also enhance employment growth in the Established Community areas of Plan Prince George's 2035, which projects to add an additional 22,800 new jobs in these regions of the County (See Plan Prince George's 2035, Table 17, p. 110). The proposed development of the Property will thereby continue the progress towards meeting the job creation goal established with the passage of Plan Prince George's 2035.

POLICY 2:

Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

Goals

LU2.1 ***Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of Environmental Resources (DER) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.***

LU2.2 ***Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the county's Water and Sewer Plan.***

RESPONSE: The Property is located within the growth boundary designated in Plan Prince George's 2035. The Applicant is not seeking to amend nor expand the existing growth boundary, but instead, is seeking approval of a special exception application to develop the Property in accordance with the "Residential Low" land use recommendations provided within the 2010 Subregion 1 Master Plan as illustrated by the site's history as an existing funeral home. This funeral home is designated as a permitted special exception use, which was analyzed in two prior special exception approvals by the ZHE. The proposed crematory would allow for an expansion of services of the existing business that would be developed in a manner that is consistent and compatible with the funeral home facility and continues to respect the surrounding neighborhood.

POLICY 3:

Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

Goals

LU3.1 ***Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.***

LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (see also Section V: under Plan Administration for Amendments and Updates).

LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.

RESPONSE: As noted above, the proposal for the development of the subject Property is consistent with the recommendations of Plan Prince George's 2035 and has been designed to conform with the "Residential Low" land use recommendations provided within the 2010 Subregion 1 Master Plan as illustrated by the site's history as an existing funeral home, which was permitted and continued to be analyzed via several special exception entitlements. The development of a crematory addition proposed in this special exception application is consistent with recommendations of Plan Prince George's 2035 for "Established Communities" and the Growth Policy Map.

POLICY 4:

Phase new residential development to coincide with the provision of public facilities and services.

Goals

LU4.1 Annually evaluate the county's residential and employment forecast projections to identify the amount of new land area required to meet demand.

LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the County code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.

LU4.3 ***Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.***

RESPONSE: The Applicant acknowledges the above Policy 4 goals but notes that they are **not** applicable to this special exception application as no residential land uses are proposed. Nevertheless, the proposed addition of this site is in substantial conformance with both Subtitles 24 & 27 of the county code.

As stated in the pre-application review comments received from the Subdivision Section on March 19, 2025, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from the filing of a preliminary plan of subdivision (PPS) and final plat. The total gross floor area that was added after January 1, 1990, is 4,765 square feet. As such, the proposed application is exempt from the filing of a PPS and a final plat.

POLICY 5:

Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

RESPONSE: As analyzed by Lenhart Traffic Consulting, Inc., in the memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site and will meet the traffic operation requirements detailed in the Zoning Ordinance for special exception applications.

The memorandum further notes that The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for the existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support include burial or cremation services. It should also be noted that a majority of funeral processions start at a church, or similar place of worship, and the proceed to the cemetery from there. As such, most funeral processions to do not begin at the subject Property.

Regarding conformance to the prior Zoning Ordinance, the memorandum notes that the proposed crematorium would be located outside of any proposed master plan right-of-way and would not have an adverse impact on trips to or from the site. Therefore, the proposed addition of a crematory to the site would meet all the applicable requirements of the prior Zoning Ordinance.

POLICY 6:

Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

Goals

LU6.1 ***Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).***

POLICY 7:

Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

Goals

LU7.1 ***Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.***

LU7.2 ***Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.***

POLICY 8:

Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.
Goals

LU8.1 ***Coordinate land use planning with county municipalities.***

LU8.2 ***Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.***

LU8.3 ***Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.***

LU8.4 ***Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they help protect, strengthen, and revitalize the Established Communities.***

LU8.5 ***Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.***

RESPONSE: In response to Policy 6, Policy 7, and Policy 8, the proposed development will create local construction jobs and employment opportunities within the crematorium as a component of the funeral home facility, which will present valuable employment growth openings for Prince George's County residents. These employees will contribute to the local tax base and economy and bring with them skills and education levels that will make them valuable additions to the job market, resulting in employment growth in the Master Plan region.

POLICY 9:

Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

Goals

LU9.1 ***Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.***

LU9.2 ***Develop a countywide strategic plan for future retail***

development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.

RESPONSE: The Applicant acknowledges the above Policy 9 goals, but notes they are **not** applicable to the subject special exception application, which is not located in a commercial zone and is not proposing any rezoning request to a commercial zone.

POLICY 10:

Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Goals

LU10.1 ***Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.***

LU10.2 ***Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.***

LU10.3 ***Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).***

RESPONSE: The Applicant acknowledges these goals and notes the subject Property is located within Water and Sewer Categories, W-3 and S-3. As such, adequate water and sewer facilities and services already exist on-site to serve the subject Property and the proposed addition. Furthermore, the development proposed is wholly consistent with the 2010 Subregion 1 land use recommendation and will be a component of the proposed job growth estimate for the Established Communities area in Plan Prince George's 2035.

POLICY 11:

Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Goals

LU11.1 ***Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.***

LU11.2 ***Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.***

LU11.3 ***Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify postreclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.***

LU11.4 ***To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.***

RESPONSE: There are no known portions of the Property classified in the Priority Preservation Area (PPA) pursuant to the approved *Priority Preservation Area Functional Master Plan*. The Property is located within the Established Communities designation and

Environmental Strategy Area 2 of Plan Prince George's 2035. The Property does **not** contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the *2024 Woodland and Wildlife Habitat Conservation Ordinance*, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. Lastly, a Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025, which notes that the site is exempt from stormwater management requirements since less than 5,000 square feet is proposed to be disturbed.

POLICY 12:

Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Goals

LU12.1 ***Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.***

LU12.2 ***Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).***

LU12.3 ***Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.***

RESPONSE: The Applicant acknowledges the goals in Policy 12 but notes that they are **not** applicable to this special exception application, as they are to be implemented by the Prince George's County Planning Department and do not specifically apply to the subject Property.

2010 Subregion 1 Master Plan and Sectional Map Amendment (the "Master Plan") –

On June 23, 2010, the Prince George's County District Council adopted the Resolution of Approval for the *2010 Approved Subregion 1 Master Plan and Sectional Map Amendment,* (CR-58-2010). The Master Plan presents several engagement areas with policies and strategies to consider. These engagement areas consist of the following categories:

- *Development Pattern Elements*
- *Infrastructure Elements*
- *Economic Development, Urban Design, and Historic Preservation*

Development Pattern Elements

The prior 2002 General Plan notes that the subject site is located within the "Developing" growth tier and has a future land use of "Residential Low." This proposed special exception application supports this designation as it allows for the improvement of an existing small-scale commercial facility (funeral home) that was previously found to not substantially impair the integrity of the relevant applicable master plans via SE-3267 and SE-3988. As previously determined with the prior approved SE application, the continuation of the existing funeral home on the Property would not substantially impair the integrity of the master plan, and the addition of a small crematory along the eastern side of the existing funeral home building, (totaling only 1,664 square feet in size), would not affect this prior determination or result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan.

These special exception approvals evaluated a funeral home use in areas of the master plan designated for low-density residential uses. Furthermore, the expansion of the facility will have no effect on the prior approved landscape plan for the Property, which meets all applicable landscaping requirements of the Prince George's County Landscape Manual (the "Landscape Manual"). A signed and sealed Landscaping Certification has also been submitted that evaluates the condition of all existing plant materials on the subject Property.

The Master Plan provides several policies and strategies regarding development in the Developing Tier which are shown on page 13 and below, ***highlighted in italic bold:***

Developing Tier

Policy 1: Preserve and enhance the suburban neighborhood character.

Strategies: ***Enforce codes regarding: (1) truck and other excessive vehicle parking on residential streets, (2) multiple families living in single-family homes, (3) property maintenance, and (4) home businesses in areas not zoned for such uses. Encourage high-quality design that seeks to improve existing shopping centers and promotes and enhances the character of neighborhoods.***

RESPONSE: The Applicant notes that the proposed development is consistent and compatible with the surrounding neighborhood, particular given its extensive history and development as a funeral home facility that has been in operation since approximately 1985, via the approval of SE-3267 and SE-3988. The proposed crematorium use is a common component of a funeral home facility and is not in violation of any of the code sections referenced in the first strategy. The proposed expansion is also of high-quality design where the architectural elevations of building addition are compatible with the existing structure and preserve the viewshed from Powder Mill Road.

This high-quality design includes brick veneer and asphalt roofing to match the architectural elements of the existing structure. Decorative stack covers that replicate the look of a gas fireplace chimney are also proposed. Additionally, a majority of the abutting properties to the east are owned by the Applicant, and the crematory will not extend any closer to the residential properties to the north than the existing funeral home building. Based on the submitted architectural elevations and the demonstration of conformance with the applicable buffers of the Landscape Manual, the Applicant contends that the proposed expansion of the funeral home with a crematorium will maintain the high-quality design previously approved for the subject Property.

Policy 3: ***Plan and provide public facilities to support the planned development.***

Strategies: ***Balance the pace of development with the ability of the private sector to provide adequate transportation and public facilities.***

Encourage continuous expansion of development where public facilities and services can be more efficiently provided.

RESPONSE: The Applicant notes that the subject Property has existed as a funeral home facility since approximately 1985. Therefore, all public utilities and facilities already exist to serve the site, which is further reinforced by the Property's location in the Prince George's County Water/Sewer Category 3. As analyzed by Lenhart Traffic Consulting, Inc., in an memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific

transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance. Furthermore, due to the limited amount of development proposed, a new preliminary plan of subdivision (PPS) is **not** required to accommodate the proposed special exception uses.

Policy 4: ***Improve vehicular and pedestrian circulation and safety.***

Strategies: ***Upgrade intersections to alleviate congestion and provide a safe, steady flow of traffic.***

Install streetscape improvements including paved pedestrian paths and safety features, clearly marked crosswalks at major intersections, trees, landscaping, curbs, and lighting, where needed.

RESPONSE: The Applicant acknowledges these requirements and has shown the pedestrian pathways, landscaping, curb and gutter, on-site circulation pattern, driveway aisle widths, and parking spaces dimensions on the submitted plan. Further, all parking and loading space requirements for the proposed uses will be fully met on-site.

Infrastructure Elements

Environmental Infrastructure

Within the Master Plan, the Environmental Infrastructure section contains policies and strategies for key environmental areas. These include the following key categories: green infrastructure, priority preservation area, aquifer recharge area, water quality, mineral resources, stormwater management, green building opportunities, air quality, and noise. An analysis of these key categories based on the relevant master plan policies and strategies are shown below, ***highlighted in italic bold:***

Policy 1: ***Protect, preserve, and enhance the identified green infrastructure network within the Subregion 1 Plan Area.***

Strategies: ***Protect primary corridors during the review of land development proposals to ensure the highest level of preservation and restoration possible with limited impacts for essential development elements.***

Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.

Preserve unique habitat areas to the fullest extent possible

during the land development process.

Develop flexible design techniques to maximize preservation of environmentally sensitive areas and to avoid unnecessary impacts to sensitive features.

RESPONSE: According to the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan, none of the site is within the regulated or evaluation area of the Master Plan. Therefore, no network gaps have been identified that should be emphasized for preservation within this infill development. As stated previously, the Property does **not** contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the 2024 Woodland and Wildlife Habitat Conservation Ordinance, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties.

Policy 2: ***Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.***

Strategies: ***Restore stream and wetland buffers to the fullest extent possible during the land development process.***

Reduce the area of impervious surfaces during the redevelopment process.

Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that the subject Property is located within the Indian Creek watershed, which is designated as a primary corridor by the Master Plan. Indian Creek flows south towards the Anacostia River, which eventually joins with the Potomac River and then the Chesapeake Bay. While no portion of Indian Creek is within the subject Property, the Applicant is still cognizant of pursuing measures to minimize surface runoff to the maximum extent practicable. To pursue this goal, the Applicant prepared a Site Development Concept Plan, (41723-2024-SDC), which was approved by DPIE on February 7, 2025.

This plan recognizes the existing stormwater management structures on the subject Property that were designed to flow and connect to the existing stormwater management structures along Powder Mill Road, which were recently upgraded by SHA. The approved

SDCP plan further demonstrates that the natural flow pattern of the site will not be changed due to the proposed development.

The site is exempt from stormwater management requirements since the total disturbed area is less than 5,000 square feet. Additionally, the maximum lot coverage requirement for other allowed uses in the R-R Zone is 60% of the net lot area (or 64,815 square feet). The submitted special exception site plan demonstrates that with the proposed minor addition to the existing funeral home building, the proposed lot coverage will only be 16,152 square feet, or 15% of the net lot area.

Policy 3: ***Implement the State Storm Water Management Act of 2007 in Subregion I as the adoption of this Plan is to enhance the water quality and control flooding in the Anacostia and Patuxent River watersheds.***

Strategies: ***During the review of site plans, zoning and special exceptions in the Subregion I area, the principles behind the Storm Water Management Act of 2007 have been implemented on a case-by-case basis since its adoption. Specific cases include Konterra and the Sun Services' construction waste recycling facility. The ultimate implementation of the Act through regulation has been delayed beyond the original 2008 date. New storm water regulations have now been adopted and after May 4, 2010 new plans must comply with the new regulations. To be consistent with the early application of the principles of the Storm Water Management Act of 2007 to projects in Subregion I, if any grandfathering rules are adopted in the Count Code, they should not apply in Subregion I.***

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and as previously mentioned, the Applicant has prepared a Site Development Concept Plan, (41723-2024-SDC), which was approved by DPIE on February 7, 2025. This plan indicates the portions of the Property where stormwater has been designed to flow to, connecting to existing storm drain system along Powder Mill Road which was recently upgraded by SHA. The Property is currently developed, and the proposed construction will remove and replace approximately 0.04 acres of impervious area. With the proposed building addition, the approximate Limit of Disturbance (LOD) will be 2,945 square feet (or 0.07 acres). As a result, the site is exempt from stormwater management requirements since less than 5,000 square feet of disturbance is proposed.

Policy 4: ***Implement more environmentally sensitive building techniques and reduce overall energy consumption.***

Strategies: ***Encourage the use of green building techniques that reduce energy consumption. New building designs should***

strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies. It is recommended that new buildings in the Konterra Town Center and US 1 corridor be built to meet the Leadership in Energy and Environmental Design (LEED) certification.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that the proposed crematory addition will be designed in accordance with the requirements of the Maryland Department of the Environment (MDE). MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and the proposed Matthews' cremation unit meets or exceeds those requirements. Furthermore, given the nature of the funeral home and crematory uses, the number of parking spaces necessary to meet the requirements of the Zoning Ordinance are minimized when compared to other commercial uses. This design thereby allows the site to minimize the heat island effect of the parking lot and ensure ample interior and exterior landscape plantings are provided.

Policy 5: ***Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.***

Strategies: ***Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations and vehicle sales establishments so that light intrusion on adjacent properties is minimized. Full cut-off optic light fixtures should be used for all proposed uses.***

Discourage the use of street lights and entrance lighting adjacent to special conservation areas of local and countywide significance and in the Rural Tier.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that adequate lighting is already provided throughout the site. These locations do not face the existing single-family detached dwellings to the north and west, and are adequately buffered by the existing planting material shown on the approved landscape plan. The Applicant would also note that the site is not located within the Rural Tier, but appropriate measures have been taken to ensure that light pollution does not intrude onto the adjacent single-family detached residential uses.

Policy 6: ***Reduce air pollution by placing a high priority on transportation demand management (TDM) projects and programs.***

Strategies: ***Design development and redevelopment projects to minimize the need for motor vehicle trips and to prevent conditions that may create local air pollution nuisances.***

Provide an improved, continuous network of sidewalks and bikeways.

RESPONSE: The Applicant acknowledges the aforementioned policies and strategies. As analyzed by Lenhart Traffic Consulting, Inc., in an memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance.

The parking requirement for the proposed uses are limited to 1 parking space per 4 legal occupancy of the building, which along with the required interior planting and parking lot landscape strips both within and abutting the parking compound, will help minimize of the urban heat island effect on-site. The Applicant would further note that an adequate network of on-site sidewalks has been provided to ensure ease of access (including access for the physically handicapped) to all proposed building entrances. Further, the sidewalk network along both sides of Powder Mill Road were recently reconstructed by SHA as part of their improvements and upgrades to MD 212.

Furthermore, as mentioned previously, the proposed crematory addition will be designed in accordance with the requirements of MDE. MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and the proposed Matthews' cremation unit meets or exceeds those requirements.

An application must be submitted to MDE and a permit issued before the cremation unit can be manufactured and installed. MDE conducts a comprehensive evaluation of each application, and this process takes approximately 6 months to complete. Only if a permit is issued can the project commence. Additionally, the State Board of Morticians and Funeral Directors regulates cremation practices and ensures compliance with relevant laws and regulations. Operators are also required to receive a certification from the state to perform cremations, which includes the passing of required exams on the proper operating procedures for these facilities.

Policy 7: ***Reduce adverse noise impacts to meet State of Maryland noise standards.***

Strategies: ***Evaluate development and redevelopment proposals using Phase I noise studies and noise models.***

Provide for adequate set backs for projects located adjacent

to existing and proposed noise generators and roadways of arterial classification or greater.

Provide for the use of approved attenuation measures when noise issues are identified.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies but would note that no residential uses are being proposed with the subject application. As such, a Phase I noise study is not required for this application.

Transportation

The subject Property has frontage along Powder Mill Road, a designated collector roadway (C-112) with a 60 to 80 foot roadway width. The Traffic Memorandum, prepared by Lenhart Traffic Consulting, Inc. on February 6, 2025, notes that The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for the existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support include burial or cremation services. It should also be noted that a majority of funeral processions start at a church, or similar place of worship, and the proceed to the cemetery from there. As such, most funeral processions to do not begin at the subject Property.

The Traffic Memorandum further notes that the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance.

Parks and Recreation

The Applicant notes that Park and Recreational facilities are not applicable to the review of this special exception application as no residential uses are proposed.

Public Facilities

As stated in the pre-application review comments received from the Subdivision Section on March 19, 2025, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from the filing of a preliminary plan of subdivision (PPS) and final plat. The total gross floor area that was added after January 1, 1990, is 4,765 square feet. As such, the proposed application is exempt from the filing of a PPS and a final plat.

Economic Development, Urban Design, and Historic Preservation

Economic Development

Within the Master Plan, the Economic Development section contains policies and strategies for sustainable investment opportunities within Prince George's County. As mentioned previously, this proposed infill development will allow for additional employment opportunities for the construction and eventual use of this new crematory as a component of the existing funeral home facility. An analysis of these sustainable investment opportunities based on the relevant master plan policies and strategies is provided below, ***highlighted in italic bold:***

Policy 5: ***Expand and enhance opportunities for a quality business and employment environment.***

Strategies: ***Reach out to existing and potential corridor businesses regarding county and state economic programs for business start-ups, facility expansions, job creation and equipment purchases to facilitate the region's job growth and maximize tax base.***

Support a quality urban design framework and sensible transportation connections in order to increase the corridor's appeal and competitiveness to employers and capture a larger share of the regional workforce.

RESPONSE: The Applicant notes that the proposed development is consistent and compatible with the surrounding neighborhood, particular given its extensive history and development as an existing funeral home under SE-3267 and SE-3988, which has been in operation since approximately 985. This proposed development represents a logical expansion of an existing funeral home facility that allows the business to offer an additional service to customers that has increasingly become an alternative to cemetery burials. As mentioned previously, the urban design of the site has been meticulously studied to preserve the viewshed on Powder Mill Road through architectural features and building materials that are consistent and compatible with the existing facility. The Applicant contends that this emphasis on urban design principles will create a sense of place that is compatible with the existing development but provides for increased best design practices.

Urban Design

The Applicant notes that the subject Property is not within the areas of the Master Plan referenced in this section. Therefore, the policies and strategies of this section are **not** applicable to the review of this special exception application.

Historic Preservation

The Applicant notes there are no known historic, or land trust easements impacting the Property or adjacent to it. Therefore, the policies and strategies of this section are **not** applicable to the review of this special exception application.

2017 Green Infrastructure Plan (Functional Master Plan)

According to the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan, none of the site is within the regulated or evaluation area of the Master Plan. Therefore, no network gaps have been identified that should be emphasized for preservation within this infill development.

Woodland and Wildlife Habitat Conservation Ordinance –

As stated previously, the Property does not contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the 2024 Woodland and Wildlife Habitat Conservation Ordinance, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026.

County's Ten-Year Water and Sewerage Plan –

The 2010 Water Resources Functional Master Plan amends the 2002 General Plan and provides growth guidance expressed as goals, policies, and strategies to address water quality impacts associated with land use in the County. The Plan references the Ten-year Water and Sewer Plan and addresses specifically: Drinking Water Supply, Water Treatment, and Stormwater Management. The subject Property is within water and sewer categories W-3 and S-3, with active water and sewer lines on-site that can be utilized for this redevelopment.

G. COMPLIANCE WITH THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE

Although special exception applications, SE-3267 & SE-3988, were previously approved for the use of the existing funeral home on the subject Property, the Planning Department has determined that a new special exception application is now required, (vs. an amendment), due to the addition of a new special exception use of a crematory. The submitted Special Exception satisfies all required criteria of approval set for in the Zoning Ordinance as follows:

Section 27-317. Required findings.

(a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

RESPONSE: The General Purposes of Subtitle 27 are contained in Section 27-102(a) of the Zoning Ordinance and are as follows:

Section 27-102. - Purposes.

(a) The purposes of the Zoning Ordinance are:

(1) To protect and promote the health, safety, morals comfort, convenience, and welfare of the present and future inhabitants of the County;

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

(3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;

(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;

(5) To provide adequate light, air, and privacy;

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;

(7) To protect the County from fire, flood, panic, and other dangers;

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

(10) To prevent the overcrowding of land;

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

(12) To insure the social and economic stability of all parts of the County;

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and

(15) To protect and conserve the agricultural industry and natural resources.

RESPONSE: The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan.

As further demonstrated below, the subject application is in full compliance and harmony with the required special exception requirements in Section 27-317(a), the specific special exception requirements for a funeral parlor or undertaking establishment in Section 27-357, and the specific special exception requirements for a cemetery or crematory provided in Section 27-341. The subject application meets all requirements of the Woodland and Wildlife Habitat Conservation Ordinance, and by providing full compliance with the setback requirements in Section. 27-357(a)(1) of the Zoning Ordinance, adjacent landowners will be fully protected from any adverse impacts associated with the proposed development.

The subject special exception application proposes no impacts to any sensitive or regulated environmental features such as streams or 100-year floodplain, and no clearing of any specimen or historic trees is being proposed. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. Further, a Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025.

On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Subtitle 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5).

The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application. The submitted site plan further demonstrates full conformance with all parking, loading, setback, lot coverage, and Landscape Manual requirements, and is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home. As a result, the proposed use and site plan are in harmony with the purposes of this Subtitle.

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

RESPONSE: The subject application fully meets all the required findings in Section 27-317 for approval of a special exception application and is in full compliance and harmony with the specific special exception requirements for a funeral parlor or undertaking establishment found in Section 27-357, and the specific special exception requirements for a cemetery or crematory found in Section 27-341. Further, the application is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home.

The subject application has been designed to be in full compliance with the parking and loading requirements in Part 11 of the Zoning Ordinance, the Woodland and Wildlife Habitat Conservation Ordinance, the Tree Canopy Coverage Ordinance, and Landscape Manual. Further, Site Development Concept Plan No. 41723-2024-SDC was approved by DPIE on February 7, 2025.

Further, the application includes all required forms, contents, and other submission requirements provided in Section 27-296, and is in full compliance with the public notice procedures provided in Section 27-305. As a result, the proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

RESPONSE: The 2035 Approved General Plan identifies the Property as being within the Established Communities General Plan Growth Policy Area and a Priority Funding Area. Plan 2035 recommends a Residential Low generalized future land use for the entire Property, as would be expected for the R-R Zone.

As part of prior approved SE-3988, both the ZHE and the Planning Staff found that the proposal to expand the funeral home, along with its recommended conditions of approval, would not substantially impair the integrity of the *1990 Subregion 1 Master Plan* which recommended low density rural residential use, and further recognized the existing funeral home use on the Property.

Currently, the *2010 Subregion 1 Master Plan and Sectional Map Amendment* recommends

the same low-density rural residential use for the Property, and recognizes the existing land use as being "commercial". As previously determined with the prior approved special exception application, the continuation of the existing funeral home on the Property would not substantially impair the integrity of the master plan, and the addition of a small crematory on the eastern side of the existing funeral home building, (totaling only 1,664 square feet in size), would not affect this prior determination or result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan. A Funeral Home or Undertaking Establishment & Crematory are permitted in the underlying zoning for the Property and are deemed inherently compatible with the zone provided the Applicant can satisfy the applicable criteria of approval for a special exception in the Zoning Ordinance (which the proposed use certainly does).

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

RESPONSE: As part of the prior special exception applications, SE-3267 & SE-3988, the ZHE found that the use of a funeral home on the subject Property would not adversely affect the health, safety, or welfare of residents or workers in the area. With the exception of the small crematory addition proposed along the eastern side of the funeral home building (consisting of 1,664 sf.), and minor revisions to the parking compound to accommodate the proposed building, no substantial revisions are being proposed to the Property.

A majority of the abutting properties to the east are owned by the Applicant, and the crematory will not extend any closer to abutting residential properties to the north than the existing funeral home building. The proposed crematory is not a use that is open to the public and is, therefore, not a significant traffic generator. The minor vehicle trips that would be associated with this use are very minimal and would have no adverse effect on Powder Mill Road. The special exception boundaries previously approved with SE-3267 & SE-3988 are not being expanded, and no additional access points are being proposed along Powder Mill Road.

There are also no noise impacts anticipated with the proposed use. The proposed building containing the crematory will fully meet all setbacks required in the zone. All parking, loading, and landscaping requirements will be fully met on-site. The existing funeral home is an attractive all-brick building, and the existing grounds are very well manicured and landscaped. The submitted architectural elevations for the proposed crematory demonstrate that the proposed building will be constructed with compatible building materials and be fully complementary to the existing funeral home building.

While there are no zoning requirements or specific special exception criteria related to the emissions of crematory uses in Prince George's County, the Applicant would like to provide the following information to further demonstrate that the proposed use would not adversely affect the health, safety, or welfare of residents or workers in the area;

The crematory equipment for this Property is proposed to be provided by Mathews Environmental Solutions. They have 5,000 installations globally and over 50 units operating in Maryland. The Applicant anticipates performing approximately 4 cremations a week, and each cycle will take on average 2 to 2 1/2 hours to complete.

Matthews Environmental Solutions states that approximately 98% of all cases are performed without any visible emissions. In the rare occurrence that smoke may be present, the unit takes corrective action automatically. In addition, the Applicant is investing in the most advanced crematory controls available, Matthews' M-pyre operating system.

The M-pyre operating system automatically determines the proper settings based on the case to be performed and then monitors and adjusts the process throughout the entire cycle. For additional security, it is also monitored by Matthews' technicians who can perform remote diagnostics and adjustments to ensure each case is completed in the most efficient manner.

MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and Matthews' cremation unit meets or exceeds those requirements. An application must be submitted to MDE and a permit issued before the cremation unit can be manufactured and installed. MDE conducts a comprehensive evaluation of each application, and this process takes approximately 6 months to complete. Only if a permit is issued can the project commence.

Additionally, the State Board of Morticians and Funeral Directors regulates cremation practices and ensures compliance with relevant laws and regulations. Operators are also required to receive a certification from the state to perform cremations, which includes the passing of required exams on the proper operating procedures for these facilities. As noted above, the proposed crematory meets or exceeds MDE's design, performance and emissions standards. Modern-day cremation equipment that is properly designed, operated, and maintained is a "good neighbor" to nearby properties and will in no way adversely affect the health, safety, or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

RESPONSE: At the time of the prior special exception applications, the use of the funeral home on the Property was already found not to be detrimental to the use or development of adjacent properties or the general neighborhood. At the time of the initial special exception application, the Applicant provided an appraisal report prepared by Associated Appraisers which further found that the proposed use would not be detrimental to the use or development of adjacent properties or the general neighborhood.

All surrounding properties with the exception of the property to the east which is owned by the Applicant have been fully developed. The proposed crematory is not a use that is

open to the public and is, therefore, not a significant traffic generator. On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Section 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5). The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

There are no significant noise impacts anticipated with the proposed use. MDE will also ensure that the proposed crematory complies with all state standards to minimize environmental impact. The small building addition proposed for the crematory is only 1,664 square feet in size, and will fully meet all setbacks required in the R-R Zone. All required parking, loading, stormwater management, and landscaping requirements will be fully met on-site.

The existing funeral home is an attractive all-brick building, and the existing grounds are very well-manicured and professionally landscaped. The submitted architectural elevations for the proposed crematory demonstrate that the proposed building will be constructed with similar compatible building materials and will be fully complementary to the existing funeral home. With the proposed building being strategically located along the eastern side of the existing building, the Property's formal and attractive street view from Powder Mill Road will continue to be maintained. Further, the closest abutting residential uses to the east are owned by the Applicant.

The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would be detrimental to the use or development of adjacent properties or the general neighborhood.

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

RESPONSE: Section 25-119(a)(2)(B) of the County Code states the following concerning special exception applications;

(B) Applications for a Special Exception, Detailed Site Plan (including Minor and Major Detailed Site Plans), Specific Design Plan, grading permit or other similarly detailed plans shall include a Type 2 Tree Conservation Plan (TCP2) or a Standard Letter of Exemption.

As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the Planning Staff found that the site was not subject to the approval of a tree conservation plan because the site contained less than 10,000 square feet of existing woodland and no specimen trees. On June 10, 2024, a Woodland Conservation Letter of Exemption, S-075-2024, was approved by the Environmental Planning Section for the subject Property. As a result, the subject application is in full conformance with the Woodland and Wildlife Habitat Conservation Ordinance contained in Subtitle 25 of the County Code.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

RESPONSE: The subject Property contains no sensitive or regulated environmental features such as streams or 100-year floodplain, and no steep slopes or highly erodible soils (such as Marlboro Clays), exist on the Property. The Property is not located in, or near, the Chesapeake Bay Critical Area (CBCA).

Site Development Concept Plan No. 41723-2024-SDC, was approved by DPIE on February 7, 2025. Further, on June 10, 2024, a Natural Resources Inventory Equivalency Letter, NRI-075-2024, was approved for the Property by the Environmental Planning Section. Because the subject Property contains no sensitive or regulated environmental features such as streams or 100-year floodplain, the above finding is not applicable to the review of the application and can be deemed met.

(b) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted:

(1) where the existing lot coverage in the CBCA exceeds that allowed by this Subtitle, or

(2) where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.

RESPONSE: The Property is not located in a Chesapeake Bay Critical Area (CBCA) Overlay Zone. As a result, the above finding is not applicable to the review of the subject application.

DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL EXCEPTIONS.

The specific special exception requirements for a crematory are as follows;

Section. 27-341. - Cemetery or crematory.

A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.

RESPONSE: Neither the existing funeral home nor the proposed crematory are located within any proposed street or other public right-of-way. All uses will be fully located within the confines of the subject Property, and all structures will be properly setback from all public rights-of-way in accordance with the requirements of the Zoning Ordinance.

A transportation analysis prepared by Lenhart Traffic Consulting on February 6, 2025, and submitted with the subject application further found that the proposed expansion to construct an on-site crematorium would be in full compliance with the above requirement.

Section. 27-357. Funeral parlor or undertaking establishment.

The specific special exception requirements for a Funeral parlor or undertaking establishment are as follows;

(a) A funeral parlor or undertaking establishment may be permitted subject to the following:

(1) The minimum side and rear yard setbacks shall be at least fifty (50) feet each, when adjoining land in any Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;

RESPONSE: As part of prior special exception applications, SE-3267 & SE-3988, the ZHE found that the existing funeral parlor was properly setback in accordance with the requirements of Section 27-357(a) provided above. No expansion of the existing funeral use is being proposed as part of this application. The new building area containing the crematory will meet all the required setbacks in the R-R Zone.

(2) If the subject property is located in a Residential Zone, it shall contain at least one and one-half (1 1/2) contiguous acres;

RESPONSE: The subject Property is currently located in the RR (Residential, Rural) Zone, and is being reviewed utilizing the provisions of the prior Zoning Ordinance and former R-R (Rural Residential) Zone. The Property consists of approximately 1.74 contiguous acres, (or 75,967 square feet), and is therefore in compliance with the above requirement.

(3) The use shall not depreciate the value of neighboring properties;

RESPONSE: Although the above specific special exception requirement only applies to the use of a funeral parlor or undertaking establishment, the proposed crematory will be constructed of high-quality building materials that are consistent and complementary to the existing funeral home building. The overall Property will continue to include pristine landscaping that will be continually maintained by a professional landscape contractor, creating an attractive streetscape and aesthetically pleasing views from Powder Mill Road.

It should be noted that the ZHE previously found compliance with the above requirement for the existing funeral home as part of prior special exception applications, SE-3267 & SE-3988. At the time of the initial special exception application for the funeral parlor or undertaking establishment, the Applicant provided an appraisal report prepared by Associated Appraisers which found that the proposed use would not depreciate the value of neighboring properties. The existing funeral home has been in operation on the Property since approximately 1985, and there is no evidence suggesting the use has depreciated the value of neighboring properties since its inception.

(4) The use shall not adversely affect the character of neighboring properties; and

RESPONSE: Although the above specific special exception requirement only applies to the use of a funeral parlor or undertaking establishment, both the funeral home and proposed crematory will be fully buffered from any incompatible abutting uses in accordance with Section 4.7 of the Landscape Manual. The subject special application proposes no impacts to any sensitive or regulated environmental features such as streams or 100-year floodplain, and no clearing of any specimen or historic trees is being proposed. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. A Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025.

As part of prior special exception applications, SE-3267 & SE-3988, the ZHE previously found that the use of a funeral home on the subject Property would not adversely affect the character of neighboring properties, and the proposed application proposes no expansion of the funeral home use. It should be further noted that the abutting residential properties to the east have been owned by the Applicant for many years and will continue to be owned by the Applicant. The existing funeral home has been in operation on the Property since approximately 1985, and there is no evidence suggesting the use has adversely affected the character of neighboring properties since its inception.

(5) The use shall not create undue traffic congestion.

RESPONSE: As part of the prior special exception applications, SE-3267 & SE-3988, the ZHE previously determined that the funeral parlor met the above requirement. The on-site parking compound has and will continue to be able to safely and efficiently handle funeral processions on-site with no negative impacts to Powder Mill Road (MD 212A).

The required parking and loading spaces for all uses on the Property have been fully provided in accordance with Part 11 of the Zoning Ordinance.

On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Section 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5) above. The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

H. Compliance with Prior Approved Special Exception Conditions (for Funeral Home)

Special Exception, SE-3267

Special Exception, SE-3267, was approved by the ZHE on December 28, 1981, for a Funeral Home and its associated parking and loading on 1.74 acres in the R-R (Rural-Residential) Zone with the following two conditions;

1. ***Funerals shall not be conducted later than 4:00 p.m. on weekdays.***

RESPONSE: The Applicant is in agreement with the above condition and has complied with the same since operations began on the Property.

2. ***The operator of the funeral parlor shall not form up any procession of cars which requires off-premises area.***

RESPONSE: The Applicant is in agreement with the above condition. While funeral processions that would start at the subject Property have decreased through the years, the existing parking compound has always been more than sufficient to handle the funeral processions on-site. The on-site parking compound will continue to safely and efficiently provide adequate room and circulation to handle funeral processions on-site with no negative impacts on Powder Mill Road (MD 212A).

Special Exception, SE-3988

Special Exception, SE-3988, was approved by the ZHE on November 7, 1990, for a 30’ X 100’ addition to the rear of the existing Funeral Home for use as office space. This approval also included a 28’ x 50’ detached garage and the reconfiguration of the existing loading area. The relocation of fencing along the rear property line was required prior to signature approval of the SE plan to conform with Alternative Compliance application, AC-90159.

I. CONCLUSION

The subject application fully meets all the required findings in Section 27-317 for approval of a special exception application and is in full compliance and harmony with the specific special exception requirements for a funeral parlor or undertaking establishment contained in Section 27-357, and the specific special exception requirements for a cemetery or crematory contained in Section 27-341. Further, the application is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home. As such, the Applicant respectfully requests that Special Exception, SE-4848 be approved.

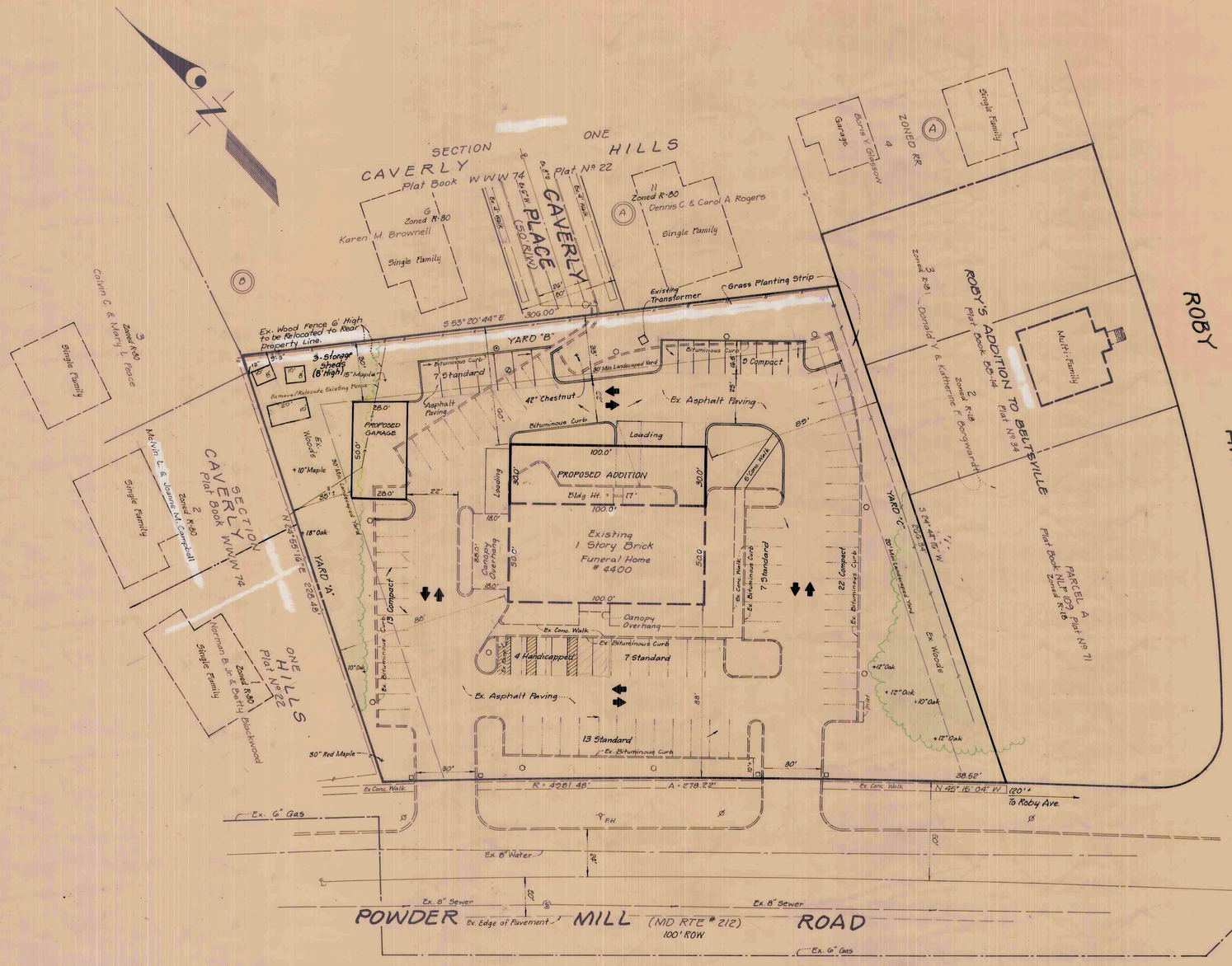
Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

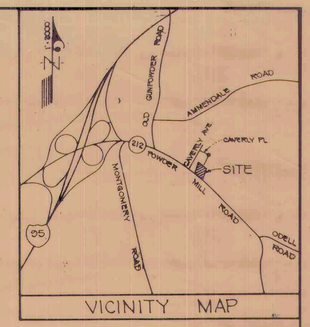
Russell W. Shipley

RWS/jjf

cc: Mr. Donald Borgwardt
Mr. Barry Caison
Lenhart Traffic Consulting, Inc.
Mathews Environmental Solutions

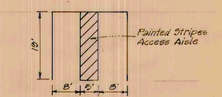


Zoned RR
Use: Single Family Residential



VICINITY MAP

HANDICAP PARKING DETAIL
Not to Scale



Handicap Parking per ANSI A:117.1 1980

Conditions of Original Special Exception:

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 to allow for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;
2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;
3. That a variance to Section 27-552(b) be allowed for that portion of the property with an existing six foot-high opaque fence.
4. That all lining up while forming a procession be limited to the parking area on site.
5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh

GENERAL NOTES

1. This property is zoned R-R having building restriction lines of

for Main Building -		for Accessory Building -	
Front B.R.L.	- 25 feet	Front B.R.L.	- 60 feet
* Side B.R.L.	- 17/8 feet	Side B.R.L.	- 2 feet
* Rear B.R.L.	- 20 feet	Rear B.R.L.	- 2 feet

See note 17 for the Landscape Manual Buffer-yard setbacks
NOTE: For Undertaking Establishment adjacent to a residential zone, the minimum side and rear setback is 50 feet.

2. All surrounding property is zoned R-80 and R-18.
3. The building height is 17 feet. *(Existing Funeral Home & proposed addition)*
4. The building coverage of this site is 12.8%.
5. The use of this property is for an expansion to an existing *Funeral Home* (Special Exception required).
6. Gross Site Area: 73,616 sq. ft. or 1.6901 acres.
7. Parking Required: 1 space for every four persons legal occupancy
   200 legal occupants/4 = 50 spaces required
8. Parking Provided: 4 Handicap Spaces (12' x 19') - *See Detail*
   34 Standard Spaces (9.5' x 19')
   44 Compact Spaces (8' x 16.5')
   82 Total Spaces
9. Loading Required: 1 space 3,000 to 5,000 sq. ft. GFA plus 1 space for each additional 10,000 sq ft GFA
   Ex Bldg - 5,000 sq ft + Prop Bldg - 5,000 sq ft - Total - 8,000 sq ft
   2 spaces required (10'x33')
10. Loading Provided: 2 spaces provided (11'x33')
11. Internal Green Required:
    Parking Compound x 5% = green required
    32,380 sq ft. x 5% = 1619 sq. ft.
12. Internal Green Provided:
    2072 sq. ft. or 6.4%
13. Radii on islands and curb work to be 5 feet unless otherwise shown.
14. Lot Coverage: Maximum Coverage = 60% Lot Area or 44,170 sq. ft.
    Coverage Provided = 58 % or 42,835 sq ft.
15. *Variance for the elimination of the requirement for a 6 foot high fence located 5 feet away from the adjoining residential lot line has been granted for the west property line pursuant to Section 27-357(a)(6) Approved 3-12-82*
16. *Original Special Exception No 3267, Approved 1-27-82*
17. *Landscape Manual Bufferyards:*
    a) *Yard A - 40' minimum building setback, 30' minimum landscaped yard*
    b) *Yard B - 40' minimum building setback, 30' minimum landscaped yard.*
    c) *Yard C - 30' minimum building setback, 20' minimum landscaped yard.*
18. *Alternative compliance to the Prince George's County Landscape Manual Section 4.7 is requested for:*
    a.) *The accessory building (proposed garage) located within the 40' minimum building setback.*
    b) *Existing parking located within the 30' minimum landscaped yard for yard "A", parking proposed within the 20' minimum landscaped yard for yard "B" and existing parking within the 20' minimum landscaped yard for yard "C"*
    See Justification Statement
19. *A departure from loading standards is requested for 17 feet of the 50 foot required setback for access to loading adjoining a residential zone pursuant to Section 27-579 (b) of the Prince George's County Zoning Ordinance.*

LEGEND
Drainage Flow Arrow →
Traffic Directional Arrow ➡
Lot Lighting: Existing ○
Relocated ⊘
Removed ⊗
New Location ⊙
Brick Column □

PLAT OF SPECIAL EXCEPTION
BORGWARDT PROPERTY
VANSVILLE DISTRICT
PRINCE GEORGES COUNTY, MARYLAND

For Landscape Plan
see B.D.A.I. drawing no. 50-001-Y
Recording Reference: Liber 6210 Folio 566

(12)

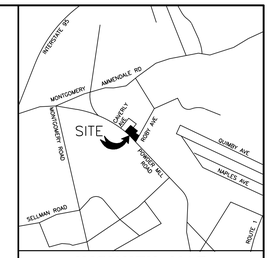
OWNER/APPLICANT
Donald Borgwardt
11611 Montgomery Court
Beltsville, Maryland 20706
phone: 937-1145

ROBERT EUGENE DYER No. 10229 REGISTERED PROFESSIONAL LAND SURVEYOR STATE OF MARYLAND
1-10-90

DATE	DESCRIPTION	BY
	REVISIONS	
6-17-98	Added 3-Storage Sheds	LF
11-7-90	Revised notes	T.K.
10-31-90	For Technical Staff Report	J.L.

ONE METRO PLAZA
8100 PROFESSIONAL PLACE, LANDOVER, MARYLAND 20785
BEN DYER ASSOCIATES, INC.
Engineers / Surveyors / Planners
TELEPHONE (301) 459-9200

DRAWN BY	CHECKED BY	RECORD NO.
LP		J-G7149
SCALE	1"=30'	DRWG. NO.
DATE	Aug. 1988	47-106-Y



SE-4848

SPECIAL EXCEPTION SITE PLAN

FOR

PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

SPAULDING DISTRICT NO. 1

INDEX OF DRAWINGS		
SHEET NO.	SHEET NAME	DWG. NO.
C1-1	COVER SHEET	6.013-Z
C1-2	APPROVAL SHEET	6.014-Z
C1-3	SITE PLAN/DETAIL SHEET	6.019-Z

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42
BORGWARDT FUNERAL HOME
DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C1-1

STATE OF MARYLAND · KEVIN GARY · 3801 · LANDSCAPE ARCHITECT
3/25/2025

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

SCALE	DRWG. NO.
NOT TO SCALE	

DATE: JANUARY 2024

K:\C3D-PROJ\A67149-C3D\DWG\SPE-PAR42.dwg, 3/25/2025 10:40:00 AM, kgorvey

Conditions of Original Special Exception:

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 be APPROVED for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;

2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;

3. That a variance to Section 27-522(b) be obtained for that portion of the property with an existing six foot-high opaque fence.

4. That all lining up while forming a procession be limited to the parking area on site.

5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

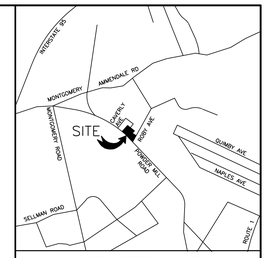
* * * * * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh



VICINITY MAP
SCALE: 1" = 2000'

WSSC 200' SHEET: 205 NE 05

SE-4848
SPECIAL EXCEPTION SITE PLAN
APPROVAL SHEET
PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C1-2

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

STATE OF MARYLAND · KEVIN GARVEY · 3801 · LANDSCAPE ARCHITECT
3/25/2025

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

SCALE: NOT TO SCALE
DATE: JANUARY 2024
DRWG. NO.

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GENERAL NOTES

1. This Special Exception Site Plan is for the addition of a crematory to an existing funeral home.
2. The subject property is currently zoned R-R and the prior zoning was RR. Surrounding properties are zoned RR, RSF-95 and RMF-20 as shown hereon.
3. Per section 27-1903(d) the applicant elects to have this application reviewed under the RR Zoning Ordinance prior to April 1, 2022.
4. The use of this property is for a funeral home and crematory.
5. Total site area included in this Special Exception Site Plan is 75,967 SF (1.7440 Ac.)
6. Total Disturbed Area = 2,864 SF (0.066 Ac.)
   Area to be left undisturbed = 73,103 SF (1.678 Ac.)
7. Existing Building SF = 8,101 SF
   Proposed Crematory Addition SF: 1,664 SF
8. Parking
   A. Required: 52 spaces

Use	Rate	Requirement
Crematory/Funeral (Existing)	1 space per 4 legal occupancy	50.0 spaces
Crematory/Funeral (Proposed)	1 space per 4 legal occupancy	1.5 spaces
	Total:	51.5 spaces* (52 spaces)

   * Of which at least 34 (2/3 of requirement) must be non-compact.

   B. Provided: 75 spaces as follows:

   57 Existing Standard Spaces @ 9.5' x 19' min.
   2 Existing Standard Parallel Spaces @ 8' x 22' min.
   13 Existing Compact Spaces @ 8' x 16.5' min.
   2 Existing Standard Handicap Spaces @ 8' x 19' with 5' access aisle.

9. Loading
   A. Required: 2 spaces

Use	Rate	Requirement
Crematory/Funeral	3000 SF to 5000 SF	1 space
	each additional 10,000 SF	+1 space
		Total: 2 spaces

   B. Provided: 2 spaces; 2 at 12' x 33'
10. Gross Floor Area:
    Existing Funeral Home: 8,101 SF
    Proposed Crematory: 1,664 SF
    Total GFA: 9,765 SF
11. The subject property appears on Washington Suburban Sanitary Commission Sheet 215NE05.
12. The subject property appears on Tax Map 12, Grid F3.
13. The subject property is not located within any Aviation Policy Areas.
14. The subject property has an existing Sewer Category of 3 and a proposed Water Category of 3.
15. For approved Stormwater Management Concept Plan (41723-2024 approved on 02-07-2025) see Atwell LLC Dwg. No. 8.005-Z.
16. For Tree Conservation Plan Type 2, see Woodland Conservation Letter of Exemption WCO-Ex (S-075-2024).
17. There is no evidence of a cemetery on or contiguous to the subject property.
18. There are no historic structures on or near the subject property.
19. There are no wetlands or Waters of the United States on the subject property.
20. There is no100 year floodplain on the subject property.
21. The subject property is not located within the Chesapeake Bay Critical Area.
22. Boundary and topography information shown hereon was prepared by Atwell, LLC.
23. Applicant: Donald V. Borgwardt
    4400 Powder Mille Road
    Beltsville, MD 20705-2751
24. Lot Coverage: Allowed = 64,815 SF (60% of Net Lot Area)
    Provided = 16,152 SF (15% of Net Lot Area)
25. All on-site concrete curb and gutter to be Prince George's County Std. No. 300.01 unless otherwise modified.
26. All parking spaces shall be defined by 4" wide white painted striping.
27. Radii on islands and curb work to be 5 feet unless otherwise shown.
28. Minimum grade on areas not paved: 2.5% unless otherwise noted. 2% in swales.
    Maximum grade: 3:1
    Contour interval: 2 feet
    Vertical datum is based on NGVD 1929 Datum.
    Horizontal datum is based on Maryland State Plane NAD 83/11.
29. Existing Utilities:
    A. Notify "Miss Utility" at 1-800-257-7777 at least 48 hours prior to beginning any excavation or construction for them to mark the location of existing utilities.
    B. Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the mains by digging test pits by hand at utility crossings well in advance of trenching. If clearances of the lines are less than shown on this plan or less than twelve inches, contact the engineer and other involved utility companies before proceeding with construction.
    C. Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Ben Dyer Associates, Inc. (BDAI) shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
    D. Due to the proximity of live underground and overhead utilities, bdai is not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.
29. All grading work shall be in accordance with Division 2 of the Prince George's County Building Code (Subtitle 32, latest edition).

    All proposed load-bearing fills for the support of buildings, walls and other structures shall be Class I. All fills for the support of roadways, pavements, rigid utility lines and house connections shall be Class II. All landscaped areas, lawns and plantings, or other nonload bearing uses shall be Class III. Each layer of Class I and Class II fills shall be compacted at optimum moisture content and to a minimum of 95% and 90% respectively of maximum density as determined in the laboratory by the Standard Proctor Test. (AASHTO T-99, ASTM D-698). In-place density tests shall be provided by a licensed Geotechnical Engineer.

    The site geotechnical analysis and report prepared by a Maryland licensed Geotechnical Engineer shall be consulted and used to provide details for pavement sections, lift thickness, compaction, drainage, and any other site specific recommendations and requirements. Those recommendations and requirements shall take precedence over any conflicting information between the plans and report.
30. Upon completion of work, site grading, drainage, property corner and landscape observations and certifications must be performed by a licensed professional engineer, landscape architect and/or surveyor, confirming that all work has been completed in accordance with the permit, approved plans, and codes. These certifications are required to finalize the permit and release bonds.
31. All grades, elevations, earth quantities, etc., are to be verified by the contractor. Any earth quantities shown or implied are measured to final grade and are approximate. No allowance has been made for unsuitable material encountered during construction. Suitability of soil for use in fill areas or stability of cut areas, compaction, etc., should be determined by a soils engineer.
32. The contractor will be responsible for any damage to the existing structures and underground utilities.
33. The contractor will have sole responsibility for the construction means, methods, and techniques of executing his work, including safety.
34. No handicap parking space shall have a slope greater than 2.0% in any direction. No handicap ramp shall have a longitudinal slope greater than 8.3% or a cross slope greater than 2.0%.
35. Unless otherwise shown, all sidewalks shall have a cross slope no greater than 2%.
36. Dimensions shown in the parking and drive areas are to face of curb, where applicable.
37. All exterior light poles are to be set back at least 2.0' from the face of curb when located on vehicular surfaces or head in parking spaces unless otherwise shown.
38. Arrows shown in drive aisles indicate general direction of travel and are not intended to convey a requirement that arrows be painted on the pavement.


MARYLAND STATE GRID MERIDIAN
CAVERLY AVE
50' PUBLIC R/W
P.B. WWW 74, P. 22
LOT 3–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MARY L. PEACE
L. 38740 F. 97
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 2–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MELVIN L. & JOANNE M. CAMPBELL
L. 4777 F. 685
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 9–BLOCK B
CAVERLY HILLS
P.B. WWW 74, P. 22
BROWNELL FAMILY TRUST, ET AL.
L. 35623 F. 33
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
CAVERLY PLACE
50' PUBLIC R/W
P.B. WWW 74, P. 22
LOT 1–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 47544 F. 88
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 11–BLOCK B
CAVERLY HILLS
P.B. WWW 74, P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 16805 F. 482
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
EX. 33' x 12' INTERIOR LOADING SPACES (2)
LOT 4–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
LETICIA MONROY DEL AGUILA
L. 48603 F. 448
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 3–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 47544 F. 88
USE: RESIDENTIAL
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
LOT 2–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 6463 F. 560
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
PART OF PARCEL 42
DONALD V. & KATHERINE F. BORGWARDT
L. 47544 F. 88
AREA: 1.7440 ac. ± (75,967 s.f.)
USE: COMMERCIAL
PROPOSED CREMATORY 1664 SQ. FT. FF= 201.00
PROP. RAILING
N.D.
MEET & MATCH EXISTING CURB
EX. 1 STORY BRICK & BLOCK BUILDING
EX. 2 STORY FRAME DWELLING
EX. GARAGE
EX. WOODEN SHED
EX. 6' WOODEN FENCE
EX. CHAIN LINK FENCE
EX. 8" CHERRY
EX. 30" MAPLE
EX. 24" OAK
EX. 36" OAK
EX. 8" GUM
EX. 12" OAK
EX. 24" MAPLE
EX. 8" MAPLE
EX. 18" OAK
EX. 10" OAK
EX. 12" MAPLE
EX. 20" OAK
EX. 14" OAK
EX. 16" OAK
EX. 6" CHERRY
EX. 10" MAPLE
EX. 8" OAK
EX. 22" OAK
EX. 26" OAK
EX. 28" OAK
EX. 32" OAK
EX. 34" OAK
EX. 38" OAK
EX. 40" OAK
EX. 42" OAK
EX. 44" OAK
EX. 48" OAK
EX. 50" OAK
EX. 52" OAK
EX. 54" OAK
EX. 56" OAK
EX. 58" OAK
EX. 60" OAK
EX. 62" OAK
EX. 64" OAK
EX. 66" OAK
EX. 68" OAK
EX. 70" OAK
EX. 72" OAK
EX.

Bufferyard 'A' Compliance Schedule

Bufferyard Components (Type C)	Minimum Requirements Per Landscape Manual	Proposed on Plan	Percentage of Minimum Requirement Met
1. Minimum Building Setback	40'	30'	75%
2. Minimum Width Landscaped Yard	30'	17.5' avg.	58%
3. Number of Plant Units required	57	100	175%

Bufferyard 'B' Compliance Schedule

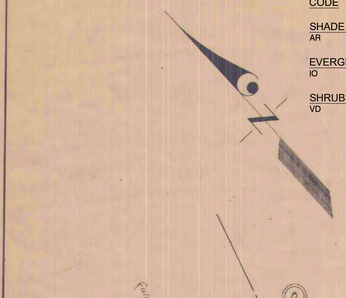
Bufferyard Components (Type C)	Minimum Requirements Per Landscape Manual	Proposed on Plan	Percentage of Minimum Requirement Met
1. Minimum Building Setback	40'	30'	75%
2. Minimum Width Landscaped Yard	30'	21' avg.	70%
3. Number of Plant Units required	150	210	140%

Bufferyard 'C' Compliance Schedule

Bufferyard Components (Type B)	Minimum Requirements For Landscape Manual	Proposed on Plan	Percentage of Minimum Requirement Met
1. Minimum Building Setback	30'	80'	266%
2. Minimum Width Landscaped Yard	20'	30' avg.	150%
3. Number of Plant Units required	52	120	231%

PLANT SCHEDULE - REPLACEMENT FOR CERTIFICATION

CODE	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING	ROOT
SHADE TREES					
AR	1	Acer rubrum `Red Sunset` / Red Sunset Maple	2 1/2 - 3" Cal.	As Shown	B&B
EVERGREEN TREES					
IO	1	Ilex opaca / American Holly	6 - 8' Ht.	As Shown	B&B
SHRUBS					
VD	8	Viburnum dentatum / Viburnum	18 - 24" Ht.	4' O.C.	Cont.


SECTION
CAVERLY
Plat Book WWW 74
Plat No 22
ONE
HILLS
ZONED R-80
CAVERLY PLACE (50' R/W)
Karen M. Brownell
Single Family
Dennis C. & Carol A. Rogers
Single Family
Existing Transformer
Ex Hemlock Hedge (7')
Existing Fence
Ex Canadian Hemlock
Ex. Black Cherry 18" cal. 30" spad.
Relocate Ex. Hemlock (4)
Ex. Wood Fence @ High (Relocated to Rear Property Line)
S 53° 20' 44" E
306.00'
3-Storage Sheds (8' High)
7 Standard
7 Compact
1AR
42" Chestnut
Ex Paper Birch
Proposed Addition
EXISTING ADDITION
Existing 1 Story Brick Funeral Home # 4400
PROPOSED CREMATORY 1,664 SF FF=221.92
Brick Planter
Ex Conc. Walk
Canopy Overhang
Handicapped
Ex Bituminous Curb
Ex Flowering Pear (1)
Ex Yew (5)
Ex Hemlock Hedge (18)
Ex Bituminous Conc. Parking
22 Compact
Ex Enhanced Sign
Ex Hemlock Hedge (12)
Ex Flowering Pear (2)
Ex Yew (6)
Ex Hemlock Hedge (7)
Ex Yew (3)
Ex Flowering Pear (3)
Ex Yew (4)
Ex Hemlock Hedge (28)
Ex Bituminous Conc. Parking
Ex Flowering Pear (1)
Ex Yew (5)
Ex Hemlock Hedge (8)
Ex Flowering Pear (3)
Ex Yew (6)
Ex Hemlock Hedge (7)
Ex Flowering Pear (2)
Ex Yew (3)
Ex Hemlock Hedge (3)
Ex Flowering Pear (1

Prince George's County
Department of Permitting, Inspections and Enforcement
INSPECTIONS DIVISION
9200 Basil Court, Suite 307
Largo, Maryland 20774
(301) 883-3820 ♦ FAX: (301) 883-3873

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT

LANDSCAPING CERTIFICATION

Job Address: 4400 Powder Mill Road, Beltsville, MD 20705

Lot: Part of Parcel 42 Block: _____

Building Permit #: SE-4848

This is to certify to the best of my knowledge, information and belief that all landscaping on the above-referenced site is in accordance with the permit, approved plans, and latest revision to the Maryland–National Capital Park and Planning Commission approved detailed site, tree conservation, and landscaping plans dated (October 1994) and revised on (November 1999), except as noted.
Insert Date *Insert Date*

Exceptions:

This Landscape Certification is to accompany SE-4848 application for a building addition. The proposed addition does not create additional landscape requirement from the approved Landscape Plan. An inventory of plant material shown on the Landscape Plan found a landscape appropriate for its age with mature evergreen trees screening. The proposed building addition will require the removal of one (1) major shade trees. The certification of the Landscape Plan requires screening infill planting to replace lower limbs that have died due to the natural maturity of the species. Additionally one (1) evergreen tree and one (1) shade tree is to be replaced per the attached plan.



Signature

Keith Garvey
Print Name

3/25/2025
Date

M-NCPPC – Countywide Planning Division, Environmental Planning Section // Send to: PPD-EnvPlanning@ppd.mncppc.org
Prince George's County Planning Department ♦ 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 ♦ 301-952-3650

APPLICATION FOR NATURAL RESOURCES INVENTORY EQUIVALENCY LETTER (NRI-EL)

APPLICANT TO FILL OUT THIS SECTION - Refer to www.PGAtlas.com for Information
HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

Property Owner Name(s), Address & Phone:	**Agent/Contact** Name, Company, Address, Phone & E-mail:
DONALD V & KATHERINE L BORGWARDT 4400 POWDER MILL ROAD BELTSVILLE, MD 20705	Hunter Michael Atwell, LLC 11721 Woodmore Road, Suite 200 Mitchellville, MD 20721 301-430-2000 / hmichael@atwell-group.com

PROJECT/PROPERTY NAME:	**BORGWARDT FUNERAL HOME**			**Agent/Contact**
Street Address:	4400 POWDER MILL ROAD, 11702 & 11704 ROBY AVENUE, BELTSVILLE, MD 20705			Signature: Hunter Michael
Geographic Location:	Located northwest of the intersection of Powder Mill Road and Roby Avenue.			Date: 03/15/2024
Total Area (*acres*): 2.48 ac.	Proposed Limits of Disturbance (LOD): 0.73 ac.	Current Zone(s): R-R		WSSC Grid: **215NE05**
Lot/Block/Parcel(s): p/o Parcel 42, LOT 2 & p/o PARCEL A, BLOCK A	Tax Account #(s): 0005934, 0068668, & 0061812	Environmental Strategy Area (ESA): *Located under the Environmental Category in PGAtlas*	1 [X] 3 4	
Proposed Activity:	Development for the expansion to an existing funeral home.			
Will the proposed project require a Subdivision or Zoning application?:	Zoning	Please List:		
Concurrent and Previous NRI, TCP1, TCP2, & Other Applicable Applications:	Going through Special Exception.			

Environmental Technical Manual Link

NRI-EL CHECKLIST (TO BE COMPLETED BY APPLICANT)

Procedural Guidelines for NRI-EL Application Submission (ext. PDF)

REQUIRED For All NRI-EL Applications:

- [x] Proposed Site Plan, Containing *ALL* of the Following:
  - [x] Signature from a Qualified Professional *as defined under COMAR 08.19.06.01*
  - [x] Legible Limits of Disturbance (LOD)
  - [x] General Information Table (see Procedural Guidelines)

For Project Type 1 only:

If Exempt from Woodland Conservation, submit one of the following:

- [x] Application for Letter of Exemption, and:
  - [x] Application Fee Included in Submission
- [ ] Copy of a previously Issued Letter of Exemption (Standard or Numbered)

Project Type 2 only:

Select one or more previously approved *and* implemented plans for project site:

- [ ] Type II or Type 2 Tree Conservation Plan (TCP2)
- [ ] CBCA Conservation Plan
- [ ] Other Environmental Information Deemed Sufficient by Staff - [Provide Explanation]

RESPONSE (TO BE COMPLETED BY EPS STAFF)

Date Received: _____ Date Accepted: 05/08/2024 Reviewer Assigned: WRC

NRI Number:
NRI-075-2024

This **APPROVAL for the above referenced project and location** is based upon information using the submitted proposed site plan, current aerial imagery, PGAtlas.com GIS layers, and any additional information deemed necessary for review by operant planner(s). If the scope of the proposed activity and/or limits of disturbance change significantly, a full NRI may be required. This letter is valid for five years from the date of issuance, or until such time as a different development activity is proposed; whichever comes first.

The submitted application was found to meet the following criteria:

[x]	The site qualifies for a Standard or Numbered Letter of Exemption **S-075-2024** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
[ ]	The site has a previously approved and implemented Type 2 **Tree Conservation Plan** _____.
[x]	The submitted proposed site plan, dated 05/17/24 and prepared by D. Hunter Michael, Q.P., demonstrates that no regulated environmental features are located on the subject site or no on-site regulated environmental features will be impacted.
[ ]	The submitted proposed site plan, dated _____ and prepared by _____ shows that the proposed work will not result in any significant changes to the limits of disturbance of the previously approved TCP2, or create additional impacts to any regulated environmental features.
[ ]	The site is within the Chesapeake Bay Critical Area Overlay Zone and the submitted site plan demonstrates that the proposed activity will result in less than 500 square feet of disturbance, or that no variance is required.
[ ]	*Other Approval Criteria:*

A FLOODPLAIN STUDY MAY STILL BE REQUIRED AT THE TIME OF STORMWATER CONCEPT REVIEW

Staff Signature Approval: Contee, Wendy — Digitally signed by Contee, Wendy Date: 2024.06.10 16:21:21 -04'00'

Approval Date: 06/10/2024

Expiration Date: 06/10/2029

LAW OFFICES
SHIPLEY & HORNE, P.A.
1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shhpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III *
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson

*Also admitted in the District of Columbia

March 25, 2025

VIA FIRST CLASS AND ELECTRONIC MAIL
Mr. Evan King
Development Review Division
Prince George's County Planning Department
1616 McCormick Drive, 2nd Floor
Largo, MD 20774

RE: DONALD V. BORGWARDT FUNERAL HOME
Special Exception No. SE-4848, (Funeral Home & Crematory)
Point-by-Point Response to Pre-Acceptance Comments Received
On March 19, 2025

Dear Mr. King:

Please see the following responses to the pre-application review comments received on March 19, 2025, for the Donald V. Borgwardt Funeral Home, SE-4848;

TECHNICIAN COMMENTS:

1. Please complete and sign a current application form, dated 2023

RESPONSE: A signed, updated application form has been included in the resubmission package.

SUPERVISOR COMMENTS: JDH 3/18/2025

- **Provide height and show dimensions of the proposed chimneys on the evaluation**

RESPONSE: The height and dimensions of the chimneys have been clearly labeled on the submitted architectural elevations.

- **Label previous plans as their SE case numbers not CVIP-SE-484-02, etc**

RESPONSE: This is understood. The prior approved SE plans have been properly relabeled in accordance with the Naming Convention requirements.

- **Provide dimensions of distance from proposed and existing building to all property lines on all four sides.**

RESPONSE: The proposed crematory will be attached to the eastern side of the existing funeral home building. The requested setbacks have been added to the site plan.

- **Clarify if a departure is needed and submit the required materials, or if the improvements that required the previous departure have been removed.**

RESPONSE: No departure requests are included with the current proposal. DDS-397 was previously approved by the Planning Board on January 17, 1991, to waive 30 feet of the required 50-foot setback for access to a loading space adjoining a residential zone. The adopted resolution for DDS-397, (PGCPB Resolution No. 91-1), has been included in the submission package.

This departure was necessary due to the location of the existing driveway entrances along Powder Mill Road, (which provide access to the loading spaces), and those entrances not being set back a minimum of 50-feet from residentially-zoned land. No changes are being proposed to the existing driveway entrances that were shown and approved with SE-3267, SE-3988 & DDS-397. As such, there is no need to revise the prior approved departure request which continues to run with the property.

- **Planning Board level case for new use.**

RESPONSE: This is understood.

REVIEWER COMMENT:

- **Show circulation/drive aisles and parking space dimensions**

RESPONSE: The on-site circulation pattern has been clarified on the site plan and dimensions have been added for the driveway aisle widths and parking spaces.

- **Provide current landscape plan including all drawing requirements not applicable to site plan**

RESPONSE: A certification of the approved landscape plan with a revised plan with landscape planting to be replaced is included in the submission package.

- **Label distances of structures, proposed and existing, to property boundaries on all plans.**

Not ready to accept – EJK 3/19/2025

RESPONSE: The only proposed structure is the 1,664 square-foot crematory that will be attached to the eastern side of the existing funeral home building. All of the existing structures previously approved with SE-3267 & SE-3988 will continue to remain on the property. The requested setbacks for existing and proposed structures have been added to the site plan.

Subdivision Section: - Okay to accept. SKC 3/14/2025

The subject property, Parcel 42, has no applicable preliminary plan of subdivision (PPS) or final plat. Per Section 24-107(c)(7)(C) of the prior Subdivision Regulations, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from filing a PPS and final plat. Per the narrative, a 3,000 square foot office space and 1,400 sf garage was approved on the property on November 7, 1990 (Special Exception SE-3988). However, the garage was not constructed, and a 3,101 square- foot addition was constructed after January 1, 1990. The applicant proposes a second addition of 1,664 square feet on the property. The total GFA added after January 1, 1990 will be, therefore, 4,765 square feet of GFA, less than 5,000 sf. This development will be exempt from a PPS and final plat.
MG 3/16/25

RESPONSE: This is understood.

Environmental Planning Section:

Okay to accept, with Comment #1 being addressed with the acceptance package. Comment #2 may be addressed after acceptance. CM 3/5/2025.

1. **The site has an approved natural resource inventory equivalency letter, NRI-075-2024. Provide the equivalency letter in the case file.**

RESPONSE: This was an oversight on our part. The NRI equivalency letter has been included in the resubmission package.

2. **A statement of justification discussing how the project will meet the policies of the "Environmental Infrastructure" section of the 2010 Approved Subregion 1 Master Plan found on Pages 35-42**

RESPONSE: A revised Statement of Justification is included in the submission package that addresses the "Environmental Infrastructure" Section of the *2010 Approved Subregion 1 Master Plan and Sectional Map Amendment*. It should also be noted that the site has issued WCO, NRI & SDCP Exemption Letters.

Note: The standard letter of exemption from the woodland conservation ordinance, S-075-2024, was valid as of June 30, 2024 and pursuant to Prince George's County CB-077-2024 shall remain valid until June 30, 2026, on which date the exemption will expire.

RESPONSE: This is understood. The WCO-Ex Letter has been submitted with the subject application.

Geotechnical review

OK to accept. DS 3/10/2025

Transportation Planning Section:

Ok to accept. NS 3/12/2025

Historic-Archeology Section:

No further information is required. OK to accept. AGC 3/5/25

RESPONSE: No additional information is required for the above Sections.

Community Planning Division:

Generally ok to accept. 27-317(a)(3) states that for approval, the proposed use will not substantially impair the integrity of any validly approved Master Plan; however, a statement of justification discussing this criterion is not required for submittal per 27-296. Staff suggests providing a memorandum discussing how this proposal and use complies with the development pattern elements, environmental infrastructure, and other applicable chapters of the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment.* ENL 3/11/2025

RESPONSE: The submitted Statement of Justification includes and addresses all the required findings in Section 27-317 for approval of a special exception application, the specific special exception requirements for a funeral parlor or undertaking establishment contained in Section 27-357, and the specific special exception requirements for a cemetery or crematory contained in Section 27-341.

A revised Statement of Justification is also included in the submission package that addresses the development pattern elements, environmental infrastructure, and other applicable chapters of the *2010 Approved Subregion 1 Master Plan and Sectional Map Amendment*.

Special Projects:

SPS has no comments for the subject case type

Parks Department:

(No Comments were received from DPR)

RESPONSE: No further additional information is required for the above Sections.

CONCLUSION

The subject application includes all the required information and documents needed for formal acceptance of a special exception application. As such, the Applicant respectfully requests that Special Exception, SE-4848 be accepted for review. We would request that DRD Applications please contact Donna K. Borgwardt-Mabry at 301-937-1707 to obtain the credit card information needed for the filing fee.

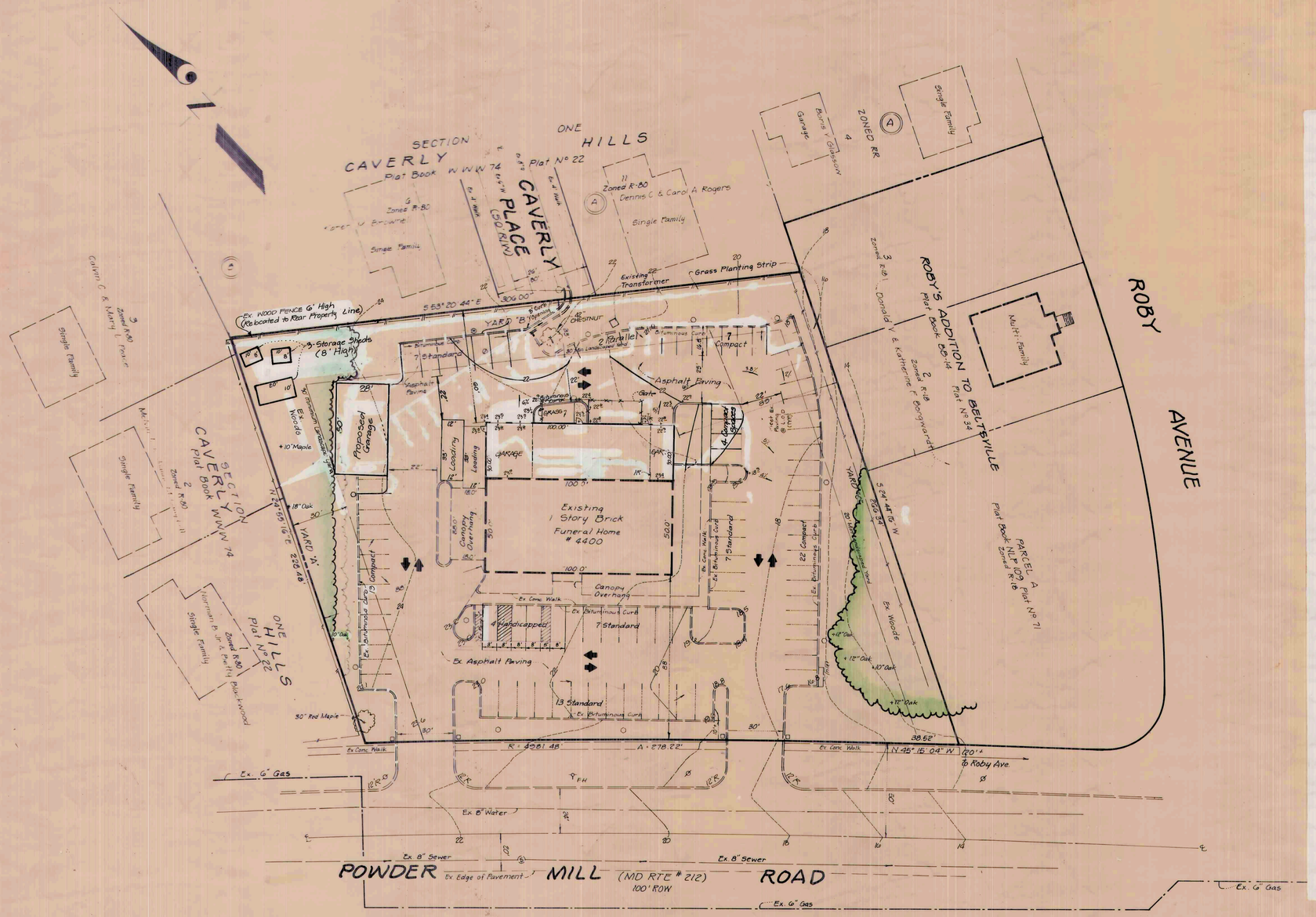
Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

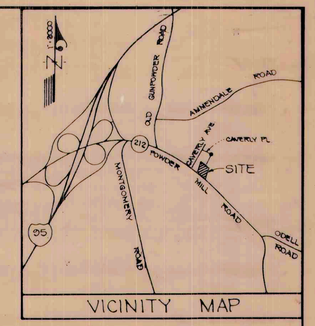
Sincerely,

Russell W. Shipley

RWS/jjf

cc: Mr. Donald Borgwardt
Mr. Barry Caison





GENERAL NOTES

1. This property is zoned R-R having building restriction lines of
   for Main Building -
   Front B.R.L. 25 - ft.
   Side B.R.L. 50 - ft.
   Rear B.R.L. 50 - ft.
   NOTE: For Undertaking Establishment adjacent to a residential zone, the minimum side and rear setback is 50 feet.
2. All surrounding property is zoned R-80 and R-18. See plan
3. The proposed addition height is 17'. Existing building height 17' feet.
4. The building coverage of this site is 12.8%.
5. The use of this property is for an expansion to an existing Funeral Home and an accessory detached garage.
6. Gross Site Area: 73,616 sq. ft. or 1.6901 acres
7. Disturbed Area: 14,850 sq ft or 0.34 AC.
8. Parking Required: 1 space for every four persons legal occupancy
   200 legal occupants/4 = 50 spaces required (84 spaces, minimum, must be regular spaces)
9. Parking Provided:
   4 Handicap Spaces (8'x19'), 2 of which are van accessible.
   36 Regular Spaces (9.5' x 19')
   46 Compact Spaces (8' x 16.5')
   86 Total Spaces
10. Loading Required: 1 space 3,000 to 5,000 sq. ft. GFA plus 1 space for each additional 10,000 sq. ft. GFA
    Ex. Bldg. = 5,000 sq. ft., Prop. Bldg. = 3,000 sq. ft.
    - Total = 8,000 sq. ft.
    2 spaces required (12' x 33')
11. Loading Provided: 2 spaces provided (12' x 33')
12. Internal Green Required: Parking Compound x 5% = green required
    36,220 x 5 % = 1883 s.f. = green required
13. Internal Green Provided:
    2151 sq. ft. or 5.9%
14. Radii on islands and curb work to be 5 feet unless otherwise shown.
15. Lot Coverage: Maximum Coverage = 60% Lot Area or 44,170 sq. ft.
    Coverage Provided = 55% or 42,893 sq. ft.
16. Variance for the elimination of the requirement for a 6 foot high fence located 5 feet away from the adjoining residential lot line has been granted for the west property line pursuant to Section 27-357(a)(6) Approved 3-12-82.
17. Alternative compliance to the Prince George's County Landscape Manual Section 4.7 was granted for
    A) The accessory building (proposed garage) located within the 40' minimum building setback.
    B) The existing parking located within the 30' minimum landscaped yard for yard "A", parking proposed within the 30' minimum landscaped yard for yard "B" and existing parking within the 20' minimum landscaped yard for yard "C"
    Both requests were approved via AC-90159.
18. A departure from loading standards was granted reducing the 50 foot required setback for access to loading adjoining a residential zone pursuant to Section 27-579(b) of the Prince George's County Zoning Ordinance (DPS# 397).
19. Further, Alternative Compliance to the Prince George's County Landscape Manual was approved by the Prince George's County Planning Board (Resolution No. PGCPB No 99-67) for the reduction of various elements of the Landscape Manual as illustrated in the various schedules on the Landscape Plan (BDA) dwg. no. 50.002-Y).

PLAT OF SPECIAL EXCEPTION

BORGWARDT PROPERTY

VANSVILLE DISTRICT

PRINCE GEORGES COUNTY, MARYLAND

Zoned RR
Use: Single Family Residential

LEGEND
Drainage Flow Arrow →
Traffic Directional Arrow
Lot Lighting: Existing ○
Relocated ⊘
Removed ⊗
New Location ⊙
Brick Column □
Ex. spot elevations: 20.5
Prop spot elevations: 20.2

OWNER/APPLICANT
Donald Borgwardt
11611 Montgomery Court
Beltsville, Maryland 20705
phone: 937-1143

STATE OF MARYLAND — DAVID STEWART CERTEL — No. 10800 — REGISTERED PROFESSIONAL LAND SURVEYOR
4-15-99

PROPERTY RECORDED IN LIBER 6210 / FOLIO 566

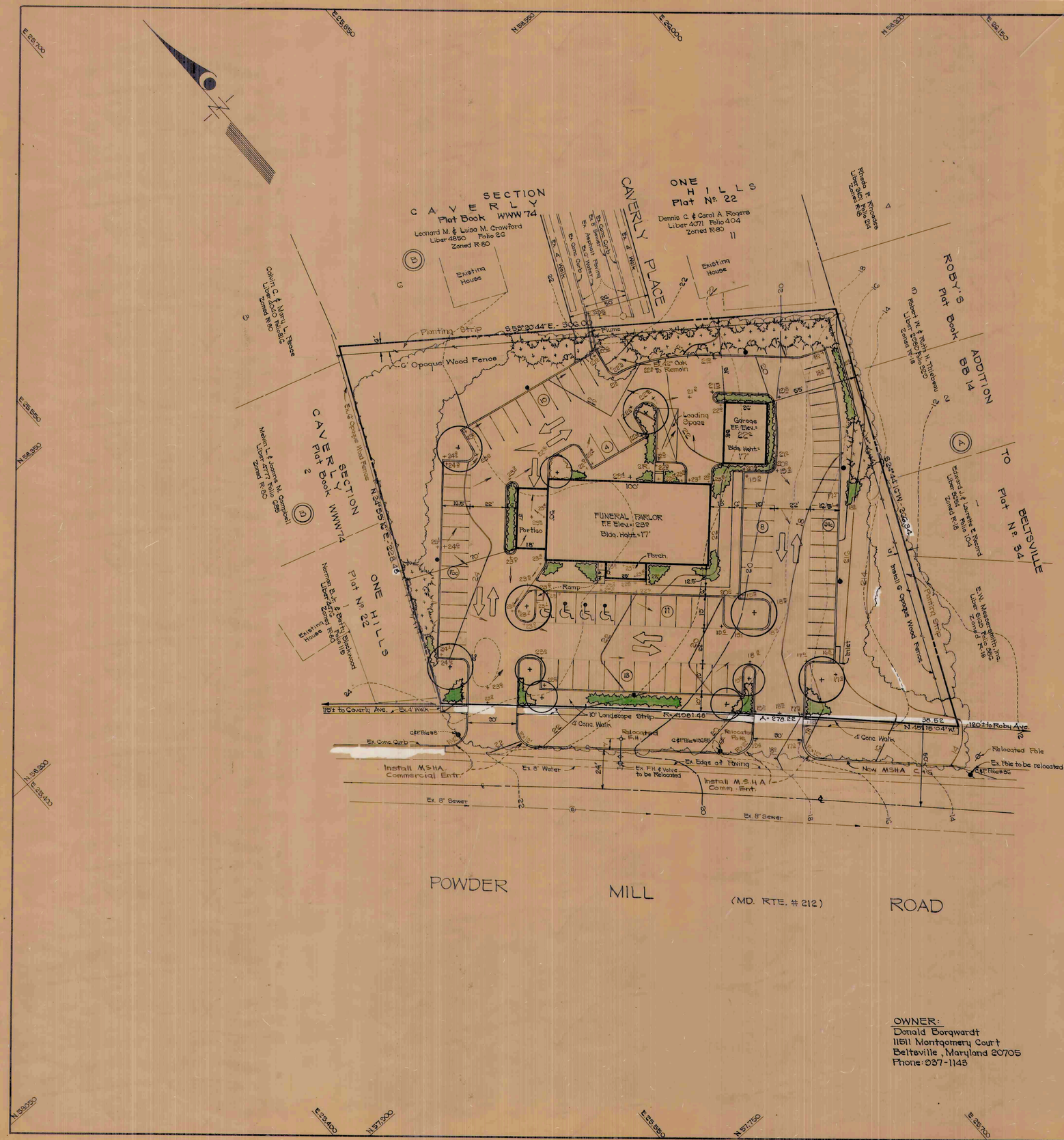
ONE METRO PLAZA
8100 PROFESSIONAL PLACE LANDOVER, MARYLAND 20785
BEN DYER ASSOCIATES, INC.
Engineers / Surveyors / Planners
TELEPHONE (301) 459 9200

DATE	DESCRIPTION	BY
4-16-99	Per Planning Board approval PGSP-SE-3288/01	DT
	REVISIONS	

DRAWN BY LP | CHECKED BY
SCALE 1" = 30'
DATE April, 1999
RECORD NO. J-G7140
DRWG. NO. 47.107-Y

12

140023


CAVERLY SECTION
Plat Book WWW 74
Leonard M. & Luisa M. Crawford
Liber 4890 Folio 26
Zoned R-80
ONE HILLS
Plat No. 22
Dennis C. & Carol A. Rogers
Liber 4071 Folio 404
Zoned R-80
CAVERLY PLACE
Existing House
Existing House
Gavin C. & Meryl L. Reese
Liber 5240 Folio 816
Zoned R-80
Rhesa H. Rhoades
Liber 3961 Folio 824
Zoned R-18
ROBY'S ADDITION
Plat Book BB 14
Robert W. & Ruth N. Thiessen
Liber 2990 Folio 320
Zoned R-18
Edward J. & Jeanette E. Record
Liber 5208 Folio 104
Zoned R-18
E.W. Messersmith, Inc.
Liber 4868 Folio 366
Zoned R-18
TO BELTSVILLE Plat No. 34
Norman Eric & Dawn H. Blackwood
Liber 5177 Folio 815
Zoned R-80
Existing Dwelling
Existing Shed
Existing Garage
Existing Pool
Existing Patio
Existing Fence
Existing Gate
Existing Asphalt Paving
Existing Water
Existing Gas Service
Existing Gas Outlet
Existing Gas Curb
Existing Wells
Existing Fire Hydrant
Existing Utility Pole
Existing Guy Wire
Existing Flume
Existing Inlet
Existing Concrete Paving
Existing Concrete Walk
Existing Chain Link Fence
Existing Wood Fence
Existing Overhead Wires
Existing Underground Electric
Existing Underground Telephone
Existing Underground Gas
Existing Underground Water
Existing Underground Sewer
Existing Underground Storm Drain
Existing Underground Cable TV
Existing Underground Fiber Optic
Existing Underground Power

The Maryland-National Capital Park & Planning Commission
Planning Department Prince George's County
Development Review Division
1616 McCormick Drive
Largo, Maryland 20774
www.pgplanning.org

Date: 2/3/2025

MAILING LIST - RECEIPT

[X] Development Application **SE-4848**
[ ] County Application

This receipt is to acknowledge that Kevin Garvey received the following lists as described by the categories below:

[X] Registered community organization list	Total Records: 25
[X] Adjoining property owners list	Total Records: 129
[X] Municipalities within one mile list	Total Records: 0
[X] Additional government contacts	Total Records: 4

This list is valid for 180 days from the date referenced above. Applicants must obtain an updated mailing list if notifications are not sent within 180 days.

This property is located on WSSC Grid: 215NE05

Ashley Celestin
Development Review Division

Download Extracts:
SE-4848_02032025143909_Reg_Assoc.xlsx
SE-4848_02032025143909_Adjoining_Property_Premise_Owner_Address.xlsx
SE-4848_02032025143909_GovernmentContact.xlsx

A copy of the adjoining properties map has been included for your reference:
SE-4848_02032025143909_Adjoining_Property.jpg

A mailing list archive has been generated for your reference:
SE-4848_02032025143909_MailingListArchive.zip

The download extract links above will be available for 3 months. You must download the extracts if you need access to the data in the future.

Data extract may include duplicate address records.

LOPEZ ALEJANDRO D JESUS L Y ETAL
5418 GALLATIN ST
HYATTSVILLE, MD 20781

PRINCE GEORGES COUNTY
RIGHT OF WAY SEC
ROOM 3020 C A B
UPPER MARLBORO, MD 20772

VELASQUEZ CRISTIAN ALEXANDER ETAL
4814 POWDER MILL RD
BELTSVILLE, MD 20705

PEACE MARY L
11705 CAVERLY AVE
BELTSVILLE, MD 20705

HURLEY DAVID A &
4407 POWDER MILL RD
BELTSVILLE, MD 20705

SUTTON DENISE M ETAL
4412 GREENWOOD RD
BELTSVILLE, MD 20705

SILVA NELSON ETAL
4411 POWDER MILL RD
BELTSVILLE, MD 20705

VILLEGAS JOHANNA M
11710 ROBY AVE
BELTSVILLE, MD 20705

FLORES PEDRO & DINA
11700 EMACK RD
BELTSVILLE, MD 20705

PORTER CRAIG
15206 PEACH ORCHARD RD
SILVER SPRING, MD 20905

DUONG SILVERN Q ETAL
11714 EMACK RD
BELTSVILLE, MD 20705

VALLARASAN HELEN R & KOILNAYAGAM
11718 EMACK RD
BELTSVILLE, MD 20705

SLIGH JOHN L III
4303 KENNY ST
BELTSVILLE, MD 20705

MOHANTY PRANOTI
4306 KENNY ST
BELTSVILLE, MD 20705

DADE STEFAN C & MARGARET A
4251 POWDER MILL RD
BELTSVILLE, MD 20705

URICK BEVERLY K O & GEORGE M
11700 CAVERLY AVE
BELTSVILLE, MD 20705

MILLER ROBERT J JR & LYNNE
4381 POWDER MILL RD
BELTSVILLE, MD 20705

GOAD JAMES RANDOLPH ETAL
4400 GREENWOOD RD
BELTSVILLE, MD 20705

LLOYD LINDSAY ETAL
11710 CAVERLY AVE
BELTSVILLE, MD 20705

SMITH STEVEN R & DEBORAH H BAGGET
11707 CAVERLY AVE
BELTSVILLE, MD 20705

GODSEY DONNA M
11709 CAVERLY AVE
BELTSVILLE, MD 20705

KELLER BARBARA A
4419 POWDER MILL RD
BELTSVILLE, MD 20705

4410 POWDER MILL LLC
STE 320
11155 RED RUN BLVD
OWINGS MILLS, MD 21117

MILLS EILEEN L
11712 ROBY AVE
BELTSVILLE, MD 20705

MELENDEZ JOSE A
11702 EMACK RD
BELTSVILLE, MD 20705

MORRIS KELLY J
11710 EMACK RD
BELTSVILLE, MD 20705

GARCIA GEOVANY ETAL
5100 CAVERLY PL
BELTSVILLE, MD 20705

MARQUEZ JULIA S
5102 CAVERLY PL
BELTSVILLE, MD 20705

VALLE MILTON E SANCHEZ ETAL
4236 KENNY ST
BELTSVILLE, MD 20705

AGUILERA MARIA M
4309 KENNY ST
BELTSVILLE, MD 20705

BAUMAN BRUCE J & EMILY E BAIR
4415 GREENWOOD RD
BELTSVILLE, MD 20705

BOTCHWAY NED R
11705 PINE ST
BELTSVILLE, MD 20705

MERINO JOSE A ETAL
11706 CAVERLY AVE
BELTSVILLE, MD 20705

POLANCO FABIAN
4404 GREENWOOD RD
BELTSVILLE, MD 20705

HEALY CONNIE J REV LIV TRUST
4401 POWDER MILL RD
BELTSVILLE, MD 20705

SANTOS ROSIE G ETAL
4406 GREENWOOD RD
BELTSVILLE, MD 20705

ADENUPEBI ADEBAYO C
4414 GREENWOOD RD
BELTSVILLE, MD 20705

NGANG THADEUS & ETAL
4413 POWDER MILL RD
BELTSVILLE, MD 20705

SCHINAULT MARY A
5110 CAVERLY PL
BELTSVILLE, MD 20705

4410 POWDER MILL LLC
STE 320
11155 RED RUN BLVD
OWINGS MILLS, MD 21117

WILLIAMS BONNIE & STEVEN ETAL
3914 DUSTIN RD
BURTONSVILLE, MD 20866

RODRIGUEZ JULIO CESAR ROSALES ETAL
11715 ROBY AVE
BELTSVILLE, MD 20705

OSORIO JOSE DAVID ETAL
11709 PINE ST
BELTSVILLE, MD 20705

GUTIERREZ DANIEL I & YONI B
11810 MACON ST
BELTSVILLE, MD 20705

VASQUEZ JACQUELINE E F ETAL
11716 EMACK RD
BELTSVILLE, MD 20705

LADD THEODORE B J R & ALYCE A
1039758
11722 EMACK RD
BELTSVILLE, MD 20705

PURIFICATION ATUL T & IRINE V
4307 KENNY ST
BELTSVILLE, MD 20705

NDE ELVISFRU ETAL
4238 KENNY ST
BELTSVILLE, MD 20705

ADENUPEBI ADEBAYO ETAL
4409 GREENWOOD RD
BELTSVILLE, MD 20705

TOTOCAYO MIRIAM K QUISPE
PO BOX 554
MAYO, MD 21106

VASQUEZ ENOC FRANCISCO AVALOS
11701 CAVERLY AVE
BELTSVILLE, MD 20705

MURPHY CARL A & MILDRED H
4405 POWDER MILL RD
BELTSVILLE, MD 20705

BROWNELL FAMILY TRUST
5119 CAVERLY PL
BELTSVILLE, MD 20705

DEE ABEDNEGO G
5109 CAVERLY PL
BELTSVILLE, MD 20705

REYES GUSTAVO E ESPINOZA
5106 CAVERLY PL
BELTSVILLE, MD 20705

BORGWARDT DONALD V & KATHERINE F
4400 POWDER MILL RD
BELTSVILLE, MD 20705

BORGWARDT DONALD V & KATHERINE F
4400 POWDER MILL RD
BELTSVILLE, MD 20705

TAKAHASHI YOSHIRO
5108 CAVERLY PL
BELTSVILLE, MD 20705

LEMUS-PORTILLO EDWIN M ETAL
11714 ROBY AVE
BELTSVILLE, MD 20705

DISLA JOSE A
11720 ROBY AVE
BELTSVILLE, MD 20705

LAZARO NOEL NINO ETAL
11722 ROBY AVENUE
BELTSVILLE, MD 20705

GONZALEZ JOHN J & REINA
8104 SOLLEY RD
PASADENA, MD 21122

GASTON JEAN R & MARIE R PENN
11800 CAVERLY AVE
BELTSVILLE, MD 20705

BROWN RONNY D & TAMMI M
5104 CAVERLY PL
BELTSVILLE, MD 20705

ANNA JOHN W JR ETAL
11806 MACON ST
BELTSVILLE, MD 20705

DANIEL SUNILA A ETAL
4305 KENNY ST
BELTSVILLE, MD 20705

NUCAMENDI DEISY A BORGES
4249 POWDER MILL RD
BELTSVILLE, MD 20705

CORNEJO ELIAS A COREAS ETAL
4411 GREENWOOD RD
BELTSVILLE, MD 20705

ORELLANA JOHN L ETAL
4413 GREENWOOD RD
BELTSVILLE, MD 20705

MORALES QUIRINA L
4416 GREENWOOD RD
BELTSVILLE, MD 20705

AXUME NANCY
4418 GREENWOOD RD
BELTSVILLE, MD 20705

TAWWAB NURI ALI ETAL
4307 POWDER MILL RD
BELTSVILLE, MD 20705

GERLINGS MEGAN RASCOE ETAL
4311 POWDER ML RD
BELTSVILLE, MD 20705

MEJIA CARLOS D ETAL
11707 PINE ST
BELTSVILLE, MD 20705

QUINTEROS ANA RUBI V ETAL
4405 GREENWOOD RD
BELTSVILLE, MD 20705

MALONE JACK S ETAL
4410 GREENWOOD RD
BELTSVILLE, MD 20705

CORADO FREDY
4417 POWDER MILL RD
BELTSVILLE, MD 20705

BORGWARDT DONALD V & KATHERINE F
4400 POWDER MILL RD
BELTSVILLE, MD 20705

GOMEZ ALBERT J ETAL
11718 ROBY AVE
BELTSVILLE, MD 20705

MERLOS DIGNA Y M
11711 ROBY AVE
BELTSVILLE, MD 20705

BUCCA PAUL & STACY E
11712 EMACK RD
BELTSVILLE, MD 20705

SCHWEITZER JILLIAN ETAL
11719 ROBY AVE
BELTSVILLE, MD 20705

RIVERA MARTA A
11720 EMACK RD
BELTSVILLE, MD 20705

ROSE DEBORAH
4414 HARBOUR TOWN DR
BELTSVILLE, MD 20705

LIN KUANG H & LUCY L
4247 POWDER MILL RD
BELTSVILLE, MD 20705

ZHANG JING
11610 EMACK RD
BELTSVILLE, MD 20705

ANGULO JOSE MANUEL H ETAL
4302 POWDER MILL RD
BELTSVILLE, MD 20705

VALLE BLANCA D ETAL
4403 GREENWOOD RD
BELTSVILLE, MD 20705

MILLER ROBERT J JR & LYNNE C
4381 POWDER MILL RD
BELTSVILLE, MD 20705

CAMPBELL MELVIN L & JOANNE M
11703 CAVERLY AVE
BELTSVILLE, MD 20705

PEREZ ALYERI V ETAL
5103 CAVERLY PL
BELTSVILLE, MD 20705

MEJIA AREVALO ANA D ETAL
5114 CAVERLY PL
BELTSVILLE, MD 20705

LANCASTER ANGELA O
5112 CAVERLY PL
BELTSVILLE, MD 20705

4410 POWDER MILL LLC
STE 320
11155 RED RUN BLVD
OWINGS MILLS, MD 21117

GOFF THOMAS
7085 MINK HOLLOW RD
HIGHLAND, MD 20777

POON SHUI O & BRENDA Y
11709 ROBY AVE
BELTSVILLE, MD 20705

GOMEZ ARNULFO A ETAL
11713 ROBY AVE
BELTSVILLE, MD 20705

ORTIZ ARNALDO OTONIEL ETAL
11706 EMACK RD
BELTSVILLE, MD 20705

BROWN ALBERT C & JANET L
4408 DUSTIN RD
BURTONSVILLE, MD 20866

HOWARD NIYO A & JULIA F
4308 KENNY ST
BELTSVILLE, MD 20705

PELLICANO ZOILA R O ETAL
11704 CAVERLY AVE
BELTSVILLE, MD 20705

NGUYEN THONG Q
11708 CAVERLY AVE
BELTSVILLE, MD 20705

CALDERON OSCAR DAVID
4409 POWDER MILL RD
BELTSVILLE, MD 20705

CANTORAL JOHNY ETAL
5117 CAVERLY PL
BELTSVILLE, MD 20705

BORGWARDT DONALD V & KATHERINE L
4400 POWDER MILL RD
BELTSVILLE, MD 20705

BOURSIQUOT JOSEPH F
5120 CAVERLY PL
BELTSVILLE, MD 20705

AGUILA LETICIA MONROY DEL
11708 ROBY AVE
BELTSVILLE, MD 20705

4410 POWDER MILL LLC
STE 320
11155 RED RUN BLVD
OWINGS MILLS, MD 21117

BELTSVILLE BOYS CLUB INC
PO BOX 373
BELTSVILLE, MD 20704

DOVE DANIEL (LE) & ANITA CLEMMER
11707 ROBY AVE
BELTSVILLE, MD 20705

HUAI ZAM CINGH
11717 ROBY AVE
BELTSVILLE, MD 20705

LOPEZ DAYSI X PINEDA ETAL
11711 PINE ST
BELTSVILLE, MD 20705

TEAGUE MARGARET P & ERNEST M TRUST
11712 CAVERLY AVE
BELTSVILLE, MD 20705

COSTA JOACHIM T & DAISY V
4234 KENNY ST
BELTSVILLE, MD 20705

BISHOP KASSANDRA M ET AL
11708 PINE ST
BELTSVILLE, MD 20705

BOWMAN MARSHA J LVG TRT
4420 GREENWOOD RD
BELTSVILLE, MD 20705

LEMUS ELENILSO ETAL
4421 POWDER MILL RD
BELTSVILLE, MD 20705

HENRY EDITH I
4311 KENNY ST
BELTSVILLE, MD 20705

GOAD JAMES R
4400 GREENWOOD RD
BELTSVILLE, MD 20705

PRESTON BRIAN
4407 GREENWOOD RD
BELTSVILLE, MD 20705

4403 L T LIMITED PARTNERSHIP
ONDECK MANAGEMENT, LLC
PO BOX 709
RIVERDALE, MD 20738

ESTRADA ANA Y ETAL
4408 GREENWOOD RD
BELTSVILLE, MD 20705

SARAVIA ELMER M G ETAL
4415 POWDER MILL RD
BELTSVILLE, MD 20705

CRUZ ERICK Y & ANTUANETTE M
5118 CAVERLY PL
BELTSVILLE, MD 20705

GOMEZ JENNIFER ETAL
5116 CAVERLY PL
BELTSVILLE, MD 20705

CORADO FREDY ETAL
4426 POWDER MILL RD
BELTSVILLE, MD 20705

DEL AGUILA LETICIA M MONROY
599 ROSEMERE AVE
SILVER SPRING, MD 20904

ANNA JOHN JR & FELICIA
11808 MACON ST
BELTSVILLE, MD 20705

MILES JULIA Z
11721 ROBY AVE
BELTSVILLE, MD 20705

Lakisha Hull
Planning Director
Prince George's County Planning Department
1616 McCormick Drive
Largo, MD 20774

The Hon. Thomas E. Dernoga
Council Member, District 1
1301 McCormick Drive
Largo, MD 20774

The Hon. Jolene Ivey
Council Member-At-Large Ivey
1301 McCormick Drive
Largo, MD 20774

The Hon. Calvin S. Hawkins, II
Council Member-At-Large Hawkins
1301 McCormick Drive
Largo, MD 20774

CHERRY GLEN CONDOMINIUMS
CHRISTIAN BELTRAN
11238 CHERRY HILL ROAD, T-3
BELTSVILLE, MD 20705

MONTPELIER COMMUNITY ASSOCIATION
P.O. BOX 2503
LAUREL, MD 20709

THE BRICK YARD HOMEOWNERS ASSOCIATION, INC.
EBONY ODONGO
7301 CALICO ROCK LANDING
BELTSVILLE, MD 20705

VANSVILLE HEIGHTS CITIZENS ASSOCIATION
JOHN D. PERKINS
5303 BREWER RD
BELTSVILLE, MD 20705

CROMWELL STATION CONDOMINIUM ASSOCIATION, INC.
DAVID VAUGHN
14435 CHERRY LANE COURT, SUITE #210
LAUREL, MD 20707

BENTLEY PARK COMMUNITY ASSOCIATION
JENNIFER BENNETT
11433 CRONRIDGE DRIVE
OWINGS MILLS, MD 21117

WILSHIRE HOMEOWNERS ASSOCIATION
118 AUTUMN END PLACE
LAUREL, MD 20724

MONTPELIER WOODS HOMEOWNERS ASSOCIATION
TOM LAMARRA
10413 BALSAMWOOD DRIVE
LAUREL, MD 20708

BRIGHTON PLACE HOMEOWNERS ASSOCIATION
12200 TECH ROAD, SUITE 325
SILVER SPRING, MD 20904

CALVERTON CITIZENS ASSOCIATION
BERNADINE (BERNIE) KARNS
3005 GAZEBO COURT
SILVER SPRING, MD 20904

SUMNER GROVE HOMEOWNERS ASSOCIATION
DOUG DOWNS
10480 LITTLE PATUXENT PARKWAY
COLUMBIA, MD 21044

MAYFAIR HOMES ASSOCIATION, INC.
DAVID VAUGHN
14435 CHERRY LANE COURT, SUITE #210
LAUREL, MD 20707

POWDER MILL ESTATES COMMUNITY GROUP
KATHY CORLEY
10908 BORNEDALE DRIVE
HYATTSVILLE, MD 20783

INDIAN CREEK ASSOCIATION, INC. AT NORTH CREEK
11422 RUNNING BEAR COURT, C/O CVI, SUITE 10
BELTSVILLE, MD 20705

MONTPELIER HILLS RECREATION ASSOCIATION, INC
ANA BAUTISTA
10480 LITTLE PATUXENT WAY, 10TH FLOOR, SUITE 100
COLUMBIA, MD 21044

MONTPELIER HILLS HOMEOWNERS ASSOCIATION, INC.
DAVID VAUGHN
14435 CHERRY LANE COURT, SUITE #310
LAUREL, MD 20707

RESIDENTS FOR A BETTER BELTSVILLE
11412 QUEEN ANNE AVENUE
BELTSVILLE, MD 20705

HEIGHT POINT HEIGHTS HOA

CALVERT HILLS CITIZENS ASSOCIATION
6808 DARTMOUTH AVENUE
COLLEGE PARK, MD 20740

NORTH LAKE HOMEOWNERS ASSOCIATION, INC.
DAVID VAUGHN
14435 CHERRY LANE COURT, SUITE #310
LAUREL, MD 20707

RESIDENTS FOR A BETTER NORTH COLLEGE PARK
LISA EALLEY
9526 RHODE ISLAND AVE,
COLLEGE PARK, MD 20740

LAKELAND CIVC ASSOCIATION
ROBERT THURSTON
5114 NAVAHOE STREET,
COLLEGE PARK, MD 20740

WEST LAUREL CIVIC ASSOCIATION
MELISSA DASTON
16102 GOODMAN COURT
LAUREL, MD 20707

THE SOUTH LAUREL RECREATION COUNCIL, INC.
8710 GRANITE LANE
LAUREL, MD 20708

HILLANDALE GARDENS/KNOLLWOOD CITIZENS ASSOCIATION
PATRICIA MYERS
10506 TRUXTON ROAD
HYATTSVILLE, MD 20783

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

February 19, 2025

VIA FIRST CLASS MAIL

RE: Project Name - Donald V. Borgwardt Funeral Home
Special Exception No. SE-4848

Dear Neighbor:

This correspondence is being sent to you because you have been identified as one of the following: an adjacent property owner, a municipality within one (1) mile, a previous party of record, and/or a registered homeowners or civic association. A Special Exception application for the above-referenced project will be submitted for review to the Development Review Division of The Maryland-National Capital Park and Planning Commission ("M-NCPPC").

The subject property consists of 1.74 acres in the RR (Residential, Rural) Zone, and is located along the northeast side of Powder Mill Road approximately 250-feet northwest of its intersection with Roby Avenue. The existing funeral home has been in operation on the property since approximately 1985 and was approved as part of prior Special Exception applications, SE-3267 & SE-3988. The nature of this review is to add a 1,664 square-foot building addition to the funeral home that will contain a crematory. Minor revisions to the existing parking compound are also proposed.

If you wish to become a person of record for this application, you are encouraged to do so at this time. As a Person of Record, you will be entitled to certain rights under the Zoning Ordinance and Subdivision Regulations, but registration is required. You may register online at https://www.mncppcapps.org/planning/Person_of_Record/default.cfm, or you may submit your name, address, and the above-referenced application number and name by mailing a written request to:

The Maryland-National Capital Park and Planning Commission
Development Review Division
1616 McCormick Drive
Largo, MD 20774

Being a person of record on a separate application on the same property **does not** make you a person of record for the subject application. You must request to become a person of record for each separate application (separate applications have different application numbers). At this time no government agency has reviewed the application. **After** the application has been filed, you may contact the M-NCPPC at 301-952-3530.

IMPORTANT: This notice is your opportunity to interact with the applicant team prior to the acceptance of the subject application. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant's failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.

If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Russell Shipley at rshipley@shpa.com or 301-925-1800.

Sincerely,

Russell W. Shipley

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1800
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

February 19, 2025

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to The Process Guidelines for Development Review Applications, Informational Mailing letters regarding the application for Special Exception, SE-4848, (Donald V. Borgwardt Funeral Home), were mailed to all adjoining property owners, registered associations, municipalities within a mile, and previous parties of record on or about February 19, 2025.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this paper are true.

Russell W. Shipley

February 19, 2025
Date

STATE OF MARYLAND:
COUNTY OF PRINCE GEORGE'S:

I, MARILYN K. TAYLOR, a Notary Public of said County, do certify that Robert Antonetti, Jr., personally appeared before me and made known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Marilyn K. Taylor
NOTARY PUBLIC

My Commission expires: 7/24/2028

MARILYN K. TAYLOR NOTARY PUBLIC PRINCE GEORGE'S CO. MD My Commission Expires 07-24-2028

PRINCE GEORGE'S COUNTY, MARYLAND

DEPARTMENT OF PERMITTING , INSPECTIONS AND ENFORCEMENT
SITE/ROAD PLAN REVIEW DIVISION
9400 Peppercorn Place, Suite 230
Largo, Maryland 20774
(301) 636 - 2080

SITE DEVELOPMENT CONCEPT APPROVAL

PERMIT PROJECT NAME:	**Borgwardt Funeral Home**	APPLICATION NUMBER:	
CASE NAME:	**Beltsville - Borgwardt Funeral Home**	APPROVAL NUMBER:	**41723-2024-SDC**
PERMITEE'S NAME:	**DONALD V. BORGWARDT**	PERMIT TYPE:	**Site Development Concept Approval**
ENGINEER:	**Atwell, LLC**		

REQUIREMENTS:

Technical Review is required for PUBLIC /PRIVATE Storm Drain /SWM Construction.

Type of Storm Drainage/SWM Construction is .

These additional approvals are required: **Building permit; Site development fine grading permit**.

These fees apply: .

These bonds apply: .

Required water quality controls: .

Required water quantity controls: .

A maintenance agreement is .

Required easements: .

Storm Water Management fee payment of **$0.00** in lieu of providing on-site attenuation/quality control measures.
(Fee-In-Lieu subject to change during technical review.)

CONDITIONS OF APPROVAL:

Please see second page.

APPROVED BY:



Rey De Guzman

APPROVAL DATE: **Feb-18-2025**

EXPIRATION DATE: **Feb-18-2028**

FOR OFFICE USE ONLY

ADC MAP:	**5288**
WSSC 200' GRID:	**215NE05**
WORK LOCATION:	**Please see last page.**
12-DIGIT WATERSHED:	**021402050824**
8-DIGIT WATERSHED:	**02140205**
TOTAL NUMBER OF LOTS + PARCELS:	**3**

PRINCE GEORGE'S COUNTY, MARYLAND

DEPARTMENT OF PERMITTING , INSPECTIONS AND ENFORCEMENT
SITE/ROAD PLAN REVIEW DIVISION
9400 Peppercorn Place, Suite 230
Largo, Maryland 20774
(301) 636 - 2080

CONDITIONS OF APPROVAL:

1) THE PURPOSE OF THE PROJECT IS EXPANSION OF FUNERAL HOME.

2) LESS THAN 5,000 SQUARE FEET TO BE DISTURBED. THIS PROJECT IS EXEMPT FROM STORMWATER MANAGEMENT REQUIREMENTS.

3) THIS PROJECT WILL REQUIRE A SITE DEVELOPMENT FINE GRADING PERMIT.

REVIEWED BY DW.

PRINCE GEORGE'S COUNTY, MARYLAND

DEPARTMENT OF PERMITTING , INSPECTIONS AND ENFORCEMENT
SITE/ROAD PLAN REVIEW DIVISION
9400 Peppercorn Place, Suite 230
Largo, Maryland 20774
(301) 636 - 2080

BUILDING NUMBER	STREET NAME	STREET SUFFIX	CITY / TOWN	TAX ACCOUNT	START STATION	END STATION
4400	Bowder Mill	RD	Beltsville	0061812		
11702	Roby	AVE	Beltsville	0005934		
11704	Roby	AVE	Beltsville	0068668		



SOILS TABLE			
SYMBOLS	DESCRIPTION	% OF SITE	HYDROLIC SOIL GROUP
SnB	Sassafras-Urban Land Complex, 0 to 5 percent slopes	33	B
SnD	Sassafras-Urban Land Complex, 5 to 15 percent slopes	67	B

Borgwardt Funeral Home Project Narrative

The subject property is located in Beltsville, Prince Georges County, Maryland. The site is located north of the intersection between Powder Mill Road and Roby Ave with an area of 1.74 acres. The proposed work has an approximate Limit of Disturbance (LOD) of 2.945 sf or 0.07 acres. The current site is developed and the proposed construction will remove and replace approximately 0.04 acres of impervious area. The purpose of this project is for an expansion to an existing funeral home.

Natural Resource Protection, Enhancement and Preservation

The site will not be required stormwater management because the total disturbed area is less than 5,000 sf. The site is not in or near the Chesapeake Bay Critical area (CBCA). The soils on the site include Sassafras-Urban land complex (SnB) 0 to 5% slopes and Sassafras-Urban land complex (SnD) 5 to 15% slopes. SnB and SnD have a hydrologic soil group rating of Type B, high infiltration rate. There are no Marlboro Clays or highly erodible soils onsite. There are no steep slopes present onsite. The site is part of the Anacostia River Watershed, which is listed as impaired, but is not a part of a Tier II Watershed. Anacostia River has completed TMDL for Nitrogen (N), Phosphorous (P), and Total Suspended Solids (S).

Maintenance of Natural Flow Patterns

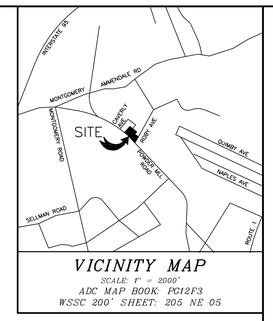
The natural flow pattern of the site will not be changed due to the proposed development.

Integration of Erosion & Sediment Controls into the Stormwater Strategy

Prince George's Soil Conservation District does not require erosion & sediment controls because the total disturbed area is less than 5,000 sf. However, the applicant needs to provide adequate and appropriate erosion & sediment controls to address the possibility of sediment laden runoff migrating from the proposed work area.

Evaluation of Stabilization Requirements

Areas of land disturbance will be stabilized as the work progresses in conformance with the 2013 stabilization requirements and the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control. Generally permanent or temporary stabilization will be completed within one (1) calendar day for perimeter dikes, swales, ditches and all slopes steeper than 3H:1V; or, within three (3) calendar days for all other disturbed areas not actively graded.



VICINITY MAP
SCALE: 1" = 2000'
ADC MAP BOOK: PG12F3
WSSC 200' SHEET: 205 NE 05

LEGEND

- PROPERTY BOUNDARY
- PROPOSED CONTOUR — 78
- EXISTING 10 FT. CONTOUR — 180
- EXISTING 2 FT. CONTOUR — 178
- EXISTING SEWER — S
- EXISTING WATER — W
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- EXISTING STORM DRAIN
- SOIL BOUNDARIES
- SOIL TYPE — CcE/RnB
- LIMITS OF DISTURBANCE — LOD

SITE DEVELOPMENT CONCEPT PLAN
DPIE No. 41723-2024-SDC

PART OF PARCEL 42

BORGWARDT FUNERAL HOME

DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

GRAPHIC SCALE 1"=30'
0 30' 60' 90'

12

OWNER NAME:
DONALD V. & KATHERINE L. BORGWARDT
MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE.
BELTSVILLE, MD 20705-2751

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LUKE C. CAMPBELL PE
LICENSE NO. 53416
EXPIRATION DATE: 11/8/26
1/27/2025

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY: CDS | DESIGNED BY: SH | CHECKED BY: LC | RECORD NO.: J-A67149
SCALE: 1"=30' | DATE: MAY, 2024 | DRWG NO.: 8.005-Z

K:\C3D-PROJ\A67149-C3D\DWG\SDCP-PAR42-PAR-A.dwg, 1/22/2025 10:35:43 AM, jpuher

APPROVED BY:
Rey De Guzman

Prince George's County, Maryland
Department of Permitting, Inspections and Enforcement
APPROVED PLAN SET

The Department of Permitting, Inspections and Enforcement has completed a review of this document for code compliance. As required by State Code, the design professional(s) responsible for the preparation and content of this document must provide a record copy of these documents with their original seal, signature and date.

Case Name: Beltsville - Borgwardt Funeral Home
Application Number (Plan Approval #): 41723-2024-SDC
Permit Number:
Issuance Date: 2/7/2025
Address: 4400 POWDER MILL RD BELTSVILLE MD 20705
Lot(s) and Block(s): pt of Parcel 42
Reviewed by: DW

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT

M-NCPPC – Countywide Planning Division, Environmental Planning Section // Send to: PPD-EnvPlanning@ppd.mncppc.org
Prince George's County Planning Department ♦ 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 ♦ 301-952-3650

APPLICATION FOR WOODLAND CONSERVATION LETTER OF EXEMPTION (WCO-Ex)

APPLICANT TO FILL OUT THIS SECTION - Refer to www.PGAtlas.com for Information
HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

Property Owner Name, Address, and Contact Info:	**Agent/Contact** Name, Company, Address, Phone & E-mail:
DONALD V & KATHERINE L BORGWARDT 4400 POWDER MILL ROAD BELTSVILLE, MD 20705	Hunter Michael Atwell, LLC 11721 Woodmore Road, Suite 200 Mitchellville, MD 20721 301-430-2000 / hmichael@atwell-group.com

Payment by check, money order, or cashier's check ONLY – *made payable to M-NCPPC*
Please indicate name of project, address, or other identifying information on payment. *Do not staple payment*.

Name on Check: ATWELL, LLC Check No. 243678 **APPLICATION FEE - $50.00**
Gov't Projects - Fee Waived

Agent/Contact
Signature: Hunter Michael (Digitally signed by Hunter Michael, DN: C=US, E=hmichael@atwell-group.com, O=ATWELL, INC., CN=Hunter Michael, Reason: I am the author of this document, Date: 2024.03.15 07:33:01-04'00')
Date: 03/15/2024

PROJECT/PROPERTY NAME: **BORGWARDT FUNERAL HOME**

Street Address (if available), *otherwise* Geographic Location in relation to nearest major road intersection:
4400 POWDER MILL ROAD, 11702 & 11704 ROBY AVENUE, BELTSVILLE, MD 20705

Companion Case(s) and/or Resolution(s) - Preliminary Plan, Site Plan, Special Exception, etc.:
NRI-075-2024 (EL)

Total Area (acres):	2.48 ac.	Tax Account #(s):	0005934, 0068668, & 0061812		
Total Number of Lots 1 and/or Parcels: 2		Current Zone(s):	R-R	WSSC Grid:	215NE05
Lot/Block/Parcel(s): PARCEL 42, LOT 2 & PART OF PARCEL A, BLOCK A		Proposed Woodland Clearing (ft^2):	0	Environmental Strategy Area (ESA): *Located under the Environmental heading in PGAtlas*	1 [X] 3 4

Proposed Activity: Development for the expansion to an existing funeral home.

SITE PLAN:
Date: 5/17/24 Prepared by: D. Hunter Michael Firm: ATWELL Preparer Qualifications: Qualified Professional ID #:

RESPONSE (TO BE COMPLETED BY EPS STAFF)

APPROVAL TYPE: ☐ Numbered Exemption ■ Standard Exemption

Exemption Number: S-075-2024

Staff Reviewer: WRC Receipt Number: 8685 Filing Fee: $50.00

Your request for a **Standard Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Standard Letter of Exemption is issued because the property has no previous TCP approvals and:

- ☐ Is less than 40,000 square feet in size; and/or
- ☑ Contains less than 10,000 square feet of woodland; or
- ☐ The project is subject to the Maryland Forest Conservation Act and will be reviewed by Department of Natural Resources

Your request for a **Numbered Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Letter of Exemption is issued because the site is over 40,000 square feet in size and contains over 10,000 square feet of woodland; however the project has no previous TCP approvals and:

- ☐ Results in the clearing of less than 5,000 square feet of woodland. Proposed clearing is _____ ft^2. *If application is for a Revision*, cumulative clearing to date (not including currently proposed) is _____ ft^2.
- ☐ The activity is a government or linear project that results in the clearing of less than 20,000 square feet of woodland. Proposed clearing is _____ ft^2. *Revisions:* cumulative clearing to date (not including currently proposed) is _____ ft^2; or
- ☐ The proposed activity is for a timber harvest.

This letter is valid for two years from the date of approval, or until such time as the cumulative woodland clearing exceeds the maximum amount specified above. If a development review application (preliminary plan, detailed site plan, etc.) is required, a Numbered Exemption may be considered invalid in accordance with Section 25-119(b)(5)(A).
A copy of this letter must be submitted at the time of development activity or permit application.

Staff Signature Approval: Contee, Wendy (Digitally signed by Contee, Wendy, Date: 2024.06.10 15:58:49 -04'00')
Approval Date: 06/10/2024
Expiration Date: 06/10/2026

Development Review Division

Subdivision & Development Review Committee Coversheet

Chairman: David Myerholtz
SDRC Meeting Date: April 25, 2025

**Disclaimer:* *Additional information may be required as the plan review progresses, or revised information is provided.*

1. General Project Information	
Case Number:	SE-4848
Project Name:	Donald Borgwardt V. Borgwardt Funeral Home
Project Location:	Located at the northeast side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue
Project Description:	Addition of a 1,664 square foot crematory to existing funeral parlor in R-R zone.

2. Development Review Division Contact Information				
	Name	**Section**	**Telephone**	**E-mail**
Planner	Candra Teshome	Zoning	301-952-3749	candra.teshome@ppd.mncppc.org
Planning Supervisor	Jeremy Hurlbutt	Zoning	301-952-4151	Jeremy.Hurlbutt@ppd.mncppc.org
Sign Posting Contact(s)	Cheryl Summerlin	Development Review	301-952-3578	heryl.summerlin@ppd.mncppc.org
Planning Division Chief	Sherri Conner	Development Review	301-952-3530	Sherri.Conner@ppd.mncppc.org

3. Sign Posting Information			
Posting Required?	**YES** ☐ **NO** ☒	Tenative Date of Posting:	N/A

4. Important Project Dates			
Acceptance Date:	3/31/2025	***Tentative* Staff Report Publishing Date:**	6/26/2025
Deadline for Revised Information (41 days):	5/30/2025	***Tentative* Planning Board Date:**	7/10/2025
Referral Due Date:	6/6/2025	***Tentative* Resolution Date:**	N/A

5. Referral Agencies providing Major Issues Memos or comments (Attached)		
Community Planning ☒	**Transportation Planning** ☒	**Permits** ☐
Environmental Planning ☒	**Urban Design** ☒	**Department of Permitting, Inspections & Enforcement (DPIE)** ☐
Subdivision ☒	**Prince George's Fire & EMS Department** ☐	**Department of Public Works & Transportation (DPW&T)** ☐
Maryland State Highway Administration ☐	**Washington Suburban Sanitation Authority (WSSC)** ☐	**Historic Preservation** ☐
Health Department ☐	**WMATA** ☐	**Special Projects** ☐
Parks and Recreation ☐	**Municipality:** ☐	**Verizon** ☐
PEPCO/ BGE/ SMECO ☐	**Police** ☐	**Other: Housing and Community** ☐

6. Sign-off	
Planner Signature	Date: (MM/DD/YYYY)
Candra Teshome	April 28, 2025
Applicant Signature - *Please sign this form to acknowledge that you have been informed of the above and attached requests. Your signature does not signify an agreement to any conditions, only that you are aware of staff's request for additional items.*	Date: (MM/DD/YYYY)
	April 30, 2025

Development Review Division

Subdivision & Development Review
Committee Coversheet

Chairman: David Myerholtz
SDRC Meeting Date: April 25, 2025

**Disclaimer:* Additional information may be required as the plan review progresses, or revised information is provided.*

Applicant Phone #:	Applicant E-mail:
301-925-1800	rshipley@shpa.com; jferrante@shpa.com

Additional Referral Comments	
Agency:	**Community Planning**
See attached memo.	
Agency:	**Transportation**
See attached memo.	
Agency:	**Environmental Planning/Geotechnical**
See attached memo.	
Agency:	**Subdivision**
1. The subject property is known as Parcel 42. The property has no applicable preliminary plan of subdivision (PPS) or final plat. **2. Per Section 24-107(c)(7)(C) of the prior Subdivision Regulations, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from filing a PPS and final plat.** **3. Per the project narrative, a 3,000 square foot office space and 1,400 square foot garage was approved on the property on November 7, 1990 (Special Exception SE-3988). However, the garage was not constructed, and a 3,101 square-foot addition was constructed after January 1, 1990.** **4. The applicant proposes a second addition of 1,664 square feet on the property. The total gross floor area (GFA) added after January 1, 1990 will be, therefore, 4,765 square feet of GFA, less than 5,000 square feet. This development is therefore exempt from filing a PPS and final plat.**	
Agency:	**Historic Preservation**
No major issues.	
Agency:	**Parks & Recreation**
Not present.	
Agency:	**Permits**
Not present.	
Agency:	**Special Projects**

Development Review Division

Subdivision & Development Review Committee Coversheet

Chairman: David Myerholtz
SDRC Meeting Date: April 25, 2025

**Disclaimer:* Additional information may be required as the plan review progresses, or revised information is provided.*

No major issues.	
Agency:	**DPIE/DPW&T**
Under review.	
Agency:	**Fire/EMS**
No major issues.	
Agency:	**Police**
Not present.	
Agency:	**Health**
Not present.	
Agency:	**Housing & Community Dev.**
Not present.	
Agency:	**WSSC**
No major issues.	
Agency:	**Verizon / Comcast / AT&T**
Not present.	
Agency:	**BGE / PEPCO / Washington Gas**
Not present.	
Agency:	**Md. State Hwy. Admin.**
Not present.	
Agency:	**Municipality Name**
Not present.	

NOTE: Please submit ALL revised referral plans on a CD as well as one paper copy set at least 35 days prior to the Planning Board date. Any project requiring a Planning Board Hearing must be posted for 30 days. The Development Review Chief must authorize the release of signs. It is your responsibility to call the Applications Section at 301-952-3296 to arrange pick up of the signs for timely posting.

ATWELL

CONSULTING. ENGINEERING. CONSTRUCTION.

May 28, 2025
J-A67149-1276
WO-009

David Myerholtz
Development Review Division
Maryland National Capital Park
and Planning Commission
1616 McCormick Drive
Largo, Maryland 20774

Re: Borgwardt Funeral Home
SE-4848

Dear Mr. Myerholtz:

On behalf of the applicant please accept this statement which addresses the comments received following the SDRC conference and the supporting documents.

TRANSPORTATION PLANNING SECTION:

1. Update the plan sheets to include the following items:

    a. Provide a Pedestrian and Vehicle Circulation Plan.

Response: A Site Plan illustrating the location of existing and proposed sidewalks, sidewalk ramps, bicycle parking, drive entry, crosswalks, vehicular parking and drive isles per Section 27-6204.

    b. Include clearly marked crosswalk at the driveway entrances.

Response: Continental crosswalk painting at driveway entrances has been added to the plan.

    c. Include a minimum two inverted u-style bicycle parking spaces convenient to the building entrance.

Response: Two U-style bike racks for four bicycle parking spaces have been added to the plan.

    d. Include Loading Circulation Map.

Response: No new loading spaces are proposed with this application. The existing loading space is interior to the building.

e. Provide Trip General Memo.

Response: On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and that the subject application would further meet the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5) of the Zoning Ordinance. The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

URBAN DESIGN:

1. Per Section 27-422(f)(1) of the prior Zoning Ordinance, one (1) chimney is permitted not more than six (6) feet wide along the building and may project up to eighteen (18) includes beyond line. Please revise the plans to meet this requirement.

   Response: Per email received from Ms. Candra Teshome on May 7, 2025, the above comment has been removed and no longer applies to the project.

2. Please mark the exterior elevation plans to show the measurements of the cremation stack from the building line.

   Response: This comment primarily relates to Comment 1 above which no longer applies to the project. However, the proposed chimneys are located within the interior of the roofline and do not extend outward towards any required building line. All building setback lines and dimensions from the building to the property line are clearly shown on the submitted plan.

3. Clarify if a departure is needed and submit the required materials, if necessary.

   Response: No departures are required or requested with this application. It should be noted that Departure from Design Standards, DDS-397, was previously approved by the Planning Board on January 17, 1991, to waive 30 feet of the required 50-foot setback for access to a loading space adjoining a residential zone, (PGCPB Resolution No. 91-1). There are no changes being proposed to the location of the existing driveway entrances where the departure was necessary. As a result, the prior approved departure will continue to run with the Property, as is not affected in any way by the current application.

ATWELL

CONSULTING. ENGINEERING. CONSTRUCTION.

4. Provide a current landscape plan addressing the 2010 Landscape Manual requirements.

   Response: Per the email from Candra Teshome on May 28, 2025 staff recommended the application is in conformance with the 2010 Landscape Manual and Tree Canopy Ordinance. The parking and loading space locations have been revised on the approved landscape plan to be consistent with the site plan. The Tree Canopy Coverage table has been revised to demonstrate conformance with the 20 percent tree canopy coverage requirement.

5. Ensure the landscape plan depicts all existing and proposed vegetation.

   Response: Existing and proposed landscape planting are shown on the revised landscape plan.

6. Show circulation/drive aisles and parking space dimensions.

   Response: Directional arrows have been added to illustrate on-site traffic movement. Dimensions of drive aisles and parking spaces have been added to the plan.

7. Ensure all setbacks are marked, for existing and proposed structures.

   Response: The building setback lines and building setback dimensions are shown on the plan.

If you have any questions, please do not hesitate to contact me at (301) 430-2000.

Respectfully,
ATWELL, LLC
Mitchellville, MD

Kevin Garvey, P.L.A.
Planner/Designer

cc: Donald V. Borgwardt
John J. Ferrante
PM: BC

TRANSMITTAL

To:	David Myerholtz	**DATE:**	May 30, 2025
	Development Review Division	**PROJECT:**	Borgwardt Funeral Home
	Maryland National Capital Park and Planning Commission		SE-4848
	1616 McCormick Drive	**JOB #:**	A67149-1276, WO-005
	Largo, Maryland 20774	**VIA:**	DRD

WE ARE SENDING: ☒ Herewith ☐ Under Separate Cover

THE FOLLOWING:

Cover Letter	~COV-LTR-SE-4848
Affidavit of Informational Mailing	A-AFM1-SE-4848
Community Meeting Letter	A-CML1-SE-4848
Informational Mailing Letter	A-IML-SE-4848
Mailing List	A-MAL-SE-4848
Exhibit A	A-SOJ-Exhibit-SE-4848
Special Exception Plan	CIVP-SE-4848
Resolution DDS-397 & AC-90159	D-PBR-AC-90159
Resolution AC-90159-01	D-PBR-AC-90159-01
Landscape Plan, Revised	LSLP-SE-4848
Landscape Statement of Justification	LSSP-SOJ-4848
TRAF-SE-4848	

TRANSMITTED AS MARKED BELOW:

☒ For your approval ☐ As requested ☐ For review and comment

☐ For your use ☐ Other

REMARKS: Enclosed are the revised documents per the SDRC Summary Sheet for Borgwardt Funeral Home SE-4848 Planning Board hearing.

FROM: Kevin Garvey, R.L.A.
Planner/Designer

Mitchellville, MD

cc: Donald V. Borgwardt
John J. Ferrante

PM:BMC
ca

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1800
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

February 19, 2025

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to The Process Guidelines for Development Review Applications, Informational Mailing letters regarding the application for Special Exception, SE-4848, (Donald V. Borgwardt Funeral Home), were mailed to all adjoining property owners, registered associations, municipalities within a mile, and previous parties of record on or about February 19, 2025.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this paper are true.

Russell W. Shipley

February 19, 2025
Date

STATE OF MARYLAND:
COUNTY OF PRINCE GEORGE'S:

I, MARILYN K. TAYLOR, a Notary Public of said County, do certify that Robert Antonetti, Jr., personally appeared before me and made known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Marilyn K. Taylor
NOTARY PUBLIC

My Commission expires: 7/24/2028

MARILYN K. TAYLOR NOTARY PUBLIC PRINCE GEORGE'S CO. MD My Commission Expires 07-24-2028

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

April 4, 2025

VIA FIRST CLASS MAIL

RE: Project Name – Donald V. Borgwardt Funeral Home
Special Exception No. SE-4848

Dear Neighbor:

You are invited to attend a community meeting with the Applicant, Mr. Donald V. Borgwardt, to review and discuss the plans for Special Exception, SE-4848, which proposes to add a 1,664 square-foot building addition to the existing funeral home for the purposes of adding a crematory. Minor revisions to the existing parking compound are also proposed.

The meeting will be held at the Donald V. Borgwardt Funeral Home located at 4400 Powder Mill Road, Beltsville, MD 20705, on **Wednesday, April 23, 2025**, at **6:00 p.m.**

If you are unable to attend the meeting, but are interested in receiving more information about the application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Russell Shipley at rshipley@shpa.com or at 301-925-1800.

Sincerely,



Russell W. Shipley

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
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Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

February 19, 2025

VIA FIRST CLASS MAIL

RE: Project Name - Donald V. Borgwardt Funeral Home
Special Exception No. SE-4848

Dear Neighbor:

This correspondence is being sent to you because you have been identified as one of the following: an adjacent property owner, a municipality within one (1) mile, a previous party of record, and/or a registered homeowners or civic association. A Special Exception application for the above-referenced project will be submitted for review to the Development Review Division of The Maryland-National Capital Park and Planning Commission ("M-NCPPC").

The subject property consists of 1.74 acres in the RR (Residential, Rural) Zone, and is located along the northeast side of Powder Mill Road approximately 250-feet northwest of its intersection with Roby Avenue. The existing funeral home has been in operation on the property since approximately 1985 and was approved as part of prior Special Exception applications, SE-3267 & SE-3988. The nature of this review is to add a 1,664 square-foot building addition to the funeral home that will contain a crematory. Minor revisions to the existing parking compound are also proposed.

If you wish to become a person of record for this application, you are encouraged to do so at this time. As a Person of Record, you will be entitled to certain rights under the Zoning Ordinance and Subdivision Regulations, but registration is required. You may register online at https://www.mncppcapps.org/planning/Person_of_Record/default.cfm, or you may submit your name, address, and the above-referenced application number and name by mailing a written request to:

The Maryland-National Capital Park and Planning Commission
Development Review Division
1616 McCormick Drive
Largo, MD 20774

Being a person of record on a separate application on the same property **does not** make you a person of record for the subject application. You must request to become a person of record for each separate application (separate applications have different application numbers). At this time no government agency has reviewed the application. **After** the application has been filed, you may contact the M-NCPPC at 301-952-3530.

IMPORTANT: This notice is your opportunity to interact with the applicant team prior to the acceptance of the subject application. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant's failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.

If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Russell Shipley at rshipley@shpa.com or 301-925-1800.

Sincerely,

Russell W. Shipley

Exhibit A

SE-4848

Donald V. Borgwardt Funeral Home

Partial List of Maryland Funeral Homes using Matthews' Environmental Solutions Cremation Equipment

Note - This Exhibit was provided to Ms. Deborah Harris and Council Chair Thomas Dernoga's Office on May 8, 2025.

Exhibit A

Partial List of MD Funeral Homes with Matthews Cremation Equipment in Operation

(Donald V. Borgwardt Funeral Home, SE-4848)

McComas Funeral Home – 50 W. Broadway, Bel Air, MD 21014

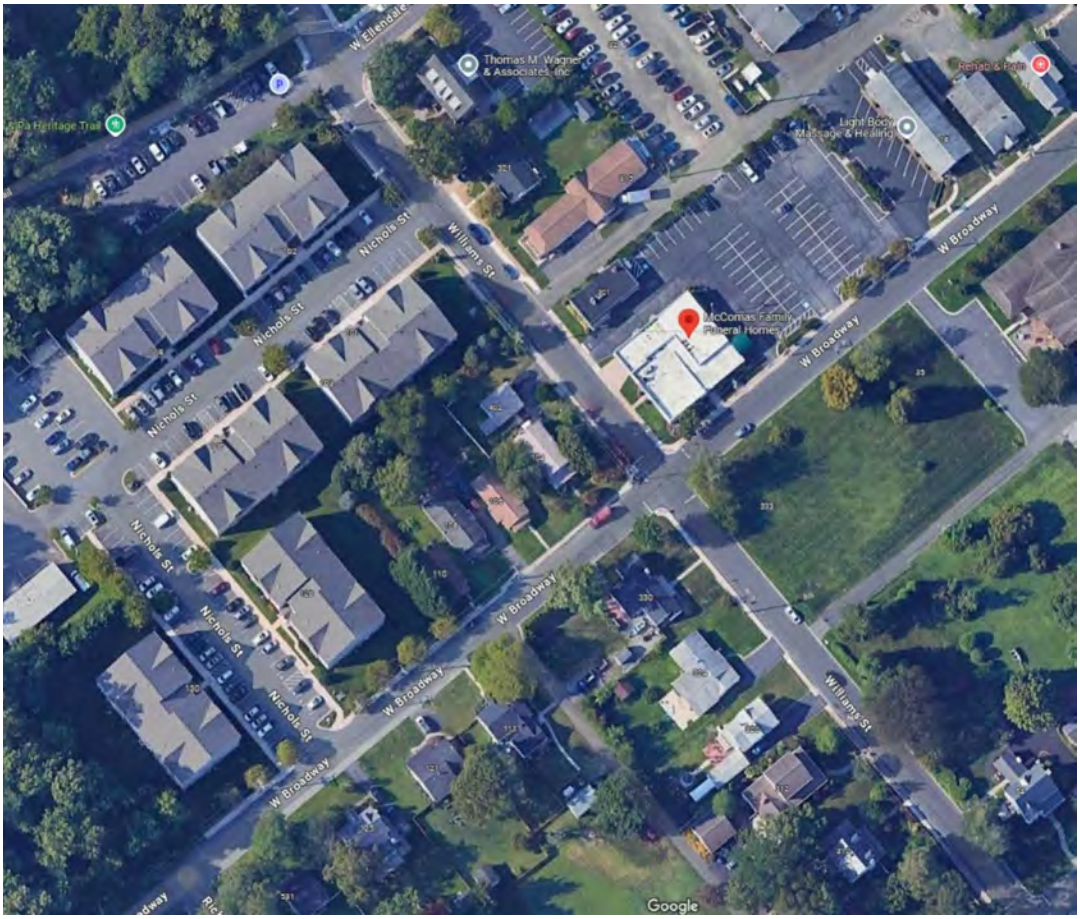




Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment







Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Metro/McNabb Funeral Home & Crematory
299 & 301 Frederick Road, Catonsville, MD 21228





Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment



Evans Funeral Chapel & Cremation Services – 3 Newport Drive, Forest Hill, MD 21050



Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





Stauffer Funeral Home – 1621 Opossumtown Pike, Frederick, MD 21702





Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Kalas Funeral Home – 2973 Solomon's Island Road, Edgewater, MD 21037







Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Newman Funeral Home – 1100 Memorial Drive, Oakland. MD 21550







Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





Lasshan Funeral Home – 7401 Belair Road, Nottingham, MD 21236

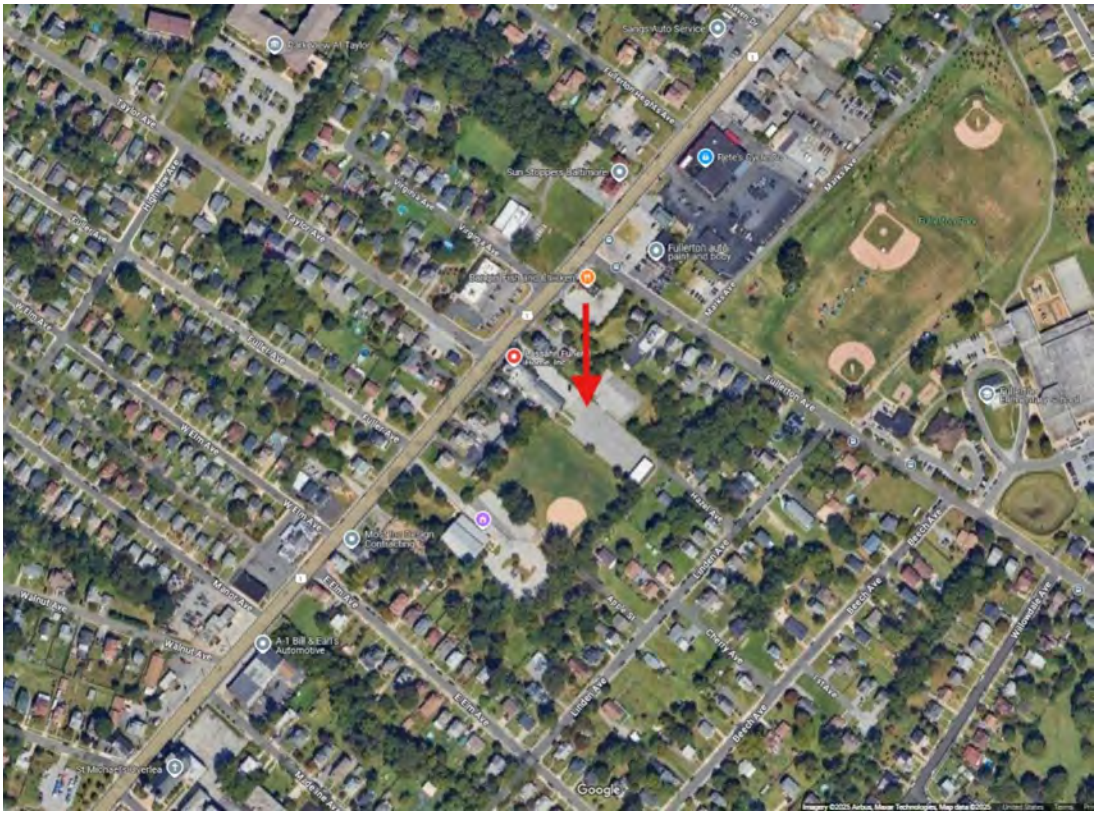
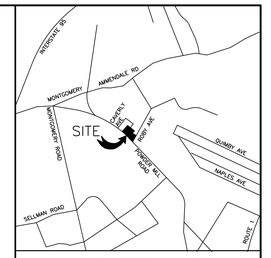




Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment







SE-4848

SPECIAL EXCEPTION SITE PLAN

FOR

PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

SPAULDING DISTRICT NO. 1

INDEX OF DRAWINGS		
SHEET NO.	SHEET NAME	DWG. NO.
C-COV	COVER SHEET	6.013-Z
C-APR	APPROVAL SHEET	6.014-Z
C-01	SITE PLAN/DETAIL SHEET	6.019-Z
L-01	LANDSCAPE PLAN	50.002-Z
A-01	ARCHITECTURAL ELEVATIONS	

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42
BORGWARDT FUNERAL HOME
DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

C-COV

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

DATE	DESCRIPTION	BY
5/28/2025	REVISIONS	

SCALE: NOT TO SCALE
DATE: JANUARY 2024
DRWG. NO.

K:\C3D-PROJ\A67149-C3D\DWG\SPE-PAR42.dwg, 5/28/2025 3:31:56 PM, kgorvey

Conditions of Original Special Exception:

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 be APPROVED for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;

2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;

3. That a variance to Section 27-522(b) be obtained for that portion of the property with an existing six foot-high opaque fence.

4. That all lining up while forming a procession be limited to the parking area on site.

5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

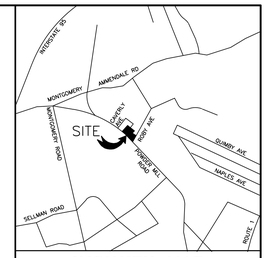
* * * * * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh



VICINITY MAP
SCALE: 1" = 2000'

WSSC 200' SHEET: 205 NE 05

SE-4848
SPECIAL EXCEPTION SITE PLAN
APPROVAL SHEET
PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C-APR

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

STATE OF MARYLAND · KEVIN GARVEY · 3801 · LANDSCAPE ARCHITECT
5/28/2025

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

SCALE: NOT TO SCALE
DATE: JANUARY 2024
DRWG NO.

K:\C3D-PROJ\A67149-C3D\DWG\SPE-PAR42.dwg, 5/28/2025 3:32:01 PM, kgorvey

GENERAL NOTES

1. This Special Exception Site Plan is for the addition of a crematory to an existing funeral home.
2. The subject property is currently zoned R-R and the prior zoning was RR. Surrounding properties are zoned RR, RSF-95 and RMF-20 as shown hereon.
3. Per section 27-1903(d) the applicant elects to have this application reviewed under the RR Zoning Ordinance prior to April 1, 2022.
4. The use of this property is for a funeral home and crematory.
5. Total site area included in this Special Exception Site Plan is 75,967 SF (1.7440 Ac.)
6. Total Disturbed Area = 2,864 SF (0.066 Ac.)
   Area to be left undisturbed = 73,103 SF (1.678 Ac.)
7. Existing Building SF = 8,101 SF
   Proposed Crematory Addition SF: 1,664 SF
8. Parking
   A. Required: 52 spaces

Use	Rate	Requirement
Crematory/Funeral (Existing)	1 space per 4 legal occupancy	50.0 spaces
Crematory/Funeral (Proposed)	1 space per 4 legal occupancy	1.5 spaces
	Total:	51.5 spaces* (52 spaces)

   * Of which at least 34 (2/3 of requirement) must be non-compact.

   B. Provided: 74 spaces as follows:

   57 Existing Standard Spaces @ 9.5' x 19' min.
   2 Existing Standard Parallel Spaces @ 8' x 22' min.
   13 Existing Compact Spaces @ 8' x 16.5' min.
   2 Existing Standard Handicap Spaces @ 8' x 19' with 5' access aisle.
9. Loading
   A. Required: 2 spaces

Use	Rate	Requirement
Crematory/Funeral	3000 SF to 5000 SF	1 space
	each additional 10,000 SF	+1 space
	Total:	2 spaces

   B. Provided: 2 spaces; 2 at 12' x 33'
10. Gross Floor Area:
    Existing Funeral Home: 8,101 SF
    Proposed Crematory: 1,664 SF
    Total GFA: 9,765 SF
11. The subject property appears on Washington Suburban Sanitary Commission Sheet 215NE05.
12. The subject property appears on Tax Map 12, Grid F3.
13. The subject property is not located within any Aviation Policy Areas.
14. The subject property has an existing Sewer Category of 3 and a proposed Water Category of 3.
15. For approved Stormwater Management Concept Plan (41723-2024 approved on 02-07-2025) see Atwell LLC Dwg. No. 8.005-Z.
16. For Tree Conservation Plan Type 2, see Woodland Conservation Letter of Exemption WCO-Ex (S-075-2024).
17. There is no evidence of a cemetery on or contiguous to the subject property.
18. There are no historic structures on or near the subject property.
19. There are no wetlands or Waters of the United States on the subject property.
20. There is no100 year floodplain on the subject property.
21. The subject property is not located within the Chesapeake Bay Critical Area.
22. Boundary and topography information shown hereon was prepared by Atwell, LLC.
23. Applicant: Donald V. Borgwardt
    4400 Powder Mille Road
    Beltsville, MD 20705-2751
24. Lot Coverage: Allowed = 64,815 SF (60% of Net Lot Area)
    Provided = 16,152 SF (15% of Net Lot Area)
25. All on-site concrete curb and gutter to be Prince George's County Std. No. 300.01 unless otherwise modified.
26. All parking spaces shall be defined by 4" wide white painted striping.
27. Radii on islands and curb work to be 5 feet unless otherwise shown.
28. Minimum grade on areas not paved: 2.5% unless otherwise noted. 2% in swales.
    Maximum grade: 3:1
    Contour interval: 2 feet
    Vertical datum is based on NGVD 1929 Datum.
    Horizontal datum is based on Maryland State Plane NAD 83/11.
29. Existing Utilities:
    A. Notify "Miss Utility" at 1-800-257-7777 at least 48 hours prior to beginning any excavation or construction for them to mark the location of existing utilities.
    B. Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the mains by digging test pits by hand at utility crossings well in advance of trenching. If clearances of the lines are less than shown on this plan or less than twelve inches, contact the engineer and other involved utility companies before proceeding with construction.
    C. Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Ben Dyer Associates, Inc. (BDAI) shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
    D. Due to the proximity of live underground and overhead utilities, bdai is not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.
29. All grading work shall be in accordance with Division 2 of the Prince George's County Building Code (Subtitle 32, latest edition).

    All proposed load-bearing fills for the support of buildings, walls and other structures shall be Class I. All fills for the support of roadways, pavements, rigid utility lines and house connections shall be Class II. All landscaped areas, lawns and plantings, or other nonload bearing uses shall be Class III. Each layer of Class I and Class II fills shall be compacted at optimum moisture content and to a minimum of 95% and 90% respectively of maximum density as determined in the laboratory by the Standard Proctor Test. (AASHTO T-99, ASTM D-698). In-place density tests shall be provided by a licensed Geotechnical Engineer.

    The site geotechnical analysis and report prepared by a Maryland licensed Geotechnical Engineer shall be consulted and used to provide details for pavement sections, lift thickness, compaction, drainage, and any other site specific recommendations and requirements. Those recommendations and requirements shall take precedence over any conflicting information between the plans and report.
30. Upon completion of work, site grading, drainage, property corner and landscape observations and certifications must be performed by a licensed professional engineer, landscape architect and/or surveyor, confirming that all work has been completed in accordance with the permit, approved plans, and codes. These certifications are required to finalize the permit and release bonds.
31. All grades, elevations, earth quantities, etc., are to be verified by the contractor. Any earth quantities shown or implied are measured to final grade and are approximate. No allowance has been made for unsuitable material encountered during construction. Suitability of soil for use in fill areas or stability of cut areas, compaction, etc., should be determined by a soils engineer.
32. The contractor will be responsible for any damage to the existing structures and underground utilities.
33. The contractor will have sole responsibility for the construction means, methods, and techniques of executing his work, including safety.
34. No handicap parking space shall have a slope greater than 2.0% in any direction. No handicap ramp shall have a longitudinal slope greater than 8.3% or a cross slope greater than 2.0%.
35. Unless otherwise shown, all sidewalks shall have a cross slope no greater than 2%.
36. Dimensions shown in the parking and drive areas are to face of curb, where applicable.
37. All exterior light poles are to be set back at least 2.0' from the face of curb when located on vehicular surfaces or head in parking spaces unless otherwise shown.
38. Arrows shown in drive aisles indicate general direction of travel and are not intended to convey a requirement that arrows be painted on the pavement.


MARYLAND STATE PLANE MERIDIAN
CAVERLY AVE
50' PUBLIC R/W
P.B. WWW 74 P. 22
LOT 3–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MARY L. PEACE
L. 38740 F. 97
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 2–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MELVIN L. & JOANNE M. CAMPBELL
L. 4777 F. 685
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 9–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
BROWNELL FAMILY TRUST, ET AL.
L. 35623 F. 33
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
CAVERLY PLACE
50' PUBLIC R/W
P.B. WWW 74, P. 22
LOT 1–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 47544 F. 88
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 11–BLOCK B
CAVERLY HILLS
P.B. WWW 74, P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 16805 F. 482
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 4–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
LETICIA MONROY DEL AGUILA
L. 48603 F. 448
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 3–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 47544 F. 88
USE: RESIDENTIAL
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
LOT 2–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 6463 F. 660
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
LOT 4–BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
BELTSVILLE BOYS CLUB INC.
L. 3242 F. 559
USE: COMMERCIAL
LOT 3–BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
4410 POWDER MILL LLC.
L. 39719 F. 433
USE: COMMERCIAL
LOT 2–BLOCK B
ROBY'S ADDITION TO BELTSVILLE
4410 POWDER MILL LLC.
L. 39719 F. 433
P.B. BB 14, P. 34
USE: COMMERCIAL
PART OF PARCEL "A"
P.B. NLP 109, P. 71
ROBY'S ADDITION TO BELTSVILLE
DONALD V. & KATHERLINE L. BORGWARDT
L. 6210 F. 546
USE: VACANT
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
PART OF PARCEL 42
DONALD V. & BORGWARDT
L. 47544 F. 88
L. 6210 F. 546
L. 6210 F. 1612
USE: COMMERCIAL
ZONE (PRIOR): R–18
AREA: 1.7440 ac. 75,967± s.f.
PROPOSED CREMATORY
1664 SQ. FT.
FF= 221.00'
EX. 32' x 12' INTERIOR LOADING SPACES (2)
EX. 1 STORY BRICK & BLOCK BUILDING
PROP. RAILING
DO NOT ENTER SIGN
MEET & MATCH EXISTING WALK
BIKE RACK (2 EA) SEE DETAIL
MEET & MATCH EXISTING CURB
ONE WAY SIGN
FUTURE 2' RESERVE RIGHT OF WAY
PERPETUAL EASEMENT FOR SHARED ACCESS L. 47544 F. 0102
EX. 10' PUBLIC UTILITY EASEMENT
ROBY AVENUE (FORMERLY 37TH AVENUE) 50' PUBLIC R/W P.B. BB 14, P. 34
CAVERLY AVE 37.5' 30' R/W SHA PLAT 60154
POWDER MILL ROAD MD ROUTE 212A SHA PLAT # VARIABLE WIDTH R/W 60154, 61014 & 61075
S24°20'14"E 306.00' (AS SURVEYED) N53°44'46"E 306.00' (P&P, P.22)
S24°20'14"E 244.07' (AS SURVEYED) (P&P, P.22)
S37°44'16"W
N37°44'16"E
N44°27'02"W 86.36'
S53°15'58"E 117.72.88'
N=243.62' L=233.37'
PT = 111.82.41'
PERPETUAL EASEMENT FOR SHARED ACCESS L. 47544 F. 0102
EX. 6' WOODEN FENCE
EX. WOODEN SHED
EX. GARAGE
EX. STORM DRAIN
EX. SANITARY SEWER
EX. WATER
EX. GAS
EX. OVERHEAD WIRES
EX. TREE LINE
EX. CONCRETE
EX. ASPHALT PAVING
EX. CURB & GUTTER
EX. CONTOUR
EX. SPOT ELEVATION
EX. BUILDING
EX. CHAIN LINK FENCE
EX. WOOD SCREEN FENCE
EX. STRUCTURE
EX. 6" WATER
EX. 8" SEWER
EX. 12" WATER
EX. 15" STORM DRAIN
EX. 18" STORM DRAIN
EX. 24" STORM DRAIN
EX. 30" STORM DRAIN
EX. 36" STORM DRAIN
EX. 42" STORM DRAIN
EX. 48" STORM DRAIN
EX. 54" STORM DRAIN
EX. 60" STORM DRAIN
EX. 66" STORM DRAIN
EX. 72" STORM DRAIN
EX.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

PGCPB No. 91-1 Files No. DDS-397 & AC-90159

Prince George's County Departure from Design Standards Application No. 397 and Alternative Compliance Application No. 90159

Applicant: Donald V. and Katherine F. Borgwardt, Owners
Lawrence N. Taub, Correspondent

Location: The subject property is located on the north side of Powder Mill Road, approximately 120 feet west of Roby Avenue

Request:
a) Departure from loading space access setback requirement (Section 27-579) in accordance with Section 27-239.1 of the Zoning Ordinance;
b) Alternative Compliance in accordance with Section 1.3 of the Landscape Manual

RESOLUTION

WHEREAS, the applicant is requesting a departure to allow a loading space access driveway to be 20 feet from adjoining residential property, rather than the required 50 feet; and

WHEREAS, the applicant also requests alternative compliance from Section 4.7 of the Landscape Manual. The applicant proposes bufferyards that are narrower than required and planting within those bufferyards almost twice that required; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released December 31, 1990, recommends approval of DDS-397 with conditions and approval of Alternative Compliance No. 90159 with conditions; and

WHEREAS, the Technical Staff revised its recommendation at the public hearing on January 10, 1991; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on January 10, 1991 the Prince George's County Planning Board agreed with the revised staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report (Exhibit No. 13) and the following DETERMINATIONS:

1. The requested departure satisfies the requirements of Sections 27-239.1(b)(9)(A)(i) through (iv) as follows:

a. The purposes of requiring the setback will be equally served by this departure, and so will other purposes. Additional landscaping, offered by the applicant, will not only screen the driveway, but will better screen the entire site from adjoining residences;

b. Given the 50-foot setback requirement and the 20-foot actual setback, a departure of 30 feet is the minimum necessary;

c. The departure is necessary to alleviate circumstances unique to the site. The loading space access, only 20 feet from the adjoining residential uses, has existed since the early 1980s, and new construction on-site does not decrease this 20-foot access setback; and

d. The departure will improve the visual and environmental quality of the site. Additional planting, as recommended by staff through Special Exception Application No. 3988, will help visually and audibly screen the entire site; and

2. Since this application is generated by Special Exception Application No. 3988, it is necessary to condition this approval so that development will be in accordance with the special exception site plan. Furthermore, approval of Alternative Compliance Application No. 90159 changes the Landscape Plan, so a condition requiring amendments in accordance with Alternative Compliance is also needed.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Design Standards Application No. 397 is hereby APPROVED, subject to the following conditions:

1. The landscape plan shall be revised in accordance with the approved alternative compliance landscape plan under Alternative Compliance Application No. 90159; and

2. Development of the site shall be in accordance with the approved site plan for Special Exception No. 3988. The approval of DDS-397 does not constitute approval of a site plan.

BE IT FURTHER RESOLVED, that the Prince George's County Planning Board also APPROVES Alternative Compliance Application No. 90159, subject to the following conditions:

1. Provide one shade tree on the north side of the proposed garage adjacent to parking spaces and one ornamental tree on the south side of garage in island by compact parking spaces;

2. Provide eight junipers (Juniperus Spp.) between the existing Hemlock Hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway;

3. Provide one shade tree in the northeast corner of the parking lot adjacent to the 28 compact parking spaces; and

4. The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property.

BE IT FURTHER RESOLVED, that this decision is based on the following DETERMINATION:

1. The proposed landscape plan, with conditions, provides equal compliance to the Landscape Manual. While bufferyards are narrower than required, twice as many plant units are shown than are required in addition to existing woodlands and a sight-tight fence. This dense landscaping will screen the property effectively.

* * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Yewell, seconded by Commissioner Botts, with Commissioners Yewell, Botts, Dabney and Wootten voting in favor of the motion, and with Commissioner Rhoads temporarily absent, at its regular meeting held on Thursday, January 10, 1991, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of January 1991.

John F. Downs, Jr.
Executive Director

By Frances J. Guertin
Planning Board Administrator

JFD:FJG:JD:meg

APPROVED AS TO LEGAL SUFFICIENCY
M-NCPPC Legal Department
Date 1/14/91

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RECEIVED
FEB 26 1991
Office of Zoning Examiner
Prince George's Cty., Md.

Date: 1-8-91

To: Fern Piret, Planning Director

From:

Subject: Project Name: Borgwardt Funeral Home Addition

Project No: DDS 357/SE 3588 AC 90159-01

Alternative Compliance Committee Review

Recommendation: ☒ Approval, with revised conditions
☐ Denial

Justification: After a second field inspection and based on additional information, it is apparent that the original conditions ~~were~~ No. 2 and 4 were unreasonable. A row of junipers exists in the area discussed under original condition No. 4. Hemlocks required under condition No. 2 will not do well near the large existing tree; junipers are more appropriate. With the new conditions, the landscape plan provides equal compliance.

Reviewer's Initials [illegible] Date 1 3 11

Planning Director's Review

☐ Final Decision: ☐ Approval
☐ Denial

☒ Recommendation: ☒ Approval w/ revised conditions
☐ Denial

☒ To Planning Board
☒ To District Council
☒ To Zoning Hearing Examiner

Fern Piret
Planning Director's Signature

1-9-91
Date

Appeal of Planning Director's Decision

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision: ☐ Approval ☐ Denial

Resolution No:

ATWELL

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May 20, 2025
J-A67149-1276
WO-009

Ms. Candra Teshome
Development Review Division
Maryland National Capital Park
and Planning Commission
1616 McCormick Drive
Largo, Maryland 20774

Re: Borgwardt Funeral Home SE-4848
Statement of Justification for
Landscape Plan certification

Dear Ms. Teshome:

On behalf of the applicant, Borgwardt Funeral Home, Atwell LLC requests the review and consideration of the Landscape Plan certification to bring the existing landscape planting into compliance with the approved Landscape Plan. The valid Landscape Plan and Alternative Compliance waiver (AC-90159-01) approved for the existing development on this property is compliant with the Landscape Manual standards and Alternative Compliance waiver. The proposed addition to the existing funeral home does not create additional standards which have been previously addressed, and no additional planting is required. Plantings missing from the approved landscape plan will be replaced and/or infill planting will be provided in accordance with the Landscape Plan for certification included with this application.

Per Section 4.1 – Applicability, the subject application meets the Landscape Manual standards as follows.

a. All private and institutional development shall comply with the standards in this manual, except as provided below, and as specifically exempt elsewhere in this manual and in Section 27-21 of the Zoning Ordinance.

Response: Noted

b. Existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading permit, may continue as a matter of right.

Response: Noted

c. Except as stated in Sections 1.1(d) to 1.1(n), all building and grading permits shall be in compliance with this manual. Any application not in compliance with the requirements must apply for and obtain approval of an Alternative Compliance application pursuant to Section 1.3, Alternative Compliance and/or apply for and obtain a Departure from the Design Standards applicable and pursuant to Section 27-587 of the Zoning Ordinance.

Response: Noted, this development is subject to Alternative Compliance AC-90159-01, see attached.

d. Building permits for interior or exterior rehabilitation (including, but not limited to, façade restoration, canopies, and mechanical equipment) of an existing building that do not involve a change of use from a lower to a higher-intensity use category or from a residential use to a nonresidential use (as defined in Table 4.7-1, Use Impact Catigories), do not involve an increase in impervious surface, and do not involve an increase in the gross floor area (GFA) of the building are exempt from the requirements of Sections 4.1, 4.2, 4.3, 4.6, 4.7, 4.8, and 4.10.

Response: Not applicable

e. In addition to permits exempt as stated in 1.1(d), the following are exempt from the requirements of Section 4.1, Residential Requirements:
    1. Building, grading, and/or use and occupancy permits pertaining to any existing single-family dwelling.
    2. Building permits that involve an increase in the GFA of a multifamily building(s) when they results in a total cumulative increase of not more than ten percent (10%) of the GFA of an existing building(s) on a single lot or multiple contiguous lots as of January 1, 1990, or five thousand (5,000) square feet, whichever is less.

Response: Not applicable

f. Building and grading permits are subject to Section 4.2, Requirements for Landscape Strips Along Streets, except as stated in 1.1(f) or below:
    1. Building permits for a building expansion are exempt from the requirements of Section 4.2 when they result in a total cumulative increase of not more than 10 percent of the GFA of an existing building(s) on a single lot as of January 1, 1990, or 5,000 square feet, whichever is less.

Response: Not applicable

2. Building and grading permits for property that is subject to a required build-to line established by a sector or the underlying zone that precludes the provision of a landscape strip are exempt from the requirements of Section 4.2 for that portion of the street frontage where the building is located. In such a case, a landscape strip shall be provided only in that portion of the property where a building is not adjacent to the street.

Response: Not applicable

3. Building and grading permits for properties with frontage on a special roadway are exempt from Section 4.2 and are subject to Section 4.6, Buffering Development from Streets.

Response: Not applicable

g. In addition to permits exempt as stated in 1.1(d), the following are exempt from the requirements of Section 4.3, Parking Lot Requirements:
    1. Permits for any building renovation, expansion, or change of use that does not necessitate an increase in the number of parking or loading spaces beyond the number currently existing. When a building of site renovation, expansion, or change of use results in the creation of additional impervious area, the entire parking facility associated with the property shall be subject to Section 4.3.

Response: The proposed addition will increase the impervious area by 344 square feet. The interior parking facility is subject to an approved Landscape Plan and AC-90159-01 and is compliant with the Landscape Manual Section 4.3.

2. Structured parking garages.

Response: Not applicable

3. Permits that involve an existing and/or proposed parking lot less than 7,000 square feet.

Response: The existing parking lot is greater than 7,000 square feet. The interior parking facility is subject to an approved Landscape Plan and AC-90159-01 and is compliant with the Landscape Manual Section 4.3.

4. Restriping of an existing parking compound whether or not it results in an increase in the number of parking and/or loading spaces when no new impervious area is created.

Response: Not applicable

5. Building and grading permits for integrated shopping centers, office parks and restaurant parks are exempt from Section 4.3(c)(1), Parking Lot Perimeter Landscape Strip Requirements, where access drive aisles are located such that it is impractical to conform to this section.

Response: Not applicable

h. All building and grading permits are subject to Section 4.6, Buffering Development from Streets, except as stated in 1.1(d) and except for the following:
   1. Permits pertaining to an existing single-family home.
   2. Permits for properties that contain an environmental setting of a historic site that abuts a special roadway.
   3. Permits for properties that abut a master plan right-of-way that has not been dedicated or is not required to be dedicated pursuant to an approved preliminary plan of subdivision.

Response: Not applicable

i. All building, grading, and use and occupancy permits are subject to Section 4.7, Buffering Incompatible Uses, except as stated in 1.1(d) and except those that meet all three of the following criteria and are, therefore exempt:
   1. Building permits that involve a total cumulative increase in GFA of not more than ten percent (10%) of the GFA of an existing building(s) on a single lot as of January 1, 1990, or five thousand (5,000) square feet, whichever is less.

Response: The proposed addition will increase the GFA by 20% and is therefore subject to the 4.7 Buffering Incompatible Uses standards. These standards are met with the approved Landscape Plan and AC-90159-01.

2. No part of any new structure, including any paved surface intended for parking, loading, or access thereto but excluding a wall or fence, extends closer to an adjacent property in a less-intense use category than would normally be allowed by the provisions of Section 4.7.

Response: No new structure or paved surface is proposed that is within the building setback line or landscape yard, AC-90159-01 applies.

3. Use and occupancy permits that do not involve a change of use from a lower to a higher intensity use category as defined in Table 4.7-1, Use Impact Categories, or from a residential to a nonresidential use.

Response: Not applicable

j. All building, grading, and/or use and occupancy permits associated with the development of privately owned and maintained streets are subject to Section 4.10, Street Trees Along Streets (For Private Streets), except as stated in 1.1(f) and except for the following:

1. Access easements authorized pursuant to Subtitle 24: Subdivision Regulations, serving four or fewer lots; or

2. Alleys as defined by Subtitle 27: Zoning Ordinance, or Subtitle 24: Subdivision Regulations.

Response: Not applicable

k. The temporary uses listed in Section 27-261 of the Zoning Ordinance are exempt from the provisions of this manual and shall only be required to provide landscaping of buffering when required pursuant to approval provisions for the specific temporary use.

Response: Not applicable

l. If planting is required by other provisions of the County Code, any zoning map amendment, special exception, subdivision plat, detailed site plan, or specific design plan that differs from the standards set forth in this manual, such planting shall be required in addition to the minimum amounts specified here.

Response: Not applicable

m. In the Mixed-Use-Town Center Zone, landscape screening shall be provided in accordance with the approved town center development plan.

Response: Not applicable

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n. Section 4.3(c) of the Landscape Manual shall not be applicable to arenas (stadiums). However, landscaping in the interior parking lot area of a stadium shall be provided along all major vehicular access driveways. In addition, the District Council shall determine the type and amount of landscaping required during the approval of any specific design plan.

Response: Not applicable

In conclusion, the implementation of the Landscape Plan certification will meet Landscape Manual standards and Alternative Compliance waiver for this property. The proposed addition is an auxiliary land use to the existing funeral home and does not create additional Landscape Manual standards that have not already been addressed in the approved Landscape Plan and Alternative Compliance waiver (AC-90159-01). Based on the above statements of fact, the applicant respectfully requests that Urban Design comment number 4 be stricken from the SDRC meeting report.

Respectfully,
ATWELL, LLC
Mitchellville, MD

Kevin Garvey, P.L.A.
Planner/Designer

cc: Donald V. Borgwardt
John J. Ferrante
PM: BC

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Memorandum: ***Date:*** **February 6, 2025**

TO: M-NCPPC
1616 McCormick Drive
Largo, MD 20774

FROM: Mike Lenhart

RE: Donald V. Borgwardt Funeral Home and Crematory Special Exception Traffic Statement

This Traffic Statement has been provided to support an expansion of the Donald V. Borgwardt Funeral Home located at 4400 Powder Mill Road in Beltsville, MD. The site location is shown on **Exhibit 1**. The funeral home is currently operating under an existing Special Exception and is seeking to construct a crematorium on-site in order to provide additional services. This memo will detail that the proposed crematorium will result in a negligible impact on traffic and will not result in any violations of the Special Exception.

The existing Donald V. Borgwardt funeral home has a floor area of 8,101 square feet on 1.7 acres of land. The proposed crematorium will add an additional 1,664 square feet of developed space to the site with no change to the acreage of the site. The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support includes burial or cremation services. When a body is processed for burial services, this often includes a procession of vehicles from the funeral home to the cemetery. However, when a body is processed for cremation, there would be no procession of vehicles from the funeral home to the cemetary. Given this, it can be reasonably assumed that the proposed crematory may actually result in a decrease in traffic generated by the site due to the reduction in cemetery services.

The Prince George's County Code of Ordinances provides criteria that must be met in order for Special Exceptions to be approved. In addition to the baseline requirements for Special Exceptions that are detailed in Section 27-317, there are additional requirements specific to land uses contained in Subtitle 27, Part 4, Division 3. In this case, Sections 27-341 and 27-357 contain additional requirements applicable to this site.

- Section 27-341 reads that "A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259"). A review of PGAtlas and the Master Plan ROW indicates that the proposed crematorium is well outside any proposed master plan right of way or other public ROW and therefore this condition is met.
- Section 27-357(5) reads that, "The use shall not create undue traffic congestion." As discussed above, the proposed crematorium will not have an adverse impact on trips to/from the site and may actually reduce the traffic generated by the funeral home. Therefore, this requirement is met.

Given the above discussion, the proposed expansion to construct an on-site crematorium will result in a negligible impact on traffic operations in the vicinity of the site and will meet the traffic operations requirements detailed in Section 27 of the Prince George's County Code of Ordinance for Special Exceptions.

Thanks,



Michael Lenhart, P.E., PTOE

Lenhart Traffic Consulting, Inc.
645 Baltimore Annapolis Blvd, Suite 214
Severna Park, MD 21146

Phone (410) 216-3333

email: mlenhart@lenharttraffic.com



Traffic Statement	Site Location Map	**Exhibit 1**
LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

GENERAL NOTES

1. This Special Exception Site Plan is for the addition of a crematory to an existing funeral home.
2. The subject property is zoned R-R. Surrounding properties are zoned R-80 and R-18 as shown hereon.
3. The use of this property is for a funeral home and crematory.
4. Total site area included in this Special Exception Site Plan is 75,967 SF (1.7440 Ac.)
5. Total Disturbed Area = 2,945 SF (0.07 Ac.)
   Area to be left undisturbed = 73,022 SF (1.674 Ac.)
6. Existing Building SF = 8,101 SF
   Proposed Crematory Addition SF: 1,664 SF
7. Parking

   A. Required: 50 spaces

Use	Rate	Requirement
Crematory/Funeral	1 space per 4 legal occupancy	50 spaces
	Total:	50 spaces*

   * Of which at least 34 (2/3 of requirement) must be non-compact.

   B. Provided: 79 spaces* as follows:

   39 Existing Standard Spaces @ 9.5' x 19' min.
   13 Proposed Standard Spaces @ 9.5' x 19' min.
   21 Existing Compact Spaces @ 8' x 16.5' min.
   2 Parallel Spaces @ 9.5' x 19' min.
   2 Van Accessible Handicap Spaces @ 8' x 19' with 8' access aisle.
   2 Handicap Spaces @ 8' x 19' with 5' access aisle.

   * Of which at least 2 must be handicap accessible

8. Loading

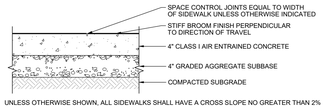
   A. Required: 2 spaces

Use	Rate	Requirement
Crematory/Funeral	3000 SF to 5000 SF	1 space
	each additional 10,000 SF	+1 space
		Total: 2 spaces

   B. Provided: 2 spaces; 2 at 12' x 33'
9. Gross Floor Area = Crematory 4,998 SF
10. The subject property appears on Washington Suburban Sanitary Commission Sheet 215NE05.
11. The subject property appears on Tax Map 12, Grid F3.
12. The subject property is not located within any Aviation Policy Areas.
13. The subject property has an existing Sewer Category of 3 and a proposed Water Category of 3.
14. For approved Stormwater Management Concept Plan ([_____-_____-__ approved on __-__-____]) see [BDAI Dwg. No. 8____-_].
15. For Tree Conservation Plan Type 2, see Woodland Conservation Letter of Exemption (WCO-Ex).
16. A ten-foot Public Utility Easement shall be provided along all public and private vehicular rights-of-way.
17. There is no evidence of a cemetery on or contiguous to the subject property.
18. There are no historic structures on or near the subject property.
19. There are no wetlands or Waters of the United States on the subject property.
20. There is no100 year floodplain on the subject property.
21. The subject property is not located within the Chesapeake Bay Critical Area.
22. Boundary and topography information shown hereon was prepared by [Ben Dyer Associates, Inc.]
23. Applicant: Donald V. Borgwardt
    4400 Powder Mille Road
    Beltsville, MD 20705-2751
24. Lot Coverage: Allowed = 64,815 SF (60% of Net Lot Area)
    Provided = 16,152 SF (15% of Net Lot Area)
25. All on-site concrete curb and gutter to be Prince George's County Std. No. 300.01 unless otherwise modified.
26. All parking spaces shall be defined by 4" wide white painted striping.
27. Radii on islands and curb work to be 5 feet unless otherwise shown.
28. Minimum grade on areas not paved: 2.5% unless otherwise noted. 2% in swales.
    Maximum grade: [2:1][3:1]
    Contour interval: 2 feet
    Vertical datum is based on [NGVD 1929 Datum].
    Horizontal datum is based on [WSSC Datum].
29. Existing Utilities:
    A. Notify "Miss Utility" at 1-800-257-7777 at least 48 hours prior to beginning any excavation or construction for them to mark the location of existing utilities.
    B. Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the mains by digging test pits by hand at utility crossings well in advance of trenching. If clearances of the lines are less than shown on this plan or less than twelve inches, contact the engineer and other involved utility companies before proceeding with construction.
    C. Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Ben Dyer Associates, Inc. (BDAI) shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
    D. Due to the proximity of live underground and overhead utilities, bdai is not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.
29. All grading work shall be in accordance with Division 2 of the Prince George's County Building Code (Subtitle 32, latest edition).

    All proposed load-bearing fills for the support of buildings, walls and other structures shall be Class I. All fills for the support of roadways, pavements, rigid utility lines and house connections shall be Class II. All landscaped areas, lawns and plantings, or other nonload bearing uses shall be Class III. Each layer of Class I and Class II fills shall be compacted at optimum moisture content and to a minimum of 95% and 90% respectively of maximum density as determined in the laboratory by the Standard Proctor Test. (AASHTO T-99, ASTM D-698). In-place density tests shall be provided by a licensed Geotechnical Engineer.

    The site geotechnical analysis and report prepared by a Maryland licensed Geotechnical Engineer shall be consulted and used to provide details for pavement sections, lift thickness, compaction, drainage, and any other site specific recommendations and requirements. Those recommendations and requirements shall take precedence over any conflicting information between the plans and report.
30. Upon completion of work, site grading, drainage, property corner and landscape observations and certifications must be performed by a licensed professional engineer, landscape architect and/or surveyor, confirming that all work has been completed in accordance with the permit, approved plans, and codes. These certifications are required to finalize the permit and release bonds.
31. All grades, elevations, earth quantities, etc., are to be verified by the contractor. Any earth quantities shown or implied are measured to final grade and are approximate. No allowance has been made for unsuitable material encountered during construction. Suitability of soil for use in fill areas or stability of cut areas, compaction, etc., should be determined by a soils engineer.
32. The contractor will be responsible for any damage to the existing structures and underground utilities.
33. The contractor will have sole responsibility for the construction means, methods, and techniques of executing his work, including safety.
34. No handicap parking space shall have a slope greater than 2.0% in any direction. No handicap ramp shall have a longitudinal slope greater than 8.3% or a cross slope greater than 2.0%.
35. Unless otherwise shown, all sidewalks shall have a cross slope no greater than 2%.
36. Dimensions shown in the parking and drive areas are to face of curb, where applicable.
37. All exterior light poles are to be set back at least 2.0' from the face of curb when located on vehicular surfaces or head in parking spaces unless otherwise shown.
38. Arrows shown in drive aisles indicate general direction of travel and are not intended to convey a requirement that arrows be painted on the pavement.



UNLESS OTHERWISE SHOWN, ALL SIDEWALKS SHALL HAVE A CROSS SLOPE NO GREATER THAN 2%

CONCRETE SIDEWALK PAVING SECTION
PG CO. STD NO. 300.05 NTS

PAVING SECTIONS

NOTE: PAVING SECTIONS SUBJECT TO REVIEW AND/OR REVISION BY GEOTECHNICAL ENGINEER. CONTRACTOR TO CONFIRM PAVEMENT SECTIONS WITH GEOTECHNICAL ENGINEER PRIOR TO CONSTRUCTION


LOT 3-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MARY L. PEACE
TAX#: 0052297
L. 38740 F. 97
USE: RESIDENTIAL
LOT 2-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MELVIN L. & JOANNE M. CAMPBELL
TAX#: 0036970
L. 4777 F. 685
USE: RESIDENTIAL
LOT 9-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
BROWNELL FAMILY TRUST
BRIAN D. & KAREN M. BROWNELL
TAX#: 0056549
L. 35623 F. 33
USE: RESIDENTIAL
LOT 1-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
ENOC FRANCISCO AVALOS VASQUEZ
TAX#: 0025700
L. 47544 F. 88
USE: RESIDENTIAL
LOT 11-BLOCK B
CAVERLY HILLS
P.B. WWW 74, P. 22
ENOC FRANCISCO AVALOS VASQUEZ
TAX#: 0025700
L. 16805 F. 482
USE: RESIDENTIAL
CAVERLY AVE
50' PUBLIC R/W
P.B. WWW 74, P. 22
CAVERLY PLACE
50' PUBLIC R/W
P.B. WWW 74, P. 22
MARYLAND STATE
ROUTE MARYLAND
PROPOSED CREMATORY
1,664 SF
FF= 231.92
PROPOSED RAILING
FF: 223.92
MEET & MATCH EXISTING CURB
PART OF PARCEL 42
DONALD V. & KATHERLINE L. BORGWARDT
L. 6210 F. 566
TAX#: 0061615
USE: COMMERCIAL
AREA: 1.7440 AC. OR 75,967 S.F.
FUTURE 70' PUBLIC RIGHT-OF-WAY
PERPETUAL EASE. FOR PUBLIC ROAD SHA PLAT 61074
LOT 4-BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
LETICIA MONROY DEL AGUILA
TAX#: 0055244
L. 48603 F. 448
USE: RESIDENTIAL
LOT 3-BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
TAX#: 0055871
L. 47544 F. 88
USE: RESIDENTIAL
LOT 2 - BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P.34
DONALD V. & KATHERLINE L. BORGWARDT TAX#: 0068668
L. 6463 F. 660
USE: RESIDENTIAL
AREA: 0.2325 AC. OR 10,126 SF.
PART OF PARCEL "A"
P.B NLP 109, P. 71
DONALD V. & KATHERLINE L. BORGWARDT
TAX#: 0005934
L. 6210 F. 546
USE: RESIDENTIAL
AREA: 0.5006 AC. 21,808 SF.
LOT 4-BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
BELTSVILLE BOYS CLUB INC.
TAX#: 0004002
L. 3242 F. 559
USE: COMMERCIAL
LOT 3-BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
4410 POWDER MILL LLC.
TAX#: 0009266
L. 39719 F. 433
USE: COMMERCIAL
LOT 2-BLOCK B
ROBY'S ADDITION TO BELTSVILLE
4410 POWDER MILL LLC.
TAX#: 0009266
L. 39719 F. 433
P.B. BB 14, P. 34
USE: COMMERCIAL
LOT 12-BLOCK A
HOMEDALE
HEALY OCNNIE J. REEV LIV TRUST
TAX#: 0048348
L. 48784 F. 463
USE: RESIDENTIAL
LOT 11-BLOCK A
HOMEDALE
403 L T LIMITED PARTNERSHIP
TAX#: 0015479
L. 10226 F. 659
USE: RESIDENTIAL
LOT 10-BLOCK A
HOMEDALE
CARL A. & MILDRED H. MURPHY
TAX#: 0064196
L. 11629 F. 240
USE: RESIDENTIAL
LOT 9-BLOCK A
HOMEDALE
DAVID A. HURLEY
TAX#: 0064048
L. 7253 F. 442
USE: RESIDENTIAL
LOT 8-BLOCK A
HOMEDALE
OSCAR DAVID CALDERON
TAX#: 0044743
L. 43029 F. 453
USE: RESIDENTIAL
POWDER MILL ROAD
MD ROUTE 212A
VARIABLE WIDTH R/W
SHA PLAT # 60154, 60155, 61074 & 61075
ROBY AVENUE
(FORMERLY 57TH AVENUE)
50' PUBLIC R/W
P.B. BB 14, P. 34
CAVERLY AVE
57.5' 50' R/W
SHA PLAT 60154
S24°25'18"W 212.07' (M) (S24°25'18"W 212.07' (P-B.N.T. P.22))
244.50' (M) (S/W/S/T/C/D)
S24°29'18"E 306.00' (M) (S24°29'18"E 306.00' (P-B.N.T. P.22))
S24°29'18"E 212.40'
S27°44'16"W 42.46'
S64°39'44"E 145.13' (M) (S64°39'44"E 145.13' (P-B 14, P. 34))
S64°39'44"E 145.76'
S25°21'16"W 44.50'
S64°39'44"E 145.76'
R=30.00' L=33.70'
R=460.00' L=49.05' (TOTAL)
R=460.00' L=49.05' (TOTAL)
R=30.00' L=33.70'
R=425.00' L=220.33'
PT = 171+82.41
PT = 171+82.41
N 90°00' E 180.00' (TOTAL)
N 90°00' E 180.00' (TOTAL)
S 90°00' W
S 90°00' W
64.99'
64.99'
258.14'
145.00'
114.00'
114.00'
110.00'
110.00'
30.00'
30.00'
32.36'
32.36'
24.00'
24.00'
N/F PARKING
N/F PARKING
N/F PARKING

SE-4848

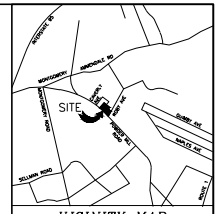
SPECIAL EXCEPTION SITE PLAN

FOR

PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

SPAULDING DISTRICT NO. 1



INDEX OF DRAWINGS		
SHEET NO.	SHEET NAME	DWG. NO.
C-COV	COVER SHEET	6.013-Z
C-APR	APPROVAL SHEET	6.014-Z
C-01	SITE PLAN/DETAIL SHEET	6.019-Z
L-01	LANDSCAPE PLAN	50.002-Z
A-01	ARCHITECTURAL ELEVATIONS	

SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42
BORGWARDT FUNERAL HOME
DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILL ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILL ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

C-COV

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

PROJECT MGR	DESIGNED BY	DRAWN BY	PROOFREAD
KLB	CS	MG	

J#-A67149

SCALE: NOT TO SCALE
DATE: JANUARY 2024
APPROVED:

K:\C3D-PRO\A67149-C3D\DWG\SPE-PAR42.dwg, 6/18/2025 9:40:36 AM, kgarvey

Conditions of Original Special Exception:

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 for Arnold for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;

2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;

3. That a variance to Section 27-522(b) be granted for that portion of the property with an existing six foot-high opaque fence.

4. That all lining up while forming a procession be limited to the parking area on site.

5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

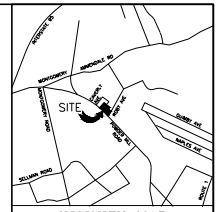
* * * * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Smoch, with Commissioners Brown, Smoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh


SITE
SUITLAND RD
SUITLAND PKWY
SUITLAND RD
SUITLAND RD
SUITLAND RD

GENERAL NOTES

1. This Special Exception Site Plan is for the addition of a crematory to an existing funeral home.
2. The subject property is currently zoned R-R and the prior zoning was RR. Surrounding properties are zoned RR, RSF-95 and RMF-20 as shown hereon.
3. Per section 27-1903(d) the applicant elects to have this application reviewed under the RR Zoning Ordinance prior to April 1, 2022.
4. The use of this property is for a funeral home and crematory.
5. Total site area included in this Special Exception Site Plan is 79,997 SF (1.7440 Ac.)
6. Total Disturbed Area = 2,894 SF (0.066 Ac.)
   Area to be left undisturbed = 73,103 SF (1.678 Ac.)
7. Existing Building SF = 8,101 SF
   Proposed Crematory Addition SF: 1,664 SF
8. Parking
   A. Required: 52 spaces

Use	Rate	Requirement
Crematory/Funeral (Existing)	1 space per 4 legal occupancy	50.0 spaces
Crematory/Funeral (Proposed)	1 space per 4 legal occupancy	1.5 spaces
	Total:	51.5 spaces* (52 spaces)

   * Of which at least 34 (2/3 of requirement) must be non-compact.

   B. Provided: 74 spaces as follows:

   57 Existing Standard Spaces @ 9.5' x 19' min.
   2 Existing Standard Parallel Spaces @ 9' x 22' min.
   13 Existing Compact Spaces @ 8' x 16.5' min.
   2 Existing Standard Handicap Spaces @ 8' x 19' with 5' access aisle.

9. Loading
   A. Required: 2 spaces

Use	Rate	Requirement
Crematory/Funeral	3000 SF to 5000 SF	1 space
	each additional 10,000 SF	+1 space
		Total: 2 spaces

   B. Provided: 2 spaces, 2 at 12' x 33'
10. Gross Floor Area:
    Existing Funeral Home: 8,101 SF
    Proposed Crematory: 1,664 SF
    Total GFA: 9,765 SF
11. The subject property appears on Washington Suburban Sanitary Commission Sheet 219NE05.
12. The subject property appears on Tax Map 12, Grid F3.
13. The subject property is not located within any Aviation Policy Areas.
14. The subject property has an existing Sewer Category of 3 and a proposed Water Category of 3.
15. For approved Stormwater Management Concept Plan (41723-2024 approved on 02-07-2025) see Atwell LLC Dwg. No. 5,005-2.
16. For Tree Conservation Plan Type 2, see Woodland Conservation Letter of Exemption WCO-Ltr (S-075-2024).
17. There is no evidence of a cemetery on or contiguous to the subject property.
18. There are no historic structures on or near the subject property.
19. There are no wetlands or Waters of the United States on the subject property.
20. There is no 100 year floodplain on the subject property.
21. The subject property is not located within the Chesapeake Bay Critical Area.
22. Boundary and topography information shown hereon was prepared by Atwell, LLC.
23. Applicant: Donald V. Borgwardt
    4400 Powder Mills Road
    Beltsville, MD 20705-2751
24. Lot Coverage: Allowed = 45,590 SF (60% of Net Lot Area)
    Provided = 44,848 SF (58% of Net Lot Area)
25. All on-site concrete curb and gutter to be Prince George's County Std. No. 300.01 unless otherwise modified.
26. All parking spaces shall be outlined by 4" wide white painted striping.
27. Radii on islands and curb work to be 5 feet unless otherwise shown.
28. Minimum grade on areas not paved: 2.5% unless otherwise noted, 2% in swales.
    Maximum grade: 3:1
    Contour interval: 2 feet
    Vertical datum is based on NGVD 1929 Datum.
    Horizontal datum is based on Maryland State Plane NAD 83/11.
29. Existing Utilities:
    A. Notify "Miss Utility" at 1-800-257-7777 at least 48 hours prior to beginning any excavation or construction for them to mark the location of existing utilities.
    B. Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the mains by digging test pits by hand at utility crossings well in advance of trenching. If clearances of the lines are less than shown on this plan or less than twelve inches, contact the engineer and other involved utility companies before proceeding with construction.
    C. Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Bar Dyer Associates, Inc. (BDA) shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
    D. Due to the proximity of live underground and overhead utilities, bda is not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.
30. All grading work shall be in accordance with Division 2 of the Prince George's County Building Code (Subtitle 32, latest edition).

    All proposed load-bearing fills for the support of buildings, walls and other structures shall be Class I. All fills for the support of roadways, pavements, right-of-way lines and house connections shall be Class II. All landscaped areas, lawns and plantings, or other non-load bearing uses shall be Class III. Each layer of Class I and Class II fills shall be compacted at optimum moisture content and to a minimum of 95% and 90% respectively of maximum density as determined in the laboratory by the Standard Proctor Test, (AASHTO-T-99, ASTM D-698); in-place density tests shall be provided by a licensed Geotechnical Engineer.

    The site geotechnical analysis and report prepared by a Maryland licensed Geotechnical Engineer shall be consulted and used to provide details for pavement sections, fill thickness, compaction, drainage, and any other site specific recommendations and requirements. Those recommendations and requirements shall take precedence over any conflicting information between the plans and report.
31. Upon completion of work, site grading, drainage, property corner and landscape observations and certifications must be performed by a licensed professional engineer, landscape architect and/or surveyor, confirming that all work has been completed in accordance with the permit, approved plans, and codes. These certifications are required to finalize the permit and release bonds.
32. All grades, elevations, earth quantities, etc., are to be verified by the contractor. Any earth quantities shown or implied are measured to final grade and are approximate. No allowance has been made for unsuitable material encountered during construction. Suitability of soil for use in fill areas or stability of cut areas, compaction, etc., should be determined by a soils engineer.
33. The contractor will be responsible for any damage to the existing structures and underground utilities.
34. The contractor will have sole responsibility for the construction means, methods, and techniques of executing his work, including safety.
35. No handicap parking space shall have a slope greater than 2.0% in any direction. No handicap ramp shall have a longitudinal slope greater than 6.3% or a cross slope greater than 2.0%.
36. Unless otherwise shown, all sidewalks shall have a cross slope no greater than 2%.
37. Dimensions shown in the parking and drive areas are to face of curb, where applicable.
38. All exterior light poles are to be set back at least 2.0' from the face of curb when located on vehicular surfaces or head in parking spaces unless otherwise shown.
39. Arrows shown in drive aisles indicate general direction of travel and are not intended to convey a requirement that arrows be painted on the pavement.


LOT 3-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MARY L. PEACE
L. 38740 F. 97
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-80
ZONE (CURRENT): RSF-95
LOT 2-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MELVIN L. & JOANNE M. CAMPBELL
L. 4777 F. 685
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-80
ZONE (CURRENT): RSF-95
LOT 9-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
BROWNELL FAMILY TRUST, ET AL.
L. 35623 F. 33
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-80
ZONE (CURRENT): RSF-95
LOT 1-BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 47544 F. 88
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-80
ZONE (CURRENT): RSF-95
LOT 11-BLOCK B
CAVERLY HILLS
P.B. WWW 74, P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 16805 F. 482
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-80
ZONE (CURRENT): RSF-95
LOT 4-BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
LETICIA MONROY DEL AGUILA
L. 48603 F. 448
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-R
ZONE (CURRENT): RR
LOT 3-BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 47544 F. 88
USE: RESIDENTIAL
ZONE (PRIOR): R-18
ZONE (CURRENT): RMF-20
LOT 2-BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 6463 F. 666
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R-18
ZONE (CURRENT): RMF-20
PART OF PARCEL "A"
P.B. NLP 109, P. 71
ROBY'S ADDITION TO BELTSVILLE
DONALD V. & KATHERINE L. BORGWARDT
L. 6210 F. 546
USE: VACANT
ZONE (PRIOR): R-18
ZONE (CURRENT): RMF-20
PART OF PARCEL 42
DONALD V. & KATHERINE L. BORGWARDT
L. 6210 F. 546
AREA = 1.7440 Ac.±
LOT 4-BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
BELTSVILLE BOYS CLUB INC.
L. 3242 F. 559
USE: COMMERCIAL
LOT 3-BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
4410 POWDER MILL LLC.
L. 39719 F. 433
USE: COMMERCIAL
LOT 2-BLOCK B
ROBY'S ADDITION TO BELTSVILLE
4410 POWDER MILL LLC.
L. 39719 F. 433
P.B. BB 14, P. 34
USE: COMMERCIAL
LOT 12-BLOCK A
HOMEDALE
P.B. BB 14, P. 9
HEALY OCONNE J. REV. LIV. TRUST
L. 48784 F. 463
USE: RESIDENTIAL
ZONE (PRIOR): R-R
ZONE (CURRENT): RR
LOT 11-BLOCK A
HOMEDALE
P.B. BB 14, P. 9
403 L. T. LIMITED PARTNERSHIP
L. 10226 F. 659
USE: RESIDENTIAL
ZONE (PRIOR): R-R
ZONE (CURRENT): RR
LOT 10-BLOCK A
HOMEDALE
P.B. BB 14, P. 9
CARL A. & MILDRED H. MURPHY
L. 11629 F. 240
USE: RESIDENTIAL
ZONE (PRIOR): R-R
ZONE (CURRENT): RR
LOT 9-BLOCK A
HOMEDALE
P.B. BB 14, P. 9
DAVID A. HURLEY
L. 7253 F. 442
USE: RESIDENTIAL
ZONE (PRIOR): R-R
ZONE (CURRENT): RR
LOT 8-BLOCK A
HOMEDALE
P.B. BB 14, P. 9
OSCAR DAVID CALDERON
L. 43029 F. 453
USE: RESIDENTIAL
ZONE (PRIOR): R-R
ZONE (CURRENT): RR
CAVERLY AVE.
50' PUBLIC R/W
P.B. WWW 74, P. 22
CAVERLY PLACE
50' PUBLIC R/W
P.B. WWW 74, P. 22
POWDER MILL ROAD
VARIABLE WIDTH R/W
SHA PLAT # 44004, 60104, 61075 & 61076
(FORMERLY 37TH AVENUE)
50' PUBLIC R/W
P.B. BB 14, P. 34
DO NOT ENTER SIGN
ONE WAY SIGN
PROP. WALKING
MEET & MATCH EXISTING WALK
MEET & MATCH EXISTING CURB
PROP. CONCRETE CURB & GUTTER
PROP. CONCRETE PAVING
PROP. HEAVY DUTY CONCRETE PAVING
PROP. HEAVY DUTY ASPHALT PAVING
PROP. CONCRETE SIDEWALK
PROP. CONCRETE CURB & GUTTER
PROP. CONCRETE RAMP
PROP. CONCRETE DETECTABLE WARNING SURFACE
PROP. CONCRETE APRON
PROP. CONCRETE ISLAND
PROP. ASPHALT PAVING
PROP. HEAVY DUTY ASPHALT PAVING
PROP. HEAVY DUTY CONCRETE PAVING
PROP. CONCRETE PAVING
PROP. CONCRETE CURB & GUTTER
PROP. CONCRETE SIDEWALK
PROP. CONCRETE RAMP
PROP. CONCRETE DETECTABLE WARNING SURFACE
PROP. CONCRETE APRON
PROP. CONCRETE ISLAND
PROP.

AGENDA ITEM: 4D
AGENDA DATE: 7/10/2025

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

Note: Staff reports can be accessed at https://www.mncppc.org/883/Watch-Meetings

Special Exception SE-4848
Donald V. Borgwardt Funeral Home

REQUEST	STAFF RECOMMENDATION
A special exception for the addition of a 1,664-square-foot crematory to an existing funeral parlor.	With the conditions recommended herein: • APPROVAL of Special Exception SE-4848

Location: On the northeast side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue.

Gross Acreage:	1.74
Zone:	RR
Prior Zone:	R-R
Reviewed per prior Zoning Ordinance:	Section 24-1900
Dwelling Units:	0
Gross Floor Area:	9,765 sq. ft.
Lots:	0
Parcels:	1
Planning Area:	61
Council District:	01
Municipality:	N/A

Applicant/Address:
Donald V. Borgwardt, Funeral Home, P.A.
4400 Powder Mill Road
Beltsville, MD 20705

Staff Reviewer: Candra Teshome
Phone Number: 301-952-3749
Email: Candra.Teshome@ppd.mncppc.org



Planning Board Date:	07/10/2025
Planning Board Action Limit:	N/A
Staff Report Date:	06/26/2025
Date Accepted:	03/31/2025
Informational Mailing:	02/19/2025
Acceptance Mailing:	03/24/2025
Sign Posting Deadline:	N/A

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/.
Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT:

TO: Prince George's County Planning Board
Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section,
Development Review Division

FROM: Candra Teshome, Planner III, Zoning Section,
Development Review Division

SUBJECT: Special Exception SE-4848
Donald V. Borgwardt Funeral Home

REQUEST: A special exception for the addition of a 1,664-square-foot crematory to an existing funeral parlor.

RECOMMENDATION: **APPROVAL, with conditions**

NOTE:

The Prince George's County Planning Board has scheduled this application on the consent agenda, for transmittal to the Zoning Hearing Examiner, on the agenda date of July 10, 2025.

You are encouraged to become a person of record in this application. Requests to become Persons of Record should be submitted electronically, by email to: ZHE@co.pg.md.us. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

The Zoning staff have reviewed the subject application and present the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

I. EVALUATION CRITERIA

A. Prince George's County Zoning Ordinance. The subject property is in the Residential, Rural (RR) Zone. However, this application has been reviewed under the applicable provisions of the Prince George's County Zoning Ordinance effective prior to April 1, 2022 (prior Zoning Ordinance), pursuant to Section 27-1900 *et seq.* of the current Zoning Ordinance. Under the prior Zoning Ordinance, the site was in the Rural Residential (R-R) Zone, which was effective prior to April 1, 2022. Pursuant to Section 27-1903 of the Zoning Ordinance, development applications of any type, for properties not in the Legacy Comprehensive Design (LCD), Legacy Mixed-Use Community (LMXC), and Legacy Mixed-Use Town Center (LMUTC) Zones, may utilize the prior Zoning Ordinance. The applicant elected to have the subject application, Special Exception SE-4848, reviewed under the prior Zoning Ordinance because the subject property received several approvals under the prior Zoning Ordinance, and the applicant wishes to use the same requirements.

The subject application qualifies for review under the prior Zoning Ordinance because the subject property is not in the LCD, LMXC, or LMUTC Zones. The applicant complied with the requirements of Section 27-1904 of the Zoning Ordinance, and this application was accepted for review on March 31, 2025, prior to the abrogation date (April 1, 2025) of Section 27-1900, for use of the prior Zoning Ordinance.

A special exception is reviewed and decided by the Prince George's County Zoning Hearing Examiner. Pursuant to Section 27-317(a) of the prior Zoning Ordinance, a special exception may only be approved upon a finding that all the following standards are met:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5).

B. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. Pursuant to Section 25-119(a)(2)(B) of the 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), special exception applications shall include a Type 2 tree conservation plan or a standard letter of exemption.

C. Prince George's County Tree Canopy Coverage Ordinance. The property is subject to a minimum percentage of tree canopy coverage, per requirements set forth in Section 25-128, Tree Canopy Coverage Requirements, of the Prince George's County Code. Per Section 25-127(a)(1) of the Tree Canopy Coverage Ordinance, and Prince George's County Council Bill CB-21-2024, the requirements of the Prince George's County Tree Canopy Coverage Ordinance are not applicable to the site due to the application proposing less than 2,500 square feet of disturbance.

II. BACKGROUND

A. Summary and Request: A special exception for the addition of a 1,664-square-foot crematory to an existing funeral parlor.

B. Development Data Summary:

	EXISTING	EVALUATED
Zone(s)	RR (prior R-R)	R-R
Use	Funeral parlor and undertaking establishment	Funeral parlor, undertaking establishment, and Crematory
Gross Acreage	1.74	1.74
100-Year Floodplain (acres)	0	0
Net Lot Acreage	1.74	1.74
Lot(s)	0	0
Parcel(s)	1	1
Dwelling Units	0	0
Gross Floor Area (square feet)	8,101 sq. ft.	9,765 sq. ft.

C. Location and Site Description: The subject property is located on the northeast side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue. The subject property is known as Parcel 42.

D. Proposed Use(s): The subject application proposes a 1,664-square-foot crematory as an addition to an existing funeral parlor. The proposed addition will be

constructed along the eastern facade of the building. In accordance with Section 27-441(b)(4) of the prior Zoning Ordinance, a crematory requires a special exception when proposed to be in the R-R Zone.

E. **Neighborhood and Surrounding Uses**: As found in prior approvals for the property, the neighborhood is defined by the following boundaries:

North— Ammendale Road

West— 34th Place and Old Gunpowder Road

South— Greenwood Road and Kenny Street

East— Lincoln Avenue North and Emack Road

Lots in the neighborhood are primarily zoned residential and include the RR, Residential, Single-Family-95 (RSF-95), and Residential, Multifamily-20 (RMF-20) Zones. One property in the neighborhood is zoned Commercial, General and Office, and Commercial, Service just south of the subject site, along Powder Mill Road.

The following properties and uses directly abut the subject site:

North— The terminus of Caverly Place and the side yard of single-family detached dwellings in the RSF-95 (prior One-Family Detached Residential (R-80)) Zone.

West— Single-family detached dwellings in the RSF-95 (prior R-80) Zone.

South— Single-family detached dwellings in the RR (prior R-R) Zone.

East— The rear yards of single-family detached residential dwellings in the RMF-20 (prior Multifamily Medium Density Residential) Zone.

F. **History and Previous Approvals**: The approval history of the existing undertaking establishment or funeral parlor on the subject site is detailed below:

SE-3267 was approved by the Prince George's County Zoning Hearing Examiner, effective January 27, 1982, for an undertaking establishment or funeral parlor and its associated infrastructure, subject to two conditions which have no impact on the current request.

On March 12, 1982, the Prince George's County Board of Appeals approved a variance (Appeal No. 7202) to Section 27-357(a)(6) of the prior Zoning Ordinance, waiving the requirement that a 6-foot-high fence be installed 5 feet from the property line along the western lot line. This decision is immaterial to this case because this requirement no longer exists in Section 27-357(a)(6).

On January 17, 1991, the Prince George's County Planning Board approved Alternative Compliance AC-90159 and Departure from Design Standards DDS-397 (PGCPB Resolution No. 91-1). AC-90159 was approved for alternative compliance

from Sections 4.2, 4.3, and 4.7 of the 1989 *Prince George's County Landscape Manual* (Landscape Manual). DDS-397 was approved for a 30-foot waiver from the 50-foot rear yard setback to permit a loading area.

The Zoning Hearing Examiner approved SE-3988, effective February 22, 1991, for expansion of the funeral parlor, which included the addition of a 30-foot by 100-foot office space at the rear of the building, and a requirement that the site plan and landscape plan be amended to reflect the relocation of an existing fence to the property line at the rear of the parcel, to conform to AC-90159.

A revision to SE-3988 (Revision of Site Plan ROSP-3988-01) and AC-95015 were approved by the Planning Board on May 6, 1999 (PGCPB Resolution No. 99-67). The subject applications included parking lot layout and landscaping changes, and alternative compliance from the requirements of Section 4.2, Commercial and Industrial Landscaped Strip; Section 4.3, Parking Lot Landscaped Strip, Southern Property Line; Section 4.3 Parking Lot, Interior Planting; Section 4.7, Buffering Incompatible Uses, Western Property Line; Section 4.7, Buffering Incompatible Uses, Northern Property Line; and Section 4.7, Buffering Incompatible Uses, Eastern Property Line of the 1989 Landscape Manual.

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

This application, for the addition of a crematory to an existing undertaking establishment or funeral parlor, through a special exception, is being reviewed in accordance with the prior Zoning Ordinance. The analysis of all required findings for approval are provided below.

Required Findings—Section 27-317 of the prior Zoning Ordinance provides the following applicable findings:

(a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle.

The purposes of Subtitle 27 of the Prince George's County Code, as set forth in Section 27-102(a)(1–15) of the prior Zoning Ordinance, are generally to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly development; and, to ensure adequate public facilities and services.

Staff find that the proposed use is in harmony with the purpose of this Subtitle, as the addition of cremation services is compatible with and expands upon the existing funeral parlor use, which provides orderly development of land served by existing facilities and services. The application promotes the conservation of communities while enhancing a critical public service that meets the needs of residents. The proposal protects landowners from adverse impacts of adjoining development by retaining existing landscape buffers and ensuring compliance with a previously approved landscape plan.

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

The proposed design of the building addition and the submitted landscape plan are in conformance with all applicable requirements and regulations of this Subtitle. Per Section 27-579(b) of the prior Zoning Ordinance, vehicular entrances, including driveways, shall not be located within 50 feet of a residential zone. The proposed addition contains a loading ramp and doorway on the north elevation and shall be accessed by the existing driveway on the site. The subject property received approval of DDS-397 (PGCPB Resolution No. 91-1), which reduced the rear setback from 50 feet to 20 feet for loading access driveways. No change to the loading access is proposed by this application.

The subject property complies with previous approvals associated with the construction of the undertaking establishment or funeral parlor.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

The proposed use will not substantially impair the integrity of the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1 (Planning Areas 60, 61, 62, and 64)* (master plan). The master plan recommends low-density residential land uses on the subject property.

The master plan also recommends emphasis on improved performance standards for the minimization of noise and air pollution. The applicant provided a supplement to the statement of justification, which lists other funeral homes that provide crematory services using Matthews' Environmental Solutions Cremation Equipment, which is proposed for use by the crematory, subject to this application. The brand states that it abides by strict emissions standards, and its equipment provides silent cremation which aligns with the master plan recommendations. Several of the examples provided by the applicant are in similar residential contexts.

In addition, the subject property is located within the Beltsville Living Area policy area. This policy area recommends the improvement of streetscapes, including the installation of paved pedestrian paths and safety features. The applicant proposes frontage improvements that include two crosswalks along Powder Mill Road.

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area. The proposed building addition will be located along the east façade of the building, in the area of seven existing vehicle parking spaces, and does not impact the existing on-site circulation or ability to meet the minimum parking requirements for all uses on-site. Plant materials currently located where the building addition is proposed will be removed and new plant materials added along the eastern boundary of the site, to provide additional screening, minimizing adverse impacts. The proposal also improves the streetscape by providing crosswalks along the site's street frontage.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

Adjoining and adjacent properties are developed, and the proposed expansion will not impact their use. There is no expectation of increased vehicular activity associated with the expansion. The proposed addition contains architectural features, materials, and massing that match the existing building.

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

This project meets the exemption criteria in Section 25-119(b) of the WCO because the site contains less than 10,000 square feet of woodland. The site received a Standard Letter of Exemption (S-075-2024) from the 2010 WCO on June 10, 2024, and it remains valid until June 10, 2026. No additional information is required regarding woodland conservation.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b)(5).

In conformance with Section 27-296(c)(1)(J)(b)(5) of the prior Zoning Ordinance, an approved Natural Resources Inventory Plan (NRI-075-2024) was submitted with the application. The site has fewer than 10,000 square feet of woodlands and contains no regulated environmental features (REF) or impacts to environmental features, as provided in Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations, for preservation and/or restoration. No additional information is required for conformance to the NRI.

Additional Requirements for Specific Special Exceptions—The prior Zoning Ordinance provides the following additional requirements:

Section 27-341. - Cemetery or crematory.

A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.

The proposed expansion is not located within any proposed street or other public right-of-way. The proposed construction is in conformance with this requirement.

Section 27-357. - Funeral parlor or undertaking establishment.

(a) A funeral parlor or undertaking establishment may be permitted subject to the following:

(1) The minimum side and rear yard setbacks shall be at least fifty (50) feet each, when adjoining land in any Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;

The subject property adjoins residentially zoned land on its west, north, and east lot lines. The proposed building expansion for the addition of a crematory maintains the 50-foot setback from adjoining properties. The proposed placement of the addition is well within the required setback at an approximate 60 feet.

(2) If the subject property is located in a Residential Zone, it shall contain at least one and one-half (1 1/2) contiguous acres;

The subject property is in the prior R-R Zone and contains 1.74 contiguous acres.

(3) The use shall not depreciate the value of neighboring properties;

Upon the approval of SE-3267, the Prince George's County District Council found that the undertaking establishment or funeral parlor would not depreciate the value of neighboring properties. The applicant has provided evidence of funeral homes in Maryland that use Matthews' Environmental Solutions Cremation Equipment, which the applicant proposes to use for this expansion. Several of the examples are in similar settings surrounded by residential uses.

(4) The use shall not adversely affect the character of neighboring properties; and

Upon the approval of SE-3267, the District Council found that the undertaking establishment or funeral parlor shall not adversely affect the character of neighboring properties. The subject property's frontage is along Powder Mill Road, and the west, north, and east lot lines adjoin the rear yards and side yards of residential properties. The applicant maintains a 6-foot-high opaque fence along the subject property boundaries and landscaping in compliance with AC-90159. Colocation of these related uses maintains the neighborhood character.

(5) The use shall not create undue traffic congestion.

The proposed crematory will likely not impact traffic conditions at the location. In a memorandum dated February 6, 2025 (Lenhart Traffic Consulting, Inc. to The Maryland-National Capital Park and Planning Commission), a traffic statement submitted on behalf of the applicant states that the proposed crematory will likely result in negligible impact on conditions at the location because the cremation process does not typically result in traditional, vehicle-based funeral processions.

Regulations of the R-R Zone—The following regulations of the R-R Zone are applicable to the proposed project:

Section 27-420 – Fences and walls

(a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.) On lots consisting of one (1) acre or less, fences in the front yard shall not be more than four (4) feet high unless a variance is approved by the Board of Appeals. In the case of a corner lot consisting of one (1) acre or less, fences in the front yard or side yard shall not be more than four (4) feet high unless a variance is approved by the Board of Appeals. Fences constructed pursuant to a validly issued building permit prior to October 1, 2008, shall not be deemed nonconforming; however, replacement of an existing fence must comply with the four (4) foot limitation.

The site contains an existing 6-foot wooden fence along both side yards and the rear yard. The applicant obtained a variance to Section 27-357(a)(6), which waived the requirement that a 6-foot-high fence be installed 5 feet away from an adjoining residentially zoned lot along the western lot line. The application does not propose the installation of new fencing. Therefore, the requirement is met.

(d) Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.

The application does not propose the installation of new fencing.

(g) Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot. (See Figure 42.1).

The application does not propose the installation of new fencing.

Section 27-421-01 – Frontage

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code. Additional provisions are contained in Sections 27-431(d) and (e) and 27-433(e) and (f).

The subject property has frontage and direct vehicular access along Powder Mill Road. The proposal complies with the requirement.

Section 27-442 – Regulations

Regulation	Required	Provided
Minimum net lot area	20,000 sq. ft. *	75,967 sq. ft.
Maximum lot coverage	60 percent	58 percent
Minimum lot width at front street line	70 feet	308+/- feet
Minimum lot width at front building line	100 feet	316+/- feet
Minimum front yard depth	25 feet	105.5 feet
Minimum side yard depth	17/8 (total of both/minimum of either)	88.1 feet/60.6
Minimum rear yard depth	20 feet	59.4 feet
Maximum building height	35 feet	12 feet

Note: *The application is being evaluated in the R-R Zone, under the use "other allowed uses." Minimum net lot area is the same as would be applied to one-family detached dwellings, in accordance with Section 27-442(b) of the prior Zoning Ordinance, Footnote 16.

Section 27-568. - Schedule (number) of spaces required, generally.
In accordance with the parking regulations contained in Section 27-568 of the prior Zoning Ordinance, funeral parlors are required to provide one vehicle parking space

per four persons legal occupancy in rooms used for viewing and funeral services. The existing building contains four viewing rooms each with a maximum occupancy of 50, which requires 50 vehicle parking spaces. The proposed addition of a crematory can hold up to six persons legal occupancy, which requires two vehicle parking spaces. The minimum required number of vehicle parking spaces is 52.

The site currently provides 74 vehicle parking spaces and will lose 7 spaces due to the placement of the proposed addition, leaving a total of 67 vehicle parking spaces. Therefore, the requirement is met.

Section 27-579. – Location

(b) No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan). (See Figure 63.)

The subject property adjoins residentially zoned land on the west, north, and east lot lines. Access lanes to the existing loading spaces at the rear façade are 20 feet from the adjoining residential lots. The property received approval for the loading space access deficiency in DDS-397. The proposed building addition does not impact the existing location of the loading spaces or the loading access, which remains in conformance with the prior approved departure.

Section 27-582. - Schedule (number) of spaces required, generally.
In accordance with the loading regulations contained in Section 27-582 of the prior Zoning Ordinance, an undertaking establishment or funeral parlor is required to provide one space for a building 3,000 to 5,000 square feet in gross floor area (GFA) (or fraction) and one space for each additional 10,000 square feet in GFA (or fraction). The proposal increases the square footage to 9,765 from 8,101 square feet with the additional 1,664-square-foot crematory, maintaining the minimum requirement of 2 loading spaces.

The site currently contains two existing 33-foot by 12-foot interior loading spaces on the west rear façade of the building. Therefore, the requirement is met.

IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2010 PRINCE GEORGE'S COUNTY LANDSCAPE MANUAL

The proposed development is subject to the requirements of the 2010 Landscape Manual. Specifically, conformance is required to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements because this application proposes an increase of more than 10 percent of the GFA of the existing building.

In the approval of the prior special exception applications for the site, the 1989 Landscape Manual applied. The requirements for Sections 4.2 and 4.7 remain unchanged with the

adoption of the 2010 Landscape Manual. Therefore, the existing landscape plan subject to the 1989 Landscape Manual through approvals of SE-3267 and SE-3988, which approved the funeral parlor or undertaking establishment, will satisfy the landscape requirements for this application. The new use does not propose a lower intensity use to a higher intensity use. It also does not propose a residential use to a nonresidential use. In addition, the proposed use and building expansion do not impact the previously approved conformance to the 1989 Landscape Manual, as modified by AC-95015. Therefore, the subject application may continue to utilize the prior approved landscape plan.

The applicant submitted the prior approved landscape plan with modifications to show the proposed building addition with replacement of plant materials affected by construction. Analysis of conformance with the applicable sections of the 2010 Landscape Manual is discussed below:

Section 4.2, Requirements for Landscape Strips Along Streets
The proposed expansion represents an approximate 20 percent increase in GFA, which makes it subject to Section 4.2 of the 2010 Landscape Manual, per Section 1.1(f) of the Landscape Manual. The subject property received an approved Alternative Compliance (AC-95015) that modified the landscape strip along the frontage of Powder Mill Road. The landscape strip is not impacted by the proposed construction.

The proposal is in conformance with this requirement, as modified in accordance with AC-95015.

Section 4.3, Parking Lot Requirements
The site is not subject to the requirements of Section 4.3 of the 2010 Landscape Manual because the proposed expansion does not result in additional impervious areas for parking and loading. There is no change in the requirements of this section. However, in accordance with Section 1.7 of the 2010 Landscape Manual, the applicant submitted a certificate of landscape maintenance and proposes to replace previously approved plant materials impacted by the new construction.

The proposal is in conformance with the requirements of Section 1.7 of the 2010 Landscape Manual.

Section 4.7, Buffering Incompatible Uses
The subject property abuts residentially zoned lots on its west, north, and east lot lines. Section 4.7 requires the installation of a Type C bufferyard to the west, north, and east lot lines. The subject property maintains compliance with this requirement, as modified by the approved AC-95015.

Section 4.9, Sustainable Landscaping Requirements
The proposed development is subject to the requirements of Section 4.9. The applicant's existing landscape plan includes the replacement of one shade tree, one evergreen tree, and eight shrubs, as shown on the included landscape plan, and in accordance with AC-95015.

The sustainable landscaping requirements are met; however, the applicant shall provide the Section 4.9 schedule on the plans, demonstrating proposed plant materials will be in conformance.

V. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2024 PRINCE GEORGE'S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE

The property received a Standard Letter of Exemption (S-075-2024) from the 2010 WCO on June 10, 2024, which would expire on June 10, 2026. However, the site is subject to the grandfathering provisions of the 2024 WCO, which extended the validity of exemptions that were valid as of June 30, 2024.

Pursuant to those grandfathering provisions, S-075-2024 will remain valid until June 30, 2026, on which date the exemption shall expire. Any grading permits for this special exception must be issued prior to the expiration of S-075-2024 because the site does not qualify for a new standard letter of exemption from the 2024 WCO because the site is greater than 40,000 square feet in size.

VI. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE PRINCE GEORGE'S COUNTY TREE CANOPY COVERAGE ORDINANCE

Prince George's County Council Bill CB-21-2024 for the Tree Canopy Coverage Ordinance became effective July 1, 2024. Subsequently, Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 2,500 square feet of GFA, or disturbance, and requires a grading permit. The subject site is located within the RR Zone. The Tree Canopy Coverage Ordinance is not subject to the current Zoning Ordinance grandfathering provisions and does not contain any grandfathering provision for using the prior zoning, except for specified legacy zones or developments that had a previously approved landscape plan demonstrating conformance to tree canopy coverage (TCC). Therefore, this application is being reviewed for conformance with the TCC requirement for the current property zone, which is RR.

Staff find that the proposed project is in conformance with the applicable provisions of the Prince George's County Tree Canopy Coverage Ordinance, for the RR Zone, which is subject to a minimum TCC of 20 percent, per requirements set forth in Section 25-128 of the Tree Canopy Coverage Ordinance. The subject site is 1.7440 acres in size, requiring 0.3488 acres, or 15,194 square feet of TCC. The project proposes 17,332 square feet of TCC on the site, exceeding and satisfying the requirement.

VII. REFERRAL COMMENTS

Staff referred the subject application to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

A. **Subdivision Section**—In a memorandum dated June 9, 2025 (Gupta to Teshome), the Subdivision Section identified no prior preliminary plans of subdivision (PPS) applicable to the property and stated that per Section 24-107(c)(7) of the prior Subdivision Regulations, the proposed development is exempt from the requirement of filing a PPS and final plat of subdivision.

B. **Transportation Planning**—In a memorandum dated June 6, 2025 (Udeh to Teshome), the Transportation Planning Section determined that vehicular,

pedestrian, and bicycle access and circulation for this plan are acceptable, consistent with the site design guidelines pursuant to the prior Zoning Ordinance, and meet the findings for pedestrian and bicycle transportation purposes by providing continental style crosswalks at each vehicular access point.

C. **Environmental Planning**—In a memorandum dated April 25, 2025 (Meoli to Teshome), the Environmental Planning Section provided an analysis of the special exception and noted the following findings:

- The site does not contain REF.

- The site is exempt from Subtitle 25 of the Prince George's County Code, and is not subject to the specimen tree conservation requirements contained in Section 25-122(b)(1)(G) of the WCO.

D. **Historic Preservation**—In a memorandum dated April 21, 2025 (Smith to King), Historic Preservation staff noted that the subject property was included in the 1980 preliminary archeological assessment of the Inter-County Connection alignment, at which time no archaeological sites were identified, and there are no Prince George's County historic sites or resources on or adjacent to the property.

E. **Community Planning**—In a memorandum dated June 4, 2025 (Parks to Teshome), the Community Planning Division found that pursuant to Section 27-317(a)(3) of the prior Zoning Ordinance, this special exception application will not substantially impair the integrity of the master plan, and that the application conforms to the additional requirements for special exceptions pursuant to Section 27-357 of the prior Zoning Ordinance.

VIII. COMMUNITY FEEDBACK

As of the writing of this technical staff report, no correspondence has been received from the surrounding community.

IX. RECOMMENDATION

Based on the applicant's statement of justification, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings, as set forth in the prior Prince George's County Zoning Ordinance. Staff find that the proposed application satisfies the requirements for approval, and that the application will be in conformance with the prior Zoning Ordinance requirements.

Therefore, the staff recommend APPROVAL of Special Exception SE-4848, for Donald V. Borgwardt Funeral Home, subject to the following condition:

1. Prior to certification of the special exception site plan, the following revisions shall be made:

a. Revise "Zone 1" of the Tree Canopy Coverage schedule to reflect the current Residential, Rural (RR) Zone, instead of the prior Rural Residential (R-R) Zone.

b. Provide a landscape schedule in accordance with Section 4.9, Sustainable Landscaping requirements, of the 2010 *Prince George's County Landscape Manual*, on the plans demonstrating proposed plant materials will be in conformance with the sustainable landscape requirements.

c. Provide the width of the lot at the building line and street line on the special exception site plan.

d. Provide the required and proposed lot coverage on the special exception site plan and demonstrate the site does not exceed the maximum requirement.

e. Update the landscape plan to reflect the requirements of Alternative Compliance AC-95015, and to reflect existing and proposed plant materials on-site.

DONALD V. BORGWARDT FUNERAL HOME

Special Exception

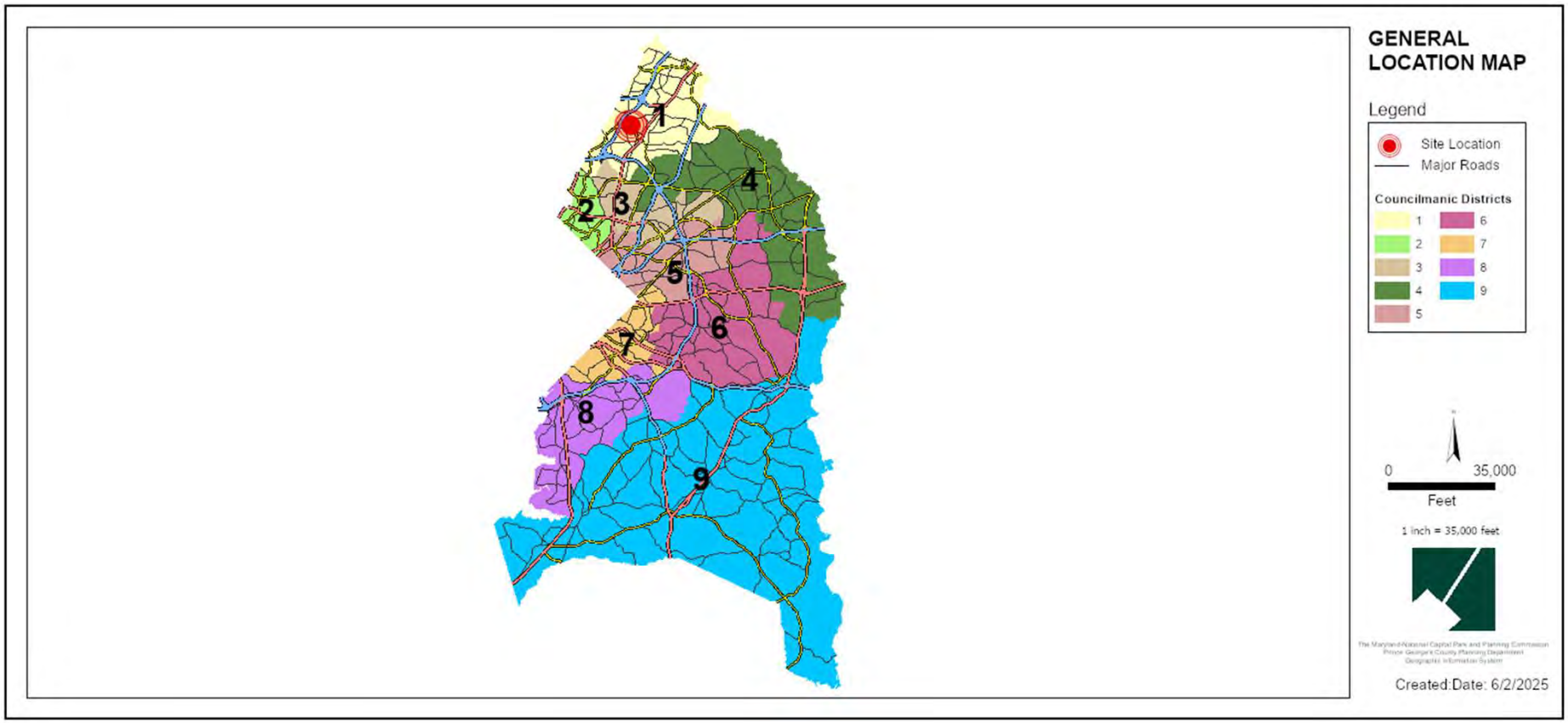
Staff Recommendation: APPROVAL with conditions



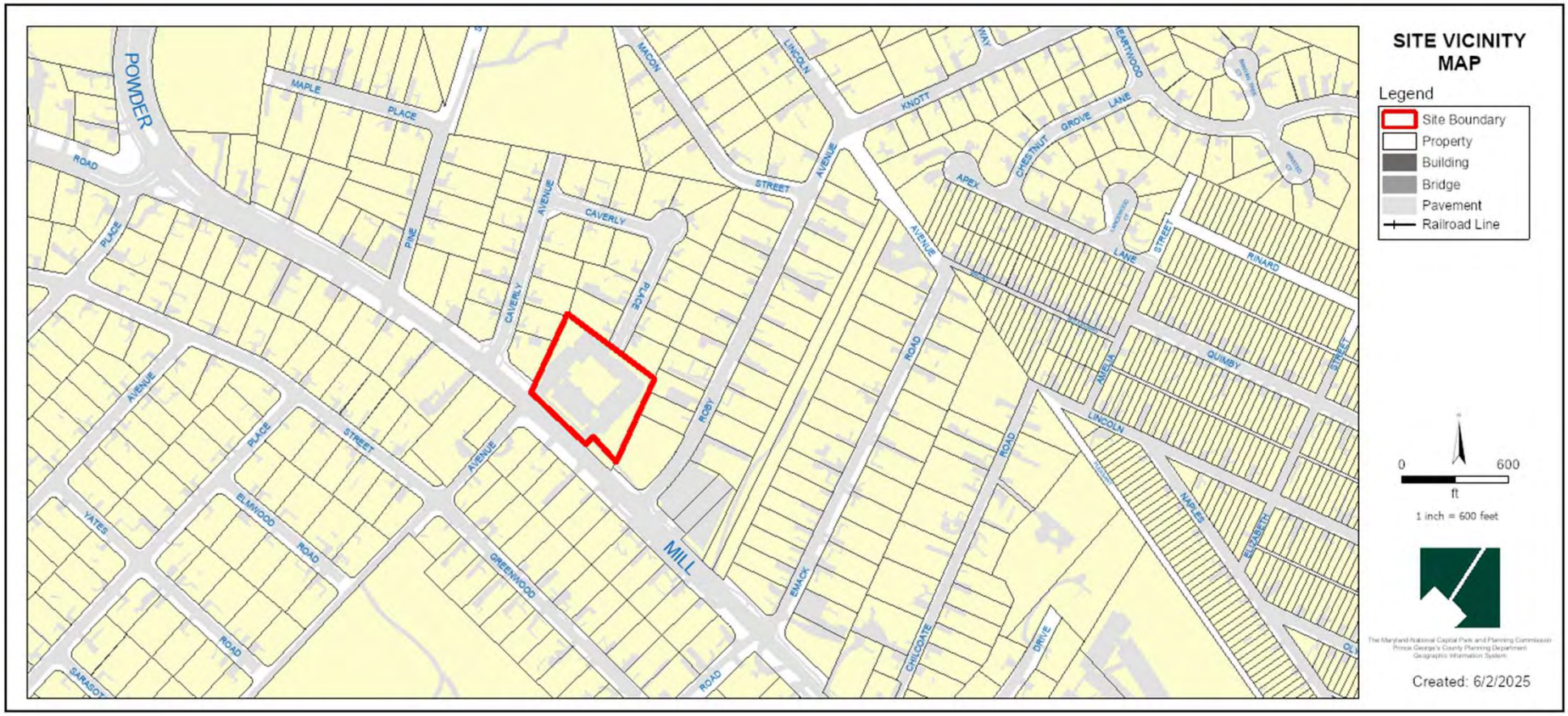
GENERAL LOCATION MAP

Council District: 01

Planning Area: 061

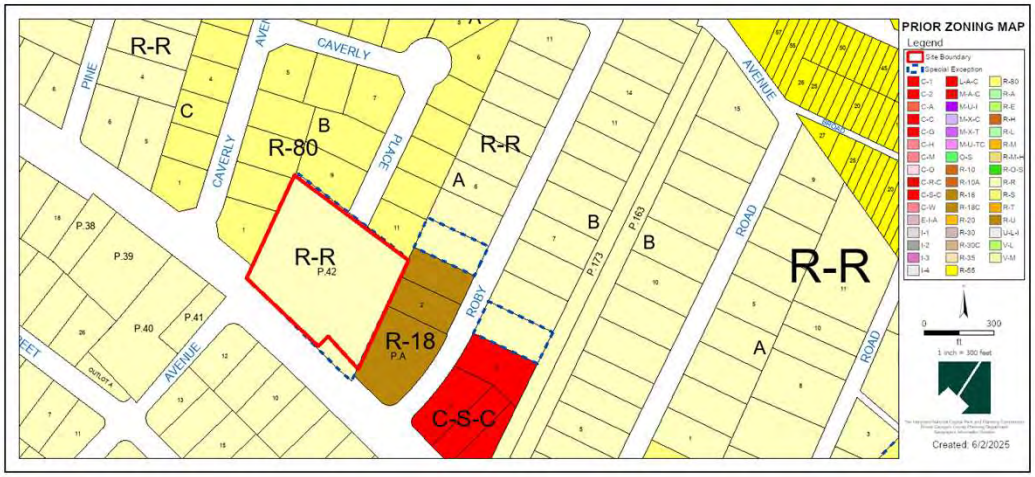


SITE VICINITY MAP

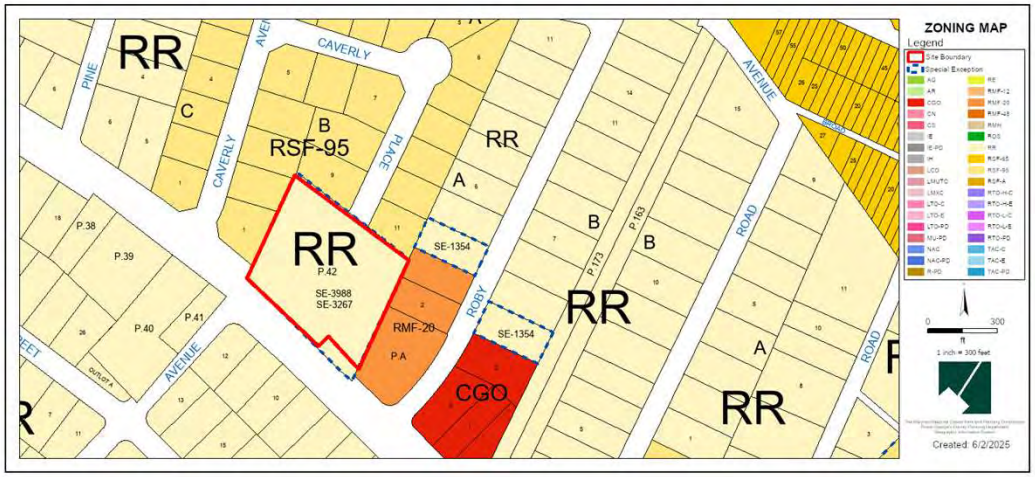


ZONING MAP (PRIOR AND CURRENT)

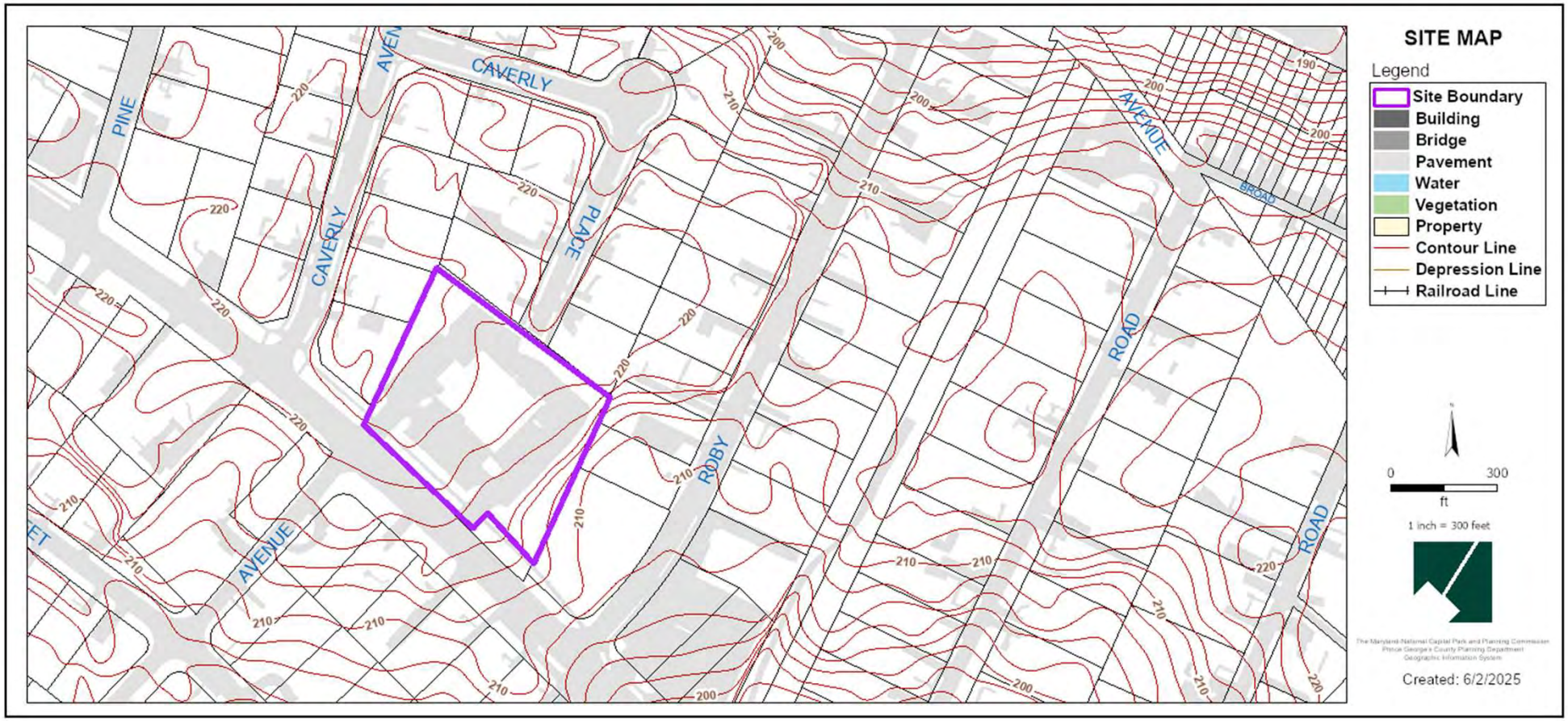
Prior Zoning Map: R-R



Current Zoning Map: RR



SITE MAP


SITE MAP
Legend
Site Boundary
Building
Bridge
Pavement
Water
Vegetation
Property
Contour Line
Depression Line
Railroad Line
0
300
ft
1 inch = 300 feet
Created: 6/2/2025
PINE
CAVERLY
AVENUE
PLACE
ROAD
ROBY
BROAD

MASTER PLAN RIGHT-OF-WAY MAP



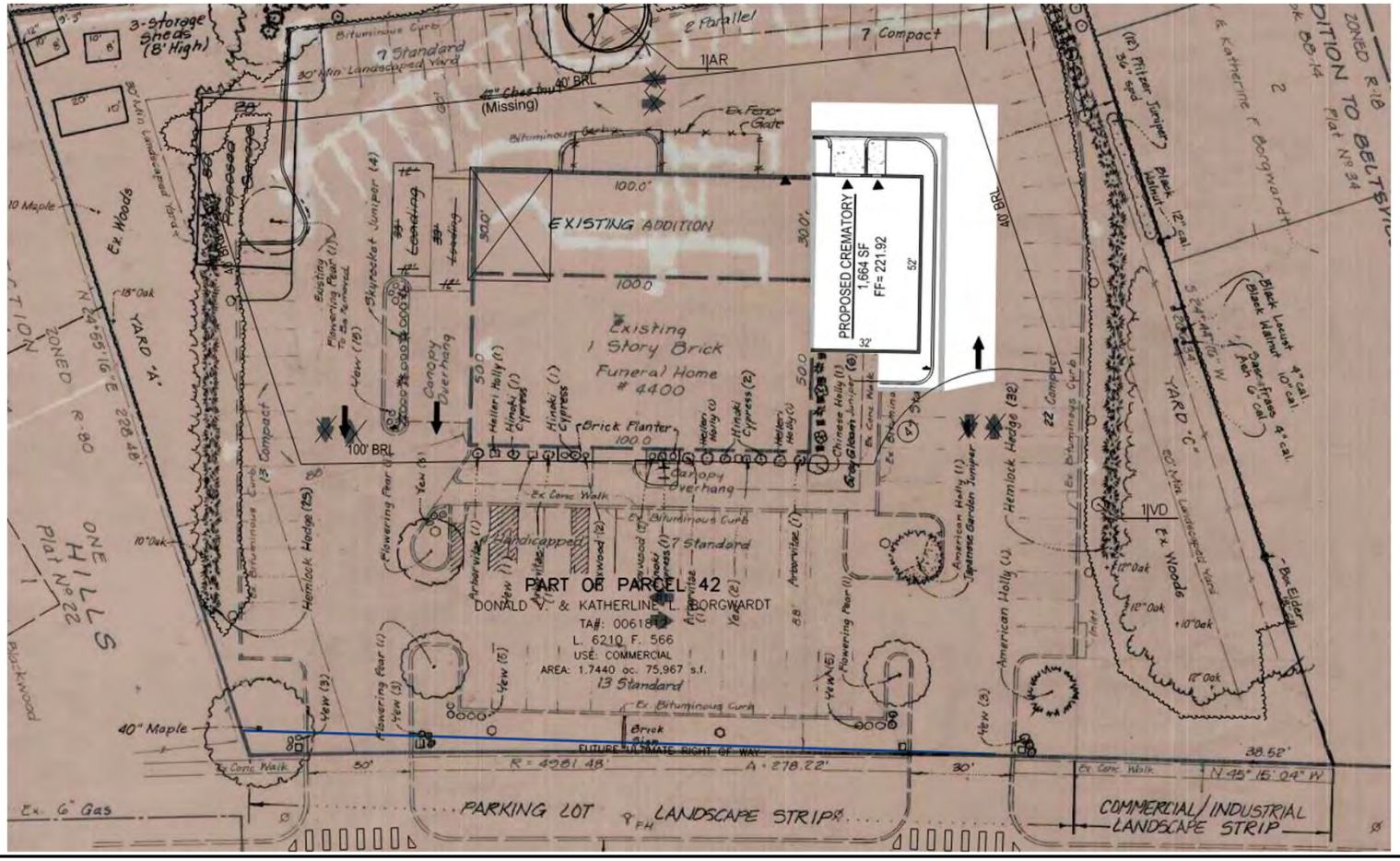
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



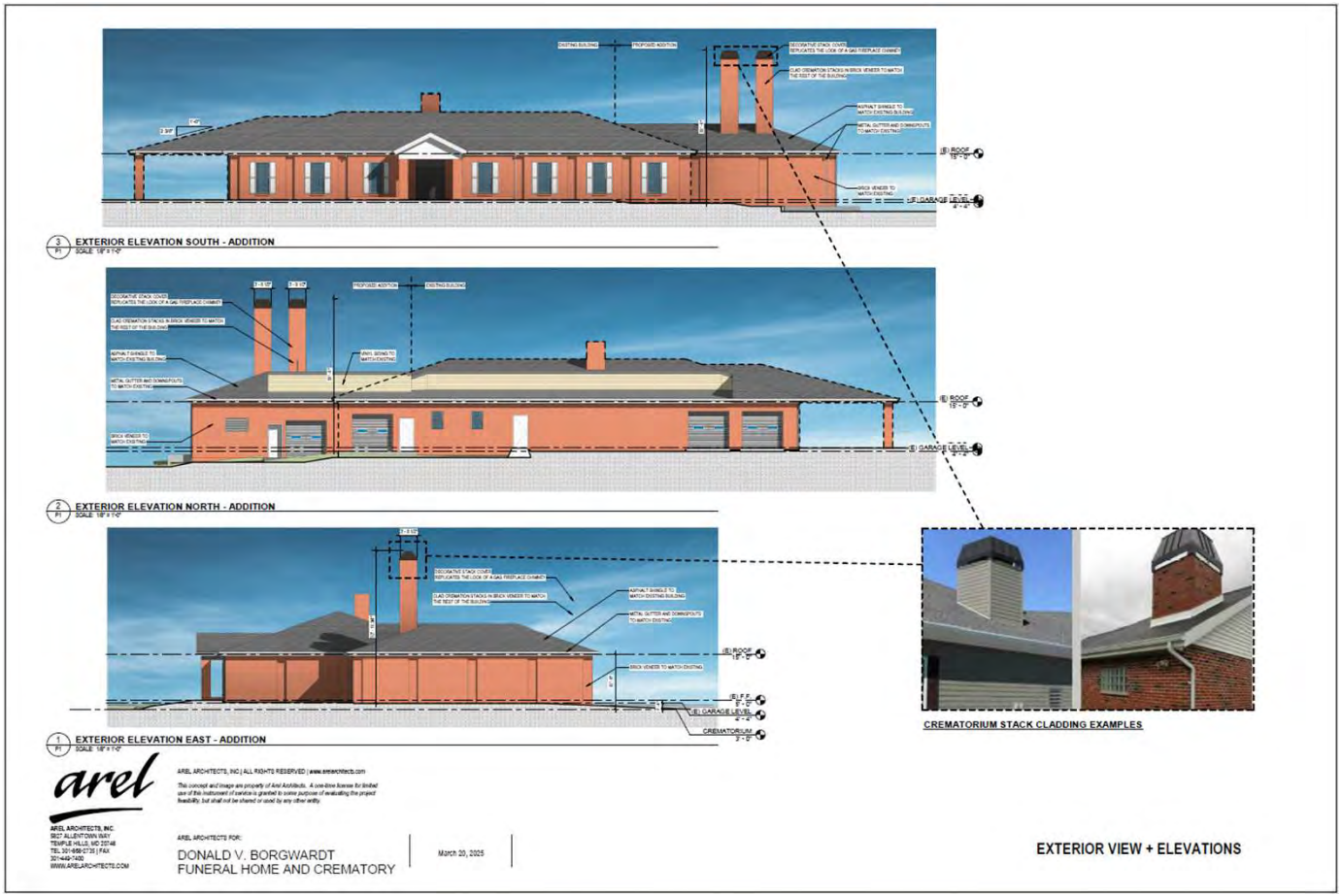
SPECIAL EXCEPTION SITE PLAN



LANDSCAPE PLAN


EXISTING ADDITION
Existing 1 Story Brick Funeral Home # 4400
PROPOSED CREMATORY
1,664 SF
FF= 221.92
PART OF PARCEL 42
DONALD V. & KATHERLINE L. BORGWARDT
TAX: 0061811
L. 6210 F. 566
USE: COMMERCIAL
AREA: 1.7440 ac. 75,967 s.f.
13 Standard
100' BRL
40' BRL
Brick Planter
Canopy Overhang
Handicapped
7 Standard
1|AR
1|VD
PARKING LOT LANDSCAPE STRIP
COMMERCIAL/INDUSTRIAL LANDSCAPE STRIP
FUTURE ULTIMATE RIGHT OF WAY
R = 4961.48'
A = 278.22'
N 45° 15' 04" W
Ex. 6" Gas
40" Maple
Ex. Woods
ONE HILLS Plat No 22
ZONED R-80
YARD 'A'
YARD 'C'
Hemlock Hedge (75)
Hemlock Hedge (32)
Ex. Bituminous Curb
Ex. Conc. Walk
Ex. Fence Gate
Ex. Building
Canopy Overhang
Brick Planter
Existing Flowering Pear (1) To Be Removed
Skyrocket Juniper (4)
Flowering Pear (1)
Yew (16)
Hetteri Holly (1)
Hinoki Cypress (1)
Hinoki Cypress (2)
Arborvitae (1)
Arborvitae (2)
Yew (5)
Yew (3)
Yew (2)
Chinese Holly (1)
Gray Gleam Juniper (8)
American Holly (1)
Japanese Garden Juniper
Black Walnut 12" cal.
Black Locust 9" cal.
Black Walnut 10" cal.
Pear Tree 6" cal.
Pear Tree 4" cal.
Box Elder
Ex. Woods
12" Oak
10" Oak
15" Oak
18" Oak
10 Maple
Blackwood
N 24° 55' 16" E 228.48'
38.52'
30'
50'
22' Compact
7 Compact
7 Standard
30' Min. Landscaped Yard
Bituminous Curb
42" Chestnut (Missing)
(12) Pfitzer Juniper 36" spd
Katherine F. Borgwardt
ZONED R-18
DITION TO BELTSVI
Plat No 34
Ex. Parking
Ex. Bituminous Curb
Ex. Conc. Walk
Ex. Fence Gate
Ex. Building
Ex. Woods
Ex. Bituminous Curb
Ex. Conc. Walk
Ex. Bituminous Curb
Ex. Conc. Walk
Ex. Bituminous Curb
Ex. Conc. Walk

ELEVATIONS


3 EXTERIOR ELEVATION SOUTH - ADDITION
2 EXTERIOR ELEVATION NORTH - ADDITION
1 EXTERIOR ELEVATION EAST - ADDITION
CREMATORIUM STACK CLADDING EXAMPLES
arel
ARCHITECTS, INC
ARCHITECTS FOR:
DONALD V. BORGWARDT
FUNERAL HOME AND CREMATORY
March 20, 2025
EXTERIOR VIEW + ELEVATIONS

STAFF RECOMMENDATION

APPROVAL with conditions

- Special Exception SE-4848

Issues: None

Applicant Required Mailings:
- Informational Mailing: 02/19/2025
- Acceptance Mailing: 03/24/2025

LAW OFFICES
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1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shhpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III *
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson

*Also admitted in the District of Columbia

March 25, 2025

VIA ELECTRONIC MAIL
Mr. Jeremy Hurlbutt
Zoning Section, Supervisor
Development Review Division
Prince George's County Planning Department
1616 McCormick Drive, 2nd Floor
Largo, MD 20774

RE: DONALD V. BORGWARDT FUNERAL HOME
Special Exception No. SE-4848
(Funeral Home & Crematory)
Revised Statement of Justification

Dear Mr. Hurlbutt:

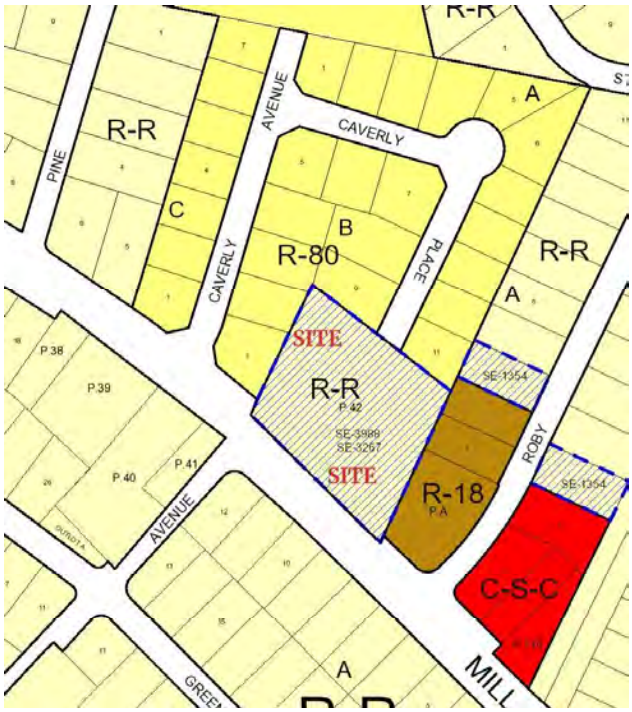
On behalf of our client, Donald V. Borgwardt, (the "Applicant"), Russell Shipley, and Shipley and Horne, P.A. submits this statement of justification in support of Special Exception No. SE-4848. The Donald V. Borgwardt Property (the "Property") is a tract of land located along the northeast side of Powder Mill Road approximately 250-feet northwest of its intersection with Roby Avenue. The subject Property is known as Part of Parcel 42, which is a legal tax parcel, (created prior to January, 1982) and has a premise address of 4400 Powder Mill Road, Beltsville, Maryland 20705. The Property has two existing direct access points to Powder Mill Road that will remain in place. Powder Mill Road is a Master Planned Collector Roadway with a designated right-of-width of 60 to 80 feet, (MD-212A). No additional access points are proposed with the subject application.

The Property consists of approximately 1.74 acres, (75,967 square feet), and is located in Planning Area 61, within Councilmanic District 1, and further located on Tax Map 12, in Grid F3. The Property is currently located in the RR (Residential, Rural) Zone. Notwithstanding, the Applicant elects to utilize the R-R (Rural Residential) Zoning provisions of the prior Zoning Ordinance in effect prior to April 1, 2022, as described herein.

Current Zoning Map



Prior Zoning Map



A. BACKGROUND

Previous Approvals

The prior approvals for the subject Property include the following:

October 1, 1981 – Special Exception, SE-3267, is recommended for approval by the Prince George's County Planning Board for a Funeral Home and its associated parking and loading on 1.7 acres in the R-R (Rural-Residential) Zone via Planning Board Resolution No. PGCPB 81-219.

December 28, 1981 – Special Exception, SE-3267, is approved by the Zoning Hearing Examiner (the "ZHE") with two conditions for a Funeral Home and its associated parking and loading on 1.7 acres in the R-R (Rural-Residential) Zone.

March 12, 1982 – Variance (Appeal No. 7202) is granted to waive the requirement for a 6-foot-high fence along the western property line to be located 5 feet away from the adjoining residential lot line pursuant to Section 27-357(a)(6). **Note - This requirement no longer exists in Section 27-357(a), the Specific Special Exception Requirements for a Funeral Parlor or Undertaking Establishment.*

November 7, 1990 – Special Exception, SE-3988, is approved by the ZHE with no

conditions for a 30' X 100' addition to the rear of the existing Funeral Home for use as office space. This approval also included a 28' x 50' detached garage and the reconfiguration of the existing loading area. The relocation of fencing along the rear property line was required prior to signature approval of the SE plan to conform with Alternative Compliance application, AC-90159, shown below:

January 17, 1991 – Alternative Compliance application, AC-90159, (for Section 4.7 of the Landscape Manual), and DDS-397, (to waive 30 feet of the required 50-foot setback for access to a loading space adjoining a residential zone), is approved by the Planning Board via PGCPB Resolution No. 91-1.

February 22, 1991 – The District Council elects not to hear Special Exception, SE-3988, and the prior decision from the ZHE becomes final.

June 10, 2024 – Natural Resources Inventory Equivalency Letter, NRI-075-2024, is approved by the Environmental Planning Section.

June 10, 2024 – Woodland Conservation Letter of Exemption, S-075-2024, is approved by the Environmental Planning Section.

February 7, 2025 – Site Development Concept Plan No. 41723-2024-SDC is approved by the Department of Permitting, Inspections, and Enforcement ("DPIE").

B. ELECTION TO UTILIZE PRIOR ZONING PROCEDURES (Section 27-1903(b))

On April 1, 2022, the approved Countywide Sectional Map Amendment ("CMA") and the updated Prince George's County Zoning Ordinance ("New Zoning Ordinance") became effective and rezoned the subject Property from the R-R (Rural Residential) Zone to the RR (Residential, Rural) Zone.

Notwithstanding, the Applicant elects to have SE-4848 reviewed utilizing the applicable provisions of the prior Zoning Ordinance pursuant to Section 27-1903(b) of the current Zoning Ordinance which states the following:

27-1903. Applicability

> ***(b) Except as otherwise provided in this Section, development applications of any type for properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the subject property.***

RESPONSE: All of the subject Property was included in prior special exception applications, SE-3267 & SE-3988, which approved the use of the existing funeral home on the subject Property. These applications were reviewed and approved utilizing the provisions of the prior Zoning Ordinance. Section 27-1903(b) allows development

applications that are not located in the LCD, LMXC and LMUTC Zones to utilize the prior Zoning Ordinance for the development of the property. The existing funeral home and proposed crematory will be owned and operated by the same business entity, and the special exception boundaries included in the prior approved applications, (SE-3267 & SE-3988), will remain unchanged. As a result, it makes perfect sense from a planning perspective to utilize the same requirements reviewed and approved at the time of the prior special exception applications to be utilized with the current application. As a result, the Applicant is requesting that SE-4848 be reviewed utilizing the R-R Zoning provisions of the Zoning Ordinance that existed prior to April 1, 2022.

C. NEIGHBORING USES AND ZONES

The Property consists of 1.74 acres in the R-R (Rural Residential) Zone, and is further located in Planning Area 61, Councilmanic District 1, and Tax Map 12, in Grid F3. The Applicant's Property is improved with an existing 8,101 square-foot funeral home that was approved per prior special exceptions applications, SE-3267 & SE-3988. The subject Property is surrounded to the north, south, east and west by the following uses:

North: Detached single-family dwellings in the R-80 Zone within the Caverly Hills Subdivision, and the terminus of Caverly Place, (a 50-foot wide public right-of-way).

South: Powder Mill Road, a Master Planned Collector Roadway with a designated right-of-width of 60 to 80 feet, (MD 212A), and beyond, detached single-family dwellings in the R-R Zone within the Homedale Subdivision

East: A vacant parcel at the corner of Powder Mill and Roby Avenue in the R-18 Zone (owned by the Applicant), and a small multifamily building in the R-18 Zone, (also owned by the Applicant). Further to the east is Roby Avenue, (a 50-foot wide public right-of-way), and beyond, The Beltsville-Adelphi Boys & Girls Club, and a commercial convenience center containing a food & beverage store (7-11), hair salon, nail salon, restaurant, and general/medical offices in the C-S-C Zone

West: Detached single-family dwellings in the R-80 Zone within the Caverly Hills Subdivision, and beyond, Caverly Avenue, (a 50-foot wide public right-of-way)

D. NEIGHBORHOOD BOUNDARIES

As described in prior approved SE-3267, the property is located between Pine Street and Roby Avenue, and fronts along the northern side of Powder Mill Road (MD 212A). The Property adjoins lots developed with detached single-family and multifamily dwellings,

(apartments). The nearest commercial use is located just east of Roby Avenue. The neighborhood boundaries are delineated by Old Gunpowder Road, Avondale Road, Lincoln Avenue, Emack Road, Foreston Road, Greenwood Road, Kenny Street, and 34th Place.

As further described in prior approved SE-3988, the neighborhood of the Property is the area located between Ammendale Road, Lincoln Avenue North, Emack Road, Greenwood Road, Kenny Street, and 34th Street and Old Gunpowder Road. The general neighborhood is described as being residential in nature with a convenience commercial center located just across Roby Avenue.

Consistent with these prior approved special exception applications, the Applicant would describe the neighborhood of the Property as being the area located between Ammendale Road and North Lincoln Avenue, (**to the North**), Emack Road, (**to the East**), Greenwood Road and Kenny Street, (**to the south**), and 34th Place and Old Gunpowder Road, (**to the West**).

With the exception of one new institutional use located along the southwest quadrant of Ammendale and North Lincoln Avenue, (The New Temple of Jain Society of Metropolitan Washington at 4241 Ammendale Road), the Applicant contends that the general neighborhood described in the prior special exception applications remains the same as being "residential in nature with a convenience commercial center located just across Roby Avenue".

E. DEVELOPMENT DATA SUMMARY

DEVELOPMENT DATA SUMMARY		
	Prior Approved Applications (SE-3267 & SE-3988)	**Proposed (SE-4848)**
Zones:	R-R	RR (Former R-R Zone applies)
Uses:	Funeral Home or Undertaking Establishment	Funeral Home or Undertaking Establishment & Crematory

Gross Floor Area:	**SE-3267** Funeral Home - 5,000 sf. Detached Garage - 988 sf. (Note - Detached Garage was not constructed) **SE-3988** Funeral Home - 5,000 sf. Addn. for Office Space - 3,000 sf. New Detached Garage - 1,400 sf. (Note - Detached Garage was not constructed)	**Existing** Funeral Home - 8,101 sf. (to remain) **Proposed** Crematory - 1,664 sf. **Total GFA** = 9,765 sf.
Total Gross Acreage:	1.74 acres	1.74 acres
100-Year Floodplain	0.0 acres	0.0 acres
Net Acreage:	1.74 acres	1.74 acres

Street Views of Property & Existing Funeral Home





F. RELATIONSHIP TO COUNTY PLANS AND POLICIES

Plan Prince George's 2035

This special exception application requests the approval of a proposed 1,664 square foot addition for a crematory operation to the existing funeral home or undertaking establishment facility on the subject property. The Property is currently within the RR Zone, which was formerly known as the R-R Zone. According to the approved 2035 General plan, the subject Property has a future land use of "Residential Low" and is within the "Established Communities" growth tier, as shown on the Growth Policy Map. Prior to the approval of the 2035 General Plan, the subject Property was classified within the "developing" growth tier within the 2002 General Plan.

The requested special exception fulfills the goals of the "Established Communities" Growth tier as the proposed application allows for the context-sensitive expansion of an existing commercial development. The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home or undertaking establishment on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan. This proposed expansion location was specifically chosen to place

the crematory in close proximity to the existing funeral home and preserve views from Powder Mill Road and the surrounding neighborhood. The development proposed will thereby further allow the funeral home facility to expand its services that it offers its customers and enhance job growth opportunities at the site.

The following demonstrates how the proposed special exception application is in substantial harmony with the tier-specific policies established in *Plan Prince George's 2035*. The land use policies for *Plan Prince George's 2035* are as follows:

POLICY 1:

Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

Goals

LU1.1 ***To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).***

LU1.2 ***Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.***

LU1.3 ***Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).***

LU1.4 ***Annually review and report on county growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.***

LU1.5 ***Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).***

LU1.6 ***Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.***

RESPONSE: The proposed development contributes to Policy 1 by facilitating the development recommended for the subject Property in both Plan Prince George's 2035 and the 2010 Subregion 1 Master Plan with uses that are permitted in the prior R-R Zone via special exception approval. This development is entirely consistent with the vision, policies, and strategies contained within Plan Prince George's 2035. In Plan Prince George's 2035, the subject Property is within the Established Communities designation on the Growth Policy Map. These are areas outside Centers and Districts that are served by public water and sewer.

Furthermore, as discussed below, the 2010 Subregion 1 Master Plan recommends a "Residential Low" use for this Property. This special exception proposes a minor expansion of the existing funeral home building that will allow the business to offer another service for its customers. This expansion would be for a crematory use as a component of a funeral home facility that has continuously been found to be in conformance with the prior R-R Zone and surrounding community via several prior SE approvals.

This proposed development will also enhance employment growth in the Established Community areas of Plan Prince George's 2035, which projects to add an additional 22,800 new jobs in these regions of the County (See Plan Prince George's 2035, Table 17, p. 110). The proposed development of the Property will thereby continue the progress towards meeting the job creation goal established with the passage of Plan Prince George's 2035.

POLICY 2:

Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

Goals

LU2.1 ***Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of Environmental Resources (DER) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.***

LU2.2 ***Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the county's Water and Sewer Plan.***

RESPONSE: The Property is located within the growth boundary designated in Plan Prince George's 2035. The Applicant is not seeking to amend nor expand the existing growth boundary, but instead, is seeking approval of a special exception application to develop the Property in accordance with the "Residential Low" land use recommendations provided within the 2010 Subregion 1 Master Plan as illustrated by the site's history as an existing funeral home. This funeral home is designated as a permitted special exception use, which was analyzed in two prior special exception approvals by the ZHE. The proposed crematory would allow for an expansion of services of the existing business that would be developed in a manner that is consistent and compatible with the funeral home facility and continues to respect the surrounding neighborhood.

POLICY 3:

Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

Goals

LU3.1 ***Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.***

LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (see also Section V: under Plan Administration for Amendments and Updates).

LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.

RESPONSE: As noted above, the proposal for the development of the subject Property is consistent with the recommendations of Plan Prince George's 2035 and has been designed to conform with the "Residential Low" land use recommendations provided within the 2010 Subregion 1 Master Plan as illustrated by the site's history as an existing funeral home, which was permitted and continued to be analyzed via several special exception entitlements. The development of a crematory addition proposed in this special exception application is consistent with recommendations of Plan Prince George's 2035 for "Established Communities" and the Growth Policy Map.

POLICY 4:

Phase new residential development to coincide with the provision of public facilities and services.

Goals

LU4.1 Annually evaluate the county's residential and employment forecast projections to identify the amount of new land area required to meet demand.

LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the County code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.

LU4.3 Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.

RESPONSE: The Applicant acknowledges the above Policy 4 goals but notes that they are **not** applicable to this special exception application as no residential land uses are proposed. Nevertheless, the proposed addition of this site is in substantial conformance with both Subtitles 24 & 27 of the county code.

As stated in the pre-application review comments received from the Subdivision Section on March 19, 2025, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from the filing of a preliminary plan of subdivision (PPS) and final plat. The total gross floor area that was added after January 1, 1990, is 4,765 square feet. As such, the proposed application is exempt from the filing of a PPS and a final plat.

POLICY 5:

Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

RESPONSE: As analyzed by Lenhart Traffic Consulting, Inc., in the memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site and will meet the traffic operation requirements detailed in the Zoning Ordinance for special exception applications.

The memorandum further notes that The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for the existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support include burial or cremation services. It should also be noted that a majority of funeral processions start at a church, or similar place of worship, and the proceed to the cemetery from there. As such, most funeral processions to do not begin at the subject Property.

Regarding conformance to the prior Zoning Ordinance, the memorandum notes that the proposed crematorium would be located outside of any proposed master plan right-of-way and would not have an adverse impact on trips to or from the site. Therefore, the proposed addition of a crematory to the site would meet all the applicable requirements of the prior Zoning Ordinance.

POLICY 6:

Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

Goals

LU6.1 ***Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).***

POLICY 7:

Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

Goals

LU7.1 ***Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.***

LU7.2 ***Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.***

POLICY 8:

Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.
Goals

LU8.1 ***Coordinate land use planning with county municipalities.***

LU8.2 ***Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.***

LU8.3 ***Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.***

LU8.4 ***Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they help protect, strengthen, and revitalize the Established Communities.***

LU8.5 ***Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.***

RESPONSE: In response to Policy 6, Policy 7, and Policy 8, the proposed development will create local construction jobs and employment opportunities within the crematorium as a component of the funeral home facility, which will present valuable employment growth openings for Prince George's County residents. These employees will contribute to the local tax base and economy and bring with them skills and education levels that will make them valuable additions to the job market, resulting in employment growth in the Master Plan region.

POLICY 9:

Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

Goals

LU9.1 ***Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.***

LU9.2 ***Develop a countywide strategic plan for future retail***

> ***development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.***

RESPONSE: The Applicant acknowledges the above Policy 9 goals, but notes they are **not** applicable to the subject special exception application, which is not located in a commercial zone and is not proposing any rezoning request to a commercial zone.

> ***POLICY 10:***
>
> ***Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.***
>
> ***Goals***
>
> ***LU10.1*** ***Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.***
>
> ***LU10.2*** ***Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.***
>
> ***LU10.3*** ***Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).***

RESPONSE: The Applicant acknowledges these goals and notes the subject Property is located within Water and Sewer Categories, W-3 and S-3. As such, adequate water and sewer facilities and services already exist on-site to serve the subject Property and the proposed addition. Furthermore, the development proposed is wholly consistent with the 2010 Subregion 1 land use recommendation and will be a component of the proposed job growth estimate for the Established Communities area in Plan Prince George's 2035.

POLICY 11:

Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Goals

LU11.1 ***Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.***

LU11.2 ***Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.***

LU11.3 ***Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify postreclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.***

LU11.4 ***To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.***

RESPONSE: There are no known portions of the Property classified in the Priority Preservation Area (PPA) pursuant to the approved *Priority Preservation Area Functional Master Plan*. The Property is located within the Established Communities designation and

Environmental Strategy Area 2 of Plan Prince George's 2035. The Property does **not** contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the *2024 Woodland and Wildlife Habitat Conservation Ordinance*, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. Lastly, a Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025, which notes that the site is exempt from stormwater management requirements since less than 5,000 square feet is proposed to be disturbed.

POLICY 12:

Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Goals

LU12.1 ***Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.***

LU12.2 ***Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).***

LU12.3 ***Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.***

RESPONSE: The Applicant acknowledges the goals in Policy 12 but notes that they are **not** applicable to this special exception application, as they are to be implemented by the Prince George's County Planning Department and do not specifically apply to the subject Property.

2010 Subregion 1 Master Plan and Sectional Map Amendment (the "Master Plan") –

On June 23, 2010, the Prince George's County District Council adopted the Resolution of Approval for the *2010 Approved Subregion 1 Master Plan and Sectional Map Amendment,* (CR-58-2010). The Master Plan presents several engagement areas with policies and strategies to consider. These engagement areas consist of the following categories:

- *Development Pattern Elements*
- *Infrastructure Elements*
- *Economic Development, Urban Design, and Historic Preservation*

Development Pattern Elements

The prior 2002 General Plan notes that the subject site is located within the "Developing" growth tier and has a future land use of "Residential Low." This proposed special exception application supports this designation as it allows for the improvement of an existing small-scale commercial facility (funeral home) that was previously found to not substantially impair the integrity of the relevant applicable master plans via SE-3267 and SE-3988. As previously determined with the prior approved SE application, the continuation of the existing funeral home on the Property would not substantially impair the integrity of the master plan, and the addition of a small crematory along the eastern side of the existing funeral home building, (totaling only 1,664 square feet in size), would not affect this prior determination or result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan.

These special exception approvals evaluated a funeral home use in areas of the master plan designated for low-density residential uses. Furthermore, the expansion of the facility will have no effect on the prior approved landscape plan for the Property, which meets all applicable landscaping requirements of the Prince George's County Landscape Manual (the "Landscape Manual"). A signed and sealed Landscaping Certification has also been submitted that evaluates the condition of all existing plant materials on the subject Property.

The Master Plan provides several policies and strategies regarding development in the Developing Tier which are shown on page 13 and below, ***highlighted in italic bold:***

Developing Tier

Policy 1: Preserve and enhance the suburban neighborhood character.

Strategies: ***Enforce codes regarding: (1) truck and other excessive vehicle parking on residential streets, (2) multiple families living in single-family homes, (3) property maintenance, and (4) home businesses in areas not zoned for such uses. Encourage high-quality design that seeks to improve existing shopping centers and promotes and enhances the character of neighborhoods.***

RESPONSE: The Applicant notes that the proposed development is consistent and compatible with the surrounding neighborhood, particular given its extensive history and development as a funeral home facility that has been in operation since approximately 1985, via the approval of SE-3267 and SE-3988. The proposed crematorium use is a common component of a funeral home facility and is not in violation of any of the code sections referenced in the first strategy. The proposed expansion is also of high-quality design where the architectural elevations of building addition are compatible with the existing structure and preserve the viewshed from Powder Mill Road.

This high-quality design includes brick veneer and asphalt roofing to match the architectural elements of the existing structure. Decorative stack covers that replicate the look of a gas fireplace chimney are also proposed. Additionally, a majority of the abutting properties to the east are owned by the Applicant, and the crematory will not extend any closer to the residential properties to the north than the existing funeral home building. Based on the submitted architectural elevations and the demonstration of conformance with the applicable buffers of the Landscape Manual, the Applicant contends that the proposed expansion of the funeral home with a crematorium will maintain the high-quality design previously approved for the subject Property.

Policy 3: ***Plan and provide public facilities to support the planned development.***

Strategies: ***Balance the pace of development with the ability of the private sector to provide adequate transportation and public facilities.***

Encourage continuous expansion of development where public facilities and services can be more efficiently provided.

RESPONSE: The Applicant notes that the subject Property has existed as a funeral home facility since approximately 1985. Therefore, all public utilities and facilities already exist to serve the site, which is further reinforced by the Property's location in the Prince George's County Water/Sewer Category 3. As analyzed by Lenhart Traffic Consulting, Inc., in an memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific

transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance. Furthermore, due to the limited amount of development proposed, a new preliminary plan of subdivision (PPS) is **not** required to accommodate the proposed special exception uses.

Policy 4: ***Improve vehicular and pedestrian circulation and safety.***

Strategies: ***Upgrade intersections to alleviate congestion and provide a safe, steady flow of traffic.***

Install streetscape improvements including paved pedestrian paths and safety features, clearly marked crosswalks at major intersections, trees, landscaping, curbs, and lighting, where needed.

RESPONSE: The Applicant acknowledges these requirements and has shown the pedestrian pathways, landscaping, curb and gutter, on-site circulation pattern, driveway aisle widths, and parking spaces dimensions on the submitted plan. Further, all parking and loading space requirements for the proposed uses will be fully met on-site.

Infrastructure Elements

Environmental Infrastructure

Within the Master Plan, the Environmental Infrastructure section contains policies and strategies for key environmental areas. These include the following key categories: green infrastructure, priority preservation area, aquifer recharge area, water quality, mineral resources, stormwater management, green building opportunities, air quality, and noise. An analysis of these key categories based on the relevant master plan policies and strategies are shown below, ***highlighted in italic bold:***

Policy 1: ***Protect, preserve, and enhance the identified green infrastructure network within the Subregion 1 Plan Area.***

Strategies: ***Protect primary corridors during the review of land development proposals to ensure the highest level of preservation and restoration possible with limited impacts for essential development elements.***

Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.

Preserve unique habitat areas to the fullest extent possible

during the land development process.

Develop flexible design techniques to maximize preservation of environmentally sensitive areas and to avoid unnecessary impacts to sensitive features.

RESPONSE: According to the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan, none of the site is within the regulated or evaluation area of the Master Plan. Therefore, no network gaps have been identified that should be emphasized for preservation within this infill development. As stated previously, the Property does **not** contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the 2024 Woodland and Wildlife Habitat Conservation Ordinance, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties.

Policy 2: ***Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.***

Strategies: ***Restore stream and wetland buffers to the fullest extent possible during the land development process.***

Reduce the area of impervious surfaces during the redevelopment process.

Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that the subject Property is located within the Indian Creek watershed, which is designated as a primary corridor by the Master Plan. Indian Creek flows south towards the Anacostia River, which eventually joins with the Potomac River and then the Chesapeake Bay. While no portion of Indian Creek is within the subject Property, the Applicant is still cognizant of pursuing measures to minimize surface runoff to the maximum extent practicable. To pursue this goal, the Applicant prepared a Site Development Concept Plan, (41723-2024-SDC), which was approved by DPIE on February 7, 2025.

This plan recognizes the existing stormwater management structures on the subject Property that were designed to flow and connect to the existing stormwater management structures along Powder Mill Road, which were recently upgraded by SHA. The approved

SDCP plan further demonstrates that the natural flow pattern of the site will not be changed due to the proposed development.

The site is exempt from stormwater management requirements since the total disturbed area is less than 5,000 square feet. Additionally, the maximum lot coverage requirement for other allowed uses in the R-R Zone is 60% of the net lot area (or 64,815 square feet). The submitted special exception site plan demonstrates that with the proposed minor addition to the existing funeral home building, the proposed lot coverage will only be 16,152 square feet, or 15% of the net lot area.

Policy 3: ***Implement the State Storm Water Management Act of 2007 in Subregion I as the adoption of this Plan is to enhance the water quality and control flooding in the Anacostia and Patuxent River watersheds.***

Strategies: ***During the review of site plans, zoning and special exceptions in the Subregion I area, the principles behind the Storm Water Management Act of 2007 have been implemented on a case-by-case basis since its adoption. Specific cases include Konterra and the Sun Services' construction waste recycling facility. The ultimate implementation of the Act through regulation has been delayed beyond the original 2008 date. New storm water regulations have now been adopted and after May 4, 2010 new plans must comply with the new regulations. To be consistent with the early application of the principles of the Storm Water Management Act of 2007 to projects in Subregion I, if any grandfathering rules are adopted in the Count Code, they should not apply in Subregion I.***

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and as previously mentioned, the Applicant has prepared a Site Development Concept Plan, (41723-2024-SDC), which was approved by DPIE on February 7, 2025. This plan indicates the portions of the Property where stormwater has been designed to flow to, connecting to existing storm drain system along Powder Mill Road which was recently upgraded by SHA. The Property is currently developed, and the proposed construction will remove and replace approximately 0.04 acres of impervious area. With the proposed building addition, the approximate Limit of Disturbance (LOD) will be 2,945 square feet (or 0.07 acres). As a result, the site is exempt from stormwater management requirements since less than 5,000 square feet of disturbance is proposed.

Policy 4: ***Implement more environmentally sensitive building techniques and reduce overall energy consumption.***

Strategies: ***Encourage the use of green building techniques that reduce energy consumption. New building designs should***

strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies. It is recommended that new buildings in the Konterra Town Center and US 1 corridor be built to meet the Leadership in Energy and Environmental Design (LEED) certification.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that the proposed crematory addition will be designed in accordance with the requirements of the Maryland Department of the Environment (MDE). MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and the proposed Matthews' cremation unit meets or exceeds those requirements. Furthermore, given the nature of the funeral home and crematory uses, the number of parking spaces necessary to meet the requirements of the Zoning Ordinance are minimized when compared to other commercial uses. This design thereby allows the site to minimize the heat island effect of the parking lot and ensure ample interior and exterior landscape plantings are provided.

Policy 5: ***Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.***

Strategies: ***Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations and vehicle sales establishments so that light intrusion on adjacent properties is minimized. Full cut-off optic light fixtures should be used for all proposed uses.***

Discourage the use of street lights and entrance lighting adjacent to special conservation areas of local and countywide significance and in the Rural Tier.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that adequate lighting is already provided throughout the site. These locations do not face the existing single-family detached dwellings to the north and west, and are adequately buffered by the existing planting material shown on the approved landscape plan. The Applicant would also note that the site is not located within the Rural Tier, but appropriate measures have been taken to ensure that light pollution does not intrude onto the adjacent single-family detached residential uses.

Policy 6: ***Reduce air pollution by placing a high priority on transportation demand management (TDM) projects and programs.***

Strategies: ***Design development and redevelopment projects to minimize the need for motor vehicle trips and to prevent conditions that may create local air pollution nuisances.***

Provide an improved, continuous network of sidewalks and bikeways.

RESPONSE: The Applicant acknowledges the aforementioned policies and strategies. As analyzed by Lenhart Traffic Consulting, Inc., in an memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance.

The parking requirement for the proposed uses are limited to 1 parking space per 4 legal occupancy of the building, which along with the required interior planting and parking lot landscape strips both within and abutting the parking compound, will help minimize of the urban heat island effect on-site. The Applicant would further note that an adequate network of on-site sidewalks has been provided to ensure ease of access (including access for the physically handicapped) to all proposed building entrances. Further, the sidewalk network along both sides of Powder Mill Road were recently reconstructed by SHA as part of their improvements and upgrades to MD 212.

Furthermore, as mentioned previously, the proposed crematory addition will be designed in accordance with the requirements of MDE. MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and the proposed Matthews' cremation unit meets or exceeds those requirements.

An application must be submitted to MDE and a permit issued before the cremation unit can be manufactured and installed. MDE conducts a comprehensive evaluation of each application, and this process takes approximately 6 months to complete. Only if a permit is issued can the project commence. Additionally, the State Board of Morticians and Funeral Directors regulates cremation practices and ensures compliance with relevant laws and regulations. Operators are also required to receive a certification from the state to perform cremations, which includes the passing of required exams on the proper operating procedures for these facilities.

Policy 7: ***Reduce adverse noise impacts to meet State of Maryland noise standards.***

Strategies: ***Evaluate development and redevelopment proposals using Phase I noise studies and noise models.***

Provide for adequate set backs for projects located adjacent

to existing and proposed noise generators and roadways of arterial classification or greater.

Provide for the use of approved attenuation measures when noise issues are identified.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies but would note that no residential uses are being proposed with the subject application. As such, a Phase I noise study is not required for this application.

Transportation

The subject Property has frontage along Powder Mill Road, a designated collector roadway (C-112) with a 60 to 80 foot roadway width. The Traffic Memorandum, prepared by Lenhart Traffic Consulting, Inc. on February 6, 2025, notes that The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for the existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support include burial or cremation services. It should also be noted that a majority of funeral processions start at a church, or similar place of worship, and the proceed to the cemetery from there. As such, most funeral processions to do not begin at the subject Property.

The Traffic Memorandum further notes that the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance.

Parks and Recreation

The Applicant notes that Park and Recreational facilities are not applicable to the review of this special exception application as no residential uses are proposed.

Public Facilities

As stated in the pre-application review comments received from the Subdivision Section on March 19, 2025, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from the filing of a preliminary plan of subdivision (PPS) and final plat. The total gross floor area that was added after January 1, 1990, is 4,765 square feet. As such, the proposed application is exempt from the filing of a PPS and a final plat.

Economic Development, Urban Design, and Historic Preservation

Economic Development

Within the Master Plan, the Economic Development section contains policies and strategies for sustainable investment opportunities within Prince George's County. As mentioned previously, this proposed infill development will allow for additional employment opportunities for the construction and eventual use of this new crematory as a component of the existing funeral home facility. An analysis of these sustainable investment opportunities based on the relevant master plan policies and strategies is provided below, ***highlighted in italic bold:***

Policy 5: ***Expand and enhance opportunities for a quality business and employment environment.***

Strategies: ***Reach out to existing and potential corridor businesses regarding county and state economic programs for business start-ups, facility expansions, job creation and equipment purchases to facilitate the region's job growth and maximize tax base.***

Support a quality urban design framework and sensible transportation connections in order to increase the corridor's appeal and competitiveness to employers and capture a larger share of the regional workforce.

RESPONSE: The Applicant notes that the proposed development is consistent and compatible with the surrounding neighborhood, particular given its extensive history and development as an existing funeral home under SE-3267 and SE-3988, which has been in operation since approximately 985. This proposed development represents a logical expansion of an existing funeral home facility that allows the business to offer an additional service to customers that has increasingly become an alternative to cemetery burials. As mentioned previously, the urban design of the site has been meticulously studied to preserve the viewshed on Powder Mill Road through architectural features and building materials that are consistent and compatible with the existing facility. The Applicant contends that this emphasis on urban design principles will create a sense of place that is compatible with the existing development but provides for increased best design practices.

Urban Design

The Applicant notes that the subject Property is not within the areas of the Master Plan referenced in this section. Therefore, the policies and strategies of this section are **not** applicable to the review of this special exception application.

Historic Preservation

The Applicant notes there are no known historic, or land trust easements impacting the Property or adjacent to it. Therefore, the policies and strategies of this section are **not** applicable to the review of this special exception application.

2017 Green Infrastructure Plan (Functional Master Plan)

According to the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan, none of the site is within the regulated or evaluation area of the Master Plan. Therefore, no network gaps have been identified that should be emphasized for preservation within this infill development.

Woodland and Wildlife Habitat Conservation Ordinance –

As stated previously, the Property does not contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the 2024 Woodland and Wildlife Habitat Conservation Ordinance, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026.

County's Ten-Year Water and Sewerage Plan –

The 2010 Water Resources Functional Master Plan amends the 2002 General Plan and provides growth guidance expressed as goals, policies, and strategies to address water quality impacts associated with land use in the County. The Plan references the Ten-year Water and Sewer Plan and addresses specifically: Drinking Water Supply, Water Treatment, and Stormwater Management. The subject Property is within water and sewer categories W-3 and S-3, with active water and sewer lines on-site that can be utilized for this redevelopment.

G. COMPLIANCE WITH THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE

Although special exception applications, SE-3267 & SE-3988, were previously approved for the use of the existing funeral home on the subject Property, the Planning Department has determined that a new special exception application is now required, (vs. an amendment), due to the addition of a new special exception use of a crematory. The submitted Special Exception satisfies all required criteria of approval set for in the Zoning Ordinance as follows:

Section 27-317. Required findings.

(a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

RESPONSE: The General Purposes of Subtitle 27 are contained in Section 27-102(a) of the Zoning Ordinance and are as follows:

Section 27-102. - Purposes.

(a) The purposes of the Zoning Ordinance are:

(1) To protect and promote the health, safety, morals comfort, convenience, and welfare of the present and future inhabitants of the County;

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

(3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;

(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;

(5) To provide adequate light, air, and privacy;

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;

(7) To protect the County from fire, flood, panic, and other dangers;

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

(10) To prevent the overcrowding of land;

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

(12) To insure the social and economic stability of all parts of the County;

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and

(15) To protect and conserve the agricultural industry and natural resources.

RESPONSE: The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan.

As further demonstrated below, the subject application is in full compliance and harmony with the required special exception requirements in Section 27-317(a), the specific special exception requirements for a funeral parlor or undertaking establishment in Section 27-357, and the specific special exception requirements for a cemetery or crematory provided in Section 27-341. The subject application meets all requirements of the Woodland and Wildlife Habitat Conservation Ordinance, and by providing full compliance with the setback requirements in Section. 27-357(a)(1) of the Zoning Ordinance, adjacent landowners will be fully protected from any adverse impacts associated with the proposed development.

The subject special exception application proposes no impacts to any sensitive or regulated environmental features such as streams or 100-year floodplain, and no clearing of any specimen or historic trees is being proposed. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. Further, a Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025.

On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Subtitle 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5).

The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application. The submitted site plan further demonstrates full conformance with all parking, loading, setback, lot coverage, and Landscape Manual requirements, and is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home. As a result, the proposed use and site plan are in harmony with the purposes of this Subtitle.

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

RESPONSE: The subject application fully meets all the required findings in Section 27-317 for approval of a special exception application and is in full compliance and harmony with the specific special exception requirements for a funeral parlor or undertaking establishment found in Section 27-357, and the specific special exception requirements for a cemetery or crematory found in Section 27-341. Further, the application is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home.

The subject application has been designed to be in full compliance with the parking and loading requirements in Part 11 of the Zoning Ordinance, the Woodland and Wildlife Habitat Conservation Ordinance, the Tree Canopy Coverage Ordinance, and Landscape Manual. Further, Site Development Concept Plan No. 41723-2024-SDC was approved by DPIE on February 7, 2025.

Further, the application includes all required forms, contents, and other submission requirements provided in Section 27-296, and is in full compliance with the public notice procedures provided in Section 27-305. As a result, the proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

RESPONSE: The 2035 Approved General Plan identifies the Property as being within the Established Communities General Plan Growth Policy Area and a Priority Funding Area. Plan 2035 recommends a Residential Low generalized future land use for the entire Property, as would be expected for the R-R Zone.

As part of prior approved SE-3988, both the ZHE and the Planning Staff found that the proposal to expand the funeral home, along with its recommended conditions of approval, would not substantially impair the integrity of the *1990 Subregion 1 Master Plan* which recommended low density rural residential use, and further recognized the existing funeral home use on the Property.

Currently, the *2010 Subregion 1 Master Plan and Sectional Map Amendment* recommends

the same low-density rural residential use for the Property, and recognizes the existing land use as being "commercial". As previously determined with the prior approved special exception application, the continuation of the existing funeral home on the Property would not substantially impair the integrity of the master plan, and the addition of a small crematory on the eastern side of the existing funeral home building, (totaling only 1,664 square feet in size), would not affect this prior determination or result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan. A Funeral Home or Undertaking Establishment & Crematory are permitted in the underlying zoning for the Property and are deemed inherently compatible with the zone provided the Applicant can satisfy the applicable criteria of approval for a special exception in the Zoning Ordinance (which the proposed use certainly does).

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

RESPONSE: As part of the prior special exception applications, SE-3267 & SE-3988, the ZHE found that the use of a funeral home on the subject Property would not adversely affect the health, safety, or welfare of residents or workers in the area. With the exception of the small crematory addition proposed along the eastern side of the funeral home building (consisting of 1,664 sf.), and minor revisions to the parking compound to accommodate the proposed building, no substantial revisions are being proposed to the Property.

A majority of the abutting properties to the east are owned by the Applicant, and the crematory will not extend any closer to abutting residential properties to the north than the existing funeral home building. The proposed crematory is not a use that is open to the public and is, therefore, not a significant traffic generator. The minor vehicle trips that would be associated with this use are very minimal and would have no adverse effect on Powder Mill Road. The special exception boundaries previously approved with SE-3267 & SE-3988 are not being expanded, and no additional access points are being proposed along Powder Mill Road.

There are also no noise impacts anticipated with the proposed use. The proposed building containing the crematory will fully meet all setbacks required in the zone. All parking, loading, and landscaping requirements will be fully met on-site. The existing funeral home is an attractive all-brick building, and the existing grounds are very well manicured and landscaped. The submitted architectural elevations for the proposed crematory demonstrate that the proposed building will be constructed with compatible building materials and be fully complementary to the existing funeral home building.

While there are no zoning requirements or specific special exception criteria related to the emissions of crematory uses in Prince George's County, the Applicant would like to provide the following information to further demonstrate that the proposed use would not adversely affect the health, safety, or welfare of residents or workers in the area;

The crematory equipment for this Property is proposed to be provided by Mathews Environmental Solutions. They have 5,000 installations globally and over 50 units operating in Maryland. The Applicant anticipates performing approximately 4 cremations a week, and each cycle will take on average 2 to 2 1/2 hours to complete.

Matthews Environmental Solutions states that approximately 98% of all cases are performed without any visible emissions. In the rare occurrence that smoke may be present, the unit takes corrective action automatically. In addition, the Applicant is investing in the most advanced crematory controls available, Matthews' M-pyre operating system.

The M-pyre operating system automatically determines the proper settings based on the case to be performed and then monitors and adjusts the process throughout the entire cycle. For additional security, it is also monitored by Matthews' technicians who can perform remote diagnostics and adjustments to ensure each case is completed in the most efficient manner.

MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and Matthews' cremation unit meets or exceeds those requirements. An application must be submitted to MDE and a permit issued before the cremation unit can be manufactured and installed. MDE conducts a comprehensive evaluation of each application, and this process takes approximately 6 months to complete. Only if a permit is issued can the project commence.

Additionally, the State Board of Morticians and Funeral Directors regulates cremation practices and ensures compliance with relevant laws and regulations. Operators are also required to receive a certification from the state to perform cremations, which includes the passing of required exams on the proper operating procedures for these facilities. As noted above, the proposed crematory meets or exceeds MDE's design, performance and emissions standards. Modern-day cremation equipment that is properly designed, operated, and maintained is a "good neighbor" to nearby properties and will in no way adversely affect the health, safety, or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

RESPONSE: At the time of the prior special exception applications, the use of the funeral home on the Property was already found not to be detrimental to the use or development of adjacent properties or the general neighborhood. At the time of the initial special exception application, the Applicant provided an appraisal report prepared by Associated Appraisers which further found that the proposed use would not be detrimental to the use or development of adjacent properties or the general neighborhood.

All surrounding properties with the exception of the property to the east which is owned by the Applicant have been fully developed. The proposed crematory is not a use that is

open to the public and is, therefore, not a significant traffic generator. On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Section 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5). The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

There are no significant noise impacts anticipated with the proposed use. MDE will also ensure that the proposed crematory complies with all state standards to minimize environmental impact. The small building addition proposed for the crematory is only 1,664 square feet in size, and will fully meet all setbacks required in the R-R Zone. All required parking, loading, stormwater management, and landscaping requirements will be fully met on-site.

The existing funeral home is an attractive all-brick building, and the existing grounds are very well-manicured and professionally landscaped. The submitted architectural elevations for the proposed crematory demonstrate that the proposed building will be constructed with similar compatible building materials and will be fully complementary to the existing funeral home. With the proposed building being strategically located along the eastern side of the existing building, the Property's formal and attractive street view from Powder Mill Road will continue to be maintained. Further, the closest abutting residential uses to the east are owned by the Applicant.

The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would be detrimental to the use or development of adjacent properties or the general neighborhood.

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

RESPONSE: Section 25-119(a)(2)(B) of the County Code states the following concerning special exception applications;

(B) Applications for a Special Exception, Detailed Site Plan (including Minor and Major Detailed Site Plans), Specific Design Plan, grading permit or other similarly detailed plans shall include a Type 2 Tree Conservation Plan (TCP2) or a Standard Letter of Exemption.

As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the Planning Staff found that the site was not subject to the approval of a tree conservation plan because the site contained less than 10,000 square feet of existing woodland and no specimen trees. On June 10, 2024, a Woodland Conservation Letter of Exemption, S-075-2024, was approved by the Environmental Planning Section for the subject Property. As a result, the subject application is in full conformance with the Woodland and Wildlife Habitat Conservation Ordinance contained in Subtitle 25 of the County Code.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

RESPONSE: The subject Property contains no sensitive or regulated environmental features such as streams or 100-year floodplain, and no steep slopes or highly erodible soils (such as Marlboro Clays), exist on the Property. The Property is not located in, or near, the Chesapeake Bay Critical Area (CBCA).

Site Development Concept Plan No. 41723-2024-SDC, was approved by DPIE on February 7, 2025. Further, on June 10, 2024, a Natural Resources Inventory Equivalency Letter, NRI-075-2024, was approved for the Property by the Environmental Planning Section. Because the subject Property contains no sensitive or regulated environmental features such as streams or 100-year floodplain, the above finding is not applicable to the review of the application and can be deemed met.

(b) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted:

(1) where the existing lot coverage in the CBCA exceeds that allowed by this Subtitle, or

(2) where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.

RESPONSE: The Property is not located in a Chesapeake Bay Critical Area (CBCA) Overlay Zone. As a result, the above finding is not applicable to the review of the subject application.

DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL EXCEPTIONS.

The specific special exception requirements for a crematory are as follows;

Section. 27-341. - Cemetery or crematory.

A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.

RESPONSE: Neither the existing funeral home nor the proposed crematory are located within any proposed street or other public right-of-way. All uses will be fully located within the confines of the subject Property, and all structures will be properly setback from all public rights-of-way in accordance with the requirements of the Zoning Ordinance.

A transportation analysis prepared by Lenhart Traffic Consulting on February 6, 2025, and submitted with the subject application further found that the proposed expansion to construct an on-site crematorium would be in full compliance with the above requirement.

Section. 27-357. Funeral parlor or undertaking establishment.

The specific special exception requirements for a Funeral parlor or undertaking establishment are as follows;

(a) A funeral parlor or undertaking establishment may be permitted subject to the following:

(1) The minimum side and rear yard setbacks shall be at least fifty (50) feet each, when adjoining land in any Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;

RESPONSE: As part of prior special exception applications, SE-3267 & SE-3988, the ZHE found that the existing funeral parlor was properly setback in accordance with the requirements of Section 27-357(a) provided above. No expansion of the existing funeral use is being proposed as part of this application. The new building area containing the crematory will meet all the required setbacks in the R-R Zone.

(2) If the subject property is located in a Residential Zone, it shall contain at least one and one-half (1 1/2) contiguous acres;

RESPONSE: The subject Property is currently located in the RR (Residential, Rural) Zone, and is being reviewed utilizing the provisions of the prior Zoning Ordinance and former R-R (Rural Residential) Zone. The Property consists of approximately 1.74 contiguous acres, (or 75,967 square feet), and is therefore in compliance with the above requirement.

(3) The use shall not depreciate the value of neighboring properties;

RESPONSE: Although the above specific special exception requirement only applies to the use of a funeral parlor or undertaking establishment, the proposed crematory will be constructed of high-quality building materials that are consistent and complementary to the existing funeral home building. The overall Property will continue to include pristine landscaping that will be continually maintained by a professional landscape contractor, creating an attractive streetscape and aesthetically pleasing views from Powder Mill Road.

It should be noted that the ZHE previously found compliance with the above requirement for the existing funeral home as part of prior special exception applications, SE-3267 & SE-3988. At the time of the initial special exception application for the funeral parlor or undertaking establishment, the Applicant provided an appraisal report prepared by Associated Appraisers which found that the proposed use would not depreciate the value of neighboring properties. The existing funeral home has been in operation on the Property since approximately 1985, and there is no evidence suggesting the use has depreciated the value of neighboring properties since its inception.

(4) The use shall not adversely affect the character of neighboring properties; and

RESPONSE: Although the above specific special exception requirement only applies to the use of a funeral parlor or undertaking establishment, both the funeral home and proposed crematory will be fully buffered from any incompatible abutting uses in accordance with Section 4.7 of the Landscape Manual. The subject special application proposes no impacts to any sensitive or regulated environmental features such as streams or 100-year floodplain, and no clearing of any specimen or historic trees is being proposed. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. A Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025.

As part of prior special exception applications, SE-3267 & SE-3988, the ZHE previously found that the use of a funeral home on the subject Property would not adversely affect the character of neighboring properties, and the proposed application proposes no expansion of the funeral home use. It should be further noted that the abutting residential properties to the east have been owned by the Applicant for many years and will continue to be owned by the Applicant. The existing funeral home has been in operation on the Property since approximately 1985, and there is no evidence suggesting the use has adversely affected the character of neighboring properties since its inception.

(5) The use shall not create undue traffic congestion.

RESPONSE: As part of the prior special exception applications, SE-3267 & SE-3988, the ZHE previously determined that the funeral parlor met the above requirement. The on-site parking compound has and will continue to be able to safely and efficiently handle funeral processions on-site with no negative impacts to Powder Mill Road (MD 212A).

The required parking and loading spaces for all uses on the Property have been fully provided in accordance with Part 11 of the Zoning Ordinance.

On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Section 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5) above. The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

H. Compliance with Prior Approved Special Exception Conditions (for Funeral Home)

Special Exception, SE-3267

Special Exception, SE-3267, was approved by the ZHE on December 28, 1981, for a Funeral Home and its associated parking and loading on 1.74 acres in the R-R (Rural-Residential) Zone with the following two conditions;

1. ***Funerals shall not be conducted later than 4:00 p.m. on weekdays.***

RESPONSE: The Applicant is in agreement with the above condition and has complied with the same since operations began on the Property.

2. ***The operator of the funeral parlor shall not form up any procession of cars which requires off-premises area.***

RESPONSE: The Applicant is in agreement with the above condition. While funeral processions that would start at the subject Property have decreased through the years, the existing parking compound has always been more than sufficient to handle the funeral processions on-site. The on-site parking compound will continue to safely and efficiently provide adequate room and circulation to handle funeral processions on-site with no negative impacts on Powder Mill Road (MD 212A).

Special Exception, SE-3988

Special Exception, SE-3988, was approved by the ZHE on November 7, 1990, for a 30’ X 100’ addition to the rear of the existing Funeral Home for use as office space. This approval also included a 28’ x 50’ detached garage and the reconfiguration of the existing loading area. The relocation of fencing along the rear property line was required prior to signature approval of the SE plan to conform with Alternative Compliance application, AC-90159.

I. CONCLUSION

The subject application fully meets all the required findings in Section 27-317 for approval of a special exception application and is in full compliance and harmony with the specific special exception requirements for a funeral parlor or undertaking establishment contained in Section 27-357, and the specific special exception requirements for a cemetery or crematory contained in Section 27-341. Further, the application is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home. As such, the Applicant respectfully requests that Special Exception, SE-4848 be approved.

Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

Russell W. Shipley

RWS/jjf

cc: Mr. Donald Borgwardt
Mr. Barry Caison
Lenhart Traffic Consulting, Inc.
Mathews Environmental Solutions

Exhibit A

SE-4848

Donald V. Borgwardt Funeral Home

Partial List of Maryland Funeral Homes using Matthews' Environmental Solutions Cremation Equipment

Note - This Exhibit was provided to Ms. Deborah Harris and Council Chair Thomas Dernoga's Office on May 8, 2025.

Exhibit A

Partial List of MD Funeral Homes with Matthews Cremation Equipment in Operation

(Donald V. Borgwardt Funeral Home, SE-4848)

McComas Funeral Home – 50 W. Broadway, Bel Air, MD 21014

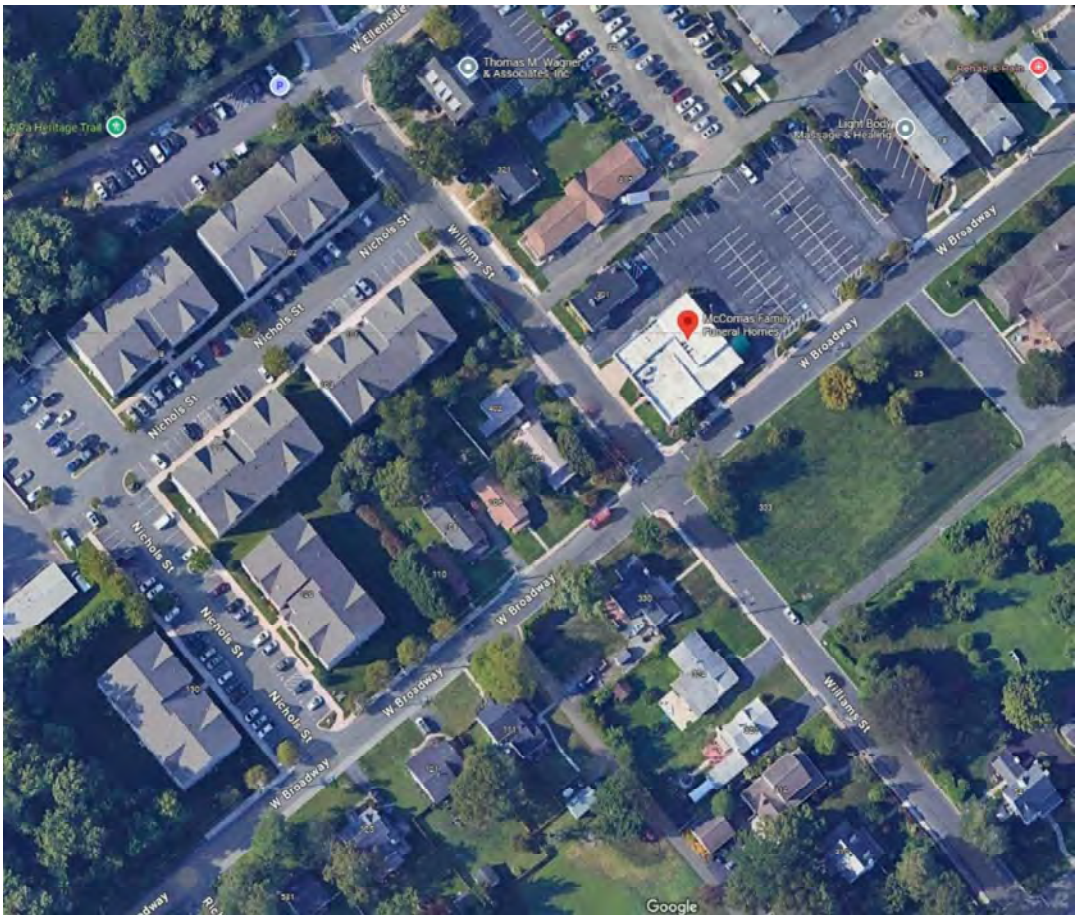
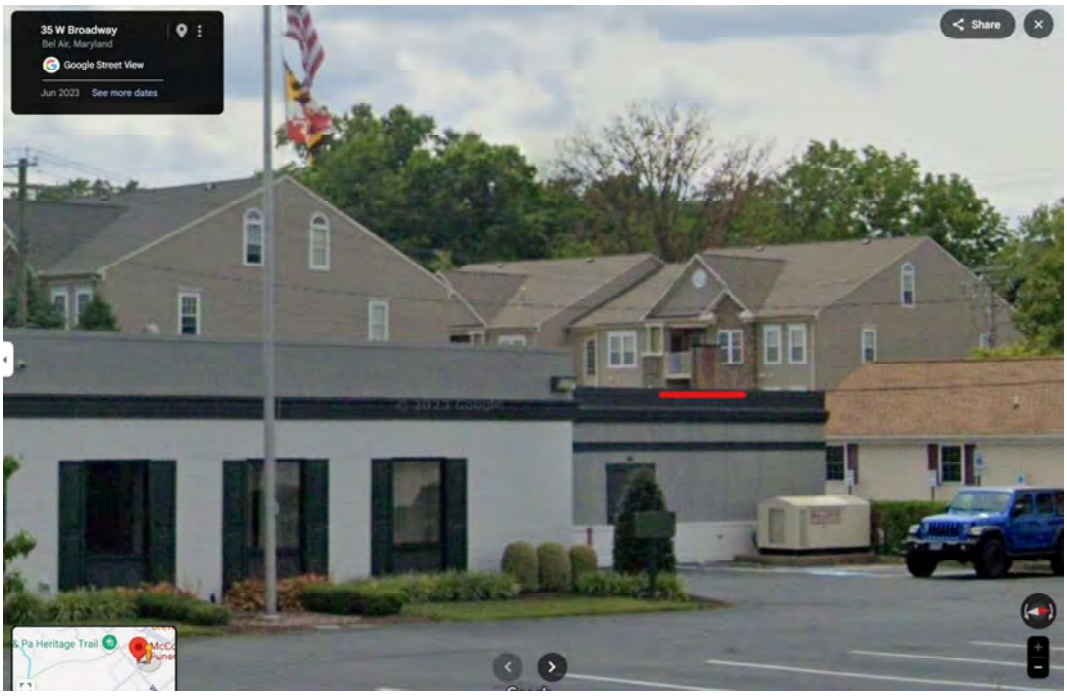
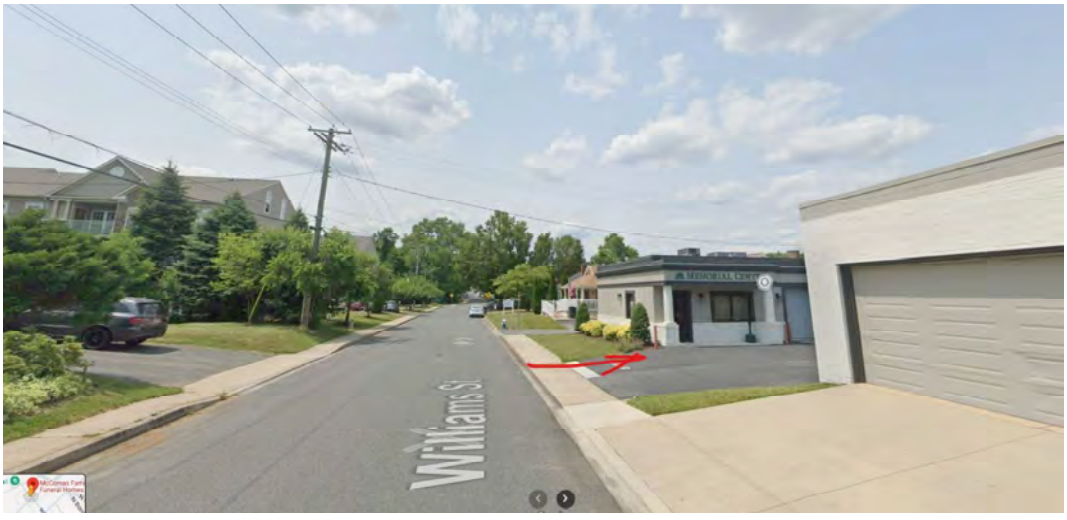




Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment







Metro/McNabb Funeral Home & Crematory
299 & 301 Frederick Road, Catonsville, MD 21228







Evans Funeral Chapel & Cremation Services – 3 Newport Drive, Forest Hill, MD 21050



Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





Stauffer Funeral Home – 1621 Opossumtown Pike, Frederick, MD 21702

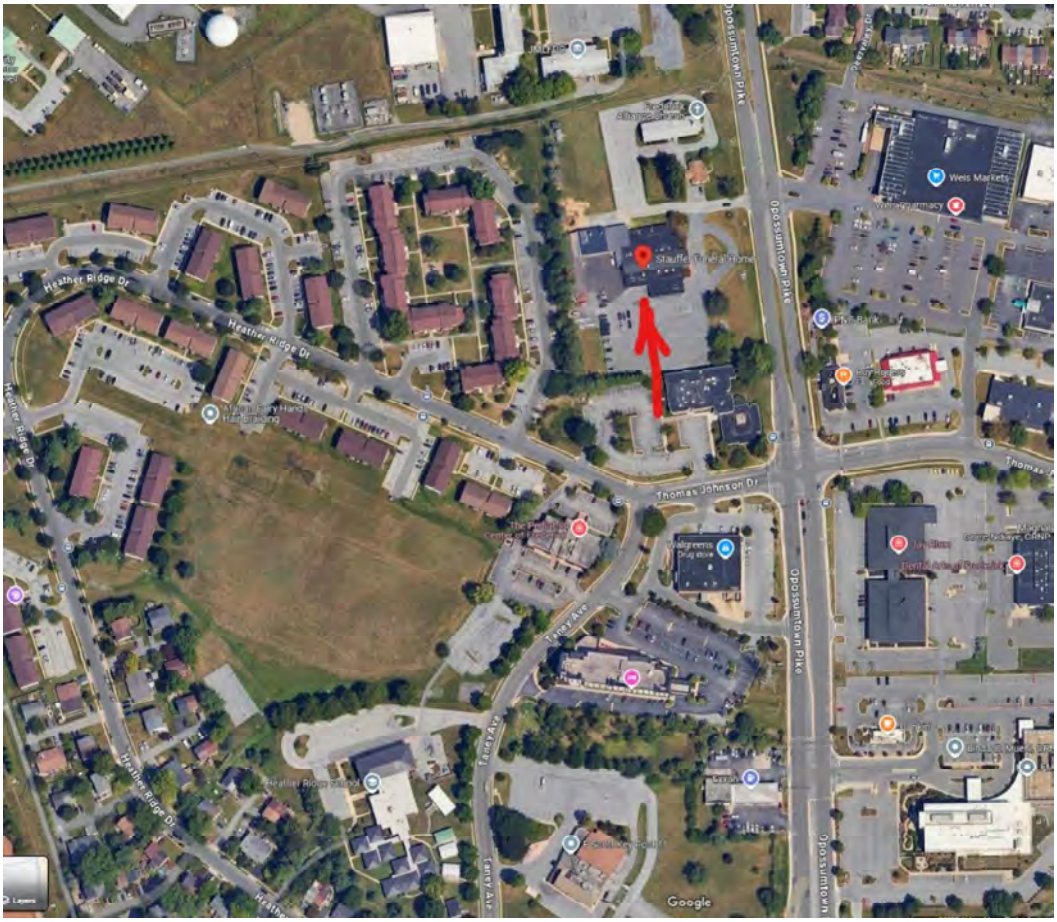




Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Kalas Funeral Home – 2973 Solomon's Island Road, Edgewater, MD 21037







Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Newman Funeral Home – 1100 Memorial Drive, Oakland. MD 21550







Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





Lasshan Funeral Home – 7401 Belair Road, Nottingham, MD 21236

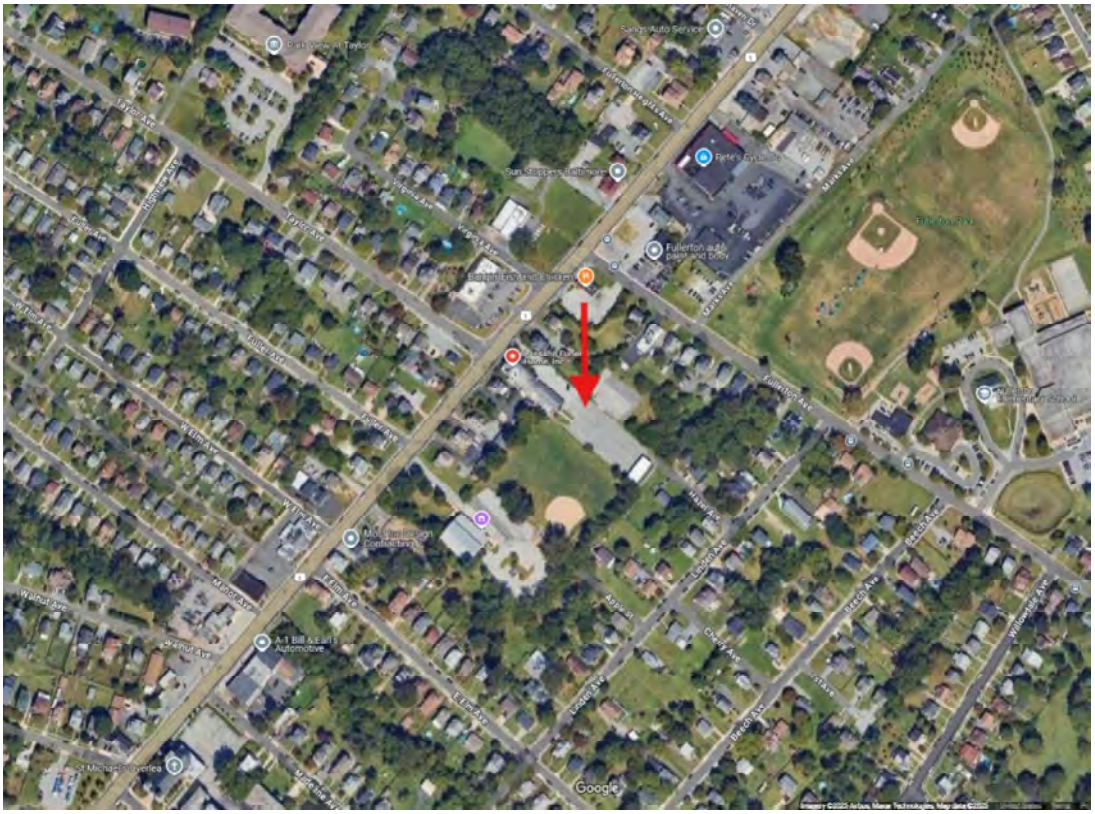




Exhibit A
Donald V. Borgwardt Funeral Home, SE-4848
Partial List of MD Funeral Homes w/Matthews Cremation Equipment





M-NCPPC – Countywide Planning Division, Environmental Planning Section // Send to: PPD-EnvPlanning@ppd.mncppc.org
Prince George's County Planning Department ♦ 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 ♦ 301-952-3650

APPLICATION FOR WOODLAND CONSERVATION LETTER OF EXEMPTION (WCO-Ex)

APPLICANT TO FILL OUT THIS SECTION - Refer to www.PGAtlas.com for Information

HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

Property Owner Name, Address, and Contact Info:	**Agent/Contact** Name, Company, Address, Phone & E-mail:
DONALD V & KATHERINE L BORGWARDT 4400 POWDER MILL ROAD BELTSVILLE, MD 20705	Hunter Michael Atwell, LLC 11721 Woodmore Road, Suite 200 Mitchellville, MD 20721 301-430-2000 / hmichael@atwell-group.com

Payment by check, money order, or cashier's check ONLY – *made payable to M-NCPPC*
Please indicate name of project, address, or other identifying information on payment. *Do not staple payment.*

Name on Check: ATWELL, LLC Check No. 243678 **APPLICATION FEE - $50.00**
Gov't Projects - Fee Waived

Agent/Contact
Signature: Hunter Michael (Digitally signed by Hunter Michael, DN: C=US, E=hmichael@atwell-group.com, O=ATWELL,INC, CN=Hunter Michael, Reason: I am the author of this document, Date: 2024.03.15 07:33:01-04'00')
Date: 03/15/2024

PROJECT/PROPERTY NAME: **BORGWARDT FUNERAL HOME**

Street Address (if available), *otherwise* Geographic Location in relation to nearest major road intersection:
4400 POWDER MILL ROAD, 11702 & 11704 ROBY AVENUE, BELTSVILLE, MD 20705

Companion Case(s) and/or Resolution(s) - Preliminary Plan, Site Plan, Special Exception, etc.:
NRI-075-2024 (EL)

Total Area (acres): 2.48 ac.	Tax Account #(s): 0005934, 0068668, & 0061812	
Total Number of Lots 1 and/or Parcels: 2	Current Zone(s): R-R	WSSC Grid: 215NE05
Lot/Block/Parcel(s): PARCEL 42, LOT 2 & PART OF PARCEL A, BLOCK A	Proposed Woodland Clearing (ft^2): 0	Environmental Strategy Area (ESA): *Located under the Environmental heading in PGAtlas* [1] [X] [3] [4]

Proposed Activity: Development for the expansion to an existing funeral home.

SITE PLAN:
Date: 5/17/24 Prepared by: D. Hunter Michael Firm: ATWELL Preparer Qualifications: Qualified Professional ID #:

RESPONSE (TO BE COMPLETED BY EPS STAFF)

APPROVAL TYPE: ☐ Numbered Exemption ■ Standard Exemption

Staff Reviewer: WRC Receipt Number: 8685 Filing Fee: $50.00

Exemption Number:
S-075-2024

Your request for a **Standard Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Standard Letter of Exemption is issued because the property has no previous TCP approvals and:

- ☐ Is less than 40,000 square feet in size; and/or
- ☑ Contains less than 10,000 square feet of woodland; or
- ☐ The project is subject to the Maryland Forest Conservation Act and will be reviewed by Department of Natural Resources

Your request for a **Numbered Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Letter of Exemption is issued because the site is over 40,000 square feet in size and contains over 10,000 square feet of woodland; however the project has no previous TCP approvals and:

- ☐ Results in the clearing of less than 5,000 square feet of woodland. Proposed clearing is _____ ft^2. *If application is for a Revision*, cumulative clearing to date (not including currently proposed) is _____ ft^2.
- ☐ The activity is a government or linear project that results in the clearing of less than 20,000 square feet of woodland. Proposed clearing is _____ ft^2. *Revisions:* cumulative clearing to date (not including currently proposed) is _____ ft^2; or
- ☐ The proposed activity is for a timber harvest.

This letter is valid for two years from the date of approval, or until such time as the cumulative woodland clearing exceeds the maximum amount specified above. If a development review application (preliminary plan, detailed site plan, etc.) is required, a Numbered Exemption may be considered invalid in accordance with Section 25-119(b)(5)(A).
A copy of this letter must be submitted at the time of development activity or permit application.

Staff Signature Approval: Contee, Wendy (Digitally signed by Contee, Wendy Date: 2024.06.10 15:58:49 -04'00')

Approval Date: 06/10/2024
Expiration Date: 06/10/2026

M-NCPPC – Countywide Planning Division, Environmental Planning Section // Send to: PPD-EnvPlanning@ppd.mncppc.org
Prince George's County Planning Department ♦ 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 ♦ 301-952-3650

APPLICATION FOR NATURAL RESOURCES INVENTORY EQUIVALENCY LETTER (NRI-EL)

APPLICANT TO FILL OUT THIS SECTION - Refer to www.PGAtlas.com for Information
HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

Property Owner Name(s), Address & Phone:	**Agent/Contact** Name, Company, Address, Phone & E-mail:
DONALD V & KATHERINE L BORGWARDT 4400 POWDER MILL ROAD BELTSVILLE, MD 20705	Hunter Michael Atwell, LLC 11721 Woodmore Road, Suite 200 Mitchellville, MD 20721 301-430-2000 / hmichael@atwell-group.com

PROJECT/PROPERTY NAME:	**BORGWARDT FUNERAL HOME**			**Agent/Contact**
Street Address:	4400 POWDER MILL ROAD, 11702 & 11704 ROBY AVENUE, BELTSVILLE, MD 20705			Signature: Hunter Michael
Geographic Location:	Located northwest of the intersection of Powder Mill Road and Roby Avenue.			Date: 03/15/2024
Total Area (*acres*): 2.48 ac.	Proposed Limits of Disturbance (LOD): 0.73 ac.	Current Zone(s): R-R		WSSC Grid: **215NE05**
Lot/Block/Parcel(s): p/o Parcel 42, LOT 2 & p/o PARCEL A, BLOCK A	Tax Account #(s): 0005934, 0068668, & 0061812	Environmental Strategy Area (ESA): *Located under the Environmental Category in PGAtlas*	1 [X] 3 4	
Proposed Activity:	Development for the expansion to an existing funeral home.			
Will the proposed project require a Subdivision or Zoning application?:	Zoning	Please List:		
Concurrent and Previous NRI, TCP1, TCP2, & Other Applicable Applications:	Going through Special Exception.			

Environmental Technical Manual Link

NRI-EL CHECKLIST (TO BE COMPLETED BY APPLICANT)

Procedural Guidelines for NRI-EL Application Submission (ext. PDF)

REQUIRED For All NRI-EL Applications:

- [x] Proposed Site Plan, Containing *ALL* of the Following:
  - [x] Signature from a Qualified Professional *as defined under COMAR 08.19.06.01*
  - [x] Legible Limits of Disturbance (LOD)
  - [x] General Information Table (see Procedural Guidelines)

For Project Type 1 only:

If Exempt from Woodland Conservation, submit one of the following:

- [x] Application for Letter of Exemption, and:
  - [x] Application Fee Included in Submission
- [ ] Copy of a previously Issued Letter of Exemption (Standard or Numbered)

Project Type 2 only:

Select one or more previously approved *and* implemented plans for project site:

- [ ] Type II or Type 2 Tree Conservation Plan (TCP2)
- [ ] CBCA Conservation Plan
- [ ] Other Environmental Information Deemed Sufficient by Staff - [Provide Explanation]

RESPONSE (TO BE COMPLETED BY EPS STAFF)

Date Received: _____ Date Accepted: 05/08/2024 Reviewer Assigned: WRC

NRI Number:
NRI-075-2024

This **APPROVAL for the above referenced project and location** is based upon information using the submitted proposed site plan, current aerial imagery, PGAtlas.com GIS layers, and any additional information deemed necessary for review by operant planner(s). If the scope of the proposed activity and/or limits of disturbance change significantly, a full NRI may be required. This letter is valid for five years from the date of issuance, or until such time as a different development activity is proposed; whichever comes first.

The submitted application was found to meet the following criteria:

- [x] The site qualifies for a Standard or Numbered Letter of Exemption **S-075-2024** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
- [ ] The site has a previously approved and implemented Type 2 **Tree Conservation Plan** _____.
- [x] The submitted proposed site plan, dated 05/17/24 and prepared by D. Hunter Michael, Q.P., demonstrates that no regulated environmental features are located on the subject site or no on-site regulated environmental features will be impacted.
- [ ] The submitted proposed site plan, dated _____ and prepared by _____ shows that the proposed work will not result in any significant changes to the limits of disturbance of the previously approved TCP2, or create additional impacts to any regulated environmental features.
- [ ] The site is within the Chesapeake Bay Critical Area Overlay Zone and the submitted site plan demonstrates that the proposed activity will result in less than 500 square feet of disturbance, or that no variance is required.
- [ ] *Other Approval Criteria:*

A FLOODPLAIN STUDY MAY STILL BE REQUIRED AT THE TIME OF STORMWATER CONCEPT REVIEW

Staff Signature Approval: Contee, Wendy Digitally signed by Contee, Wendy Date: 2024.06.10 16:21:21 -04'00'

Approval Date: 06/10/2024

Expiration Date: 06/10/2029

Bufferyard 'A' Compliance Schedule

Bufferyard Components: (Type C)	Minimum Requirements Per Landscape Manual	Proposed on Plan	Percentage of Minimum Requirement Met
1. Minimum Building Setback	40'	30'	75%
2. Minimum Width Landscaped Yard	30'	17.5' avg.	58%
3. Number of Plant Units required	57	100	175%

Bufferyard 'B' Compliance Schedule

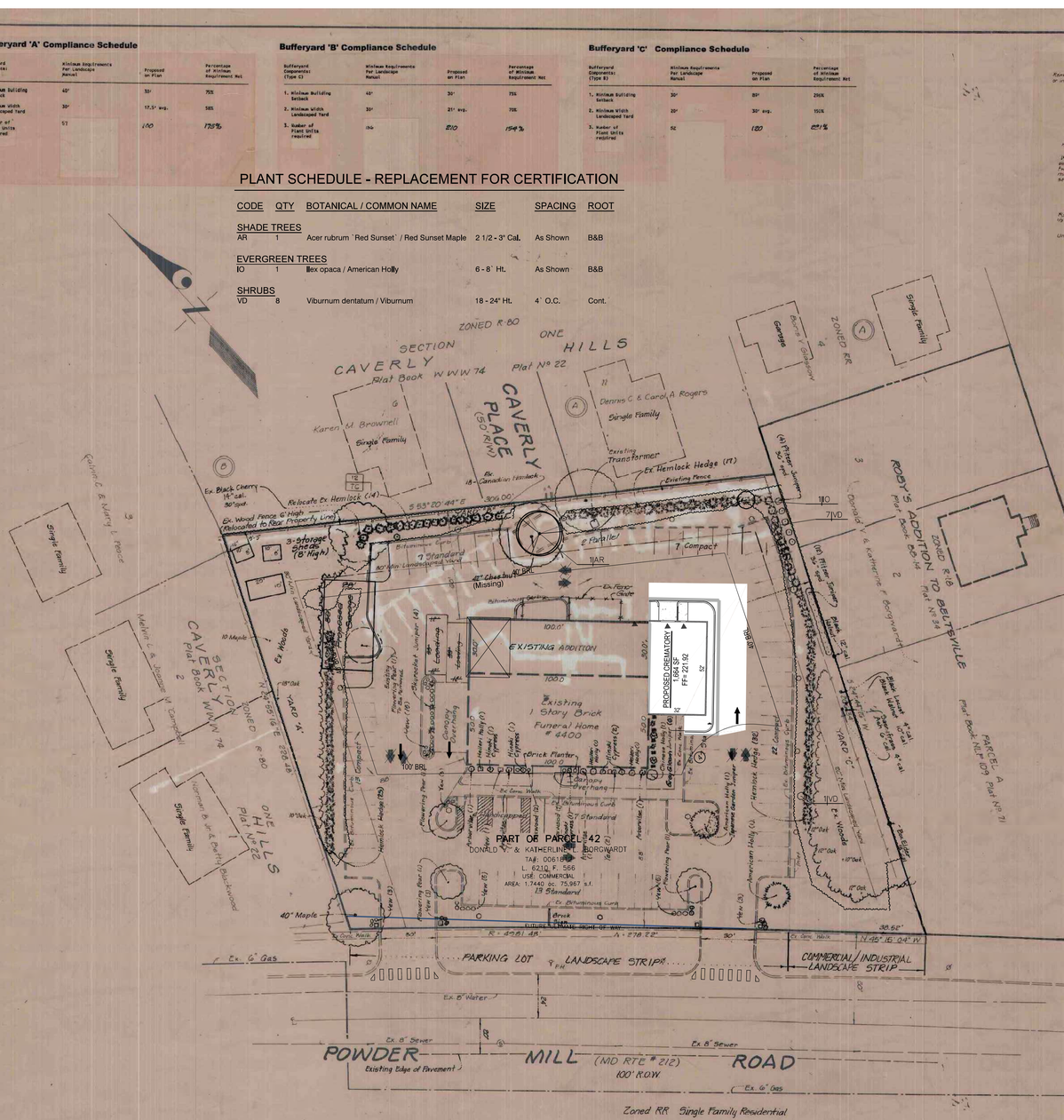
Bufferyard Components: (Type C)	Minimum Requirements Per Landscape Manual	Proposed on Plan	Percentage of Minimum Requirement Met
1. Minimum Building Setback	40'	30'	75%
2. Minimum Width Landscaped Yard	30'	21' avg.	70%
3. Number of Plant Units required	116	210	154%

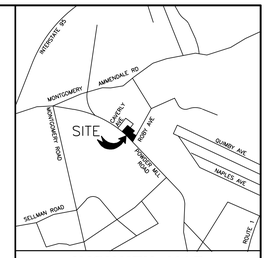
Bufferyard 'C' Compliance Schedule

Bufferyard Components: (Type B)	Minimum Requirements Per Landscape Manual	Proposed on Plan	Percentage of Minimum Requirement Met
1. Minimum Building Setback	30'	89'	296%
2. Minimum Width Landscaped Yard	20'	30' avg.	150%
3. Number of Plant Units required	52	120	231%

PLANT SCHEDULE - REPLACEMENT FOR CERTIFICATION

CODE	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING	ROOT
SHADE TREES					
AR	1	Acer rubrum `Red Sunset` / Red Sunset Maple	2 1/2 - 3" Cal.	As Shown	B&B
EVERGREEN TREES					
IO	1	Ilex opaca / American Holly	6 - 8` Ht.	As Shown	B&B
SHRUBS					
VD	8	Viburnum dentatum / Viburnum	18 - 24" Ht.	4` O.C.	Cont.


SECTION ONE HILLS
CAVERLY Plat Book WWW 74 Plat No 22
CAVERLY PLACE (50' R/W)
Karen M Brownell
Single Family
Dennis C & Carol A Rogers
Single Family
Existing Transformer
Ex Hemlock Hedge (11')
Existing Fence
Ex Canadian Hemlock
Relocate Ex. Hemlock (14')
Ex Black Cherry 14" cal. 30' Spd.
Ex Wood Fence 6' High (Relocated to Rear Property Line)
S 63° 20' 44" E 306.00'
3-Storage Sheds (8' High)
7 Standard
7 Compact
1 AR
42" Chestnut Oak (Missing)
Ex Paver Circle
EXISTING ADDITION
Existing 1 Story Brick Funeral Home # 4400
Brick Planter
Canopy over Ramp
PROPOSED CREMATORY 1,864 SQ.FT. FF= 221.92
PART OF PARCEL 42
DONALD V. & KATHERLINE L. BORGWARDT
TAX: 0061811
L. 6210 F. 566
USE: COMMERCIAL
AREA: 1.7440 ac. 75,967 s.f.
1.9 Standard
Ex Bituminous Curb
Brick Walk
FUTURE CLIMATE POINT OF VAR
R = 4981.48'
A = 218.22'
N 45° 16' 04" W
38.52'
PARKING LOT & LANDSCAPE STRIP
COMMERCIAL / INDUSTRIAL LANDSCAPE STRIP
Ex 6" Water
Ex 8" Sewer
POWDER MILL (MD RTE # 212) ROAD
Existing Edge of Pavement
100' R/O/W
Ex 6" Gas
Zoned RR Single Family Residential
ROBY AVENUE
ROBY'S ADDITION TO BELTSVILLE Plat Book NLP 109 Plat No 34
Donald V. & Katherine L. Borgwardt
Melvin L. & Bessie J. Campbell
Herman B. Jr. & Dorthy Buckwood
Calvin L. & Mary L. Peace
Single Family
Garage
Annie L. Gibson
ZONED R-80
ZONED R-R
ZONED R-18
PARCEL A Plat Book NLP 109 Plat No 71
Ex Woods
Ex Building
Ex Garage
Ex Shed
Ex Deck
Ex House
Ex Concrete
Ex Bituminous Curb
Ex Bituminous Sidewalk
Ex Standard
Ex Curb Inlet
Ex Utility Pole
Ex Fire Hydrant
Ex Gas Valve
Ex Water Valve
Ex Sewer Manhole
Ex Light
Ex Sign
Ex Flowering Pear (1)
Ex Maple (1)
Ex Hemlock Hedge (28')
Ex Boxwood Hedge (28')
Ex Arborvitae (4)
Ex Holly (1)
Ex Juniper (4)
Ex Yew (6)
Ex Flowering Pear (6)
Ex Boxwood Shrub (10)
Ex Boxwood Shrub (12)
Ex Japanese Garden Juniper (4)
Ex Flowering Pear (3)
Ex Holly (3)
Ex Hemlock Hedge (28')
Ex Arborvitae (4)
Ex Maple (3)
Ex Yew (3)
Ex Flowering Pear (5)
Ex Yew (5)
Ex Maple (2)
Ex Flowering Pear (2)
Ex Yew (2)
Ex Maple (1)
Ex Flowering Pear (1)
Ex Yew (1



VICINITY MAP
SCALE: 1" = 2000'
WSSC 200' SHEET: 205 NE 05

SE-4848

SPECIAL EXCEPTION SITE PLAN
FOR
PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

SPAULDING DISTRICT NO. 1

INDEX OF DRAWINGS		
SHEET NO.	SHEET NAME	DWG. NO.
C-COV	COVER SHEET	6.013-Z
C-APR	APPROVAL SHEET	6.014-Z
C-01	SITE PLAN/DETAIL SHEET	6.019-Z
L-01	LANDSCAPE PLAN	50.002-Z
A-01	ARCHITECTURAL ELEVATIONS	

SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42
BORGWARDT FUNERAL HOME
DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C-COV

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

STATE OF MARYLAND · KEVIN NEAL BARRETT · 3801 · LANDSCAPE ARCHITECT
5/28/2025

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149
SCALE: NOT TO SCALE			DRWG NO.
DATE: JANUARY 2024			

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Conditions of Original Special Exception:

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 be APPROVED for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;

2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;

3. That a variance to Section 27-522(b) be obtained for that portion of the property with an existing six foot-high opaque fence.

4. That all lining up while forming a procession be limited to the parking area on site.

5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

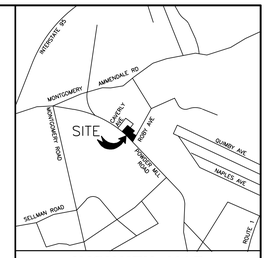
* * * * * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh



VICINITY MAP
SCALE: 1" = 2000'

WSSC 200' SHEET: 205 NE 05

SE-4848
SPECIAL EXCEPTION SITE PLAN
APPROVAL SHEET
PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C-APR

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

STATE OF MARYLAND · KEVIN BARNES · 3801 · LANDSCAPE ARCHITECT

DATE	DESCRIPTION	BY
5/28/2025	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

SCALE: NOT TO SCALE
DATE: JANUARY 2024
DRWG NO.

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GENERAL NOTES

1. This Special Exception Site Plan is for the addition of a crematory to an existing funeral home.
2. The subject property is currently zoned R-R and the prior zoning was RR. Surrounding properties are zoned RR, RSF-95 and RMF-20 as shown hereon.
3. Per section 27-1903(d) the applicant elects to have this application reviewed under the RR Zoning Ordinance prior to April 1, 2022.
4. The use of this property is for a funeral home and crematory.
5. Total site area included in this Special Exception Site Plan is 75,967 SF (1.7440 Ac.)
6. Total Disturbed Area = 2,864 SF (0.066 Ac.)
   Area to be left undisturbed = 73,103 SF (1,678 Ac.)
7. Existing Building SF = 8,101 SF
   Proposed Crematory Addition SF: 1,664 SF
8. Parking

   A. Required: 52 spaces

Use	Rate	Requirement
Crematory/Funeral (Existing)	1 space per 4 legal occupancy	50.0 spaces
Crematory/Funeral (Proposed)	1 space per 4 legal occupancy	1.5 spaces
	Total:	51.5 spaces* (52 spaces)

   * Of which at least 34 (2/3 of requirement) must be non-compact.

   B. Provided: 74 spaces as follows:

   57 Existing Standard Spaces @ 9.5' x 19' min.
   2 Existing Standard Parallel Spaces @ 8' x 22' min.
   13 Existing Compact Spaces @ 8' x 16.5' min.
   2 Existing Standard Handicap Spaces @ 8' x 19' with 5' access aisle.

9. Loading

   A. Required: 2 spaces

Use	Rate	Requirement
Crematory/Funeral	3000 SF to 5000 SF	1 space
	each additional 10,000 SF	+1 space
		Total: 2 spaces

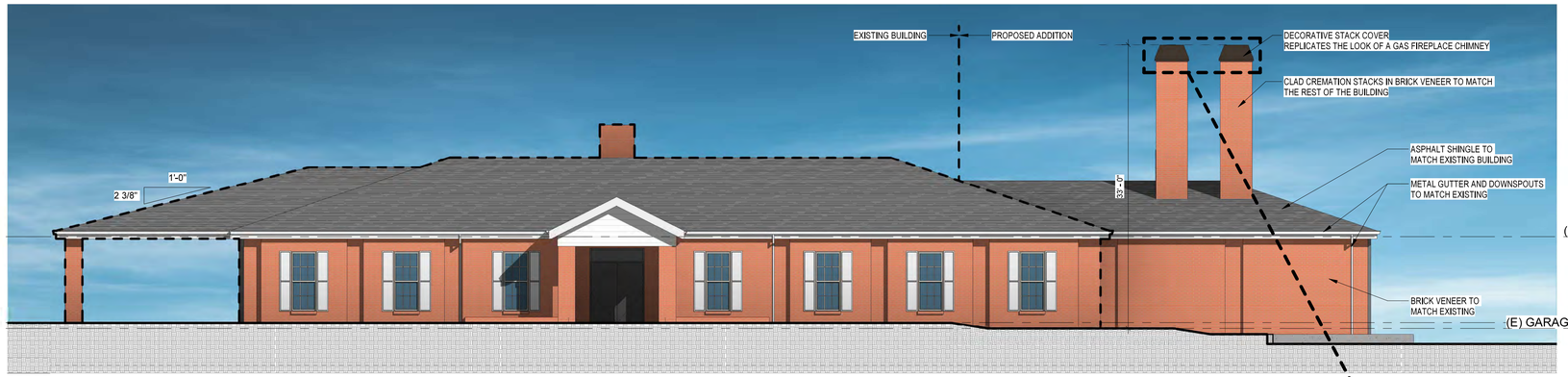
   B. Provided: 2 spaces; 2 at 12' x 33'

10. Gross Floor Area:
    Existing Funeral Home: 8,101 SF
    Proposed Crematory 1,664 SF
    Total GFA: 9,765 SF
11. The subject property appears on Washington Suburban Sanitary Commission Sheet 215NE05.
12. The subject property appears on Tax Map 12, Grid F3.
13. The subject property is not located within any Aviation Policy Areas.
14. The subject property has an existing Sewer Category of 3 and a proposed Water Category of 3.
15. For approved Stormwater Management Concept Plan (41723-2024 approved on 02-07-2025) see Atwell LLC Dwg. No. 8,005-Z.
16. For Tree Conservation Plan Type 2, see Woodland Conservation Letter of Exemption WCO-Ex (S-075-2024).
17. There is no evidence of a cemetery on or contiguous to the subject property.
18. There are no historic structures on or near the subject property.
19. There are no wetlands or Waters of the United States on the subject property.
20. There is no100 year floodplain on the subject property.
21. The subject property is not located within the Chesapeake Bay Critical Area.
22. Boundary and topography information shown hereon was prepared by Atwell, LLC.
23. Applicant: Donald V. Borgwardt
    4400 Powder Mille Road
    Beltsville, MD 20705-2751
24. Lot Coverage: Allowed = 64,815 SF (60% of Net Lot Area)
    Provided = 16,152 SF (15% of Net Lot Area)
25. All on-site concrete curb and gutter to be Prince George's County Std. No. 300.01 unless otherwise modified.
26. All parking spaces shall be defined by 4" wide white painted striping.
27. Radii on islands and curb work to be 5 feet unless otherwise shown.
28. Minimum grade on areas not paved: 2.5% unless otherwise noted, 2% in swales,
    Maximum grade: 3:1
    Contour interval: 2 feet
    Vertical datum is based on NGVD 1929 Datum.
    Horizontal datum is based on Maryland State Plane NAD 83/11.
29. Existing Utilities:
    A. Notify "Miss Utility" at 1-800-257-7777 at least 48 hours prior to beginning any excavation or construction for them to mark the location of existing utilities.
    B. Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the mains by digging test pits by hand at utility crossings well in advance of trenching. If clearances of the lines are less than shown on this plan or less than twelve inches, contact the engineer and other involved utility companies before proceeding with construction.
    C. Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Ben Dyer Associates, Inc. (BDAI) shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
    D. Due to the proximity of live underground and overhead utilities, bdai is not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.
29. All grading work shall be in accordance with Division 2 of the Prince George's County Building Code (Subtitle 32, latest edition).

    All proposed load-bearing fills for the support of buildings, walls and other structures shall be Class I. All fills for the support of roadways, pavements, rigid utility lines and house connections shall be Class II. All landscaped areas, lawns and plantings, or other nonload bearing uses shall be Class III. Each layer of Class I and Class II fills shall be compacted at optimum moisture content and to a minimum of 95% and 90% respectively of maximum density as determined in the laboratory by the Standard Proctor Test, (AASHTO T-99, ASTM D-698). In-place density tests shall be provided by a licensed Geotechnical Engineer.

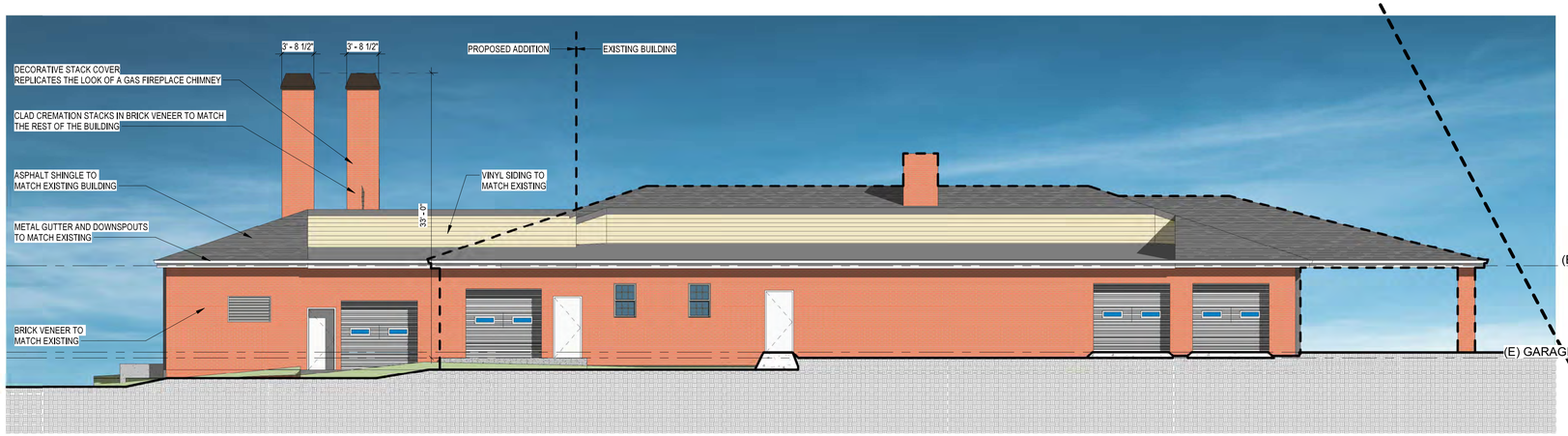
    The site geotechnical analysis and report prepared by a Maryland licensed Geotechnical Engineer shall be consulted and used to provide details for pavement sections, lift thickness, compaction, drainage, and any other site specific recommendations and requirements, Those recommendations and requirements shall take precedence over any conflicting information between the plans and report.
30. Upon completion of work, site grading, drainage, property corner and landscape and observations and certifications must be performed by a licensed professional engineer, landscape architect and/or surveyor, confirming that all work has been completed in accordance with the permit, approved plans, and codes. These certifications are required to finalize the permit and release bonds.
31. All grades, elevations, earth quantities, etc., are to be verified by the contractor. Any earth quantities shown or implied are measured to final grade and are approximate, No allowance has been made for unsuitable material encountered during construction, Suitability of soil for use in fill areas or stability of cut areas, compaction, etc., should be determined by a soils engineer,.
32. The contractor will be responsible for any damage to the existing structures and underground utilities.
33. The contractor will have sole responsibility for the construction means, methods, and techniques of executing his work, including safety.
34. No handicap parking space shall have a slope greater than 2.0% in any direction. No handicap ramp shall have a longitudinal slope greater than 8.3% or a cross slope greater than 2.0%.
35. Unless otherwise shown, all sidewalks shall have a cross slope no greater than 2%.
36. Dimensions shown in the parking and drive areas are to face of curb, where applicable.
37. All exterior light poles are to be set back at least 2.0' from the face of curb when located on vehicular surfaces or head in parking spaces unless otherwise shown.
38. Arrows shown in drive aisles indicate general direction of travel and are not intended to convey a requirement that arrows be painted on the pavement.


MARYLAND STATE PLANE MERIDIAN
LOT 3–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MARY L. PEACE
L. 38740 F. 97
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 2–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
MELVIN L. & JOANNE M. CAMPBELL
L. 4777 F. 685
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 9–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
BROWNELL FAMILY TRUST, ET AL.
L. 35623 F. 33
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
CAVERLY AVE
50' PUBLIC R/W
P.B. WWW 74 P. 22
CAVERLY PLACE
50' PUBLIC R/W
P.B. WWW 74, P. 22
LOT 1–BLOCK B
CAVERLY HILLS
P.B. WWW 74 P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 47544 F. 88
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
LOT 11–BLOCK B
CAVERLY HILLS
P.B. WWW 74, P. 22
ENOC FRANCISCO AVALOS VASQUEZ
L. 16805 F. 482
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–80
ZONE (CURRENT): RSF–95
EX. 12' x 12' INTERIOR LOADING SPACES (2)
DO NOT ENTER SIGN
MEET & MATCH EXISTING WALK
BIKE RACK (2 EA) SEE DETAIL
MEET & MATCH EXISTING CURB
PROPOSED CREMATORY 1664 SQ. FT. FF= 201.50
PROP. RAILING
ONE WAY SIGN
PART OF PARCEL 42
DONALD V. & BORGWARDT
L. 8210 F. 156
L. 8210 F. 1612
L. 47544 F. 88
USE: COMMERCIAL
AREA: 1.7440 ac. 75,967± s.f.
FUTURE 2.75' RIGHT OF WAY
PERPETUAL EASEMENT FOR SIDEWALK L. 4057 F. 305 L. 47544 F. 61075
LOT 4–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
LETICIA MONROY DEL AGUILA
L. 48603 F. 448
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 3–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 47544 F. 88
USE: RESIDENTIAL
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
LOT 2–BLOCK A
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
DONALD V. & KATHERINE F. BORGWARDT
L. 6463 F. 660
USE: RESIDENTIAL SINGLE FAMILY DETACHED
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
LOT 4–BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
BELTSVILLE BOYS CLUB INC.
L. 3242 F. 559
USE: COMMERCIAL
PART OF PARCEL "A"
P.B. NLP 109, P. 71
ROBY'S ADDITION TO BELTSVILLE
DONALD V. & KATHERLINE L. BORGWARDT
L. 6210 F. 546
USE: VACANT
ZONE (PRIOR): R–18
ZONE (CURRENT): RMF–20
LOT 3–BLOCK B
ROBY'S ADDITION TO BELTSVILLE
P.B. BB 14, P. 34
4410 POWDER MILL LLC.
L. 39719 F. 433
USE: COMMERCIAL
LOT 2–BLOCK B
ROBY'S ADDITION TO BELTSVILLE
4410 POWDER MILL LLC.
L. 39719 F. 433
P.B. BB 14, P. 34
USE: COMMERCIAL
LOT 12–BLOCK A
HOMEDALE
P.B. BB 14, P. 9
HEALY OCNNIE J. REEV LIV TRUST
L. 48784 F. 463
USE: RESIDENTIAL
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 11–BLOCK A
HOMEDALE
P.B. BB 14, P. 9
403 L T LIMITED PARTNERSHIP
L. 10226 F. 659
USE: RESIDENTIAL
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 10–BLOCK A
HOMEDALE
P.B. BB 14, P. 9
CARL A. & MILDRED H. MURPHY.
L. 11629 F. 240
USE: RESIDENTIAL
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 9–BLOCK A
HOMEDALE
P.B. BB 14, P. 9
DAVID A. HURLEY
L. 7253 F. 442
USE: RESIDENTIAL
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
LOT 8–BLOCK A
HOMEDALE
P.B. BB 14, P. 9
OSCAR DAVID CALDERON
L. 43029 F. 453
USE: RESIDENTIAL
ZONE (PRIOR): R–R
ZONE (CURRENT): RR
CAVERLY AVE
37.5' 30' R/W
SHA PLAT 60154
POWDER MILL ROAD
MD ROUTE 212A
SHA PLAT # VARIABLE WIDTH R/W
L. 60155, 61074 & 61075
ROBY AVENUE
(FORMERLY 37TH AVENUE)
50' PUBLIC R/W
P.B. BB 14, P. 34
EX. 10' PUBLIC UTILITY EASEMENT
S24°50'09"W 314.09' (M) (S24°54'44"W 314.20' (P&T))
S24°50'09"W 306.09' (M) (S24°54'44"W 306.00' (P&T))
S17°55'10"E
S24°27'02"W 85.32'
S24°54'44"W 316.15'
N=3,583.82' E=733.53'
PT = 1171.82
PC = 1171.82
R=1,150.00'
L=733.53'
T=380.15'
CH=S06°23'16"W
CH=720.88'
Δ=36°32'40"
D=4°58'22"
S=4°16'16"W
S=4°16'16"W
S=4°16'16"W



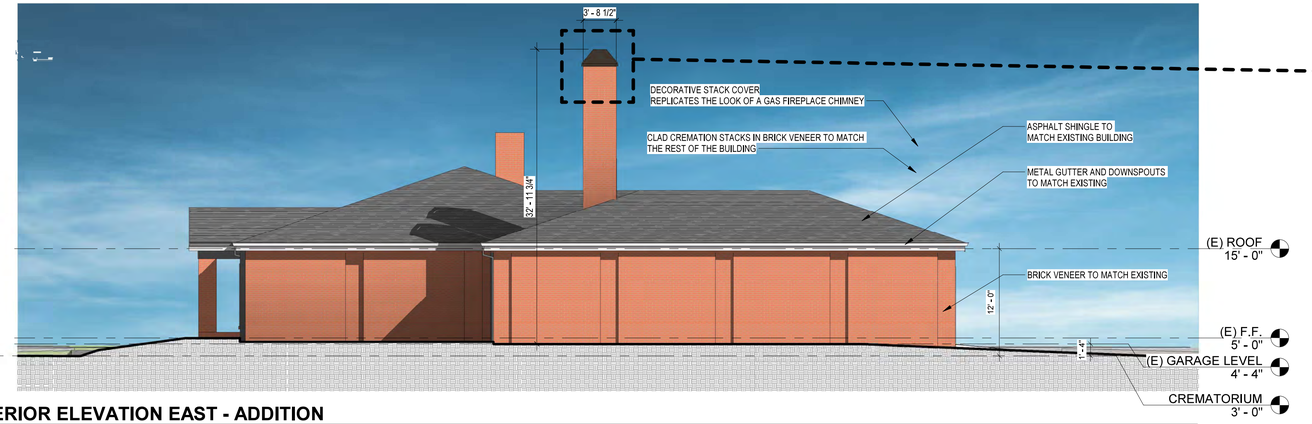
3 P1 **EXTERIOR ELEVATION SOUTH - ADDITION**

SCALE: 1/8" = 1'-0"



2 P1 **EXTERIOR ELEVATION NORTH - ADDITION**

SCALE: 1/8" = 1'-0"



1 P1 **EXTERIOR ELEVATION EAST - ADDITION**

SCALE: 1/8" = 1'-0"



CREMATORIUM STACK CLADDING EXAMPLES

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AREL ARCHITECTS FOR:

DONALD V. BORGWARDT
FUNERAL HOME AND CREMATORY

March 20, 2025

EXTERIOR VIEW + ELEVATIONS

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

June 9, 2025

MEMORANDUM

TO: Candra Teshome, Planner III, Zoning Section

FROM: Mridula Gupta, Acting Supervisor, Subdivision Division MG

SUBJECT: SE-4848; Borgwardt Funeral Home

The property subject to this special exception SE-4848 is known as Part of Parcel 42, described in a deed recorded in the Prince George's County Land Records in Book 6210 page 566 dated 1985. The approximately 1.74-acre property is located in Tax Map 12, Grid F3. The property is the result of a consolidation by deed in 1979 (Book 5177 page 823), of two tracts of land. This special exception application proposes to add a crematory use on the property. The application was accepted for review on March 31, 2025. Comments were provided to the applicant during the SDRC meeting on April 18, 2025. This memo is based upon a submittal received on March 26, 2025.

The subject property lies within the Residential, Rural (RR) Zone. However, this application has been submitted for review in accordance with the prior Prince George's County Zoning Ordinance and prior Subdivision Regulations, and the property's prior Rural Residential (R-R) zoning.

There is no prior preliminary plan of subdivision (PPS) applicable to the property. The property is currently developed with a 8,101-square-foot funeral home constructed in 1985, pursuant to prior special exception approvals (Special Exception SE-3267). Per the project narrative, a 3,000 square foot office space and 1,400 square foot garage was approved on the property on November 7, 1990 (Special Exception SE-3988). However, the garage was not constructed, and a 3,101 square-foot addition was constructed after January 1, 1990.

The total development proposed for the property does not exceed 5,000 square feet of gross floor area. Per Section 24-107(c)(7) of the prior Subdivision Regulations, development of a property subdivided by deed prior to January 1, 1982 is restricted to a single-family detached dwelling, or 5,000 square feet of gross floor area. The applicant proposes a second addition of 1,664 square feet on the property. The total gross floor area (GFA) added after January 1, 1990 will be, therefore, 4,765 square feet of GFA, which is less than 5,000 square feet. Therefore, the proposed development is exempt from the requirement of filing a preliminary plan and final plat of subdivision. Any future development on the property may be subject to the requirement of filing a PPS and final plat.

Additional Comments:

1. None.

Recommended Conditions:

1. None.

This referral is provided for the purpose of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the site plan and must be consistent with the legal description, or permits will be placed on hold until the plans are corrected.

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
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June 6, 2025

MEMORANDUM

TO: Candra Teshome, Development Review Division

FROM: Chidera Udeh, Transportation Planning Section, Countywide Planning Division

VIA: Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

SUBJECT: SE-4848 Donald V Borgwardt Funeral Home

Prior Conditions of Approval
The site is subject to prior approved Special Exceptions (SE)-3988 and SE-3267. There are no conditions of approval that impact the subject application. All existing conditions are to remain.

Master Plan Compliance
This site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment*.

Master Plan Right of Way (ROW)

Powder Mill Road (C-112): 80-100-foot ROW

Comment: The MPOT recommends an 80-foot ROW, while the area master plan recommends an 80–100-foot ROW. The ultimate ROW is shown on the plan sheets. However, staff recommend delineation from the centerline (minimum 40 feet) be identified on all plans.

Master Plan Pedestrian and Bike Facilities

Powder Mill Road: Shared Use facility

Comment: Both the MPOT and area master plan recommended continuous sidewalk and on-road bicycle lanes. The site is currently improved with a sidewalk and a marked bicycle lane along its frontage of Powder Mill Road. Staff recommend the existing bicycle facility be shown on the site plan.

Recommendations, Policies and Goals
MPOT Complete Streets Policies (p. 10):

Policy 2: All road frontage improvements and road capital improvement projects, within the Developed and Developing Tiers, shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Comment: The site plan includes an existing sidewalk. The existing bicycle facility is to be identified on the plan sheets. Staff recommend continental style crosswalks be provided crossing the access points. These existing and recommended facilities meet the intent of the policy.

> **Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities.***

Comment: A bicycle lane currently exists along the property frontage of Powder Mill Road and meets the intent of the policy.

The 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* provides guidance for multi-modal circulation through the planning area (p. 58):

> **Policy 2: Provide sidewalks and neighborhood trail connections within existing communities to improve pedestrian safety, allow for safe routes to schools, and provide for increased nonmotorized connectivity between neighborhoods.**

Comment: To meet the policy's intent, the site plan includes an existing sidewalk. Staff recommend including existing bicycle facility on site plan as well.

> **Policy 3: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities.**

Comment: A bicycle lane currently exists along the property frontage of Powder Mill Road and meets the intent of the policy.

Transportation Planning Review
Zoning Ordinance Compliance
Section 27-317 of the Prince George's County Zoning Ordinance (Ordinance) details the required findings for a special exception. For the purposes of transportation review, Section 27-317 (a) (3) is copied and analyzed below:

> **(a) A special exception may be permitted if:**
>
> > **(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan.**

Comment: The subject application proposes an addition to the existing funeral building for crematory use. The property fronts Powder Mill Road, which is a master planned collector roadway, the plans are to be revised to delineate the ROW. The site is currently improved with existing sidewalk and a striped bicycle lane along the frontage of Powder Mill Road, meeting the intent of the master planned bicycle and pedestrian facilities. The recommended marked crosswalks at the driveway entrances are conditioned to be shown on the site plan. The site also exceeds the minimum required parking and loading. Staff find the subject application does not impair the integrity of the approved Master Plans.

Conclusion

Based on the findings presented above, staff conclude that the vehicular, pedestrian, and bicycle access and circulation for this plan are acceptable, consistent with the site design guidelines pursuant to Section 27, and meets the findings for pedestrian and bicycle transportation purposes if the following conditions are met:

1. At the time of permitting, the applicant and the applicant's heirs, successors, and/or assigns shall show these facilities as part of the site plan:
    a. Continental style crosswalks crossing the vehicular access points.

Countywide Planning Division
Environmental Planning Section 301-952-3650

April 25, 2025

MEMORANDUM

TO: Candra Teshome, Planner III, Zoning Section, DRD

VIA: Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Christian Meoli, Planner II, Environmental Planning Section, CWPD *CM*

SUBJECT: **Borgwardt Funeral Home: SE-4848**

The Environmental Planning Section (EPS) has reviewed the above-referenced special exception (SE) application, accepted on March 31, 2025. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on April 25, 2025. The EPS finds the application in conformance with Sections 27-317(a)(3), 27-317(a)(7), 27-296(c)(1)(J), 27-296(c)(1)(K), and 24-131 and recommends approval of SE-4848 based on the findings listed at the end of this memorandum.

BACKGROUND
The EPS has reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
SE-3267	N/A	Zoning Hearing Examiner	Approved	12/28/1981	N/A
SE-3988	N/A	Zoning Hearing Examiner	Approved	11/07/1990	N/A
NRI-075-2024 (Equivalency Letter)	N/A	Staff	Approved	06/10/2024	N/A
SE-4848	Exempt per S-075-2024	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY
The current application is a SE for the development of a 1,664 square foot crematory addition to an existing funeral parlor.

APPLICABLE ENVIRONMENTAL REGULATIONS
The project is subject to the grandfathering provisions of the 2024 Woodland Conservation Ordinance (2024 WCO) and the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 because the site has a valid Standard Letter of Exemption.

SITE DESCRIPTION
The subject property is 1.74 acres and is located on the north side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue. The site is currently fully developed with an existing funeral parlor , associated parking, and site improvements. The current zoning for this site is Residential, Rural (RR); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the Rural Residential (R-R) Zone. The site does not contain regulated environmental features (REF). According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program and provided on PGAtlas, the site is not within a Sensitive Species Review Area. The site is not within a Stronghold Watershed or a Tier II watershed. Natural Resources Inventory Equivalency Letter, NRI-075-2024, and Woodland Conservation Standard Letter of Exemption, S-075-2024, were approved for the project area of this SE at 4400 Powder Mill Road (Part of Parcel 42) but also include two adjacent properties: 11702 Roby Avenue (Part of Parcel A) and 11704 Roby Avenue (Lot 2, Block A).

REVIEW OF PREVIOUSLY APPROVED CONDITIONS

Review of Special Exception SE-3267
The Zoning Hearing Examiner approved SE-3267 on December 28, 1981, for a funeral parlor on the subject property. The decision became final and effective on January 27, 1982. There are no approval conditions which are environmental in nature.

Review of Special Exception SE-3988
The Zoning Hearing Examiner approved SE-3988 on November 7, 1990, for an addition to the funeral parlor and other site improvements. The decision became final and effective on February 22, 1991. There are no approval conditions which are environmental in nature.

MASTER PLAN CONFORMANCE
In conformance with Section 27-317(a)(3) of the prior zoning regulations, the SE shall not substantially impair the integrity of any applicable master plans.

***PLAN PRINCE GEORGE'S* 2035 *APPROVED GENERAL PLAN* (2014)**
The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's* 2035 *Approved General Plan* (Plan 2035), and within the Established Communities of the General Plan Growth Policy of Plan 2035. This project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

APPROVED SUBREGION 1 MASTER PLAN AND SECTIONAL MAP AMENDMENT (2010)
In the *Subregion 1 Master Plan and Sectional Map Amendment,* the Environmental Infrastructure Section contains goals, policies, and strategies. The text in **BOLD** is the text from the master plan, and the plain text provides comments on the plan's conformance.

Policy 1: Protect, preserve and enhance the identified green infrastructure network within the Subregion 1 plan area.

Strategies

- **Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.**

The applicant proposes an addition to an existing funeral parlor development on a site that is outside of Regulated and Evaluation Areas, which preserves the area's green infrastructure network.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Strategies

- **Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.**

The site does not contain floodplain. The proposed building addition is exempt from stormwater management requirements because the limits of disturbance are less than 5,000 square feet and will not adversely affect water quality.

Policy 3: Implement the State Storm Water Management Act of 2007 in Subregion I as of the adoption of this plan to enhance water quality and control flooding in the Anacostia and Patuxent River watersheds.

The site is within the Anacostia River watershed. The proposed building addition is exempt from stormwater management requirements because the limits of disturbance are less than 5,000 square feet; however, if the Department of Permitting, Inspections, and Enforcement requires stormwater management, it will need to meet the current criteria.

Policy 4: Implement more environmentally sensitive building techniques and reduce overall energy consumption.

The use of green building techniques and energy conservation techniques should be used as appropriate and will be evaluated by the Development Review Division.

Policy 5: Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.

Minimization of light pollution should be encouraged; however, the site is not within the Rural Tier and is not adjacent to environmentally sensitive areas.

Policy 6: Reduce air pollution by placing a high priority on transportation demand management (TDM) projects and programs.

Any proposed TDM will be evaluated by the Transportation Planning Section.

Policy 7: Reduce adverse noise impacts to meet State of Maryland noise standards.

Noise standards will be evaluated by the Development Review Division.

CONFORMANCE WITH THE GREEN INFRASTRUCTURE PLAN

The 2017 *Countywide Green Infrastructure Plan* (GI Plan) was approved with the adoption of the Resource Conservation Plan: A Countywide Functional Master Plan (CR-11-2017) on March 7, 2017. According to the GI Plan, the site is not within the Green Infrastructure Network as no Regulated or Evaluation Areas exist on-site; therefore, the proposed development is in conformance with the GI Plan.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

Section 27-296(c)(1)(J) requires an approved natural resource inventory (NRI) plan with SE applications. An NRI Equivalency Letter (NRI-075-2024) was provided with this application and demonstrates that no REF are located on the subject site at 4400 Powder Mill Road. The NRI also includes two adjacent properties: 11702 Roby Avenue (Part of Parcel A) and 11704 Roby Avenue (Lot 2, Block A). No additional information is required regarding the NRI.

Woodland Conservation

The properties (4400 Powder Mill Road, 11702 Roby Avenue, 11704 Roby Avenue) received a letter of exemption from the 2010 WCO (S-075-2024) on June 10, 2024, which would expire on June 10, 2026. However, the site is subject to grandfathering provisions of 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (2024 WCO) which extended the validity of exemptions that were valid as of June 30, 2024. Pursuant to those grandfathering provisions, S-075-2024 will remain valid until June 30, 2026, on which date the exemption shall expire. Any grading permits for this SE must be issued prior to the expiration of S-075-2024 because the site does not qualify for a new standard letter of exemption from the 2024 WCO because the site is greater than 40,000 square feet in size. No additional information is required with regard to woodland conservation.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

However, this project is exempt from Division 2 of Subtitle 25, which includes being exempt from the variances criteria of 25-119(d) and the conservation priorities outlined in 25-122(b)(G).

Regulated Environmental Features (REF)
Section 27-317(a)(7) of the Zoning Ordinance states that the Planning Board may approve a SE if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement Section 24-130(b)(5) of the Subdivision Ordinance. The site does not contain REF.

Stormwater Management
In accordance with Section 27-317(a)(5) and (7), an approved Concept Plan (#41723-2024-SDC) was submitted was submitted with the application and shows that this project is exempt from stormwater management requirements because less than 5,000 square feet will be disturbed. This stormwater concept was approved on February 18, 2025, and expires on February 18, 2028.

Soils
In accordance with Section 24-131, this application was reviewed for unsafe land restrictions. This application will use the prior Subdivision Regulations, and Section 24-131(a) states "The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes."

According to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service Web Soil Survey, soils present include Sassafras-Urban land complex. According to available mapping information, unsafe soils containing Marlboro clay or Christiana complexes do not occur on this site. There are no geotechnical concerns with this application.

Erosion and Sediment Control
Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion and Sedimentation Control, of the Prince George's County Code. The County requires the approval of an Erosion and Sediment Control Plan.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The EPS has completed the review of SE-4848, and recommends approval, subject to the following findings.

Recommended Findings

1. The site does not contain regulated environmental features (REF).

2. The site is exempt from Subtitle 25 and is not subject to the specimen tree conservation requirements contained in Section 25-122(b)(1)(G).

The Maryland-National Capital Park and Planning Commission
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Countywide Planning Division
Historic Preservation Section

301-952-3680

April 21, 2025

MEMORANDUM

TO: Evan King, Zoning Section, Development Review Division

VIA: Jennifer Stabler, Acting Planning Supervisor, Historic Preservation Section, Countywide Planning Division ***TWG***

FROM: Tyler Smith, Historic Preservation Section, Countywide Planning Division ***TAS***
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division ***AGC***

SUBJECT: **SE-4848 Donald V. Borgwardt Funeral Home**

The subject property comprises 1.74 acres and is located on the north side of Powder Mill Road, approximately 150 feet southeast of its intersection with Caverly Avenue, in Beltsville. The subject property was zoned Rural Residential (R-R), per the prior Zoning Ordinance, and is located within the 2010 *Approved Subregion 1 Master Plan*. The applicant proposes the addition of 1,664 square feet to the existing funeral home, for use as a crematory and the associated reconfiguration of the parking lot.

The 2010 *Approved Subregion 1 Master Plan* contains goals and policies related to historic preservation (pp. 101-104). However, these are not specific to the subject site or applicable to the proposed development. The subject property was included in the 1980 preliminary archeological assessment of the Inter-County Connector alignment. No archeological sites were identified, and no further work was recommended. There are no Prince George's County Historic Sites or resources on or adjacent to the subject property.

Historic Preservation staff recommends the approval of SE-4848, Donald V. Borgwardt Funeral Home, with no conditions.

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

June 4, 2025

MEMORANDUM

TO: Candra Teshome, Planner III, Zoning Section, Development Review Division

VIA: N. Andrew Bishop, Planner IV, Long-Range Planning Section, Community Planning Division NAB

VIA: Frederick Stachura, JD, Supervisor, Neighborhood Revitalization Section, Community Planning Division FS

FROM: John Parks, Planner II, Neighborhood Revitalization Section, Community Planning Division JHP

SUBJECT: SE-4848 Borgwardt Funeral Home

FINDINGS
The Community Planning Division finds that, pursuant to Section 27-317(a)(3) of the prior Zoning Ordinance, the application for Special Exception to construct an onsite crematorium and expand the existing building footprint by 1,664 square-feet **will not substantially impair the integrity of the 2010 Approved Subregion 1 Master Plan** (master plan).

The Community Planning Division finds that, pursuant to Section 27-317(a)(4) of the prior Zoning Ordinance, the application for Special Exception to construct an onsite crematorium and expand the existing building footprint by 1,664 square feet **will not adversely affect the health, safety, or welfare of residents or workers in the area;**

The Community Planning Division finds that the application for Special Exception to construct an onsite crematorium and expand the existing building footprint by 1,664 square feet conforms to the additional requirements for specific Special Exceptions, pursuant to 27-357.

BACKGROUND

Application Type: Special Exception

Planning Area: 61

Community: Fairland-Beltsville & Vicinity

Applicable Zoning Ordinance: Prior Zoning Ordinance

Location: 4400 Powder Mill Road, Beltsville, Maryland 20705, approximately 250-feet northwest of the intersection of Powder Mill Road and Roby Avenue and 0.4 miles from the intersection of Powder Mill Road and Ammendale Road.

Size: 1.74 acres

Existing Uses: Funeral Parlor, undertaking establishment

Future Land Use: Low Density Residential

Proposal: Requesting approval of a Special Exception application using the prior Zoning Ordinance to construct an onsite crematorium and expand the existing building footprint by 1,664 square-feet. Additionally, to construct chimneys as a component of the onsite crematorium.

Zoning: Residential, Rural (RR)

Prior Zoning: Rural Residential (R-R)

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The 2014 *Plan Prince Georges 2035 Approved General Plan* (Plan 2035) places the application in the Established Communities. Plan 2035 states that, "Established communities are most appropriate for context-sensitive infill and low-to-medium density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMA), public facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met." (p. 20)

Analysis: *Community Planning staff find the proposed application for Special Exception demonstrates a context-sensitive development, improvements to needed infrastructure, and the expansion or intensification of a critical public service to meet the needs of community residents.*

Master Plan: The subject property is located within the boundaries of the 2010 *Approved Subregion 1 Master Plan* (master plan). The master plan envisions that Subregion 1 "...is an integral community consisting of many healthy and historical residential neighborhoods, a regenerated and reinvented "main street" US 1 Corridor, upgraded commercial and industrial areas, and a vibrant "downtown" at the Konterra Town Center. The Subregion 1 community offers open spaces, trails, quality school, and other facilities, as well as multiple transportation modes and public safety," (p. 1).

The master plan recommends a **Low-Density Residential** land use on the subject property (Map 12, Approved Future Land Use for Subregion 1, p. 160).

The master plan does not provide a definition for Low Density Residential land uses. The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) describes Low Density Residential land uses as "Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings." (Table 14, Generalized Future Land Use Categories, p.100).

The proposed onsite crematorium and expansion of mortuary services conforms to the master plan recommended future land use because a Funeral parlor or undertaking establishment is an allowed use under the Rural Residential (R-R) base zone, subject to the approval of a Special Exception, pursuant to Section 27-441, Uses Permitted. On October 1, 1981 - **SE-3267** was recommended for approval for the Funeral Home and its associated parking. This prior Special

Exception provides additional support for conformance to the master plan recommended future land use.

Economic Development
"Policy 1: Maintain and enhance the flex and industrial base of the master plan area to provide a stable job base, while improving compatibility with surrounding land uses.

Strategies

- Emphasize improved performance standards for minimizing noise and air pollution impacts, particularly for industrial users near residential areas." (p.78)

Analysis: *The applicant has provided substantial technical and model-specific information regarding the crematorium. The applicant has provided a list of other Funeral Homes utilizing the specific crematorium product; Matthews' Environmental Solutions Cremation Equipment. Many of the examples on the list are in similar residential contexts to the proposed application and demonstrates that the addition of the crematorium to the subject property will be sensitive to environmental considerations with regards to energy consumption, but also to the health and safety of the surrounding neighborhoods as the crematorium is being used.*

The master plan places the property in the Beltsville living area. There are specific goals, policies, and strategies applicable to the Beltsville living area, and the subject property.

Beltsville Living Area
"Policy: Repair and Maintain Roads

Strategies

- Install streetscape improvements to include paved, pedestrian paths and safety features, lighting where needed, trees/landscaping, and curbs along Powder Mill Road from Gunpowder Road to US 1, Montgomery Road, Sellman Road, and US 1." (p. 114)

Analysis: *The applicant has committed to providing pedestrian improvements on site and at the curb cuts at the driveway entrances to the subject property from Powder Mill Road. These pedestrian improvements include two crosswalks; the first located to the southeast portion of the subject property along powder mill road, and the second located north along Powder Mill Road. As there are two curb cuts leading into the subject property, these crosswalks will be critical to ensuring the safety of pedestrians along Powder Mill Road.*

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The *Approve 2010 Subregion 1 Sectional Map Amendment* retained the property in the Rural Residential (R-R) Zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the R-R (Rural Residential) to RR (Residential, Rural) Zone effective April 1, 2022.

Cc: Long-Range Agenda Notebook

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland. 20870

PGCPB 81-219 File No. S.E. 3267

Prince George's County Special Exception Application No. S.E. 3267
Applicant: Donald V. and Katherine Borgwardt, Owners
Lawrence N. Taub, Correspondent
Location: The subject property is located on the north side of Powder Mill Road, approximately 115 feet east of its intersection with Caverly Avenue and 120 feet west of its intersection with Roby Avenue.
Request: A Funeral Parlor in the R-R Zone, in accordance with Section 27-522 of the Zoning Ordinance.

RESOLUTION

WHEREAS, the applicant is requesting permission to operate a funeral parlor in the R-R Zone in accordance with Section 27-522 of the Zoning Ordinance; and

WHEREAS, the Prince George's County Planning Board has reviewed the Technical Staff Report's recommendation for DENIAL; and

WHEREAS, the Prince George's County Planning Board heard testimony from the staff, at its regular meeting held on October 1, 1981; and

WHEREAS, after consideration of the staff report and testimony, the Prince George's County Planning Board disagreed with the recommendation for DENIAL, based on the following DETERMINATIONS:

1. WHEREAS, the use would not depreciate the value of neighboring properties; and

2. WHEREAS, the use would not create undue traffic congestion; and

3. WHEREAS, the proposed use will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the use and/or development of adjacent properties or the general neighborhood; and

4. WHEREAS, the proposed use, with the conditions recommended, is in harmony with the purpose and intent of Section 27-522, and will not substantially impair the integrity of the September 1968 Adopted and Approved Master Plan for Fairland-Beltsville and Vicinity.

beautiful, historic . . . *and progressive*

S.E. 3267 ZHE EXH. # 32.

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 be APPROVED for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;

2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;

3. That a variance to Section 27-522(b) be obtained for that portion of the property with an existing six foot-high opaque fence.

4. That all lining up while forming a procession be limited to the parking area on site.

5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

* * * * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh

REVIEWED AS TO SUFFICIENCY OF LEGAL FORM.
Date 10 / 15 / 81
Mo. Day Yr.
Asst. Gen. Counsel

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

PGCPB No. 91-1 Files No. DDS-397 & AC-90159

Prince George's County Departure from Design Standards Application No. 397 and Alternative Compliance Application No. 90159

Applicant: Donald V. and Katherine F. Borgwardt, Owners
Lawrence N. Taub, Correspondent

Location: The subject property is located on the north side of Powder Mill Road, approximately 120 feet west of Roby Avenue

Request:
a) Departure from loading space access setback requirement (Section 27-579) in accordance with Section 27-239.1 of the Zoning Ordinance;
b) Alternative Compliance in accordance with Section 1.3 of the Landscape Manual

RESOLUTION

WHEREAS, the applicant is requesting a departure to allow a loading space access driveway to be 20 feet from adjoining residential property, rather than the required 50 feet; and

WHEREAS, the applicant also requests alternative compliance from Section 4.7 of the Landscape Manual. The applicant proposes bufferyards that are narrower than required and planting within those bufferyards almost twice that required; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released December 31, 1990, recommends approval of DDS-397 with conditions and approval of Alternative Compliance No. 90159 with conditions; and

WHEREAS, the Technical Staff revised its recommendation at the public hearing on January 10, 1991; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on January 10, 1991 the Prince George's County Planning Board agreed with the revised staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report (Exhibit No. 13) and the following DETERMINATIONS:

1. The requested departure satisfies the requirements of Sections 27-239.1(b)(9)(A)(i) through (iv) as follows:

a. The purposes of requiring the setback will be equally served by this departure, and so will other purposes. Additional landscaping, offered by the applicant, will not only screen the driveway, but will better screen the entire site from adjoining residences;

b. Given the 50-foot setback requirement and the 20-foot actual setback, a departure of 30 feet is the minimum necessary;

c. The departure is necessary to alleviate circumstances unique to the site. The loading space access, only 20 feet from the adjoining residential uses, has existed since the early 1980s, and new construction on-site does not decrease this 20-foot access setback; and

d. The departure will improve the visual and environmental quality of the site. Additional planting, as recommended by staff through Special Exception Application No. 3988, will help visually and audibly screen the entire site; and

2. Since this application is generated by Special Exception Application No. 3988, it is necessary to condition this approval so that development will be in accordance with the special exception site plan. Furthermore, approval of Alternative Compliance Application No. 90159 changes the Landscape Plan, so a condition requiring amendments in accordance with Alternative Compliance is also needed.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Design Standards Application No. 397 is hereby APPROVED, subject to the following conditions:

1. The landscape plan shall be revised in accordance with the approved alternative compliance landscape plan under Alternative Compliance Application No. 90159; and

2. Development of the site shall be in accordance with the approved site plan for Special Exception No. 3988. The approval of DDS-397 does not constitute approval of a site plan.

BE IT FURTHER RESOLVED, that the Prince George's County Planning Board also APPROVES Alternative Compliance Application No. 90159, subject to the following conditions:

1. Provide one shade tree on the north side of the proposed garage adjacent to parking spaces and one ornamental tree on the south side of garage in island by compact parking spaces;

2. Provide eight junipers (Juniperus Spp.) between the existing Hemlock Hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway;

3. Provide one shade tree in the northeast corner of the parking lot adjacent to the 28 compact parking spaces; and

4. The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property.

BE IT FURTHER RESOLVED, that this decision is based on the following DETERMINATION:

1. The proposed landscape plan, with conditions, provides equal compliance to the Landscape Manual. While bufferyards are narrower than required, twice as many plant units are shown than are required in addition to existing woodlands and a sight-tight fence. This dense landscaping will screen the property effectively.

* * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Yewell, seconded by Commissioner Botts, with Commissioners Yewell, Botts, Dabney and Wootten voting in favor of the motion, and with Commissioner Rhoads temporarily absent, at its regular meeting held on Thursday, January 10, 1991, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of January 1991.

John F. Downs, Jr.
Executive Director

Frances J. Guertin

By Frances J. Guertin
Planning Board Administrator

JFD:FJG:JD:meg

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

Date 1/14/91

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Prince George's County Planning Department

Date: March 30, 1995

Rec'd APR - 3 1995 Log No. _____
Distribution _____

TO: Fern V. Piret, Planning Director

FROM: Steve Fisher, Alternative Compliance Committee

PROJECT NAME: Borgwardt Funeral Home

PROJECT NUMBER: SE-3988 (Revision) AC-95015

M-NCPPC
P.G. PLANNING DEPARTMENT
RECEIVED
APR 13 1995
DEVELOPMENT REVIEW DIVISION
ZONING SECTION

ALTERNATIVE COMPLIANCE COMMITTEE REVIEW

Recommendation: ___ Approval ___√___ Approval, with conditions ___ Denial

Justification: **SEE ATTACHED**

Stephen B. Fisher 4/3/95
Reviewer's Signature Date

PLANNING DIRECTOR'S REVIEW

___ Final Decision ___ Approval ___ Denial

___√___ Recommendation ___√___ Approval with conditions ___ Denial

___√___ To Planning Board

___ To District Council

___ To Zoning Hearing Examiner

Fern Piret 5-12-95 (4/12/95)
Planning Director's Signature Date

APPEAL OF PLANNING DIRECTOR'S DECISION

Appeal Filed:
Planning Board Hearing Date:
Planning Board Decision: ___ Approval ___ Denial
Resolution Number:

ACCR.FRM

1. Section 4.2, Commercial and Industrial Landscaped Strip, Southern Property Line

A. Landscaped Strip Required

Landscaped Strip: 10 feet wide by 75 feet long.

Plant Materials: 2 shade trees and 11 shrubs.

B. Landscaped Strip Proposed

Landscaped Strip: 10 feet wide by 75 feet long.

Plant Materials: 0 p.u.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). All of the required landscaping is shown on that plan. The applicant now contends that this property is so heavily landscaped with well-maintained materials that additional landscaping would be an unnecessary burden. The plant schedule incorrectly shows 1 shade tree, 1 evergreen and 6 shrubs in this landscaped strip.

D. Recommendation

The Committee recommends APPROVAL, with conditions, of Alternative Compliance for Section 4.2 along the southern property line. The Committee agrees that the property is heavily landscaped making full compliance with the Landscape Manual unnecessary. However, this stretch will be too barren with no plant units at all. The Committee feels that the two shade trees should be provided in order to alleviate this effect. Accordingly, approval should be conditioned upon providing the two required shade trees and correction of the plant schedule.

2. Section 4.3, Parking Lot Landscaped Strip, Southern Property Line

A. Landscaped Strip Required

Landscaped Strip: 10 feet wide by 182 feet long.

Plant Materials: 5 shade trees and 52 shrubs.

B. Landscaped Strip Proposed

Landscaped Strip: 10 feet wide by 182 feet long

Plant Materials: 19 shrubs

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan shows 6 shade trees and 52 shrubs. (It appears that 5.2 required shade trees was rounded upward instead of downward, resulting in 6 required shade trees instead of 5 trees.) The new plant schedule shows 13 shrubs provided when there are actually 19. The applicant now contends that this property is so heavily landscaped with well-maintained materials that additional landscaping would be an unnecessary burden.

D. Recommendation

The Committee recommends APPROVAL, with conditions, of Alternative Compliance for Section 4.3 along the southern property line. The Committee agrees that the property is heavily landscaped making full compliance with the Landscape Manual unnecessary. However, this stretch is too barren with only the 19 existing shrubs. The Committee feels that the five required shade trees should be provided in order to alleviate this effect. Accordingly, approval should be conditioned upon providing the five required shade trees and correction of the plant schedule.

3. Section 4.3, Parking Lot Requirements, Interior Planting

A. Interior Planting Required

Interior Planting: 5% of the total area of lot to include 7 shade trees.

B. Interior Planting Proposed

Interior Planting: 5.4%, including 6 shade trees.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan indicates that seven trees are provided. However, the site plan shows only six. The subject plan

shows seven shade trees in the parking lot. However, one is to be removed for the proposed garage. Also, Condition 1 of AC-90159/01 requires an ornamental tree on the south side of the garage. This tree is not present in the subject application. Condition 3 of AC-90159/01 requires a shade tree in the northeast corner of the parking lot. This tree is not shown. In any event, the property contains a large number of mature trees and one less in the parking lot should not have an adverse effect.

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.3, interior planting requirements conditioned upon correction of the Interior Planting Schedule to show the number of shade trees actually provided. Further, the existing Flowering Pear and the Hemlocks within the proposed garage must be shown as "to be removed".

4. Section 4.7 Buffering Incompatible Uses, Western Property Line

A. Buffer Required

Building Setback:	40 feet
Landscaped Yard:	30 feet
Plant Materials:	57 p.u. (includes credit for fence and existing woodland).

B. Buffer Proposed

Building Setback:	30 feet
Landscaped Yard:	17.5 feet (average)
Plant Materials:	90 p.u.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). AC-90159/01 requires the addition of eight Junipers between the existing Hemlock hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway. These have not been provided. Currently, there appears to be no unusual screening requirements in this area. The plant schedule incorrectly identifies 20 evergreens (100 p.u.) in this bufferyard instead of 18 evergreens (90 p.u.).

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.7 along the western property line conditioned upon correction of the plant schedule.

5. Section 4.7, Buffering Incompatible Uses, Northern Property Line

A. Buffer Required

Building Setback:	40 feet
Landscaped Yard:	30 feet
Plant Materials:	136 p.u. (includes credit for fence and existing woodland).

B. Buffer Proposed

Building Setback:	30 feet
Landscaped Yard:	21 feet (average)
Plant Materials:	205 p.u.

C. Explanation and Justification

There is an existing approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan requires 295 plant units in this bufferyard which would consist of an double row of evergreens. One row now exists and the applicant wishes to delete the second row. It is evident that there is insufficient room to supply the second row in the western one-half of this bufferyard. Also, this screening is less necessary in the western one-half of the bufferyard because a garage is the closest part of the adjoining residence. However, in the eastern one-half of the bufferyard, the habitable part of a residence is very close to the property line and a window overlooks the parking lot. Further, there is sufficient space to plant the second row of evergreens in the eastern one-half of the bufferyard. The plant schedule incorrectly identifies 36 evergreens. There are actually 35 in this bufferyard.

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.7 along the northern property line conditioned upon provision of a double row of evergreens within the eastern one-half of the bufferyard. This is to consist of 16 Canadian Hemlocks as shown on the site plan for AC-90159. (Note: This deletes two Hemlocks in the

eastern bufferyard as previously required in AC-90159.) In addition, the plant schedule error must be corrected.

6. Section 4.7, Buffering Incompatible Uses, Eastern Property Line

A. Buffer Required

Building Setback:	30 feet
Landscaped Yard:	20 feet
Plant Materials:	52 p.u. (includes credit for fence and existing woodland).

B. Buffer Proposed

Building Setback:	30 feet
Landscaped Yard:	20 feet (parking lot intrudes into landscaped yard for 67 of 256 linear feet).
Plant Materials:	116 p.u.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan shows 120 plant units. This application reduces the plant units to 116 and proposes a somewhat different distribution. This small difference does not justify revocation of the previously approved Alternative Compliance for this bufferyard. The plant schedule incorrectly adds 100 and 16 to a sum of 120 plant units.

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.7 along the eastern property line conditioned upon correction of the plant schedule to show the proper number of plant units provided.

7. Other

Approval of this application should be conditioned upon compliance with Condition 4 of AC-90159/01:

> "The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property."

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

RECEIVED
FEB 26 1991
Office of Zoning Examiner
Prince George's Cty., Md.

Date: 1-8-91

To: Fern Piret, Planning Director

From:

Subject: Project Name Borgwardt Funeral Home Addition

Project No. DDS 397/SE3988 AC - 90159-01

Alternative Compliance Committee Review

Recommendation:
- ☒ Approval, with revised conditions
- ☐ Denial

Justification: After a second field inspection all based on additional information, it is apparent that the original conditions were No. 2 and 4 were unreasonable. A row of junipers exists in the area discussed under original condition No. 4. Hemlocks required under condition No. 2 will not do well near the large existing tree; junipers are more appropriate. With the new conditions, the landscape plan provides equal compliance.

Reviewer's Initials

Date 1 3 11

Planning Director's Review

- ☐ Final Decision:
  - ☐ Approval
  - ☐ Denial
- ☑ Recommendation:
  - ☑ Approval w/ revised conditions
  - ☐ Denial

- ☑ To Planning Board
- ☑ To District Council
- ☑ To Zoning Hearing Examiner

Fern Piret
Planning Director's Signature

1-9-91
Date

Appeal of Planning Director's Decision

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision: ☐ Approval ☐ Denial

Resolution No:

ACFORM3 9/4/90

Revised Conditions for AC-90159

1. Provide one shade tree on the north side of the proposed garage adjacent to parking spaces and one ornamental tree on the south side of garage in island by compact parking spaces;

2. Provide eight junipers (Juniperus Spp.) between the existing Hemlock Hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway.

3. Provide one shade tree in the northeast corner of the parking lot adjacent to the 28 compact parking spaces;

4. The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property.

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

July 15, 2025

Maurene Epps-McNeil
Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772

RE: SE-4848 and Donald V. Borgwardt Funeral Home

Dear Ms. Epps-McNeil:

On July 10, 2025, after review of the technical staff report, the Prince George's County Planning Board approved the transmittal of the recommendation. Therefore, the application is hereby transmitted directly to the District Council/Zoning Hearing Examiner.

Very truly yours,

Sherri Conner

Sherri Conner, Acting Chief
Development Review

Enclosure

cc: Persons of Record

STATE OF MARYLAND
Department of Assessments and Taxation

I, BOB YEAGER OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO THE FORFEITURE OR SUSPENSION OF CORPORATIONS, OR THE RIGHTS OF CORPORATIONS TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT DONALD V. BORGWARDT, FUNERAL HOME, P.A. (D00986281), INCORPORATED SEPTEMBER 28, 1978, IS A CORPORATION DULY INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF MARYLAND AND THE CORPORATION HAS FILED ALL ANNUAL REPORTS REQUIRED, HAS NO OUTSTANDING LATE FILING PENALTIES ON THOSE REPORTS, AND HAS A RESIDENT AGENT. THEREFORE, THE CORPORATION IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING WITH THIS DEPARTMENT AND DULY AUTHORIZED TO EXERCISE ALL THE POWERS RECITED IN ITS CHARTER OR CERTIFICATE OF INCORPORATION, AND TO TRANSACT BUSINESS IN MARYLAND.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS SEPTEMBER 22, 2025.

Bob Yeager
Director

700 East Pratt Street, 2nd Flr, Ste 2700, Baltimore, Maryland 21202
Telephone Baltimore Metro (410) 767-1344 / Outside Baltimore Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice

Online Certificate Authentication Code: UZrlD3cMOUqTZ9EqNh0buw
To verify the Authentication Code, visit http://dat.maryland.gov/verify

SIGN POSTING AND INSPECTION AFFIDAVIT

I, Jonathan Puher, hereby certify that the subject property was posted with
(Print or type name)

Two (2) sign(s) on 9-8-2025.
(Specify number) (date)

I further certify that the signs were inspected no later than the 15th day of posting and were maintained in a reasonable manner.

Signature: _____

Application Numbers: SE-4848 Name: Borgwardt Funeral Home

Date: 9-18-2025

Address: 4400 Powder Mill Road, Beltsville, MD 20705. Located at the North East side of Powder Mill Road, approximately 250ft northwest of its intersection with Roby Ave.

Telephone: 301-430-2000

Capacity in which you are acting: Agent
(Owner, Applicant, Agent)

NOTE: Attach **legible** photograph(s) showing sign(s) in place. Return this affidavit and photographs to the Zoning Hearing Examiner no later than 15 days prior to the scheduled Zoning Hearing Examiner meeting (see attached map for posting locations).

* * * * * *

The affidavit must be received no later than 15 days prior to the Zoning Hearing Examiner hearing. Failure to deliver the affidavit may result in rescheduling your hearing date or a recommendation for denial of the application.

SIGN POSTING INFORMATION

Application Number: SE-4848

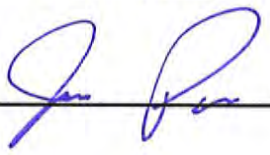
Applicant(s) Name: Donald V. Borgwardt Funeral Home

Date sign(s) were transmitted to applicant or applicant's agent: 9-3-2025

Number of signs transmitted: Two (2)

Person to whom signs were transmitted: Jonathan Puher

(Print)



(Signature)

Capacity in which that person was acting: Agent

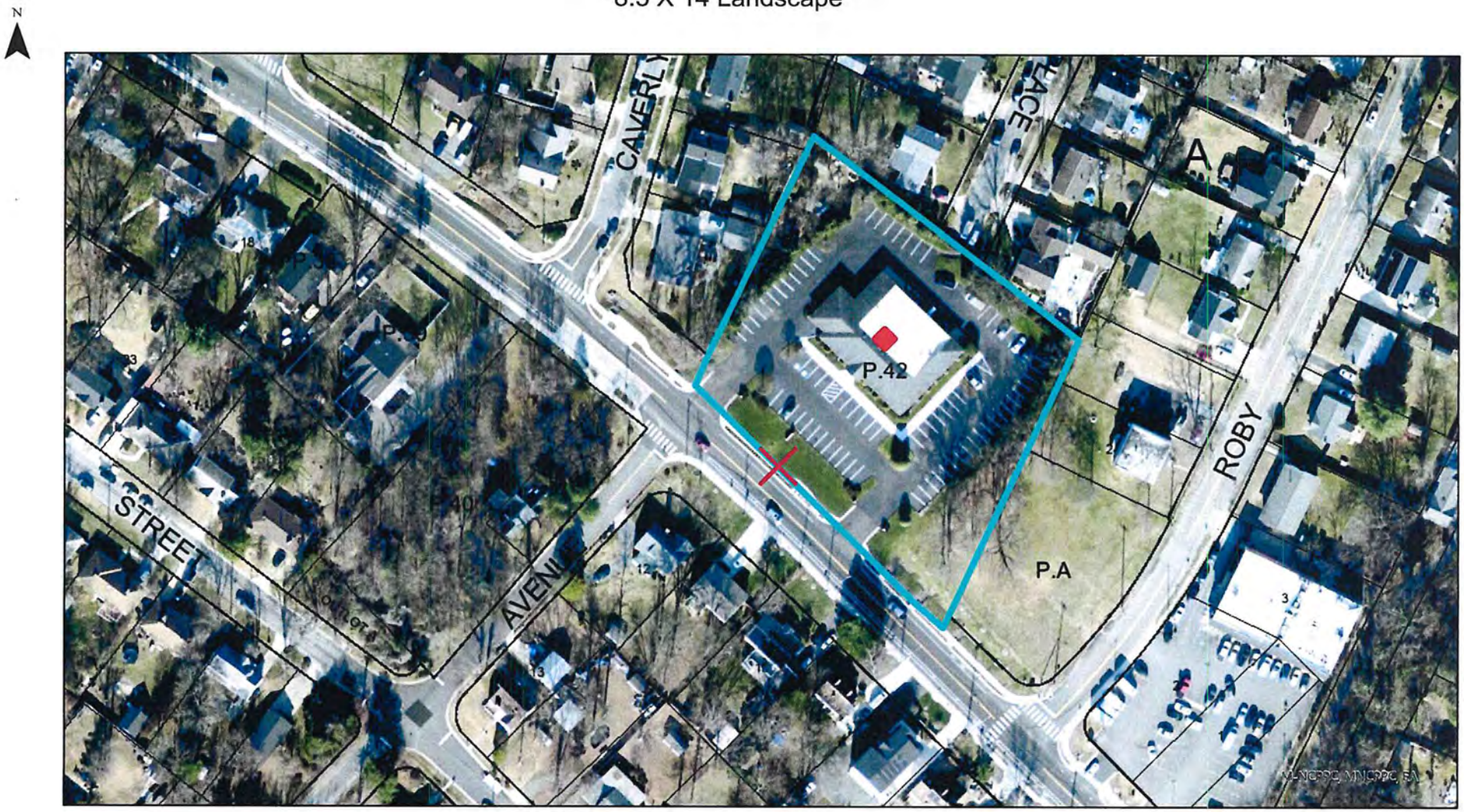
(owner, applicant, agent)

Date of scheduled Zoning Hearing Examiner meeting: 10-8-2025

Last date sign(s) can be posted: September 08, 2025

SE-4848

8.5 X 14 Landscape



= Double-sided Sign Placement

Data provided by Prince George's County Planning Department - 1

ATWELL

SIGN POSTING REPORT

JOB NAME:	Borgwardt Funeral Home	JOB NO./WORK ORDER:	A671491276 Task 005
CASE NO.:	SE-4848	DATE POSTED :	September 08, 2025
NUMBER OF SIGNS:	(2) Two	PM:	Barry Caison

COMMENTS:

I posted (2) Two signs at the locations marked on the map. I took (2) two pictures of each sign; one close to the sign and one from a distance. The signs are in good condition.

By: _____

Jon Puher
Engineering Designer

Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Posted On: September 08, 2025

Location 1 Far



Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Posted On: September 08, 2025

Location 1 Near



Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Posted On: September 08, 2025

Location 2 Far



Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Posted On: September 08, 2025

Location 2 Near



SIGN INSPECTION REPORT

JOB NAME:	Borgwardt Funeral Home	JOB NO./WORK ORDER:	A671491276 Task 005
CASE NO.:	SE-4848	DATE INSPECTED :	September 18, 2025
NUMBER OF SIGNS:	(2) Two	PM:	Barry Caison

COMMENTS:

I inspected (2) Two signs at the locations marked on the map. I took (2) two pictures of each sign; one close to the sign and one from a distance. The signs are in good condition.

By: _____

Jon Puher
Engineering Designer

Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Inspected On: 09-18-2025

Location 1 Far



Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Inspected On: 09-18-2025

Location 1 Near



Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Inspected On: 09-18-2025

Location 2 Far



Project: Borgwardt Funeral Home
Case Number: SE-4848

Signs Inspected On: 09-18-2025

Location 2 Near



LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*
* Also admitted in the District of Columb

TRANSMITTAL

VIA ELECTRONIC DELIVERY

Hon. Maurene Epps McNeil
Chief Zoning Hearing Examiner
Wayne K. Curry Administration Building
1301 McCormick Drive
Largo, Maryland 20774

Date: October 1, 2025

Client No.: 13061.0003

Case Name: Donald V. Borgwardt, Funeral Home. P.A (SE-4848)

Reason for Sending: Submission of Exhibits for the October 8, 2025, ZHE Hearing for SE-4848.

No. Copies:	Description:
1.	SDAT Certificate of Good Standing
1.	Business Entity State Ethics Affidavit - (Donald V. Borgwardt, P.A.)
1.	Individual Applicant State Ethics Affidavit - (Donald V. Borgwardt)
1.	Land Use Analysis - Mark G.L. Ferguson, R.A.
1.	Resume - Michael M. Lenhart
1 .	Resume - Mark G.L. Ferguson
1.	Resume - Mike A. Novy
1.	Resume - Barry Burczyk
1.	Resume - Ronald D. Lipford
1.	Resolution of Donald V. Borgwardt, Funeral Home, P.A.
1.	Sign Posting Affidavit & Photos of Posted Signs
1.	Amended Zoning Hearing Examiner Document List
1.	ZHE Decision for SE-3267 (10.14.1981)
1.	Notice of Finality for SE-3267
1.	ZHE Decision for SE-3988 (11.7.1990)
1.	Notice of Finality for SE-3988
1.	Manufacturer Statement on Emissions from Cremation Equipment
1.	MDE Final Determination (Docket #05-23) - Evans Funeral Chapel & Cremation Services - White Marsh, P.A.
1.	Applicant's Proposed Revised Conditions
1.	Latest Site Plan 6.18.2025 - (Legible, Full Size Copy)

Pick Up: _____ Courier: _____ Hand Deliver: _____ E-Mail: __X____

Respectfully submitted,

John J. Ferrante
Senior Land Planner

Cc: Stan Brown, Esq.
Donald V. Borgwardt
Atwell

DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF ZONING HEARING EXAMINER

SPECIAL EXCEPTION
3267

DECISION
December 28, 1981

Application: A Funeral Parlor
Applicants: Donald V. & Katherine Borgwardt
Hearing Date: October 14, 1981
Hearing Examiner: Barry S. Cramp
Disposition: Approval with condition

NATURE OF REQUEST

Owners of R-R zoned land in Beltsville seek to use their 1.7 acres for a funeral parlor. The application is opposed by residents of the neighborhood and the Staff of the Commission.

FINDINGS

(1) The property in question is located between Pine Street and Roby Avenue. It fronts on the north side of Powder Mill Road. It is unimproved but adjoins lots developed with single-family and apartment dwellings. The neighborhood is residential suburban in character. The nearest commercial use is located just east of Roby Avenue. The neighborhood boundaries are delineated by Old Gunpowder Road, Ammendale Road, Lincoln Avenue, Emack Road, Foreston Road, Greenwood Road, Kenny Street and 34th Place. (Exh. 17, p.3)

(2) The property remains in the zone assigned in 1949 when the comprehensive zoning maps were adopted. Adjoining parcels have since been zoned R-80 and R-18. A subdivision of homes is now developed in the R-80 Zone. The R-18 Zone has a five unit apartment located on two lots and a single-family dwelling on another.

(3) The subject property is proposed on the land use map of the *Fairland-Beltsville and Vicinity Master Plan* for R-R Zone uses. The residential zones and C-O Zone are areas where funeral parlors are permitted by special exception.

(4) The site plan proposed locates a seventeen (17) foot high structure in the center of the parcel. Eighty-five parking spaces are located on all sides of the building. Driveways circle the building, giving direct access to Powder Mill Road at two points. All but one area requirement of the R-R Zone and special exception section are complied with in the site plan.[1]

(5) Applicant, Donald Borgwardt, testified that there would be only 15-20 funerals conducted from the premises and the average funeral would have between 15 and 25 cars. (T.50) Most funerals take place at churches in which case the funeral parlor is used only for viewing. (T.50) The viewing is normally held between the hours of 2:00 - 4:00 P. M. and 7:00 - 9:00 P. M. (T.50-51; 60) There would be 90-100 viewings per year held on the premises. (T.50) The average number of viewers in an evening would be 45-55 people. (T.51) If the funeral is held at the parlor the normal hour is 11:00 A. M. or 1:00 P. M. (T.58)

(6) Traffic expert Richard Smith examined the site and opined that the parlor would not cause any undue traffic problems. (T.63) He based his opinion on the fact that the 15 to 20 corteges would be at other than peak traffic hours.[2] Cortege movements are expected to take only ten minutes. (T.63) Traffic on Powder Mill Road can pass on the shoulder. (T.64) There are to be eighty-five parking spaces on the site. (T.65) The expert felt this more than adequate considering only 50 spaces are required. (T.65)

(7) A real estate appraiser made a comparison of residential real estate values of properties in other neighborhoods with

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[1] A fence has been omitted along the west boundary, contrary to Subsection 27-522(6). Six foot high opaque fences are located along the three boundaries bordering residentially zoned land but the fence along the west boundary is on the adjoining properties, Lots 1 & 2, Block "B", Section 1, Caverly Hills.

[2] The Bureau of Transportation, Department of Public Works & Transportation, advised the Staff that they did not anticipate any adverse traffic impacts particularly because the peak usage generally occurs during the day and night after peak hours. (Exh. 12)

similar properties near a funeral parlor. He concluded that the subject funeral parlor would not devalue the surrounding properties. A fast turnover rate of homes next to a funeral parlor or disparity in sales value between close by and other neighborhood properties would suggest an adverse impact but the homes studied were occupied for long periods and the sales values not noticeably different. (Exh. 36, p.2; T.37) He also said the screening on the subject property was better than any of the other funeral parlors studied. (T.39)

(8) Mr. Ellsworth Messersmith owns a portion of the R-18 property, next to the subject property. He testified that he was planning on redeveloping his property. (T.69-70) Ely Chayt was concerned with parking and traffic, that cars may use adjoining land. (T.74) John Dunn lives to the rear of the property on an adjoining parcel. He is concerned that if a fence is erected five feet in from the western property line and the existing fence is left on the two adjoining lots, a cut through will be provided for trespassers. (T.75-78) Applicants are seeking a variance from the Board of Zoning Appeals from the requirement of Section 27-522 that a six foot high fence be erected five feet back from the western property. No such fence is shown on the site plan.

CONCLUSIONS

(1) The findings here are indicative of the primacy of the applicants' contentions. Although there is argument made against the application with respect to parking and traffic, there are neither facts nor valid reasons to support the conclusion that the grant of the requested special exception for a funeral parlor would adversely affect adjoining and surrounding properties, at least in any way other than would result from the location of any funeral home in the R-R Zone. *Anderson v. Sawyer,* 23 Md. App. 612.

(2) We are advised that the subject property is zoned R-R and funeral parlors are allowed in that zone. The Master Plan proposes a residential zone (R-80 Zone) for the property. There has not been shown any unique condition of the subject property not present generally in R-R zoned areas of the County. The proposed development and use does not appear to be anything other than a typical funeral parlor. As to the possibility of adverse impact on the neighborhood, there is but vague expressions of opinion that traffic will be impeded or there may not be enough parking available on site. The protestants have shown only that

what traffic typifies a funeral parlor they would suffer in the same degree as any homeowner if a funeral home were permitted on land adjacent or in close proximity to his residence.

(3) The concerns that the Staff has for traffic hazards are not based upon record evidence. There is at most a hint that cortege traffic may interfere with traffic on Powder Mill Road but no evidence of undue traffic congestion. Experts saw no such problem nor is there any apparent evidence that congestion should be any greater here than any other place in the County. The possibility exists for back ups of cars onto the public right-of-way but this is remote considering the amount of cars anticipated and amount of storage space on site. Even if there is a back up problem there is space on the shoulder of Powder Mill Road to accommodate lines of traffic. This would happen in non-peak hours.[3]

(4) The statement of the appraiser is unrebutted that the real estate values of surrounding properties would not be diminished. The funeral parlor will not, in our opinion, depreciate the value of neighboring properties, just as it has not done in representative areas of the County where other funeral homes are located.

DISPOSITION

Approval of S. E. 3267, in accordance with Exhibit 34 (site plan). This plan may be revised to include fencing required by Sec. 27-522(6) in the event a variance is not approved by the Board of Zoning Appeals. Conditions: (1) funerals shall not be conducted later than 4:00 P. M. on weekdays; and (2) the operator of the funeral parlor shall not form up any procession of cars which requires off-premises area.

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3 In *Anderson v. Sawyer,* 23 Md. App. 612, 624, this same possibility was addressed by the Court as follows: "The slight discomforture which might result from the fact that unusually large funerals could not be totally formed within the confines of the subject property is too minimal in significance to establish that the proposed use would depreciate the value of adjoining properties."

DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF ZONING HEARING EXAMINER

SPECIAL EXCEPTION

SE 3988

DECISION

Application: Funeral Parlor
Applicants: Donald V. & Katherine F. Borgwardt
Opposition: None
Hearing Date: November 7, 1990
Hearing Examiner: Barry S. Cramp
Disposition: Approval

NATURE OF REQUEST

The applicants seek to expand an existing funeral home use with this funeral home special exception application. There is a revised site plan, Exhibit 37, submitted after the Staff recommended changes in the original plan. This new plan relocates a garage and includes a landscape plan.

FINDINGS

(1) The property known as 4400 Powder Mill Road is the location of a one-story funeral home which faces Powder Mill Road just north of Roby Avenue.

(2) The property is zoned R-R[1] so a special exception is required for a funeral home. Special Exception No. 3267 permitted such use on the property in 1982.

(3) The uses surrounding the property are as follows: Single-family detached dwellings, an apartment building and vacant lot. Except for the apartment building next door, all the surrounding parcels are zoned R-R. Two of the houses adjoining the rear lot line are very close to the boundary of the property but are screened by a six foot high wood fence which is approximately 5 feet in from that line.[2]

(4) The proposal here is to add a 30' x 100' addition to the rear of the funeral home building for use as office space. This will permit more area for viewings. A garage is to be added at the northeast corner of the rear yard. A loading area will be located in the back of the new addition. The new addition will cause the relocation of driveways to the rear of the funeral home, rendering

them in violation of the fifty-foot wide rear yard setback of Section 27-357.

(5) The neighborhood of the property is the area located between Ammendale Road, Lincoln Avenue North, Emack Road, Greenwood Road, Kenny Street, 34th Street and Old Gunpowder Road. This is a residential neighborhood, but it has one convenience commercial center just across Roby Avenue.

(6) The applicants' proposal is expressed in Exhibit 37. This site plan was drawn after the suggestions on screening and location of structures were made by the Staff, to incorporate these suggestions. The applicants took exception to condition #1, which requires automatic fire supression system installation in the new addition and garage.

(7) The neighborhood of the property is part of Subregion I, for which a Master Plan was approved in March. This Plan proposes low density rural residential use of the subject property and R-R zoning was given to the property in the Sectional Map Amendment of October 1990. The Staff says there will be no impairment to the scheme of this plan by the approval of this special exception. (Exh. 10, p.9)

CONCLUSIONS

This request to expand an existing special exception use of the R-R Zone can be approved subject to the site and landscape plans resulting in no disharmony of purpose or impairment of the integrity of the Master Plan. There are some nonconformities with the Zoning Ordinance but these can be excused by others in collateral proceedings. Otherwise, the site plan does conform to the Zoning Ordinance, including special exception requirements. There has been no impairment of the residential character of the neighborhood and the increase in intensity of use will not affect adversely the adjoining uses or properties. No conservation plan is required.

DISPOSITION

Approval of SE 3988. The site plan, Exhibit 37 (including the landscape plan plat attached thereto), are to be amended to show that the fence is relocated in the rear of the property to the property line and to conform to the landscape plan and conditions approved in AC-90159 by the Planning Board, said amended plan to be submitted to the hearing examiner for approval.

---

[1]Zoned R-R both before and after the Sectional Map Amendment of October 2, 1990.

[2]Applicants want to move the fence to the property line and do show this in handwriting as a fact accompli in the site and landscape plans.

Sent Copy & Joe
Waiting Response

THOMPSON, HINE AND FLORY

9200 BASIL COURT, SUITE 300
LANDOVER, MARYLAND 20785-5309
(301) 925-4900

IN CLEVELAND, OHIO
1100 NATIONAL CITY BANK BUILDING
CLEVELAND, OHIO 44114
(216) 566-5500 · TELEX 980217

IN CINCINNATI, OHIO
PAXTON & SEASONGOOD
ONE WEST FOURTH STREET
CINCINNATI, OHIO 45202
(513) 352-6700

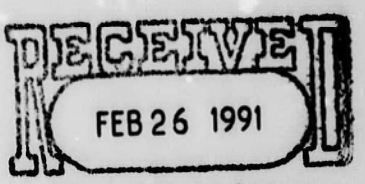
IN COLUMBUS, OHIO
100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 469-7200

IN WASHINGTON, D.C.
1920 N STREET, N.W.
WASHINGTON, D.C. 20036
(202) 331-8800 · TELEX 904173

IN PALM BEACH, FLORIDA
125 WORTH AVENUE
PALM BEACH, FLORIDA 33480
(407) 833-5900

WRITER'S DIRECT DIAL NUMBER

February 25, 1991



Mr. Barry Cramp
Office of the Zoning Hearing Examiner
County Administration Building
Upper Marlboro, Maryland 20772

Re: S.E. 3988

Dear Mr. Cramp:

I represent Donald and Katherine Borgwardt, applicants for the above-referenced special exception. Pursuant to your Decision in this case, filed on January 22, 1991, please find enclosed four (4) copies of an amended site plan, showing: (a) the fence currently located in the rear of the subject property relocated to the rear property line; (b) landscaping that currently exists on the east side of the fence running along the eastern side of the property; and (c) compliance with Alternative Compliance No. AC-90159-01, as revised. I have also enclosed, for your information, a copy of the Decision in AC-90159-01.

This should constitute total compliance with your Decision in this case, and thus full approval of this special exception. If you have any questions, or require additional information, of course, please let me know. With best regards I remain

Very truly yours,

Lawrence N. Taub

LNT:dmr

Enclosures

cc: Mr. and Mrs. Donald Borgwardt
Mr. Joseph DelBalzo
Zoning Division
Mr. Thomas Kieffer
Ben Dyer Associates

ZONING HEARING EXAMINER
DOCUMENT SHEET

APPLICATION NO. SE-4848 **APPLICANT: DONALD V BORGWARDT FUNERAL HOME**

Check Mark (√) indicates nonacceptance by the ZHE into the Record to be an Exhibit.

Number	Description
1.	M-NCPPC Special Exception and Departures Checklist
2.	Application 03.21.25
3.	Affidavit of mailings Accept Mailing 03.24.25
4.	Acceptance Mailing Letter 03.24.25
5.	Archeology Checklist
6.	Statement of Justification 03.25.25
7.	Site Plan 01.10.90
8.	Site Plan 03.25.25
9.	Landscape and lighting Plan, Oct 1994
10.	Landscape Certification
11.	Approved NRI **Equivalency Letter**
12.	Point-by-Point Response
13.	Site Plan March 1981
14.	Mailings address list 2.3.25
15.	Informational Mailing Letter 02.19.25
16.	Affidavit of mailings Info Mailing 02.19.25
17.	Stormwater Management Approval Letter 02.18.25
18.	Stormwater Management Concept Plan
19.	Application for Woodland Conservation Letter of Exemption 03.15.24
20.	Signed SDRC Summary Sheet
21.	Cover Letter 05.28.25
22.	Transmittal 05.30.25
23.	Affidavit of mailings Info Mailing 2.19.25
24.	Informational Mailing Letter 04.04.25 **(Community Meeting Notification)**
25.	Informational Mailing Letter 02.19.25
26.	Partial List of Maryland Funeral Homes using Matthews' Environmental Solutions Cremation Equipment
27.	Site Plan 05.28.25
28.	D**ecision - AC-90159 & DDS-397**
29.	Planning Director Recommendation 01.08.91 **(AC-90159)**
30.	LSP-SOJ
31.	Traffic Report 02.06.25
32.	Site Plan 06.18.25
33.	Technical Staff Report
34.	Sheri Conner, MNCPPC Letter to Maurene McNeil 07.15.25

Addn. Applicant Exhibits Submitted October 1, 2025

35.	**Transmittal to Hon. Maurene Epps McNeil**
36.	**SDAT Certificate of Good Standing.**
37.	**Business Entity State Ethics Affidavit - (Donald V. Borgwardt, P.A.)**
38.	**Individual Applicant State Ethics Affidavit - (Donald V. Borgwardt)**
39.	**Land Use Analysis - Mark G.L. Ferguson, R.A.**
40.	**Resume - Michael M. Lenhart**
41.	**Resume - Mark G.L. Ferguson**
42.	**Resume - Mike A. Novy**
43.	**Resume - Barry Burczyk**
44.	**Resume - Ronald D. Lipford**
45.	**Resolution of Donald V. Borgwardt, Funeral Home, P.A.**
46.	**Sign Posting Affidavit & Photos of Posted Signs**

ZONING HEARING EXAMINER
DOCUMENT SHEET

APPLICATION NO. SE-4848 **APPLICANT: DONALD V BORGWARDT FUNERAL HOME**

47. **Amended Zoning Hearing Examiner Document List**
48. **ZHE Decision for SE-3267 (10.14.1981)**
49. **Notice of Finality for SE-3267**
50. **ZHE Decision for SE-3988 (11.7.1990)**
51. **Notice of Finality for SE-3988**
52. **Manufacturer Statement on Emissions from Cremation Equipment**
53. **MDE Final Determination (Docket #05-23) - Evans Funeral Chapel & Cremation Services - White Marsh, P.A.**
54. **Applicant's Proposed Revised Conditions**
55. **Latest Site Plan 6.18.2025 - (Legible, Full Size Copy)**

Donald V. Borgwardt Funeral Home

SE-4848

(Zoning Hearing Examiner)

October 8, 2025

Proposed Revised Conditions

1. Prior to certification of the special exception site plan, the following revisions shall be made:

   f. Add a note to the site plan indicating that the chimney height shall be consistent with the requirements of an approved Air Quality Permit to Construct issued by the Maryland Department of the Environment.

2. Prior to issuance of a building permit for the crematory facility, the applicant shall provide a copy of an approved Air Quality Permit to Construct issued by the Maryland Department of the Environment.

~~Strikethrough~~ represents deleted language

Underline represents added language

This Form Is To Be Filed With:

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

Business Entity[1] Affidavit

(Form PG 2)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website http://ethics.maryland.gov/public-ethics-law/. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only if** these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

PART A. Business Entity Applicant

Identifying Information

Name of Applicant Donald V. Borgwardt, Funeral Home, P.A. Case No. (where applicable) SE-4848

Address of Applicant 4400 Powder Mill Road, Beltsville, MD 20705

Identity of the Property/ Subject of Application Part of Parcel 42 consisting of approx.1.74 acres, (Tax Map 12, Grid F3), Tax Account No. 01-0061812 Type of Application Special Exception (see § 5-833(d))

[1]Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? ____ Yes ✓ No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

Name of Member	Date
N/A	

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

N/A	

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application?
____ Yes ✓ No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

Name of Member	Date	Name of Contributor
N/A		

PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)

***Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. ✓ All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):

Donald V. Borgwardt - President & 100% Shareholder of Donald V. Borgwardt, Funeral Home, P.A.

2. ✓ Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Donald V. Borgwardt — 2-18-2025

Signature (original to be filed with the Clerk) — Date

Donald V. Borgwardt
Printed Name of Signer

President
Title of Signer (Authorized to sign for the business entity)

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

This Form Is To Be Filed With:
CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

Individual Applicant Affidavit

(Form PG 1)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity[1], is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website http://ethics.maryland.gov/public-ethics-law/. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf that contains additional filing information, including timing requirements.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

Identifying Information

Name of Applicant Donald V. Borgwardt Case No. (where applicable) SE-4848

Address of Applicant 4400 Powder Mill Road, Beltsville, MD 20705

Identity of the Property/ Subject of Application Part of Parcel 42 consisting of approx.1.74 acres, (Tax Map 12, Grid F3), Tax Account No. 01-0061812

Type of Application Special Exception (see §5-833(d))

[1]Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? ____ Yes ✓ No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

Name of Member	Date
N/A	

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

N/A	

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application?
____ Yes ✓ No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

Name of Member	Date	Name of Contributor
N/A		

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? ____ Yes ✓ No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

Name of Member	Date	Name of Contributor
N/A		

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Donald V Borgwardt — 2-18-2025

Signature (original to be filed with the Clerk) — Date

Donald V. Borgwardt

Printed Name of Signer

President and 100% Shareholder of Donald V. Borgwardt, Funeral Home, P.A., and Sole Property Owner of 4400 Powder Mill Road, Beltsville MD 20705

Title of Signer (if applicable)

LAND PLANNING ANALYSIS
Donald V. Borgwardt Funeral Home

Prepared in connection with
Special Exception SE-4848

Prepared by:
Mark G. L. Ferguson, R.A.

Site Design Inc
LAND PLANNING ⊕ LAND SURVEYING ⊕ ENGINEERING

October 1, 2025

LAND PLANNING ANALYSIS
Donald V. Borgwardt Funeral Home
Beltsville, Maryland

This report is written to consider the planning matters relevant to Special Exception application SE-4848 for approval of an expansion of an existing funeral home by greater than 15% of its Gross Floor Area to include a crematory, on a site in the RR Zone (prior R-R Zone), under the provisions of the prior zoning ordinance, pursuant to the provisions of Sections 27-1704(d) and/or 27-1903(b) of the Zoning Ordinance.

THE PROPERTY

Location -	The north side of Powder Mill Road (Maryland Route 212), at its intersection with Caverly Avenue.
Address -	4400 Powder Mill Road
Municipality -	None.
Current Zoning -	RR (Residential, Rural)
Prior Zoning -	R-R (Rural Residential)
Gross Acreage -	1.7440 Acres
Rights-of-Way -	Powder Mill Road (MD 212) – Variable (Ultimate 80'-100')[1] Caverly Place – 50'
Frontages -	Powder Mill Road – 308.69' Caverly Place – 51.10'
Zoning Map -	215NE5
Tax Map -	Tax Map 12, Grid F-3
Subdivision -	Unsubdivided acreage known as Tax Map 12, Parcel 42
Historic Sites -	The Orme-Shaw House (County Historic Site #61-002) is 900' south of the subject property
Councilmanic District -	1

[1] The Master Plan text provides that, "where appropriate, right-of-way may be reduced to 60 feet within developed areas west of US 1 provided that the needed vehicular and nonvehicular amenities can be implemented within the right-of-way."

Master Plan & SMA - The subject property is located in Planning Area 61. The applicable Master Plan is the *Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)*, approved on May 10, 2010.

The Master Plan's Land Use Map designated the subject property for "Low Density Residential" future land use.

The most recent Sectional Map Amendment in May, 2010 retained the subject property in the previously-existing R-R Zone, and the 2022 Countywide Map Amendment reclassified it to the comparable RR Zone.

The Growth Policy Map in the May, 2014 General Plan placed the property in the Established Communities growth policy area. The printed Generalized Future Land Use Map in the General Plan designated it for "Residential Low" land use.

The subject property is not within a Priority Preservation Area.

NEIGHBORHOOD DEFINITION

The neighborhood of the subject property was defined in the Technical Staff Report by the following boundaries:

North – Ammendale Road

West – 34th Place/Old Gunpowder Road

South – Greenwood Road/Kenny Street

East – Lincoln Avenue North/ Emack Road

This planner agrees with this definition, and notes that this is the same neighborhood approved in the earlier grants of Special Exception.

PROPERTY LOCATION AND NEIGHBORHOOD INSPECTION

The subject property comprises a single combination unsubdivided tax parcel, which is developed with the existing funeral home and its associated landscaping and off-street parking facilities. There are no regulated environmental features on or adjacent to the subject property.

The subject property is located on the north side of Powder Mill Road, a collector roadway. The existing funeral home has access from Powder Mill Road via two entrance points. There are recently-constructed stormwater management facilities in the right-of-way of Powder Mill road in the front of the subject property.

Abutting the subject property to the north and west are single-family dwellings in the RSF-95 Zone, with a small multifamily dwelling structure in the RMF-20 Zone (owned by the Applicant) abutting to the east. Single-family dwellings in the RR and RSF-95 Zones occupy most of the remainder of the defined neighborhood area, with three exceptions:

The nonresidential uses in the defined neighborhood are the following: A Jain Temple, now under construction and near completion on a site in the RSF-95 Zone, is located at the intersection of Ammendale Road and Lincoln Avenue. The Beltsville Veterinary Hospital in the RR Zone is located two blocks west of the subject property. Finally, a small shopping center in the CGO Zone is one block east of the subject property, and is tenanted with a 7-Eleven convenience store, an insurance office, a nail salon, an African boutique, and a Tex-Mex Pupuseria, as well as some professional offices on the center's second floor.

A historic site, the Orme-Shaw House (County Site #61-002), is 900 feet south of the subject property, beyond the limits of the defined neighborhood, and its site and the subject property are not intervisible.

DESCRIPTION OF THE PROPOSED USE

The proposed use for Special Exception application SE-4848 is the expansion of the existing 8,101 SF funeral home by 1,664 square feet to accommodate the addition of a crematory using current cremation technology. No intensification of the existing funeral parlor use or alteration of the site beyond the footprint of the crematory addition is proposed with the exception of some minor landscape planting.

CRITERIA FOR APPROVAL

The criteria for approval of a Special Exception for a funeral home and crematory in the prior R-R Zone are the general criteria for approval of a Special Exception of §27-317(a) of the prior zoning ordinance, the Additional Requirements of Section 27-357 for a funeral parlor or undertaking establishment, and the Additional Requirements of Section 27-341 for a cemetery or crematory, which the prior zoning ordinance treats as separate uses.

Compliance With Section 27-317:

Section 27-317(a) of the prior zoning ordinance provides that a Special Exception may be approved if:

27-317(a)(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

The prior zoning ordinance has a hierarchy of Purposes, for the Ordinance as a whole, and for the R-R Zone in specific. Each of these series of purposes is addressed, following.

The fifteen purposes of the prior zoning ordinance are laid out in section 27-102(a). The harmony of the subject project with these purposes is as follows:

(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;

In allowing for the expansion of the existing, active land use of the funeral home to include the ability to provide cremation services, approval of the subject application will promote the health, safety, morals, comfort, convenience and welfare of the inhabitants of the County by providing for a safe, sanitary and less costly alternative to interment of the deceased.

For Special Exception applications, the protection aspect of this general purpose of the Ordinance is principally furthered by the provision of Section 27-317(a)(4), discussed at greater length below, which requires that a proposed Special Exception use will not adversely affect the health, safety, or welfare of residents or workers in the area.

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

The relevant plans which apply to this site are the 2014 General Plan, the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)*, and a number of Functional Master Plans, including the Resource Conservation Plan (which includes the Green Infrastructure Plan), the County Master Plan of Transportation, the Public Safety Facilities Master Plan, The Historic Sites and Districts Plan, and the Water Resources Functional Master Plan.

General Plan

As noted above, the General Plan classified the subject site in its Growth Policy Map[2] in the Established Communities category. The printed Generalized Future Land Use Map[3] designated it for Residential Low land use.

"Established Communities" are described by the General Plan as "the County's heart – its established neighborhoods, municipalities and unincorporated areas outside designated centers,"[4] and recommends that, "Established communities are most appropriate for context-sensitive infill and low- to medium-density development…."[5]

It is this planner's opinion that the approval of the subject application would be context-sensitive infill development by virtue of (1) the compatible architectural design of the proposed addition; and (2) by virtue of the long existence of this use on the subject property.

Master Plan

As noted above, the applicable Master Plan is the *Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)*, approved on May 10, 2010. The appended "Future

[2] M-NCP&PC, *Plan Prince George's 2035 – Approved General Plan* (May, 2014), p. 107.
[3] *General Plan*, p. 101.
[4] *Ibid.,* p. 106.
[5] *Ibid.,* p. 20.

Land Use" map recommends the subject property and the entirety of the defined neighborhood for "Residential Low" land use. [6]

The Master Plan contains a number of more specific goals, policies and strategies which are relevant to the proposed development. These are discussed as follows:

The first policy of the Development Pattern Element for the portion of Subregion I in the (former) Developing Tier is, "preserve and enhance the suburban neighborhood character."[7] While the strategies laid out in the Development Pattern Element to implement this policy are not applicable to the proposed funeral home expansion, the discussion of this policy in the Living Areas Element proposes strategies of:

- "Establish guidelines that ensure that new development is compatible with the current character of the neighborhood.
- Encourage maintenance and preservation of housing and streetscapes through code enforcement, neighborhood improvement programs, and other appropriate techniques."[8]

The proposed expansion will implement these strategies by proposing a very modest addition to the existing building, replicating the scale and character of the existing building, which is itself of comparable scale and materiality with the existing surrounding development. Because the proposed addition is to the rear part of the right side of the building and will not otherwise change the existing site development, it will preserve the existing streetscape.

Policies of the Environmental Infrastructure section of the Infrastructure Elements Element are generally not applicable to the proposed expansion because there are no regulated environmental features on or adjacent to the subject property, and because of the very modest scale of the proposed expansion, which will disturb less than 3,000 square feet of the site's area. While tree canopy coverage is not mentioned as a goal or strategy of the Environmental Infrastructure section of the Subregion I Master Plan, the proposed expansion will nevertheless contribute to the subregion's environmental infrastructure through its compliance with the requirements of Part 3 of Subtitle 25, the County's Tree Canopy Coverage Ordinance.

The first policy of the Roadways section of the Infrastructure Elements Element is to, "achieve efficient access to residential, commercial, and employment areas with improvements to existing roadways and new roadways, and minimize dislocation and disruption."[9] For this project, the fourth strategy proposed is the relevant strategy to implement this policy. That strategy is, "maintain, improve and construct ***collectors*** as required by current and future development. Collectors are two-, four-, or five-lane (four lanes plus center turn lane) roadways with minimal control of access providing movement between developed areas and the arterial system. Rights-of-way are generally a minimum of 70 feet for two- and

[6] M-NCP&PC, *Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)* (March, 2022), appended map.
[7] *Master Plan,* p. 13.
[8] *Ibid.,* p. 117.
[9] *Ibid.,* p. 45.

four-lane collectors, and 80 feet for five-lane collectors where underground drainage is provided."[10] And more specifically,

> "The following facilities are recommended to be maintained at their current width—either two lanes or four lanes—with frontage, pedestrian, and safety improvements as deemed necessary:
>
> 5. C-112—Powder Mill Road between A-8 and A-56. Where appropriate, right-of-way may be reduced to 60 feet within developed areas west of US 1 provided that the needed vehicular and nonvehicular amenities can be implemented within the right-of-way (two lands west of US 1 and four lanes east of US 1)."[11]

Through the conformance of the facility with these policies and strategies, this planner finds that the expansion of the proposed funeral home in the contextually-sensitive manner proposed is in conformance with the 2010 Subregion I Master Plan.

Other Applicable Functional Master Plans

The special exception area does not contain any areas of Regulated Areas of the County's Green Infrastructure Network, and as such will not impair the Green Infrastructure Plan, and its compliance with the Tree Canopy Coverage Ordinance will further that Plan's Policy 7, to "preserve, enhance, connect, and restore forest and tree canopy coverage."

With regard to the Historic Sites and Districts Plan, the property containing the Orme-Shaw House (County Historic Site #61-002) is located approximately nine hundred feet south of the subject property. That site and the subject property are not intervisible. As such, the approval of the instant application will be in harmony with the purpose of the prior zoning ordinance to implement this Functional Master Plan, and will not substantially impair the integrity of this Functional Master Plan.

The Water Resources Functional Master Plan addresses broad regulatory policy and large-scale watershed planning, and as such makes no recommendations which are directly applicable to the subject application.

No proposed sites for Public Safety facilities are in the area affected by the subject application.

The 2009 Countywide Master Plan of Transportation as amended by the 2010 Subregion I Master Plan classifies Powder Mill Road as a collector roadway (C-112) with 2 lanes in an 80'-100 right-of-way, though it notes that in the area of the subject property, the required right-of-way may be reduced to as little as sixty feet. This configuration is shown on the Special Exception Site Plan. The Master Plan of Transportation also proposes a bike lane on Powder Mill Road.

In conclusion, because the proposed funeral home expansion is in keeping with the General Plan's land use policies for the Established Communities areas, implements the Master Plan's applicable recommendations, and is in harmony with the applicable Functional Master Plans, approval of the subject application will be in harmony with the Ordinance's purpose of implementing those plans.

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[10] *Ibid.,* p. 48.
[11] *Ibid.,* pp. 48-49.

(3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;

No intensification of the existing funeral parlor use is proposed; this Application proposes only a small building addition to accommodate the installation of a crematory, a development which is too small in physical extent to require the approval of a preliminary plan of subdivision to confirm the adequacy of public facilities and services. Because of this *de minimis* impact, approval of the subject Application would not impair this purpose of promoting the conservation of a community which will be developed with adequate public facilities.

(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;

Approval of the subject application would recognize the needs of one of the County's businesses by providing for the expansion of an existing active use, and would promote the orderly development of the County by using an existing developed site, making the subject application in harmony with this Purpose of the Ordinance.

(5) To provide adequate light, air, and privacy;

The subject crematory addition would be in harmony with this Purpose because it is in conformance with the various regulations in the Zoning Ordinance to ensure the provision of adequate light, air and privacy, both for the occupants of the subject site and for its neighbors. These principles include the provision of sufficient distance between the proposed use and neighboring uses, conformance with height limitations in order to allow for access to light and air, and conformance with the provisions of the Landscape Manual which provide for buffering of incompatible uses.

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;

The subject crematory addition would be in harmony with this Purpose because it will be developed in accordance with the various principles that have been codified in the Zoning Ordinance to promote the beneficial relationships between land and buildings. These principles include conformance with the tables of permitted uses for the various zones as laid out in the Ordinance, and by the conformance of the existing funeral home through its past approvals with the provisions of the Landscape Manual which provide for buffering of its neighbors.

(7) To protect the County from fire, flood, panic, and other dangers;

The approval of the subject application would be in harmony with this Purpose of the prior zoning ordinance as it will be developed in conformance with regulations established in the body of the prior zoning ordinance, as well as other County Ordinances, which are intended to protect from fire, flood, panic and other dangers, namely: the floodplain regulations, stormwater management regulations, the fire prevention code, the building code, and the tables of permitted uses for the various zones.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

Because the subject use is commercial in nature, this Purpose is not directly applicable to this Application; it is to be noted however that the existing funeral home, even with its proposed expansion is and will continue to be buffered from adjoining residential areas by the perimeter landscaped bufferyards, and will thus not act unduly to diminish the existing suitable and healthy living environment it is a part of.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

Because the subject use will continue to provide employment opportunities to its workers, the approval of the instant application will be in harmony with this Purpose of the prior zoning ordinance.

(10) To prevent the overcrowding of land;

The approval of the subject crematory addition would be in harmony with this Purpose as it will conform to the provisions of the prior zoning ordinance which were codified to ensure the prevention of overcrowding, including setback requirements; lot coverage limits; and building height limits.

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

The subject crematory addition would be in harmony with this Purpose because of several factors.

First, the existing funeral home use will continue to operate in accordance with the regulations established in the body of the Zoning Ordinance (and other County ordinances) which are intended to lessen the danger and congestion of traffic on roads, such as the requirements for the provision of adequate off-street parking.

The second factor contributing to the proposed expansion's harmony with the Purpose of lessening the danger and congestion of traffic on the streets is the location of the proposed crematory addition on an existing developed site, minimizing new traffic on the transportation network, and potentially even reducing existing traffic from the funeral home use by allowing for cremation instead of inhumation, thereby removing the need for some of the long vehicular processions from the funeral home to the cemetery.

(12) To insure the social and economic stability of all parts of the County;

As a zoning ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, this planner believes that conformance with the requirements and regulations of the prior zoning ordinance will be prima facie evidence of the Application’s harmony with this purpose.

Beyond that, however, the approval of the subject crematory addition would promote the social stability of the County by providing a needed service to the surrounding community.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

Because the subject crematory addition would be located on a developed site without regulated environmental features, it will have no substantial impact to the natural features in the County. The use will not itself generate noise pollution, and the use will be in compliance with the County's Woodland Conservation policies by virtue of its lack of impact on existing woodlands and the concomitant exemption from the requirement for a Type II Tree Conservation Plan.

Informational materials provided by the Applicant to this planner indicate that the modern crematory equipment proposed will not generate significant air pollution, indeed substantially less than a household fireplace generates; in any case, the issuance of an air quality permit must be obtained from the Maryland Department of the Environment which demonstrates a minimal impact before the crematory can operate.

Finally, no steep slopes or scenic vistas will be affected. By conformance to these principles and regulations, the approval of this funeral home expansion would be in harmony with this Purpose of the prior ordinance.

The final two Purposes,

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and
(15) To protect and conserve the agricultural industry and natural resources.

are not directly applicable to the approval of this crematory addition, except that approval of this use in an existing, developed location will address a demand that might otherwise result in the development of currently undeveloped areas which contribute their natural resources to the scenic beauty of the County.

In addition to the purposes of the broader Ordinance, there are four Purposes for the prior R-R (Rural Residential) Zone specifically, which are laid out in Section 27-428(a)(1), as follows:

(1) The purposes of the R-R Zone are:
(A) To provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain;
(B) To facilitate the planning of one-family residential developments with moderately large lots and dwellings of various sizes and styles;

Because the proposed use is for a specialized commercial use that is provided for in the Table of Uses for the R-R Zone, these two purposes are not directly applicable to the instant Application, except to the extent that the proposed funeral home will meet the Additional Requirements of Section 27-357(a)(1)

through (4), which require various findings and provisions to insure compatibility with these two purposes of the prior R-R Zone.

(C) To encourage the preservation of trees and open spaces; and

The proposed crematory addition will be in conformance with this purpose of the R-R Zone by virtue of its lack of impact on existing woodlands and the concomitant exemption from the requirement for a Type II Tree Conservation Plan, and by its compliance with the requirements of Subtitle 25 for Tree Canopy Coverage.

(D) To prevent soil erosion and stream valley flooding.

Because of being located on a developed site and its *de minimis* land disturbance, approval of the proposed Special Exception will not have a consequential adverse impact of soil erosion and stream valley flooding, thus being in harmony with this Purpose of the R-R Zone.

Compliance With Section 27-317, continued:

The other criteria for approval of a Special Exception laid out in Section 27-317(a) of the prior zoning ordinance continue as follows:

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

Based upon an inspection of the proposed Special Exception Site Plan and Landscape Plan, and to the best of this planner's professional knowledge, information and belief, that, with the continued application of the prior grants of Alternative Compliance AC-90159 and AC-95015, and the prior grant of Departure from Design Standards DDS-397 for the location of the existing funeral home's loading space, that the proposed expanded use will be in conformance with all of the applicable requirements and regulations of the prior zoning ordinance.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

As discussed at length above, it is the Applicant's belief that the subject Application is in harmony with the Purposes of the prior zoning ordinance generally to implement the General Plan, Master Plans and Functional Master Plans, and to provide for the efficient and desirable use of land in accordance with those Plans. Accordingly, the approval of the subject application will not impair the integrity of either the approved Master Plan or any of the County's Functional Master Plans.

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

As this planner believes to have been amply demonstrated, the conformance of the subject application with the principles laid out in the purposes of the prior zoning ordinance, its compliance with the

provisions of the prior zoning ordinance, its compliance with the provisions of other State and County regulations for environmental protection, site construction and building construction represent a high level of protection against adverse effects to the public health, safety and welfare.

This planner's strong opinion is that the principal impact of the use on the surrounding neighborhood is associated with the existing funeral home use; impacts such as traffic, the relative intensity of the land use of its site (principally in terms of lot coverage), and the effect of that traffic, land use intensity, and the architectural character of a funeral home structure on the character of a neighborhood which could be associated with the establishment of a commercial use in a residential zone are much more significant than the additional impact of a crematory. It was necessarily found, however, under the previously-approved Special Exceptions SE-3267 and SE-3298 for the funeral home use, that the funeral home use would not adversely affect the health, safety or welfare of residents or workers in the area, and the conventional funeral home portion of the proposed use of the subject property will not be expanded.

The impacts of the proposed crematory addition will, in this planner's opinion, be only two: (1) some minor visual impact by virtue of the additional bulk of the building required to accommodate it; and (2) any impact associated with emissions from the crematory flue.

The visual impact of the crematory addition would be mitigated very substantially by its location to the side and rear of the existing structure, and by the design of the architecture of the building addition to match that of the existing funeral home structure. The information provided to this planner by the Applicant indicates that the emissions from the crematory flue would be minimal, and in any case less than those from a fireplace which are found in many of the existing adjacent dwellings located by right in the same Zone and the denser RSF-95 Zone.

No further or more detailed opinion is offered here about crematory flue emissions, however: This planner assumes that the determination made by the Maryland Department of the Environment in its review of the necessary Air Quality Permit will establish that no materially adverse impact to health, safety or welfare will exist.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

This planner believes that the presumption of validity that is imparted by the inclusion of this use type in the Table of Uses for the R-R Zone is by itself a strong degree of evidence that the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood, absent any particular or unusual matters specific to this proposal at the subject property. But this planner also believes that several factors reinforce this general principle:

The development of the adjacent properties – and indeed the general neighborhood – is not threatened by the proposed crematory as the neighborhood is already developed.

As stated immediately above, the principal impact of the site on the *use* of adjacent properties or the general neighborhood is associated with the existing funeral home use; impacts such as traffic, intensity of use of the subject property and the effect on the character of the neighborhood associated with a

commercial use in a residential zone are much more significant than the impact of the proposed crematory, and those impacts were previously not to be unduly detrimental for the existing funeral home use.

As also noted above, the addition of the crematory has the potential to reduce some of the inherent impact of the funeral home by allowing for the final disposition of the body of a deceased, without the impact on the surrounding neighborhood of a funeral procession. The potentially adverse impact of the crematory to the use of adjacent properties or the general neighborhood will be principally due to any impact associated with emissions from the crematory flue. And, as stated above, the information provided to this planner by the Applicant indicates that the emissions from the crematory flue are less than those from the fireplaces which are found in many of the existing surrounding dwellings, and subject to the requirement for the issuance of an Air Quality Permit by the Maryland Department of the Environment.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

Because no woodland exists on the subject property, the instant application is exempt from the requirement for approval of a Tree Conservation Plan, pursuant to Section 27-119(b)(5)(B) of the County's Woodland and Wildlife Conservation Ordinance, as recently amended by CB-046-2025.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

Because no regulated environmental features exist on the subject property, this Application meets this criterion for approval.

Finally, this planner notes that because the site is not located within the Chesapeake Bay Critical Area, the provisions of §27-317(b) are not applicable to the subject application.

In summary, this planner believes that the general findings discussed above which are required for approval of a Special Exception are met. There are, however, further Additional Requirements for approval of funeral parlor or undertaking establishment, which are laid out in section 27-357.

Compliance With Section 27-357:

Section 27-357 provides the Additional Requirements for approval of a Special Exception for a funeral parlor or undertaking establishment.

(a) A funeral parlor or undertaking establishment may be permitted subject to the following:
(1) The minimum side and rear yard setbacks shall be at least fifty (50) feet each, when adjoining land in any Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;

The subject property abuts land in a Residential Zone on all sides; the Special Exception Site Plan indicates that the existing building is set back more than fifty feet from all abutting land.

(2) If the subject property is located in a Residential Zone, it shall contain at least one and one-half (1 1/2) contiguous acres;

The subject property is in a Residential Zone; the Special Exception Site Plan indicates that the subject property contains 1.7440 contiguous acres.

(3) The use shall not depreciate the value of neighboring properties;

A finding was made previously in Special Exceptions SE-3267 and SE-3298 that the now-existing funeral home use would not depreciate the value of neighboring properties, and since the scope and character of the funeral home portion of the use and its associated site infrastructure is not proposed to be altered, this planner opines that this finding should continue unchanged for the funeral home portion of the use of the subject property.

(4) The use shall not adversely affect the character of neighboring properties; and

A finding was made previously in Special Exceptions SE-3267 and SE-3298 that the now-existing funeral home use would not adversely affect the character of neighboring properties, and since the physical character of the funeral home portion of the use and its associated site infrastructure is not proposed to be altered, this planner opines that this finding should also continue unchanged for the funeral home portion of the use of the subject property.

(5) The use shall not create undue traffic congestion.

A finding was made previously in Special Exceptions SE-3267 and SE-3298 that the now-existing funeral home use would not create undue traffic congestion. Since the scope of the funeral home portion of the use will not be expanded, and further because the addition of a crematory could potentially reduce existing traffic for the funeral home use by removing the need for some of the long vehicular processions from the funeral home to the cemetery, this planner opines that this finding should also continue for the funeral home portion of the use of the subject property.

In summary, this planner believes that all of the additional requirements which are required for approval of a Special Exception for a funeral parlor or undertaking establishment are met.

Compliance With Section 27-341:

Section 27-341 provides the single Additional Requirement for approval of a Special Exception for a cemetery or crematory.

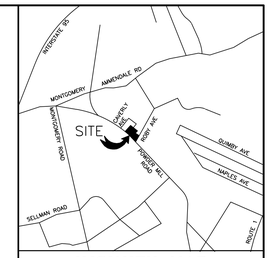
A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.

The Special Exception Site Plan indicates that the proposed crematory is not within any proposed street or other public right-of-way, and therefore the only additional requirement which is required for approval of a Special Exception for a cemetery or crematory is met.

CONCLUSION

In summary, this planner finds that, with the continued application of the prior grants of Alternative Compliance AC-90159 and AC-95015, and the prior grant of Departure from Design Standards DDS-397 for the location of the facility's loading space, the approval of the subject application would be in compliance with the general criteria for approval of a Special Exception found in §27-317(a) of the prior zoning ordinance, the Additional Requirements of §27-357 for approval of a funeral parlor or undertaking establishment and the single Additional Requirements of §27-341 for approval of a cemetery or crematory.

Additionally, it is this planner’s opinion that because of the long-established existence of this funeral parlor in the neighborhood, the lack of expansion or intensification of the existing funeral parlor use, and the compatible character of the architecture of the proposed crematory addition, that the approval of this particular application therefore would not entail a more adverse impact on the public health, safety and welfare than those inherently associated with funeral homes and crematories, irrespective of their location in the prior R-R Zone.



SE-4848

SPECIAL EXCEPTION SITE PLAN

FOR

PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

SPAULDING DISTRICT NO. 1

INDEX OF DRAWINGS		
SHEET NO.	SHEET NAME	DWG. NO.
C-COV	COVER SHEET	6.013-Z
C-APR	APPROVAL SHEET	6.014-Z
C-01	SITE PLAN/DETAIL SHEET	6.019-Z
L-01	LANDSCAPE PLAN	50.002-Z
A-01	ARCHITECTURAL ELEVATIONS	

SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42
BORGWARDT FUNERAL HOME
DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C-COV

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
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BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
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11702 ROBY AVE
BELTSVILLE, MD 20705-2751

STATE OF MARYLAND · KEVIN BARRY · 3801 · LANDSCAPE ARCHITECT

DATE	DESCRIPTION	BY
6/18/2025	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

SCALE: NOT TO SCALE
DATE: JANUARY 2024
DRWG. NO.

K:\C3D-PROJ\A67149-C3D\DWG\SPE-PAR42.dwg, 6/18/2025 9:40:36 AM, kgarvey

Conditions of Original Special Exception:

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 be APPROVED for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;

2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;

3. That a variance to Section 27-522(b) be obtained for that portion of the property with an existing six foot-high opaque fence.

4. That all lining up while forming a procession be limited to the parking area on site.

5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

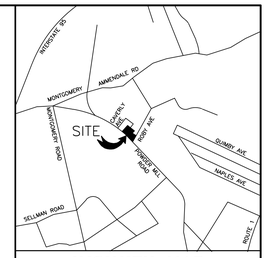
* * * * * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh



VICINITY MAP
SCALE: 1" = 2000'

WSSC 200' SHEET: 205 NE 05

SE-4848
SPECIAL EXCEPTION SITE PLAN
APPROVAL SHEET
PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

12

C-APR

OWNER / APPLICANT:
DONALD V. & KATHERINE L. BORGWARDT

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

STATE OF MARYLAND · KEVIN GARVEY · 3801 · LANDSCAPE ARCHITECT
6/18/2025

DATE	DESCRIPTION	BY
	REVISIONS	

ATWELL
866.850.4200 www.atwell-group.com
11721 WOODMORE RD, SUITE 200
MITCHELLVILLE, MD 20721
301.430.2000

DRAWN BY	DESIGNED BY	CHECKED BY	PROJECT NO.
KB	GS	MN	J#-A67149

SCALE: NOT TO SCALE
DATE: JANUARY 2024
DRWG NO.

K:\C3D-PROJ\A67149-C3D\DWG\SPE-PAR42.dwg, 6/18/2025 9:40:42 AM, kgarvey

GENERAL NOTES

1. This Special Exception Site Plan is for the addition of a crematory to an existing funeral home.
2. The subject property is currently zoned R-R and the prior zoning was RR. Surrounding properties are zoned RR, RSF-95 and RMF-20 as shown hereon.
3. Per section 27-1903(d) the applicant elects to have this application reviewed under the RR Zoning Ordinance prior to April 1, 2022.
4. The use of this property is for a funeral home and crematory.
5. Total site area included in this Special Exception Site Plan is 75,967 SF (1.7440 Ac.)
6. Total Disturbed Area = 2,864 SF (0.066 Ac.)
   Area to be left undisturbed = 73,103 SF (1.678 Ac.)
7. Existing Building SF = 8,101 SF
   Proposed Crematory Addition SF: 1,664 SF
8. Parking
   A. Required: 52 spaces

Use	Rate	Requirement
Crematory/Funeral (Existing)	1 space per 4 legal occupancy	50.0 spaces
Crematory/Funeral (Proposed)	1 space per 4 legal occupancy	1.5 spaces
	Total:	51.5 spaces* (52 spaces)

   * Of which at least 34 (2/3 of requirement) must be non-compact.

   B. Provided: 74 spaces as follows:

   57 Existing Standard Spaces @ 9.5' x 19' min.
   2 Existing Standard Parallel Spaces @ 8' x 22' min.
   13 Existing Compact Spaces @ 8' x 16.5' min.
   2 Existing Standard Handicap Spaces @ 8' x 19' with 5' access aisle.
9. Loading
   A. Required: 2 spaces

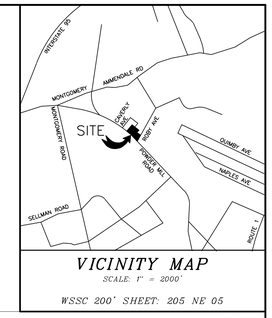
Use	Rate	Requirement
Crematory/Funeral	3000 SF to 5000 SF	1 space
	each additional 10,000 SF	+1 space
	Total:	2 spaces

   B. Provided: 2 spaces; 2 at 12' x 33'
10. Gross Floor Area:
    Existing Funeral Home: 8,101 SF
    Proposed Crematory: 1,664 SF
    Total GFA: 9,765 SF
11. The subject property appears on Washington Suburban Sanitary Commission Sheet 215NE05.
12. The subject property appears on Tax Map 12, Grid F3.
13. The subject property is not located within any Aviation Policy Areas.
14. The subject property has an existing Sewer Category of 3 and a proposed Water Category of 3.
15. For approved Stormwater Management Concept Plan (41723-2024 approved on 02-07-2025) see Atwell LLC Dwg. No. 8.005-Z.
16. For Tree Conservation Plan Type 2, see Woodland Conservation Letter of Exemption WCO-Ex (S-075-2024).
17. There is no evidence of a cemetery on or contiguous to the subject property.
18. There are no historic structures on or near the subject property.
19. There are no wetlands or Waters of the United States on the subject property.
20. There is no100 year floodplain on the subject property.
21. The subject property is not located within the Chesapeake Bay Critical Area.
22. Boundary and topography information shown hereon was prepared by Atwell, LLC.
23. Applicant: Donald V. Borgwardt
    4400 Powder Mille Road
    Beltsville, MD 20705-2751
24. Lot Coverage: Allowed = 45,580 SF (60% of Net Lot Area)
    Provided = 44,449 SF (58% of Net Lot Area)
25. All on-site concrete curb and gutter to be Prince George's County Std. No. 300.01 unless otherwise modified.
26. All parking spaces shall be defined by 4" wide white painted striping.
27. Radii on islands and curb work to be 5 feet unless otherwise shown.
28. Minimum grade on areas not paved: 2.5% unless otherwise noted. 2% in swales.
    Maximum grade: 3:1
    Contour interval: 2 feet
    Vertical datum is based on NGVD 1929 Datum.
    Horizontal datum is based on Maryland State Plane NAD 83/11.
29. Existing Utilities:
    A. Notify "Miss Utility" at 1-800-257-7777 at least 48 hours prior to beginning any excavation or construction for them to mark the location of existing utilities.
    B. Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the mains by digging test pits by hand at utility crossings well in advance of trenching. If clearances of the lines are less than shown on this plan or less than twelve inches, contact the engineer and other involved utility companies before proceeding with construction.
    C. Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Ben Dyer Associates, Inc. (BDAI) shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
    D. Due to the proximity of live underground and overhead utilities, bdai is not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.
29. All grading work shall be in accordance with Division 2 of the Prince George's County Building Code (Subtitle 32, latest edition).

    All proposed load-bearing fills for the support of buildings, walls and other structures shall be Class I. All fills for the support of roadways, pavements, rigid utility lines and house connections shall be Class II. All landscaped areas, lawns and plantings, or other nonload bearing uses shall be Class III. Each layer of Class I and Class II fills shall be compacted at optimum moisture content and to a minimum of 95% and 90% respectively of maximum density as determined in the laboratory by the Standard Proctor Test. (AASHTO T-99, ASTM D-698). In-place density tests shall be provided by a licensed Geotechnical Engineer.

    The site geotechnical analysis and report prepared by a Maryland licensed Geotechnical Engineer shall be consulted and used to provide details for pavement sections, lift thickness, compaction, drainage, and any other site specific recommendations and requirements. Those recommendations and requirements shall take precedence over any conflicting information between the plans and report.
30. Upon completion of work, site grading, drainage, property corner and landscape observations and certifications must be performed by a licensed professional engineer, landscape architect and/or surveyor, confirming that all work has been completed in accordance with the permit, approved plans, and codes. These certifications are required to finalize the permit and release bonds.
31. All grades, elevations, earth quantities, etc., are to be verified by the contractor. Any earth quantities shown or implied are measured to final grade and are approximate. No allowance has been made for unsuitable material encountered during construction. Suitability of soil for use in fill areas or stability of cut areas, compaction, etc., should be determined by a soils engineer.
32. The contractor will be responsible for any damage to the existing structures and underground utilities.
33. The contractor will have sole responsibility for the construction means, methods, and techniques of executing his work, including safety.
34. No handicap parking space shall have a slope greater than 2.0% in any direction. No handicap ramp shall have a longitudinal slope greater than 8.3% or a cross slope greater than 2.0%.
35. Unless otherwise shown, all sidewalks shall have a cross slope no greater than 2%.
36. Dimensions shown in the parking and drive areas are to face of curb, where applicable.
37. All exterior light poles are to be set back at least 2.0' from the face of curb when located on vehicular surfaces or head in parking spaces unless otherwise shown.
38. Arrows shown in drive aisles indicate general direction of travel and are not intended to convey a requirement that arrows be painted on the pavement.





VICINITY MAP

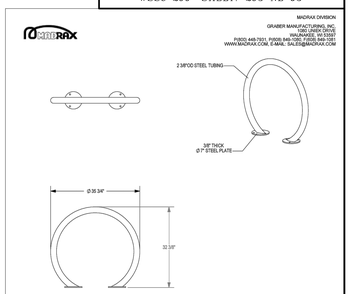
SCALE: 1" = 2000'

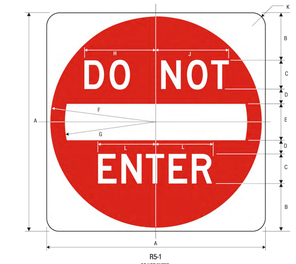
WSSC 200' SHEET: 205 NE 05

LEGEND

78	EXISTING CONTOUR
78	PROPOSED CONTOUR
×108.3 108.3	EXISTING SPOT ELEVATION
×110.3 110.3	PROPOSED SPOT ELEVATION
LOD	LIMIT OF DISTURBANCE
	PROPOSED FLOW ARROW
	PROPOSED CLASS 1 FILL
	PROPOSED CONCRETE PAVING
	PROPOSED HEAVY DUTY CONCRETE PAVING
	PROPOSED HEAVY DUTY ASPHALT PAVING
	PROPOSED DOOR LOCATIONS
FH	PROPOSED FIRE HYDRANT
S	EXISTING SEWER
S	PROPOSED SEWER
W	EXISTING WATER
W	PROPOSED WATER
D	EXISTING STORM DRAIN
D	PROPOSED STORM DRAIN
	EXISTING TREE LINE
	PROPOSED TREE LINE
(H)	STANDARD PARKING SPACES
(H)	COMPACT PARKING SPACES
(H) (H)	HANDICAPPED PARKING SPACES
	EXISTING CURB & GUTTER
	PROPOSED CURB & GUTTER
X X	PROPOSED CHAIN LINK FENCE
// //	PROPOSED WOOD SCREEN FENCE

THE CONTRACTOR SHALL NOTIFY MISS UTILITY 1-800-257-7777, FORTY-EIGHT (48) HOURS BEFORE STARTING WORK SHOWN ON THESE DRAWINGS.





	A	B	C	D	E	F	G	H	J	K	L
C	30	6.5	4.0	2	5	14.5	12.5	9.75	10	1.875	7.875
	36	7.5	5.0	2.5	6	17.5	15	12	12.375	2.25	9.813
	48	11	8.0	3	8	23.5	20	14.5	15	3	11.75

COLORS: SYMBOL — RED (RETROREFLECTIVE)
LEGEND & BACKGROUND — WHITE (RETROREFLECTIVE)
SHA REFERENCES
MANUTCD SECTION - 2B.10, 2B.34, 2B.35, 5B.04, 10C.12, 2E.50

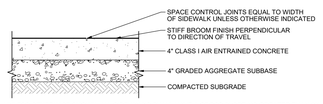


*Series 2000 Standard Alphabets.
SHA ** FOR ARROW AND SIGN DIMENSIONS REFER TO STANDARD ARROW DETAILS IN APPENDIX AND MUTCD SECTION FROM PRIVATE STANDARD HIGHWAY SIGNS READY APPENDIX SECTION.

	A	B	C	D	E	F	G	H	J	K	L	M
C	12	16	.375	.375	2	3.0	1.5	3	3.5	3.727	3.664	3.717
	18	24	.375	.625	2.5	5.0	2.5	4.5	5.5	6.244	6.104	6.044
	24	30	.375	.625	3	6.0	1.875	6.063	7.063	7.685	7.295	7.305
	36	48	.625	.875	4.75	10.0	3.25	9.5	10.5	12.369	12.069	12
	48	60	.75	1.25	6	12.0	4	12	14	15	14.571	14.811

	N	P	Q	R	S
C	3.943	3.75	4	1.5	1.5
	6.805	6	6.805	2.25	1.5
	8.096	8.286	8.936	3	1.5
	13.530	13.250	14.290	5	2.25
	16.050	16.572	17.853	6	3

COLORS: LEGEND — BLACK
BACKGROUND — WHITE (RETROREFLECTIVE)
SHA REFERENCES
MANUTCD SECTION - 2B.34, 2B.37, 5B.04

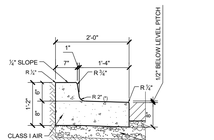


UNLESS OTHERWISE SHOWN, ALL SIDEWALKS SHALL HAVE A CROSS SLOPE NO GREATER THAN 2%

CONCRETE SIDEWALK PAVING SECTION
PG CO. STD NO. 300.05 NTS

PAVING SECTIONS

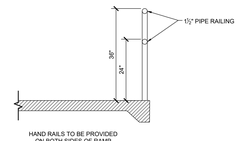
NOTE: PAVING SECTIONS SUBJECT TO REVIEW AND/OR REVISION BY GEOTECHNICAL ENGINEER; CONTRACTOR TO CONFIRM PAVEMENT SECTIONS WITH GEOTECHNICAL ENGINEER PRIOR TO CONSTRUCTION



NOTE: THE SLOPE (") OF A SPILL CONCRETE CURB AND GUTTER PAN SHALL BE EQUAL TO THE CROSS SLOPE OF ROADWAY PAVING

SPILL CONCRETE CURB AND GUTTER
PG CO. STD. NO. 300.01 NTS

NOTE: EXPANSION JOINT TO BE SPACED TO MATCH PAVEMENT SLAB JOINTS AND EXPANSION JOINTS AT 100' INTERVALS AT BEGINNING AND END OF SHORT RADIUS (LESS THAN 100') CURVES, AT STRUCTURES AND AT MID POINT OF CURB RETURN, USING ½" PREFORMED EXPANSION JOINT FILLER, NON EXTRUDING.



OUTDOOR RAMP AND HANDRAILS
NTS

SUBTITLE 32, DIVISION 2 CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF SUBTITLE 32, DIVISION 2 OF THE PRINCE GEORGE'S COUNTY CODE AND THAT I HAVE INSPECTED THIS SITE AND THAT DRAINAGE ONTO THIS SITE FROM UPHILL PROPERTIES, AND FROM THIS SITE ONTO OTHER DOWNGRADE PROPERTIES, HAS BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES.

6/18/2025

OWNER / APPLICANT
DONALD V. BORGWARDT

MAILING ADDRESS
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

PREMISE ADDRESS
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2751

11702 ROBY AVE
BELTSVILLE, MD 20705-2751

SE-4848

SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42

BORGWARDT FUNERAL HOME

DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

GRAPHIC SCALE 1"=30'
0

MARYLAND DEPARTMENT OF THE ENVIRONMENT

AIR AND RADIATION ADMINISTRATION
APPLICATION FOR A PERMIT TO CONSTRUCT

FINAL SUPPLEMENT TO
DOCKET #05-23

COMPANY: Evans Funeral Chapel & Cremation Services - White Marsh, P.A.

LOCATION: 11543 Philadelphia Road
White Marsh, Maryland 21162

APPLICATION: Installation of one (1) human crematory.

ITEM	DESCRIPTION
1	Notice of Final Determination
2	Final Determination and Responses to Comments
3	Copy of Public Hearing Transcript and Public Comments
4	Final Permit to Construct and Conditions

DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
NOTICE OF FINAL DETERMINATION REGARDING A PERMIT TO CONSTRUCT
TO INSTALL ONE (1) HUMAN CREMATORY

SUBMITTED BY EVANS FUNERAL CHAPEL & CREMATION SERVICES – WHITE MARSH, P.A.
TO BE LOCATED IN WHITE MARSH, MARYLAND

FIRST NOTICE

The Department of the Environment, Air and Radiation Administration (ARA), has made a final determination to issue a Permit to Construct to Evans Funeral Chapel & Cremation Services - White Marsh, P.A. The proposed project will be located at 11543 Philadelphia Road, White Marsh, Maryland 21162 in Baltimore County. Copies of the application, the final determination, the permit conditions and emissions limitations, the Department's responses to public comments, and other supporting documents are available for public inspection on the Department's website. Look for Docket #05-23 at the following link:

https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx

ARA is issuing the permit, including the conditions and emissions limitations presented in the docket, with an effective date of July 8, 2025.

In accordance with HB 1200/Ch. 588 of 2022, an environmental justice (EJ) Score was determined for the census tract in which the project is located. The EJ Score, expressed as a statewide percentile, was shown to be 41. This score represents a combined measure of pollution and the potential vulnerability of a population to the effects of pollution. The Department's review of the indicators contributing to that EJ score is included in the docket that is available for public inspection.

Pursuant to Section 1-601 of the Environment Article, Annotated Code of Maryland, a final determination by the Department is subject to judicial review at the request of any person that: (1) Meets the threshold standing requirements under federal law; and (2)(i) Is the applicant; or (ii) Participated in a public participation process through the submission of written or oral comments.

Any petition for judicial review must be filed pursuant to Section 1-605 of the Environment Article, Annotated Code of Maryland. The petition shall be filed by August 13, 2025 in the circuit court for the county where the application for the permit states that the proposed activity will occur and otherwise conform to the requirements of Title 1, Subtitle 6 of the Environment Article, Annotated Code of Maryland.

Further information may be obtained by calling Ms. Shannon Heafey at 410-537-4433.

Christopher R. Hoagland, Director
Air and Radiation Administration

MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION

FINAL DETERMINATION CONCERNING A PERMIT-TO-CONSTRUCT APPLICATION SUBMITTED BY EVANS FUNERAL CHAPEL & CREMATION SERVICES – WHITE MARSH, P.A. FOR THE INSTALLTION OF ONE (1) HUMAN CREMATORY

I. INTRODUCTION

The Maryland Department of the Environment (the "Department") received an application from Evans Funeral Chapel & Cremation Services - White Marsh, P.A. on February 21, 2023, for the installation of one (1) human crematory. The proposed installation will be located at Evans Funeral Chapel & Cremation Services - White Marsh, P.A., 11543 Philadelphia Road, White Marsh, Maryland 21162.

On May 24, 2023, an informational meeting was held at the White Marsh Volunteer Fire Company to provide interested parties opportunities to discuss with the Company and the Department the permit application and the proposed installation.

After reviewing the application and other pertinent information, the Department made a tentative determination to issue a permit-to-construct that would authorize construction of the installation as proposed in the Company's applications. A Notice of the Tentative Determination, Public Hearing, and Opportunity to Submit Written Comments was published in the Baltimore Sun on October 22, 2024 and again on October 29, 2024.

On November 12, 2024, a public hearing was held at New Life Baptist Church to provide interested parties an opportunity to comment on the Department's tentative determination and draft permit conditions, and/or to present other pertinent concerns about the proposed installation.

II. COMMENTS RECEIVED AND THE DEPARTMENT'S RESPONSE

The public comment period expired on February 10, 2025, following a public request for an extension to the initial 30-day comment period. The comments received at the public hearing, and those submitted in writing during the public comment period, expressed concerns about the impact of the proposed new installation on the surrounding community. The Department's responses to the comments are attached.

III. DEPARTMENT'S FINAL DETERMINATION

The Department has reviewed the application and the comments received and has determined that the proposed installation would not cause violations of any applicable air pollution control regulations. The Department has made a final determination to issue the permit-to-construct. A copy of the final permit to construct conditions is included in the public docket.

MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINSTRATION
RESPONSE TO COMMENTS
FOR
EVANS FUNERAL CHAPEL AND
CREMATION SERVICES – WHITE MARSH, P.A.
11543 PHILADELPHIA ROAD
WHITE MARSH, MARYLAND 21162

Hearing Date: November 12, 2024
New Life Baptist Church
5501 Lloyd Avenue
White Marsh, Maryland 21162

Purpose of the Hearing:
The purpose of the public hearing was to receive comment on the Maryland Department of the Environment's Tentative Determination for an Air Quality Permit to Construct for the installation of one (1) Matthews ES PPII Plus, 175 pounds per hour, human crematory to be located at 11543 Philadelphia Rd, White Marsh, MD 21162.

Attendance:
Approximately 60 members of the general public attended the hearing. The hearing was also attended by Baltimore County Councilman David Marks. Ms. Shannon Heafey of the Air and Radiation Administration (ARA) of the Maryland Department of the Environment (the Department) presided as Hearing Officer. Mr. Matt Hafner presented ARA's hearing statement. Evans Funeral Chapel and Cremation Services – White Marsh, P.A. was represented by Mr. Charles Evans. Ms. Karen Willoughby from For the Record, Inc. served as the hearing's court reporter.

Comment Period:
The comment period was open from October 22, 2024 through February 10, 2025, following a request for a one-time 60-day extension to the initial 30-day comment period and an additional extension granted by the Department. Comments were received from the public both at the hearing and in writing during the comment period. The public hearing transcript and written comments received are enclosed with this document.

Index:

1. Applicable Air Quality Emissions Standard for Crematories
2. Emissions Factors to Estimate Emissions from Crematories
3. Continuous Monitoring and Emissions Controls
4. Environmental Justice (EJ) Issues and Cumulative Impact

5. Health Impacts
6. Crematory Operations
7. Inspections and Enforcement
8. Evans Funeral Chapel in Harford County
9. Odor Concerns
10. Greenhouse Gas Emissions
11. Other Crematories Operating in Baltimore County
12. Alternative Methods for Cremation
13. Proposed Location of the Crematory
14. Property Values
15. Traffic Concerns

Comments and Responses:

1. Applicable Air Quality Emissions Standards for Crematories

"Are there any federal regulations about emissions from a crematorium?"

"There are no EPA regulations for Maryland or Baltimore County inspectors to use to assess the health risks of these emissions."

MDE Response:
The Environmental Protection Agency (EPA) regulates air pollution, in part, through the creation of National Ambient Air Quality Standards (NAAQS) that apply to all sources of air pollution, including crematories. The standards were established to protect public health and against non-health effects such as damage to property and vegetation. EPA has established NAAQS for six main pollutants, called criteria pollutants, which include carbon monoxide, lead, nitrogen dioxide, sulfur dioxide, ozone and particle pollution (as PM-10 and PM-2.5). Additionally, the Department has developed state standards for particulate matter emissions specific to crematories. See COMAR 26.11.08.05. One of the main responsibilities of the Department's Air and Radiation Administration is to ensure that Maryland complies with the federally-established NAAQS and state-established standards for these criteria pollutants.

In addition to regulating NAAQS, the Department has established ambient air impact requirements for toxic air pollutants that apply to all sources required to obtain an Air Quality Permit to Construct. More information about Maryland's Toxic Air Pollutant regulations can be found in the Department's Notice of Tentative Determination published on October 22, 2024 and in COMAR 26.11.15.

The following tables from the Tentative Determination show the estimated maximum potential impacts of emissions from the proposed crematory. As demonstrated by the tables, for all NAAQS and Toxic Air Pollutants, the estimated off-site impacts from the proposed crematory are below the regulatory thresholds.

PROJECTED IMPACT OF EMISSIONS OF CRITERIA POLLUTANTS FROM THE PROPOSED INSTALLATION ON AMBIENT AIR QUALITY

POLLUTANTS	MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS CAUSED BY EMISSIONS FROM PROPOSED PROCESS ($\mu g/m^3$)	BACKGROUND AMBIENT AIR CONCENTRATIONS ($\mu g/m^3$)*	NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) ($\mu g/m^3$)
Nitrogen Dioxide (NO_2)	1-hour max → 11.0 annual avg → 0.9	1-hour max → 92 annual avg → 26	1-hour max → 188 annual avg →100
Carbon Monoxide (CO)	1-hour max → 9.1 8-hour max→ 6.4	1-hour max.→ 1,260 8-hour max.→ 2,980	1-hour max.→ 40,000 8-hour max.→ 10,000
Sulfur Dioxide (SO_2)	1-hour max → 3.2 24-hour max → 1.3	1-hour max → 30 24-hour max → 5	1-hour max → 196 24-hour max → 366
Particulate Matter (PM_{10}) **	24-hour max → 1.9	24-hour max.→ 101	24-hour max.→ 150

*Background concentrations were obtained from Maryland air monitoring stations as follows:
NO_2 → Monitoring Station in Lochearn, Baltimore County
PM_{10} → Monitoring Station in Old Town, Baltimore City
CO and SO_2 → Monitoring Station in Essex, Baltimore County

**The impact of the emissions of particulate matter ($PM_{2.5}$) from the project is considered as a subset of the impact of the emissions of particulate matter (PM_{10}) and not expected to significantly affect compliance with NAAQS for $PM_{2.5}$.

PREDICTED MAXIMUM OFF-SITE AMBIENT CONCENTRATIONS FOR TOXIC AIR POLLUTANTS EMITTED FROM THE FACILITY

Toxic Air Pollutant	PROJECTED WORST-CASE FACILITY-WIDE EMISSIONS (lbs/hr)	SCREENING LEVELS ($\mu g/m^3$)	PREDICTED MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS ($\mu g/m^3$)
Acenaphthene (CAS No. 83329)	0.0000001	20.3 (8-hr)	0.000002 (8-hr)
Acenaphthylene (CAS No. 208968)	0.0000008	24.6 (8-hr)	0.000009 (8-hr)
Acetaldehyde (CAS No. 75070)	0.00016	450 (1-hr) 2300 (8-hr) 5 (annual)	0.013 (1-hr) 0.0019 (8-hr) 0.0002 (annual)
Anthracene (CAS No. 120127)	0.0000004	20 (8-hr)	0.000004 (8-hr)
Antimony (CAS No. 7440360)	0.000035	5 (8-hr)	0.0004 (8-hr)
Arsenic (CAS No. 7440382)	0.00007	0.1 (8-hr) 0.002 (annual)	0.0056 (8-hr) 0.00084 (annual)
Barium (CAS No. 7440393)	0.00003	5 (8-hr)	0.0004 (8-hr)
Benzo (g,h,i) perylene (CAS No. 191242)	0.00000005	20 (8-hr)	0.0000006 (8-hr)

Toxic Air Pollutant	PROJECTED WORST-CASE FACILITY-WIDE EMISSIONS (lbs/hr)	SCREENING LEVELS (µg/m^3)	PREDICTED MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS (µg/m^3)
Beryllium (CAS No. 7440417)	0.000003	0.0005 (8-hr) 0.004 (annual)	0.00004 (8-hr) 0.000004 (annual)
Cadmium (CAS No. 7440439)	0.00026	0.02 (8-hr) 0.006 (annual)	0.003 (8-hr) 0.0003 (annual)
Chromium (CAS No. 7440473)	0.000035	5 (8-hr)	0.0004 (8-hr)
Chromium VI (CAS No. 18540299)	0.000016	0.01 (8-hr) 0.0008 (annual)	0.0002 (8-hr) 0.00002 (annual)
Cobalt (CAS No. 7440484)	0.000016	0.2 (8-hr)	0.0002 (8-hr)
Copper (CAS No. 7440508)	0.000034	2 (8-hr)	0.0004 (8-hr)
Fluoranthene (CAS No. 206440)	0.00000024	82 (8-hr)	0.000003 (8-hr)
Fluorene (CAS No. 86737)	0.0000005	20 (8-hr)	0.000006 (8-hr)
Formaldehyde (CAS No. 50000)	0.00004	20.3 (8-hr) 0.8 (annual)	0.0005 (8-hr) 0.00005 (annual)
Hydrogen Chloride (CAS No. 7647010)	0.35	29.8 (1-hr) 165 (8-hr)	27.4 (1-hr) 4.11 (8-hr)
Hydrogen Fluoride (CAS No. 7664393)	0.0013	16.4 (1-hr) 4.1 (8-hr)	0.1 (1-hr) 0.016 (8-hr)
Lead (CAS No. 7439921)	0.0018	0.5 (8-hr)	0.02 (8-hr)
Mercury (CAS No. 7439976)	0.0062	0.1 (8-hr)	0.072 (8-hr)
Molybdenum (CAS No. 7439987)	0.00002	5 (8-hr)	0.00023 (8-hr)
Naphthalene (CAS No. 91203)	0.00008	786 (1-hr) 524 (8-hr)	0.0062 (1-hr) 0.0009 (8-hr)
Nickel (CAS No. 7440020)	0.000045	1 (8-hr)	0.0005 (8-hr)
Phenanthrene (CAS No. 85018)	0.000003	9.8 (8-hr)	0.00003 (8-hr)
Pyrene (CAS No. 129000)	0.0000002	20 (8-hr)	0.000002 (8-hr)
Selenium (CAS No. 7782492)	0.00005	2 (8-hr)	0.0006 (8-hr)
Silver (CAS No. 7440224)	0.0000085	0.1 (8-hr)	0.0001 (8-hr)
Thallium (CAS No. 7440280)	0.0001	0.2 (8-hr)	0.0012 (8-hr)
Vanadium (CAS No. 7440622)	0.000068	0.5 (8-hr)	0.0008 (8-hr)
Zinc (CAS No. 7440666)	0.000475	1000 (1-hr) 500 (8-hr)	0.037 (1-hr) 0.0055 (8-hr)
Total Dioxins and Furans (CAS No. 174016)	0.0000000016	0.0008 (8-hr)	0.00000002 (8-hr)

The values represent maximum facility-wide emissions of toxic air pollutants during any 1-hour period of facility operation.

The values are based on worst-case emissions from the proposed facility and were predicted by EPA's SCREEN3 model, which provides conservative estimations concerning the impact of pollutants on ambient air quality.

2. Emissions Factors to Estimate Emissions from Crematories

"MDE has not tested any crematories in Maryland at all."

"The [emission] measurements are theoretical because they haven't been built yet."

"Crematories emit toxic pollutants that damage the environment and the people who live near them."

"Please provide data from other crematoria of similar design so that we can find out what is actually released from an operating crematorium. Also please provide real data from functioning crematoria of how the chemicals that are released change over time in terms of the types of chemicals and their amounts to help determine how exhaust from crematoria change over time as they age."

"This has the potential to leak major toxins into the air."

"Main concern to me the toxins, particularly mercury that would stem from bodies being cremated."

MDE Response:
A permit to construct is required before construction or modification of a crematory. COMAR 26.11.02.02. When evaluating whether to issue a Permit to Construct, the Determine uses available data to determine whether a proposed source will violate state and federal air pollutant standards. Proposed projects are evaluated based on their maximum capacity to emit air pollutants under its physical and operation design, also known as their "potential to emit."

The Department uses emissions factors to estimate emissions from air pollution sources. Emissions factors are established using data developed from the average or the worst-case emission levels measured at an operating facility. The use of emissions factors is a widely accepted practice to establish a reference point for the expected quantity of emissions from a proposed source of air pollution and to use those estimates to determine whether the source will comply with applicable air quality standards.

In 1999, EPA conducted extensive stack emissions testing of a crematory unit for the purpose of developing emissions factors for human crematories. Since then, these emissions factors have been used throughout the United States as the basis for estimating emissions from human crematories.

To ensure that the EPA crematory emission factors were still the most conservative estimates, upon request of several member states including Maryland, the Mid-Atlantic Regional Air Management Association (MARAMA), an association of state and local air agencies, formed a crematory workgroup in October 2023 to assist member agencies. MARAMA member agencies include Maryland, Delaware, the District of Columbia, New Jersey, North Carolina, Pennsylvania, Virginia, West Virginia, and Philadelphia and Allegheny County, Pennsylvania. The workgroup meets monthly and is in the process of developing a best practices document for the permitting and enforcement of human and animal crematories based on the input received from member agencies and other states, such as California and Massachusetts, who also participate in the workgroup.

The Department's strategy for estimating emissions from the proposed human crematory was to use the worst-case known data currently available for all pollutants, as this represents the maximum amount of a given pollutant that we would expect to be emitted.

After reviewing data from the workgroup, the Department has determined that the EPA emissions factors are still the most conservative estimates (higher emission factors expected to be more protective of public health) when compared to actual stack emissions test data conducted in recent years in other states for emissions of sulfur dioxide, volatile organic compounds, and carbon monoxide.

However, for emissions of particulate matter, the Department reviewed recent reported data in the EPA's 2020 National Emissions Inventory Technical Support Document for Cremation to establish a more conservative emissions factor than what was previously used based on the 1999 EPA emissions factors. This document was also used to establish more conservative emissions factors for the following toxic air pollutants: acenaphthylene, arsenic, benzo (g,h,i) perylene, cadmium, chromium (VI), cobalt, hydrogen chloride, and naphthalene.

For emissions of acetaldehyde, formaldehyde, and mercury, the Department found that the worst-case data from California's Bay Area Air Quality Management District's permit manual for cremation was more conservative than the 1999 EPA emissions factors and have therefore adopted these. Due to mercury's high level of toxicity, mercury has the most potential for impact to public health , and therefore the most stringent toxicity exposure level, of all the pollutants emitted from a human crematory. The California Bay Area emissions factor to estimate mercury emissions is 0.005 pounds per cremation, which is higher than what Maryland previously used based on EPA's emissions factor (0.003 pounds per cremation). Using the higher emissions factor results in a higher projected mercury emissions rate. For review purposes, using the higher emissions factor provides a more conservative picture of emissions, which is more protective of public health.

This emissions rate coupled with the stringent exposure level for mercury required by Maryland's toxic air pollutant regulations, limits Evans Funeral Chapel and Cremation Services – White Marsh, P.A. to no more than two cremations in an 8-hour period.

Since mercury has the most stringent exposure level, using mercury emissions to limit the operation of the crematory significantly reduces emissions of all other toxic air pollutants well below their established exposure levels.

3. Continuous Monitoring and Emissions Controls

"How often will monitoring occur? What tools or equipment will be used for monitoring"

"How quickly will monitoring results be available if immediate action is needed to protect the surrounding area?"

"If MDE monitors the output from Evans Funeral Home: How often will monitoring occur? What equipment will be used?"

"Until…the state or local government requires continual crematorium exhaust monitoring, putting a crematorium in a residential area can result in negative impacts to those who live, work, and congregate in the area."

"I read in a section of the permit: Control Devices Associated with this Equipment None"

"What measures will be taken to ensure the health and safety of residents living near the crematorium?"

"What are the specific health and safety protocols that the crematorium will follow to protect its workers and the community?"

"What steps will be taken to ensure the crematorium's emissions do not harm air quality in the surrounding area?"

"Must the crematorium suspend incineration if exhaust gases are not disbursing properly?

"Are there emergency response plans in place in case of an accident or malfunction?"

MDE Response:
A well-operated and maintained human crematory should not result in a violation of any applicable air quality standard. There are several measures in place in the permit to ensure that the crematory is properly operated and maintained to achieve

complete combustion and is equipped with appropriate emissions control and monitoring systems.

First, the permit requires that the crematory be equipped with a secondary combustion chamber capable of achieving a retention time of at least 1.0 second and an operating temperature of at least 1600 °F as recommended by the manufacturer. At a temperature of at least 1600 °F, gases from the primary cremation chamber achieve complete combustion, thereby reducing the potential for pollutants to be discharged to the atmosphere. Therefore, even though it is not labeled as such in the permit application, a secondary combustion chamber is an emissions control device. The permit not only requires a minimum temperature of at least 1600 °F, the permit requires that the temperature be continuously monitored and recorded, and a cremation cannot be initiated unless the secondary chamber temperature reaches that temperature. As a condition of the Permit to Construct, the Department will receive and review the temperate data to ensure that the secondary combustion chamber is operating as required.

Second, the permit requires that the crematory be equipped with an opacity sensor that is interlocked with a control system that continuously monitors the stack gases for visible emissions and adjusts cremation operations to prevent visible emissions from exiting the crematory stack. Although the control system is designed to make adjustments automatically to prevent visible emissions, such as adjusting the air flow or gas mixture to promote complete combustion, the crematory vendor can also make adjustments remotely or instruct the facility operator locally to make adjustments as needed.

Third, the permit requires the stack height of the crematory stack to be at least 37 feet above ground. At this height, based on the Department's evaluation of the impact of toxic air pollutants from the crematory, the exhaust gases from the stack will be properly dispersed to prevent downwash or heavy concentrations of pollutants at or near the facility and neighboring area.

Fourth, the permit requires initial opacity testing and actual or representative stack emissions testing for particulate matter and metal emissions. The use of stack emissions testing results from similar or identical units or processes is a widely accepted practice used by industry and federal and state environmental agencies to establish a frame of reference for the quantity, nature, and range of emissions from a certain source category, such as from human cremation.

Fifth, the permit restricts what can be processed in the human crematory, limiting cremations to only two in any 8-hour period.

Finally, the permit requires Evans Funeral Chapel and Cremation Services – White Marsh, P.A. to develop and maintain an Operations and Maintenance Plan that is approved by the Department. The plan would include provisions for the operator to ensure that the crematory is properly operated and maintained and if there are process upsets, what corrective actions would be required.

These measures are sufficiently stringent to ensure complete combustion and proper operation and maintenance. Additional emissions controls or monitors such as scrubbers or carbon monoxide monitors are not necessary to demonstrate compliance with applicable air quality standards.

4. Environmental Justice (EJ) Issues and Cumulative Impact

"We already live in an area with Eastern Landfill, the restoration center, and 95 increasing our air pollution."

"This part of town is already congested and polluted and adding a crematorium would just make things worse."

"The MDE Environmental Justice Screening Tool indicates that the census tract where the crematorium is to be located scored 80 on the Respiratory Hazard Index, 92.58 on the Particulate Matter Score, and 97.88 for the Ozone Score. Please explain how locating a crematorium inside of this tract is acceptable."

"The MDE Environmental Justice Screening Tool shows the Asthma Emergency Room Discharges for this census tract at 95.30% and Sensitive Population Score for this census tract at 57.77%. How will additional particulate matter from the crematorium affect these individuals?"

"Why would a crematorium be approved in a residential area scoring in the highest bracket where approximately four thousand residents live? Wouldn't it be more appropriate to permit construction in an area where there is either less burden or less residential property?"

"We are already located between 2 refuse facilities (Days Cove Road and Honeygo Reclamation) as well as between 2 major roads (Rt. 40 and Rt. 95). The addition of the crematory would yet be another pollutant that is added to the air that surrounds our neighborhood."

"The tract that the proposed crematorium is to be located has a very high burden for diseases that include asthma, myocardial infarction. We are over the 75th percentile in the state."

"What is the compounding impact that this community is faced with between a crematorium, a reclamation center, the dump?"

MDE Response:
The Department has evaluated the air quality impacts associated with the equipment presented in the application for a permit for the construction of an air pollution source at the location selected by the applicant. The Department has no authority to require an applicant to locate their project at an alternative location. MDE can only conduct a review of the pollutants emitted from the chosen facility at the chosen location and make a determination on whether they meet air quality

standards, do not adversely impact public health, and will not create a nuisance. If the determination is that there are no negative findings regarding these three areas of consideration, using the evaluation tools and methodologies available to the Department (see more below), a decision will be made to issue a permit.

In general, water use, stormwater and wastewater discharges, land use, solid waste generation, noise and other such operational issues are not considered within the context of the Department's evaluation but may be considered independently as part of reviews conducted for other state or local permits which may need to be secured.

As part of its evaluation of the application, the Department reviews technical information contained in both the application and the Department's files and in published reference materials. A determination is then made as to whether the estimated emissions from the equipment under review will or will not cause or create:

1. A violation of any of the National Ambient Air Quality Standards (for federal criteria pollutants) or regulatory requirements associated with those standards.

2. An adverse effect on public health (for toxic air pollutants).

3. A nuisance.

Cumulative impacts for criteria pollutants are taken into account indirectly in that the emissions from all existing sources are reflected in the pollutant concentrations measured by ambient air quality monitors located around the State. From a permit review standpoint, the monitored value for a criteria pollutant is considered to be a background level (more detail regarding this is provided in the next paragraph). If an existing source or a collection of existing sources has an adverse impact on air quality, it would be reflected in the monitoring data. Cumulative impacts associated with toxic air pollutants are indirectly considered in the setting of the standard: the regulatory standards established for toxic air pollutants were set conservatively (1/100th of the worker safety level) to, among other things, account for the presence of multiple sources.

For criteria pollutants, the Department reviews modeling information (or conducts its own modeling exercise) and determines the maximum ambient pollutant concentration the equipment is expected to generate. This maximum concentration is then added to the background (monitored) concentration to determine an overall estimated impact. If the overall impact is estimated to be below the federal ambient air quality standard, the determination is that the equipment will not adversely impact air quality.

For toxic air pollutants, the Department reviews modeling information to determine whether the maximum ground-level concentration is below conservative (more protective of public health) standards established by the Department. If the

modeling determines that the maximum concentration is below the standards, the Department's conclusion is that the equipment will not harm public health.

For Evans Funeral Chapel and Cremation Services – White Marsh, P.A., the conclusion reached by the Department is that the emissions from the proposed human crematory would not cause a violation of any ambient air quality standard and the maximum concentration of any toxic air pollutant would be below any threshold that the Department considers injurious to public health.

As required by Maryland law, the applicant provided an Environmental Justice (EJ) Score Report with their permit application submitted in February 2023. The EJ Score in the census tract where the facility will be located, expressed as a statewide percentile, was shown to be 41, which the Department verified. The Department has reviewed the air quality impacts from this proposed installation and has determined that the proposed installation will meet all applicable air quality standards.

5. Health Impacts

"American Lung Association's 25 Annual 'State of the Air' Report where Baltimore County and Harford County MD. Got an 'F' grade…"

"Are there any studies detailing the potential health risks associated with crematorium operations?"

"Have any studies been conducted to address long-term health effects of the crematorium's emissions?"

"Air pollution is linked to increased risk of autism in children"

"What studies can be cited that show the affect of a crematorium and its emissions on young, developing bodies and minds over a 10 year period?"

"How will the addition of carcinogens and toxins into the air affect [the community]?"

"It would create an unsafe environment for us and the surrounding communities."

"The MDE Environmental Justice Screening Tool shows the Asthma Emergency Room Discharges for this census tract at 95.30% and Sensitive Population Score for this census tract at 57.77%. How will additional particulate matter from the crematorium affect these individuals?"

"How is an increase in cancer risk of no more than 1 in 100,000 acceptable in the middle of a residential area?"

“My main concern is the air pollution from the crematorium would have a negative impact on their health by increasing their asthmatic attacks.”

“Crematories emit harmful air pollutants, including particulate matter, sulfur dioxide, nitrogen oxides and heavy metals. These pollutants can have severe effects on the surrounding environment and human health.”

“The emissions from crematoriums can have adverse effects on air quality, and the potential release of harmful pollutants, including mercury and particulate matter, could pose a health risk to nearby residents.”

“I request that the state of Maryland and/or Charles Evans pay for all residents and businesses that live within a 500-foot radius of the crematorium for a minimum of 10 years for mercury and other tests that are appropriate for toxins and chemical exposure directly connected to crematoriums.”

MDE Response:
The Department’s review process considers broad health impacts rather than health impacts based on specific health conditions. That is the situation for every permit application reviewed, from crematories to large industrial facilities to power plants. Part of our permit review process considers whether a facility will meet federal ambient air quality standards.

The EPA develops National Ambient Air Quality Standards (NAAQS) for six criteria pollutants to set standards that protect public health with an adequate margin for safety. These standards are developed by health experts, to ensure that the standards are sufficient to protect public health.

For federal non-criteria pollutants (188 hazardous air pollutants at the federal level) the EPA establishes technology standards that apply to various operations. These standards result in the installation of pollution control technologies that minimize the amount of pollution allowed. Although there are no federal technology standards for crematories, technology controls are addressed within the Maryland permitting arena and health impacts are addressed indirectly.

Maryland identifies thousands of toxic air pollutants. To regulate toxic air emissions, Maryland requires sources to comply with Toxic-based Best Available Control Technology (TBACT). For crematories, TBACT requires that crematories be equipped with a secondary chamber capable of achieving a minimum residence time and combustion zone temperature. Following the use of TBACT, a crematory must ensure that the after-control level of emissions of any toxic air pollutant will not endanger public health. This is done by comparing the modeled concentration of a particular toxic air pollutant at the worst-case ground level point beyond the property line to a concentration set by the American Conference of Governmental Industrial Hygienists for that same pollutant. That organization sets their concentration at a level to protect workers in an industrial setting to which those workers are exposed to the pollutant in question daily over an eight-hour period. Under the Maryland permitting system, the Department takes that concentration

and divides it by a factor of 100 so that it is more protective of public health. For all crematory toxic air pollutants, including mercury, the expected emissions from the proposed crematory will not exceed the short-term exposure limits established for each pollutant that are protective of public health.

For certain known carcinogenic pollutants, an additional annual concentration standard is set by the EPA based on cancer risk. The concentration standard is set at a level where if 100,000 people were exposed to the estimated concentration of that pollutant in the atmosphere for 70 consecutive years, one person would be expected to develop cancer. For all crematory-related toxic air pollutants, the expected emissions from the proposed crematory will not exceed the annual exposure limits established for each pollutant that are protective of public health.

6. Crematory Operations

"The funeral home will burn bodies with different implants and cause pollutions of heavy elements."

"How often [does Maryland Department of Health's State Board of Morticians and Funeral Directors] inspect the crematoriums?" What specifically are they looking for? What happens if they find a violation?"

"The people that run it, how are they certified and trained to run this unit?"

MDE Response:
The Maryland Department of Health (MDH) regulates cremations, crematories, and crematory operators under COMAR 10.29.18 and .19. Pursuant to COMAR 10.29.18.02, the Board of Morticians and Funeral Directors ("Board") inspects crematories at least biennially, in furtherance of an investigation, and upon the sale or change of ownership of the crematory. Many of the restrictions found in regulations for that agency overlap with Maryland Department of the Environment requirements and some of them do not. For example, MDH requires the removal of battery operated, implanted devices, any hazardous object, and all jewelry from human remains prior to cremation. COMAR 10.29.19A. In addition, cremation containers cannot be composed of metal or polyethylene material. MDE additionally prohibits the combustion of any halogenated plastics, including polyvinyl chloride (PVC) body bags or PVC pipes, and prohibits the combustion of any hazardous, hospital, medical, and infectious waste. Plastics containing perfluoroalkyl substances (PFAS) are considered halogenated plastics and are prohibited.

MDH regulations require all crematory operators to have completed an approved Board Certified operator course and have manufacturer training on the specific unit they will be operating.

It is important to note that the Maryland Department of Health's State Board of Morticians and Funeral Directors conduct their own inspections of crematory

facilities to determine compliance with MDH regulations. It is not under the purview of the Maryland Department of the Environment to enforce the requirements governed by a different State agency.

With regard to metals recycling of implants or other metal devices, non-battery operated medical implants or devices that are not explicitly required to be removed by MDH regulation may be in the human remains that are processed by the human crematory. During the cremation process, water, soft tissues, and the cremation container are burned. In addition to bone fragments, any metal implants and devices capable of withstanding the heat remain intact in the primary chamber and are not emitted as particles to the atmosphere.

7. Inspections and Enforcement

“Will there be a designated contact person for residents and business owners to address any concerns?”

“What systems will be in place in ensure ongoing compliance with emissions standards?”

“If harmful monitoring results are found…” what are the repercussions?”

“How will the crematorium ensure compliance with local, state, and federal environmental regulations?”

“What steps can residents take if they believe Evans Funeral Home is not following regulations?”

“Are there future community engagement plans to keep residents informed about the operations and potential issues?”

“If MDE monitors the output from Evans Funeral Home: How often will monitoring occur? What equipment will be used?”

“What agency will be monitoring this system? How often will it be checked?”

“How can [visible emissions] be monitored? If residents report emissions in excess of these limits, what steps will the State, County, and Department of the Environment take? Should residents film emissions if they are believed to be out of compliance? What will Evans be required to do if they are found in violation? How is opacity measured?”

“Will residents be notified when the [opacity observation] testing occurs and the results of the testing?”

“How will the independent third party be selected? Will the community have input into selecting or approving the independent third party?”

“All Air Quality Compliance Program staff are certified to conduct Method 9 observations and will conduct these observations when the facility is inspected. This does not sound like an independent third party.”

“How will [permit conditions] be monitored? What happens if they are found in violation? Will violations become public record? Who should residents contact if they are concerned with violations?”

“Who monitors the records the crematorium is required to keep? How often are they monitored? How are they verified? Is there a system of check and balances or all the local residents just supposed to trust the business owners? Are there any records, certifications, etc that a crematorium is required to keep posted? What is available as public record?”

“What happens if compliance is not demonstrated during the temporary operating period? What failures, if any, would cause the permit-to-operate not to be issued? Who will be responsible for reviewing the compliance? What specific information is needed to demonstrate compliance?”

“Is there a process of rescinding the permit if the Evans company does not abide by the exhaust limits or if they have a different violation?”

“Could you please provide MDE’s plan for continuous monitoring to ensure the safety of the community?”

“Please confirm that inspection dates will not be announced to Evans in advance of the actual inspection. Also please commit to us that you will provide all inspection related data so that the community can be assured that we are safe.”

“What is the mechanism by which you find out [about excess emissions]? If it’s broken, if it breaks, who’s going to tell us?”

“We need to have somebody from MDE there every day to make sure [the facility is in compliance].”

MDE Response:
Following the initial start-up of the human crematory, Evans Funeral Chapel and Cremation Services – White Marsh, P.A. is required to demonstrate initial compliance with all applicable air quality standards and apply for and obtain an air quality State Permit to Operate from the Department. To demonstrate initial compliance, the facility is required to use an independent third-party to conduct opacity tests, in accordance with EPA Method 9 testing requirements. Upon notification of final installation, post-construction inspections by the Air Quality Compliance Program will be conducted to ensure that the crematory was installed in accordance with the requirements of the air quality permit to construct. Air Quality Compliance Program staff are certified to conduct Method 9 opacity tests to verify on-going compliance following the initial third-party test. Following the

issuance of a State Permit to Operate, the Air Quality Compliance Program will conduct a full compliance inspection to ensure that a source is not operating in violation of air quality regulations or permit conditions. These inspections generally include visible emissions observations by certified MDE staff and an odor survey. Records and logbooks on source operations, including continuous temperature monitoring records, maintenance records, and actions taken as required by the permit, are also reviewed. In addition to full compliance inspections, unannounced inspections are conducted at irregular intervals.

The facility is also required to certify all air pollution emissions annually and pay an emissions-based annual fee to the Department. Should a violation of any provision of a permit or a direct regulatory requirement occur, the Department has adequate legal authority to compel a facility to take the necessary measures to address the violation and bring the operation back into compliance.

The Department does not routinely publish dates and results of stack tests at facilities, but this information may be obtained through the Public Information Act (PIA). Enacted in 1970, the PIA grants the public a broad right of access to public records while protecting legitimate governmental interests and the privacy rights of individual citizens. The PIA covers public agencies and officials in Maryland and include all branches of state government. More information can be found on the Department's website:

https://mde.maryland.gov/PROGRAMS/MARYLANDER/PUBLICINFOACT/Pages/index.aspx

If a community member believes the facility may be in violation of their permit, a call or email should be made to the Department's Air Pollution Complaint Line: (410) 537-3215 mdeair.othercompliance@maryland.gov

8. Evans Funeral Chapel in Harford County

"Would like to see [other Evans facilities] records that everything is managed to standards."

"What tests does the state do to monitor the smoke coming from the Evans location in Harford County? Are we as the public allowed to see them?"

MDE Response:
Evans Funeral Chapel in Harford County has operated at least one crematory since 1995. The location was permitted for a second crematory in 2009 and replaced the original unit in 2023. A review of ARA database records which include records from 2008 to present shows that there have been no air pollution complaints or air pollution violations related to this facility during that timeframe. The most recent full compliance inspection was conducted February 26, 2025, and found the facility to be fully in compliance with their Permit to Operate requirements.

9. Odor Concerns

"How will the crematorium address any potential odor issues that may arise?"

MDE Response:
A well-operated and maintained human crematory should not be a source of odors. The secondary combustion chamber is designed to fully combust all remaining gases, eliminating the emission odors. MDE reviewed its records for the last several years and found no record of an odor complaint associated with a crematory. The permit requires Evans Funeral Chapel and Cremation Services – White Marsh, P.A. to develop and maintain an Operations and Maintenance (O&M) Plan that must be reviewed and approved by the Department. The plan must include procedures that ensure proper operation and maintenance of the crematory. In the unlikely event this crematory causes odors, as noted earlier, the Department has adequate legal authority to compel compliance.

10. Greenhouse Gas Emissions

"One cremation is shown to emit an estimated 535 lbs of CO2 pollution, which is the equivalent of a 609 mile car journey, respectively. After further research, I've found that within the working hours of the crematorium, up to four cremations can be performed a day. That is 2140 lbs of CO2 being emitted in our air, just yards away from our homes."

MDE Response:
There are a few points to consider on the topic of greenhouse gas emissions from crematories:

- MDE has a plan to reduce statewide greenhouse gas emissions by 60% by 2031 by targeting the sectors that constitute the largest share of greenhouse gas emissions, which does not include individual businesses of this size. To put crematory emissions in perspective, the collective amount of CO2 emissions from crematories is exceedingly small when compared to the inventory of CO2 emissions statewide from all emission source categories. Crematory emissions for this facility, according to EPA emission factors for natural gas combustion, are estimated to be 386 tons of CO2 yearly. Statewide CO2 emissions are on a scale many orders of magnitude higher – over 80 million metric tons as of 2020.
- The plan to reduce statewide greenhouse gas emissions includes a variety of regulatory measures, incentive programs, and transportation related improvements to reduce emissions across several broad sectors, none of which target crematories.

    - Many of these measures, especially those that apply to businesses, will take the form of new regulations that drive emission reductions for an entire

sector through, for example, the use of alternative fuels, clean power, zero-emission heating equipment, and the implementation of new greenhouse gas reduction standards for large buildings.

- Other reductions will accrue through implementation of new requirements applicable to the purchase of electric vehicles, both cars and trucks, and through the offering of incentives to increase electric vehicle purchases, including school buses, and the equipment to charge them.
  Programs to incentivize home electrification will provide additional reductions, along with reducing methane emissions from Maryland's landfills and natural gas infrastructure, the planting of 5 million trees and reducing vehicle miles traveled statewide.
- The full state plan to reduce greenhouse gas emissions can be found here: https://mde.maryland.gov/programs/air/ClimateChange/CPRP/Pages/Overview.aspx

- Ultimately, every new business, every new vehicle that uses a fossil fuel, and every new building that is constructed will add some amount of greenhouse gas emissions to the atmosphere. Addressing climate change does not stop new construction or purchases or new or replacement equipment, it simply requires such construction and purchases to meet whatever new requirements are put in place at the time construction takes place or purchases are made.

11. Other Crematories Operating in Baltimore County

"How many other crematories have been approved in [Baltimore] County?"

MDE Response:
The following facilities in Baltimore County currently operate human crematory units:

Metro Crematory
299 Frederick Road
Catonsville, MD 21228

This facility currently operates two human crematories under a renewable, five-year Air Quality State Permit to Operate issued on May 1, 2024.

Ruck Towson Funeral Home
1050 York Road
Towson, MD 21204

This facility currently operates two human crematories under a renewable, five-year Air Quality State Permit to Operate issued on June 1, 2022.

Dulaney Valley Memorial Gardens
200 E. Padonia Road

Timonium, MD 21093

This facility currently operates two human crematories and one pet crematory under a renewable, five-year Air Quality State Permit to Operate issued on December 20, 2022.

Chesapeake Cremation Services
7305 Belair Road
Fullerton, MD 21236

This facility currently operates one human crematory under a renewable, five-year Air Quality State Permit to Operate issued on October 1, 2021.

Ambrose Funeral Home and Cremation Services of Lansdowne
2719 Hammonds Ferry Road
Halethorpe, MD 21227

This facility currently operates one human crematory under a renewable, five-year Air Quality State Permit to Operate issued on July 1, 2024.

12. Alternative Methods for Cremation

“MDE should stop processing [traditional crematoriums] until they look at these water cremations and what would be the impact on the public living in close proximity.”

“Are there other methods of handling cremation that could have less impact on the community and environment?

MDE Response:
The Department’s authority to review and approve an Air Quality Permit to Construct application does not include evaluation of alternative means of human remains disposal beyond the proposed project and its potential impact on air quality. COMAR 26.11.02.06B. The Department does not have the authority to require an applicant to consider an alternate type of cremation or deathcare practice.

As of October 1, 2024, the Green Death Care Options Act, which includes alkaline hydrolysis and natural organic reduction, has been enacted in Maryland. However, these methods are currently not regulated in the state. The Maryland Board of Morticians and Funeral Directors along with other state agencies is actively drafting regulations to address these options. Until the regulations are finalized, questions or concerns should be directed to the Board at 410-764-4792 or via email at mdh.bomfd@maryland.gov.

13. Proposed Location of the Crematory

“I am requesting that the Secretary of MDE submit an Administrative, Executive, and Legislative Review to change current regulations to providing setbacks from a crematorium of a minimum of 500 feet from homes, schools, daycares, restaurants, etc.”

“What are the guidelines for placing a crematorium near residential areas, schools, daycares, and restaurants?”

“What are the specific zoning regulations for siting a crematorium in this area?”

“What are the guidelines for placing a crematorium near residential areas, schools, daycares, and restaurants?”

“Our office supported downzoning this location in the Comprehensive Zoning Map Process to block a crematory.”

“Please consider proposed and resubmitted legislation to restrict where new crematoriums can be built.”

“The crematorium will release toxic pollutants to the environment and there is no reason for it to be near a residential neighborhood.”

“People would not want to eat out next to a funeral home, in a highly polluted area. These businesses have been there before the funeral home and they have more rights to be there than the Funeral Home.”

“Why would a crematorium be approved in a residential area scoring in the highest bracket where approximately four thousand residents live? Wouldn’t it be more appropriate to permit construction in an area where there is either less burden or less residential property?”

“The location, in the middle of multiple high end developments, across the street from a daycare center and what is basically fixed income senior housing, as well as within shouting distance of multiple outside eating establishments, is atrocious, senseless, and just plain stupid. On top of that, horrible pollution from traffic that we deal with every day, as well as further air quality burdens, from the Honeygo Reclamation Center and Days Cove Dump, burdens that we can see, smell and sometimes taste, daily.”

“Can you please provide a rationale for allowing a new business to enter our neighborhood when it is going to hurt so many businesses? How exactly does Evans crematorium uplift our community and how is it good for us?”

“The idea of having such a facility nearby could create a sense of unease, particularly for families with young children, the elderly, and those who may be sensitive to the subject of death and cremation.”

“The establishment of a crematorium would be an incongruent development that could undermine the character of the area and its appeal to current and future residents.”

“The crematorium can easily be built in other areas, away from the residential areas.”

“Was the initial review for your funeral home actually showing the crematorium?”

“Decisions should not be made until zoning is resolved.”

MDE Response:
The Department cannot specify where a source may be located nor base its review of the permit application on land use concerns and possible economic impacts on the local economy or individual citizens. The Department’s decision on the application is based solely upon the projected air pollution related environmental impact on the area. Local issues such as zoning and land use are under the purview of Baltimore County.

On May 16, 2022, the Office of Administrative Hearings for Baltimore County approved a Special Exception for a funeral establishment pursuant to Baltimore County Zoning Regulations §230.3. Crematories are permitted as accessory or related to a principal use of an approved funeral establishment. The Department is aware that there are ongoing zoning appeals, however, as of the release of this Response to Comments, it is the Department’s understanding that the Special Exception for a funeral establishment remains valid. The issuance of an Air Quality Permit to Construct does not override a zoning decision by Baltimore County.

14. Property Values

“The presence of a crematorium in a residential or semi-residential area may lead to a decrease in property values.”

“Housing prices drop significantly once a crematorium comes into a neighborhood.”

“How will the crematorium affect property values?”

MDE Response:
The Department’s authority to review and approve an Air Quality Permit to Construct application does not include a review of property values. Rather, the Department evaluates a project’s potential impact on air quality. COMAR 26.11.02.06B. Therefore, the Department cannot take effects on property values into consideration, and instead, must rely on the applicable local zoning decision. Envir. Art. § 2-404(b). The Department does not have the authority to direct a permit applicant or a state or local agency to address such matters. The Baltimore

County Department of Planning can be contacted with regard to land use decisions.

15. Traffic Concerns

“What plans are in place to address potential traffic congestion?”

“Will the road be expanded?”

“We strongly do not want regular funeral processions along this small road.”

“[The area has] all of these companies with heavy duty diesel trucks driving to their site daily. Again, taxing a small area of Baltimore County already grossly polluted.”

“How does increased traffic help our community?”

“The construction of a crematorium would likely result in an increase in traffic, especially heavy vehicles used to transport remains.”

“I’ve been here for 25 years, traffic is unbearable. He’s going to add to our traffic nightmares.”

MDE Response:
The Department’s authority to review and approve an Air Quality Permit to Construct application is limited to assessing a project’s potential impact on air quality. COMAR 26.11.02.06B. The Department has no authority to regulate associated vehicle emissions, which are regulated under federal law. Therefore, the Department cannot take issues such as traffic volume, truck routes, and road expansions into consideration, nor does the Department have the authority to direct a permit applicant or a state or local agency to address such matters. Rather, these matters are routinely considered and addressed in local zoning and land use decisions, which the Department must respect. The State Highway Administration and the Baltimore County Department of Public Works and Transportation can best address traffic related issues.

In the Matter of:

Maryland Department of the Environment

November 12, 2024
Public Hearing

Condensed Transcript with Word Index

For The Record, Inc.
(301) 870-8025 - www.ftrinc.net - (800) 921-5555

MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
1800 Washington Boulevard
Baltimore, Maryland 21230

PUBLIC HEARING
NOTICE OF TENTATIVE DETERMINATION AND
OPPORTUNITY TO SUBMIT WRITTEN COMMENTS
EVANS FUNERAL CHAPEL & CREMATION SERVICES

NEW LIFE BAPTIST CHURCH
5501 LLOYD AVENUE
WHITE MARSH, MARYLAND 21162
NOVEMBER 12, 2024
6:15 p.m.

Reported by: Karen Willoughby, CER

A T T E N D E E S
- - - - -

Ms. Shannon Heafey, MDE
Mr. Matt Hafner, MDE
Mr. Dennis Borie, MDE
Ms. Janel Dutton, MDE
Ms. Marcie Gurley, MDE
Mr. Charles Evans, Evans Funeral Home
Mr. Jason Vettori, representing Evans Funeral Home

P R O C E E D I N G S
- - - - -

MS. HEAFEY: Hi folks, thank you for your patience. I appreciate you coming out tonight for our Maryland Department of the Environment Air Quality hearing for Evans Funeral Chapel for the installation of one human crematory rated at 175 pounds per hour -- I apologize. I can either look at you guys or I can read, so I'm sorry.

Also here from the Department is Mr. Matt Hafner, Chief Chemical and Mineral Division, Ms. Janel Dutton, lead with the Chemical and Mineral Division, and Mr. Dennis Borie, the permit engineer for this facility. The company is being represented this evening by Mr. Charlie Evans and Mr. Jason Vettori.

The Department has made a tentative determination that the permit will meet all applicable air quality rules and regulations and can be issued. This hearing is to offer citizens the opportunity to formally comment on the Department's tentative determination and draft permit conditions, or submit written statements during the comment period, or both.

Notification of this hearing appeared in the Baltimore Sun on October 22nd and October 29th.

A docket of information concerning the air quality application, the tentative determination, and the draft permit conditions is available on the MDE website.

If you go to MDE and you tap on the air tab on the sidebar you will see air quality permits --

(Cell phone interruption.)

MS. HEAFEY: -- and then there's tables for opportunity for informational meeting and you can download a scheduled public hearing. You will see Evans, you click on that, and that's where the docket is. We will be updating that as we go through this process. Mr. Hafner is going to put together a quick presentation to describe what's going on with the process. I will be adding that to the docket as well.

Statements entered into the record will be kept on file in the Department for five years, or at least five years. The comment period will remain open through November 21st. Citizens have the opportunity to request a one-time 60-day extension of the comment period, which

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must be requested in writing to the Department no later than the close of the current comment period. That can be sent to my attention, my business card's on the sign-in table, and you can just email your request to me. I do just need to have it before November 21st.

If an extension is requested, there will be notifications sent to our elected officials, to everyone who's been participating in the public participation process, and will be on our website updated.

At the conclusion of the comment period, all comments received will be addressed in a document called the response to comments. That will be prepared by the Department and sent to the commenters and others who participated in the public review process.

If the Department does not receive any comments it considers to be adverse to the tentative determination, that determination will become the final decision at the end of the comment period. If the Department does receive comments it deems adverse to the tentative determination, it will review the comments and make a final determination as to whether

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to issue or deny the permit.

A notice of final determination will be placed in the legal section of a newspaper, general circulation in the area where the facility will take place, which is the regulation. It will be placed on the MDE air quality permitting webpage, you will see that, and will be mailed or emailed to commenters and those who participated in the public participation process.

Any person contending that they will be adversely affected by the Department's final determination may seek remedy within the circuit court system of Maryland. A petition for judicial review must be filed with the Circuit Court for Baltimore County where the proposed activity will occur, and it must be filed within 30 days after the publication of a notice of final determination.

So Mr. Hafner will give a brief presentation about the tentative determination and the permit process, and then comments for the record will be invited.

Any questions that you would pose as part of your testimony will be taken just as testimony tonight

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and be recorded and will all be addressed at the end of the comment period. The reason we do that is when we do the response to comments document, everybody hears or can read what the question was and everybody will hear what the answer was, including the folks who couldn't make it tonight.

And I have just a little bit of housekeeping. I think we're going to be okay. I would be offering any of the officials who attended tonight or their representatives to speak first, and then I will be calling people who signed in on the sign-in sheet that they would like to make a statement.

As you saw, there were several sign-in sheets being handled all at the same time. I can't guarantee that you will be called in the order in which you signed in, but I can absolutely guarantee you will have an opportunity to make your statement tonight. And then after tonight, if you say, oh, I forgot to add whatever, you can send an amended or an addition to it in writing to me after tonight.

Okay. So I will let Matt do his presentation and then I'll invite people up.

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MR. HAFNER: All right. Good evening. My name is Matt Hafner and I'm the Chief of the Chemical and Mineral Division of the Air Quality Permits Program, and I was the Air Quality Permit Engineer who reviewed the permit application and draft permit for the proposed project. But Dennis was the draft permit engineer.

The Maryland Department of the Environment has reviewed the application submitted by Evans Funeral Chapel and Cremation Services, White Marsh, P.A., for an air quality permit to construct that would authorize the installation of a Matthews Environmental Solutions PowerPak II Plus, 175 pounds per hour human crematory.

The proposed location for the human crematory is 11543 Philadelphia Road, White Marsh, Maryland, 21162 in Baltimore County.

So here's the start of my presentation. As I said, I'm the Chief of the Chemical and Mineral Division at the Air Quality Permits Program. Okay. Next slide, please.

Okay. So this is what we have to work with. I'm sorry if it's a little bit difficult to see in the

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back. I will be reading everything that is on here. Also, we will be adding this to the webpage for Evans. And so you will be able to have access to this presentation within the next day or two on our website.

So the Department has been working with the Mid-Atlantic Regional Air Management Administration to develop best practices guidance documents for estimating emissions from crematory operations. We are not the only state that is looking at crematories right now.

Other agencies involved in the workgroup include Delaware, District of Columbia, New Jersey, North Carolina, Central Pennsylvania, Virginia, West Virginia, Philadelphia, and Allegheny County, Pennsylvania.

Current 2000 U.S. EPA and 2021 Bay Area of California guidance documents have been established as appropriate methods to estimate emissions from crematories. All right. Next slide, please.

The air pollution expected emissions and the impact of the emissions can be found in Tables 1, 2, and 3 of the Department's tentative determination document. The permittee is not expected to be a major source of particulate matter, volatile organic compounds, oxides of

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nitrogen, sulfur oxides, or carbon monoxides.

In Baltimore County, the major source threshold is 25 tons of VOC and NOx and 100 tons of the other pollutants. Emissions of toxic air pollutants are estimated to be less than the allowable limits determined to be protective of public health. All right. Next slide, please.

So we're going to go through the applicable air quality requirements in the permit. And so with the opacity limit, the particulate matter emissions limit, the toxic air pollutant control technology, and the toxic air pollutant ambient impact requirements. So next slide, the opacity limit.

The opacity limit is for crematories, specific to crematories, and that prohibits visible emissions from the human crematory except water vapor, steam. Visible emissions are allowed during startup, adjustments, and occasional cleaning as long as the visible emissions are not greater than 40 percent opacity and the visible emissions do not occur for more than six consecutive minutes in any 60-minute period.

For compliance -- next slide, please.

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Permittee must equip the human crematory with an opacity sensor interlocked with the control system that continuously monitors the stack gases for visible emissions during operation and adjust cremation operations to prevent visible emissions from exiting the crematory stack.

An initial U.S. EPA Method 9 opacity observation performed by an independent third party certified to conduct the test will be required. All air quality compliance program staff are certified to conduct Method 9 observations and will conduct these observations when the facility is inspected. Next slide, please.

The particulate matter emissions limit. Maryland, for crematories, limits the concentration of particulate matter and any exhaust gases from the human crematory to not more than 0.10 grains per standard cubic foot of dry gas.

And next, for the compliance demonstration, there's two options in the permit here. The permittee can conduct stack emissions testing to demonstrate compliance with the applicable particulate matter emission limit, and that is known as EPA Method 5, or

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the permittee may provide a stack test report conducted within the last five years by an independent third party stack testing company on an identical crematory unit. Next slide.

So toxic air pollutant control technology requirement, we require the permittee to implement best available control technology, it's called T-BACT, to control emissions of toxic air pollutants.

Compliance. The human crematory must be equipped with a secondary combustion chamber capable of meeting at least a one second retention time and minimum operating temperature of 1,600 degrees Fahrenheit.

The crematory must be equipped with temperature sensors and monitors to continuously measure and record the temperature of the secondary combustion chamber. Exhaust gases must be vented out of the stack at a height of at least 37 feet from the ground to ensure proper dispersion of the exhaust gases. Next slide.

The toxic air pollutant ambient impact requirement. This prohibits the discharge of toxic air pollutants at levels that would unreasonably endanger

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public health. And so this is how we determine those levels. There are two methods, the first for hourly pollutants, for hourly emission levels. And those are protective levels for toxic air pollutants set at one-one hundredth of the levels allowed for worker exposure.

So we use, it's the ACGIH, which is the American Conference of Governmental Industrial Hygienists. They set worker levels that OSHA uses for safe exposure for workers of different chemicals. And we set our levels at one-one hundredth of the safe worker exposure levels. And those are for the hourly, one hour and eight hour pollutant levels.

And then for carcinogenic compounds, additional protective measures are added to ensure that continuous exposure for a period of 70 years would not cause an increase in lifetime cancer risk of more than one in one hundred thousand.

This measure is set from the EPA and that is basically saying that if you were exposed to that concentration for 70 straight years, it would not have a significant impact on your increase in cancer. And that is on an annual basis. Next slide.

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So for compliance demonstration of the toxic air ambient impact requirement, the permittee shall only cremate human remains in the crematory. And the permittee should not cremate more than two human remains during any eight-hour period. Next slide.

The permittee shall not combust any halogenated plastics, including polyvinyl chloride, body bags, or PVC pipes. The permittee shall not combust any hazardous waste or hospital, medical, and infectious waste as defined in the Code of Maryland Regulations.

AUDIENCE MEMBER: How do you know they are not going to do that?

MS. HEAFEY: Okay. We can wait until --

MR. HAFNER: That is a perfectly valid question to put in your comments.

AUDIENCE MEMBER: I'm just wondering, how do you know?

MS. HEAFEY: Okay. Let's let him finish, please. Thank you.

MR. HAFNER: Next slide, please. So for compliance with the toxic air ambient impact requirement, the permittee shall conduct a stacked

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emission testing for metallic toxic air pollutants, including mercury, and that's EPA Method 29, to demonstrate compliance, or we provide a stacked test report conducted within the last five years by an independent third-party stack testing company on an identical crematory unit. Next slide, please.

We have other requirements for continuous compliance. The permittee must develop and maintain an operation and maintenance plan approved by the Department. The plan must include procedures for proper operation and maintenance, periodic monitoring, record-keeping, and corrective actions if needed. Next slide, please.

The company must keep continuous records of the flue gas temperature at the outlet of the secondary combustion chamber. For each cremation, logs showing the date and start time of each cremation, the approximate weight of each charge, and the duration of each cremation cycle, and the number of human remains cremated per eight-hour period. Next slide, please.

Records of all maintenance performed in the crematory, including the date and description of the

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maintenance performed and the actions taken, and a copy of the required operation and maintenance plan must be kept on site at all times. Records of the results of all opacity observations and staff admissions tests must also be kept. Next slide, please.

The conditions of this draft permit are more stringent than any permanent human crematories operating in Maryland.

The permittee must demonstrate initial compliance and apply for and obtain a state permit to operate before operating the human crematory after the initial 180-day temporary operating period allowed for testing.

The permittee must annually certify actual emissions of regulated pollutants from the facility, and the permittee must report all occurrences of excess emissions.

I do want to state that the reason that this permit is more stringent than other permanent crematories in Maryland is that it's because we understand that this facility has lots of concerns within the community. Next slide, please.

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There are Maryland Department of Health requirements as well. The Maryland Department of Health, State Board of Morticians and Funeral Directors regulates and inspects crematory facilities and requires training for crematory operators.

All hazardous objects must be removed from human remains in cremation containers and properly disposed of prior to cremation. Cremation containers must comply with all local, state, and federal government emissions regulations. Next slide, please.

And this is how to submit written comments. All information required to the air quality permit construct application is posted online on our website for public permits. That link is in the notice that many of you received or saw in the paper. There's at least a couple copies of it back there. We will get that. Written comments may be submitted using the online -- actually, there's no online form?

MS. HEAFEY: No, not for this one.

MR. HAFNER: Okay. That doesn't apply to this permit. Comments may be sent directly, via email, to Ms. Shannon Heafey, shannon.heafey@maryland.gov.

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And written comments may be submitted through November 21, 2024 unless we receive a written request to extend the comment for an additional 60 days, which I've heard already that that request will be coming. So that date will likely be extended into January.

So that is all I have, and Shannon will take over and bring people up to state their comments.

MS. HEAFEY: Okay. I was hoping I wouldn't have to ask everyone, but please don't heckle or comment out loud or clap or anything when people are giving their statements. It's not respectful to people who are trying to speak, and the reporters we have over here and back there may not get the full testimony. We absolutely want everybody's full testimony.

My business card is in the back where the sign-in sheet was. My email is on there. Feel free to call me or email me with any other questions.

I just want to remind anyone that any questions posed tonight as part of your testimony, which is perfectly fine, will be addressed at the end of the comment period with all of the other comments that come in.

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And when I say they will be addressed, they're going to be reviewed. There will be a response to comments document that's going to be created listing the concerns or comments and the responses. That will take a bit of time, as you can imagine, after the close of the comment period and if we do get an extension. So we're looking likely at the end-ish of January, so you won't get anything right away. I don't have to calculate what the end date will be for January, but I'll let everybody know. I'll send an email out to everybody.

So what I'd like to do is offer, is Bradley Lang here?

MR. LANG: Yes.

MS. HEAFEY: Are you going to make a statement on behalf of Councilman Marks?

MR. LANG: Yes, ma'am. Okay. Good evening. My name is Bradley Lang. I'm the senior legislative advisor to Councilman David Marks who would have attended this meeting if it had not been scheduled during a county council work session. He will try to make it here later if time allows.

Councilman Marks has prepared a letter of

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opposition to this proposal and asked that it be entered into the record.

Councilman Marks has consistently stood with the community in strong opposition to the placement of a crematorium at this location. He shares all the concerns you will hear tonight about possible public health impacts on the surrounding residential and business neighborhoods.

He supported downzoning this location in a comprehensive zoning map process to block the crematorium and once again emphatically and clearly opposes the plan before you tonight. To the best of our knowledge, there is no public support in the White Marsh area other than those who financially benefit from the development of the crematory.

Thank you for your thoughtful consideration of all viewpoints, including those from the community.

MS. HEAFEY: And we did receive this email with this cover letter.

MR. HAFNER: Okay. Thank you.

MS. HEAFEY: Thank you very much. Okay. I'm going to do this so you guys can hear me. So the first

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person I would like to call to make a statement is Nadia Enurah. So what I need you to do is to state your name and spell it for the record.

MS. ENURAH: Good evening, everyone. My name is Nadia Enurah.

MS. HEAFEY: Can you speak a little louder? So sorry. Thank you.

MS. ENURAH: Good evening, everyone. My name is Nadia Enurah. Nadia, N-A-D-I-A, last name Enurah, E-N-U-R-A-H. I'm a resident of Carney Village right here, two minutes from here.

I am a professor at Morgan State University, Baltimore, and my family has lived in this community for about 20 years. And we all know about scientific evidence that crematories emit toxic pollutants that damage the environment and the people who live near them. This is a well-known fact.

All my neighbors, we lived here for 20 or 30 years, and we cannot move out our homes somewhere else. However, the crematorium can easily be built in other areas, away from the residential areas. It will be more expensive for them, but it will be much better for us,

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the residents.

The argument of crematory is that they need to build new crematorium in the existing areas to make it easier for us. But we don't want this convenience to be close to crematorium. We prefer to live far, far away, and when time comes we will get there.

And also, they're telling us that we will pay more if crematorium will be built somewhere else far away. We're prepared to pay more, but we want to live longer. We don't want to be there very fast to make the business profitable. So it looks like everything is about their money. They don't care about our health and well-being.

Right here, they have infrastructure ready for them. They have roads, everything. It's much cheaper to build a crematorium. But it's deadly for us, the residents who live around this area.

They say that it will be more expensive if they build far, far away, but we don't care about this. It sounds like they care about our well-being, but it's a pure lie. No amount of money can buy life or health. Life and good health are priceless. We are ready to pay

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more for our cremation in the future when our time comes naturally. We don't want to die prematurely because of poisoning from the crematorium in our backyard.

The funeral businesses care only about their profit and their money. No consideration for the health and life of Marylanders. They just want to get more clients in a shorter time.

Two benefits if they build a crematorium in our residential area; they will spend much less money to build a crematorium, and they get more business, more bodies to create by poisoning us and shortening our life. Research says that the effect of air pollution is much worse than the effect of AIDS.

The Maryland Department of Environment states that their mission is to protect and restore the environment for the health and well-being of the Marylanders. So this is their mission. Their mission is not the business profit of the funeral homes and crematoriums.

We, Marylanders, the residents of this community, need protection from the government of our state. Please help us and save us and our children and

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future grandchildren. Thank you.

(Applause.)

MS. HEAFEY: Thank you very much. The next person I would like to call up is John Harten, Senior. If I'm entirely messing up your name, my apologies. So, again, just spell your name, say it and spell it for the reporter.

MR. HARTEN: Good evening.

MS. HEAFEY: Thank you.

MR. HARTEN: John M. Harten, Senior, J-O-H-N, H-A-R-T-E-N, Senior. I don't do much public speaking. I apologize. So I just want to be on record I'm against this, Mr. Evans.

As she stated, the neighborhood doesn't want it. The area doesn't want it. I believe there are other areas you could look for. Our family is growing and we hold a lot of events in our house every holiday. I am due east of this facility, downwind, and I especially don't want vapors, pollutants, anything like that coming right over my house. I'm less than a football field and a half away, and I'm totally opposed to this, against it.

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And then I would like to ask MDE, I don't know the research but I'm curious as to how many other crematories have been approved in the county? That would be a question I could put in writing, I guess?

MS. HEAFEY: This is now part of it, sure.

MR. HARTEN: Okay. I would also like to ask, was the initial review for your funeral home actually showing this crematorium? I'm redrawing these plans and specs because of what I do for a living, but I haven't seen any of them.

I would like to see when you actually entered this crematorium into this funeral home, if that was originally part of that project. That's another question I would like to have answered. That's all I would like to say. I would just like to state I'm against it.

(Applause.)

MS. HEAFEY: Thank you so much. And as I stated, his questions will be added to the testimony. So any questions will be addressed at the end of the comment period. I would like to call up Catherine Allen.

MS. ALLEN: My name is Catherine Allen,

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C-A-T-H-E-R-I-N-E, Allen, A-L-L-E-N. I, as everyone else in the community, feel that this is the wrong location for a crematorium. I have cremated both of my parents, and I plan to be cremated myself, and I understand the need for a crematorium. I question the location of this one.

I started taking a trip down the environmental justice site and I came across a definition of the air non-attainment area, which is the area or region where the concentration of one or more pollutants exceeds the national ambient air quality standards set by the EPA.

And when I look at the maps there are circles radiating out here. We are that little dot within that circle that puts us in an air non-attainment status according to the maps that we were seeing online that we were directed to in the messaging that came out.

So I question if the government is supposed to be protecting this area, why we would do anything, even if it's a small amount of particulate, why would we add anything more to it?

I also finally saw the plot plan that Evans put out, and some things that I noticed right away is that,

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you know, they have their radiating circles out, and they have structures 6, 7, 8, and 9, which they designated as single-family homes.

This is, in fact, the mobile home manufactured housing across the street. This is our most underserved, lowest-income portion of this tract. There are people in there who are using oxygen, and to me this makes no sense.

I am also looking at, when you blow up the map for this area, the playground for the daycare center across the street is right there, Loreley Center, which we all drove by to come in here. There's a basketball court and a baseball field. I question why we are permitting a crematorium next to these items.

And then if you look up here, oh, there's I-95, which is another pollutant. If you look on the maps, we have, within the census tract that they are using to talk about this location, we have Eastern Landfill and we have the Reclamation Center. This area is overburdened and I cannot understand how this is the correct place for this crematorium.

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(Applause.)

MS. HEAFEY: Okay. Mr. Mark Hauf.

MR. HAUF: Good evening, you all. Thanks for turning out. My name is Mark Hauf. I am head of the Saddlebrook Community Association and acting vice-president of the White Marsh Improvement Association.

First, I wanted to say that Heather could not be here tonight and she wanted me to tell you all, thanks for coming. Keep up the fight. Personally, I'm not opposed to crematoriums. As a matter of fact, in my paperwork, upon my death I am to be cremated, and it certainly will not be by this establishment or any other establishment that is owned by Mr. Evans.

First, I want to address something that happened tonight before tonight's meeting. Mr. Hafner of the MDE was having a conversation with the party to my left and basically made a statement that we're going to have a hearing tonight with these people, and afterwards we're going to make a couple of tweaks to the permit, and then you're going to get your permit in a few months.

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This happened, folks, right here in the back of this room. To me, it is the most unprofessional, rude thing that I've ever heard come out of a government official's mouth in all of my life.

What that says to me is that your opinion doesn't matter to the Maryland Department of the Environment. It doesn't matter to this state. It doesn't matter to this county. We know it doesn't matter to Mr. Evans or he would have already found a place to put his crematorium besides right in our backyard, across the street from the daycare center, okay? But the fact that it doesn't matter to paid state officials makes me sick.

MS. HEAFEY: Sir, sir.

MR. HAUF: No, and it should make all of you sick.

AUDIENCE MEMBER: Let him speak. Let him speak.

(Audience disruption.)

MR. HAUF: They don't want us to speak. He doesn't want us to speak. She doesn't want us to speak. He doesn't want us to speak.

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MS. HEAFEY: Sir, that is not true. What I was asking you not to yell because you're going to blow up the microphones and nobody's here to --

(Audience disruption.)

MR. HAUF: Ladies and gentlemen, this is exactly what's going on across our country. The government developers working together to screw each and every one of the working people.

(Applause.)

MR. HAUF: And here's the funny part. We were led to believe that this was a process, right? All along this was a process that we could take part in, right? That we could give our input, that we could attend the process, that we could come to all these meetings, that we could give our views and our voices would be heard. Guess what? Bullshit. It means nothing. Total bullshit.

I'm sorry to tell you, but all of you coming tonight and taking your time to come here was a complete waste of time. This is in the bag. And if we don't hire a lawyer, okay, which we've already done, but if we don't get together and kick up a shitload of money and punish

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this guy financially, we won't win, okay? And if we don't punish him financially, at least even if he gets his funeral home, maybe he's out a couple hundred grand. That's the only option we have, folks.

Anyway, remember way back when, when we were all told, probably by an air quality person or somebody from OSHA, that asbestos and lead paint were safe? Remember that? Yeah. And look what we're dealing with right now. Look what we're dealing with right now.

We have noise pollution over on 95 at a record. It's never been like this. I live 300 foot off the highway. I have never heard 95 like it is. And we have walls. We never had walls before. Traffic has never been like it is now. Never. I've been here for 25 years, traffic is unbearable. He's going to add to our traffic nightmares. It's just going to make it worse and I've tried to tell them. They don't care.

AUDIENCE MEMBER: They don't live around here.

MR. HAUF: The air pollution from this traffic, having cars stalled, sitting on Route 7, sitting on 95, is making every single one of us have

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a shorter lifespan. And this gentleman here is going to talk to me about air quality? How many days has he spent here monitoring air quality?

The Honeygo Reclamation Center. Have any of these people sitting here, the air quality experts, drove down Route 7 today and smell what is coming out of Honeygo today. It is enough to kill you. And that's just one day.

AUDIENCE MEMBER: That's every day.

MR. HAUF: And guess what the Maryland Department of Environment is doing about it?

AUDIENCE MEMBER: Nothing.

MR. HAUF: Nothing. We're also dealing with the road sludge and debris from not only the Honeygo Reclamation Center, but also from (inaudible). I swear, I'll finish this up.

MS. HEAFEY: Nope.

MR. HAUF: All within a mile of this proposed crematory. So what they want to do, and what this gentleman wants to do, is add more problems into an area that's suffocating from problems, and we have people from the government that want to let them as we

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continue to pay for insane problems with you guys. My property taxes went up another $800 this year. We keep paying, and they keep making things more difficult for us.

This process, let's face it, this process isn't about the health and well-being of our community, the health and well-being of our children, the health and well-being of our seniors, or any of our citizens. This process is about the government and the developer and money. It has got nothing to do with anything else.

(Applause.)

MR. HAUF: I hope and I pray that you and your families, and your families that come after you, okay, never, ever support that business, any business with that name on it, as long as any of our families live. God bless you.

(Applause.)

MS. HEAFEY: Before I call up the next people, since you all seem to think I wasn't going to let people speak tonight, the reason I had asked him to stop yelling was because we have very sensitive recorders that the court reporters are trying to use to

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get your statements. And if he blew the microphone by yelling, I have to apologize in advance and say that your statements may not be recorded.

MR. HAUF: I'm sorry, I'm hard of hearing.

MS. HEAFEY: I know. So am I. So if you have statements that you want to make tonight, I will also ask you at this point to send anything to me that you state in writing so I can make sure that it goes into the record.

And please, I will ask one more time, please do not yell, because I can't afford to replace their equipment, and they probably can't either, and it has nothing to do with me or anyone else not wanting you to speak.

We have these hearings on purpose. We want to hear what you have to say. We want to hear new information. There have been times when the people surrounding a facility know more information about operations and whatever than we do. So we look forward to hearing your concerns, your statements, what information you guys come up with. It's important to us. Can I call Joan Garrity up?

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MS. GARRITY: My name is Joan Garrity. That's J-O-A-N, G-A-R-R-I-T-Y. That's actually my middle name. My legal first name, it is Miriam, M-I-R-I-A-M. And as a 76-year-old grandmother I would like to suggest that yelling probably does not help our cause. I'm just going to say that. Which I understand it, because I am so angry.

On the way over here, I thought I would take just a moment to just check the most recent information we have. Just asking this question. Are there any federal regulations about emissions from a crematorium?

A couple years ago, my brother died. He was a veteran of the Coast Guard. He was buried at sea in the Pacific Ocean. There are many regulations governing burial at sea. There are no regulations at all governing cremation and what comes out of those stacks. None at all. And we keep getting this implication that they're going to use EPA standards. They don't exist. Please know that.

Smoking cigarettes was first confirmed as a cause of causing cancer in 1954. It took 55 more years until 2009 for federal legislation to be passed to

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control the use of tobacco products. Can you smoke cigarettes near a school? No. But they don't care about having a crematorium near a daycare center. Today, not one of us would question the wisdom of keeping cigarette smoke away from children. Without the actions of the federal government, those regulations wouldn't exist today.

I'll share a few interesting facts about crematoriums. I said the first one already. There are no federal rules or regulations on emissions from crematories. I hope you're all hearing that. So what is the state going to use? And why aren't they in existence?

Because we are trying to fight a $20 billion industry just in the United States of funeral homes. How do you fight lobbies with that kind of money? You don't very easily. Wouldn't it be amazing if the state of Maryland could show what is possible when a group of concerned citizens gets together and fights for what's right?

The EPA actually intended to regulate the funeral industry. But then crematories were taken out

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of the solid waste incinerator category for some reason and have never been placed back in it, so we don't have any idea what we're looking at.

Mercury is what most people who live near crematories are concerned about. Oh, welcome, Councilman Marks. Nice to have you here.

COUNCILMAN MARKS: Thank you.

MS. GARRITY: And there's all this talk about visible emissions. Mercury emissions are colorless and odorless. And there is no agreement, once again, about the safe level of it. And some experts and agencies say no level is safe. Mercury can be present in the amalgam of dental fillings -- excuse me, I am a little wound up. And medical devices of people who are cremated, they're supposed to be removed. All devices are supposed to be removed. That does not always happen.

Symptoms of mercury poisoning often resemble neurological disorders that don't get attributed to that poisoning, things like Asperger's, Alzheimer's, dementia, and many autoimmune disorders. Baby boomers, people like me, there's a lot of us, are the population segment with

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the greatest number of mercury-containing amalgam fillings. And the majority of cremations in the near future will be for people in this age group. And then all the rest of you will follow us.

And trust me, I feel fine about cremation. My mother, my father, my sister Judy, I hope for myself. It's a funny thing to hope for, but I do. The rate of cremation is up.

Reviews have found that pacemaker explosions in facilities in other countries have blown up. And without regulations the statistics for the U.S. are scarce. Crematories aren't even required to report workplace accidents to OSHA. And actually, I will give them the benefit of this truth, and that's because there aren't very many. The injuries that happen are to the rest of us living around that space who are breathing in the toxins.

The EPA doesn't regulate crematories under the Clean Air Act. I've already told you that. So even in the light of all the evidence, and there are no EPA standards, why is that? And I've actually told you this already about what their intentions were. Again, in

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other words, there are no EPA regulations for Maryland or Baltimore County inspectors to use to assess the health risks of these emissions.

Mr. Evans keeps arguing about there being no visible smoke. Smoke doesn't have to be visible to be dangerous. Think of carbon monoxide, one we are very familiar with. Can you see it? Absolutely not. At least sometimes you can smell it, but not always.

So please, I ask those of you who are making these decisions to think of our health, maybe yours too, and the health of our children, born and unborn. Thank you very much for your attention.

(Applause.)

MS. HEAFEY: Okay. Councilman, would you like to speak? And then I'll call up the other folks after.

COUNCILMAN MARKS: Thank you. I will be super brief because I know there's a lot of people who want to speak.

I have opposed this facility since the beginning. Unfortunately, I was elected to this area in 2022, and my predecessor did not stop the project,

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the associated funeral home, from moving forward. I literally have done everything I can to block this, everything I can at the local level, including a zoning change. We made a lot of zoning changes along Philadelphia Road to block development. And, you know, it's frustrating we have gotten to this point.

I want to repeat, I am emphatically opposed to this facility, and I hope that you all would listen to the overwhelming majority of residents along this corridor who do not want this to be built. Thank you.

(Applause.)

MS. HEAFEY: Andy Dudek.

MR. DUDEK: Can I put the microphone in the holder?

MS. HEAFEY: Does that work?

MR. DUDEK: Yeah, that's great. Thank you. My name is Andy Dudek, Junior. And for the first thing I want to mention, for the record, in regards to this property in issue before us this evening, there are outstanding issues for zoning, in particular an active appeal for an extension of the zoning. Therefore, committing decisions should not be made but continued

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until zoning is resolved, if necessary, depending on the outcome of the case.

When MDE talks about six minutes of particulate matter per cremation, which is heavy black smoke, which is human ash, this is totally unacceptable. Beyond all the other chemicals and toxins, this is totally unacceptable.

Since MDE does not test the air around crematoriums, I request that the state of Maryland and/or require Charles Evans pay for all residents and business owners that live within a 500-foot radius of the crematorium for a minimum of 10 years for mercury and other tests that are appropriate for toxins and chemical exposure directly connected to crematoriums.

We will be the state's guinea pigs. This will cover short-term and longer-term effects from this exposure where MDE does not do any air testing whatsoever around crematoriums or does stack testing.

They are permitting and allowing for the crematorium owner to regulate their own selves by their equipment. That is putting the fox in the hen house to protect the hens. This is totally crazy and bizarre.

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I just can't believe it.

A lot of other things were already mentioned tonight with the presentation by MDE that I had questions on. I would like to ask a lot of other questions but it sounds like you're not answering them.

MS. HEAFEY: Correct. We'll do that at the end of the comment period.

MR. DUDEK: Okay.

MS. HEAFEY: Feel free to go ahead and ask them. They will be part of the record. Please do.

MR. DUDEK: Okay. Well, one of the questions I have is in regards to people that are deceased that have pacemakers, other issues with hip replacements, that sort of business. There was some mention to me that they were supposed to be removed.

I would like to know what that's about, because if that's the case, that is like desecrating a human body. I just can't believe the world we live in today where they just basically butcher people up and desecrate their body before they cremate that person. This is horrible.

I've seen all the documentaries of what

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happened during World War II in Germany. And not connected with the Holocaust, but just the fact of butchering people and allowing people to be cremated in that fashion to me is a desecration. Actually, it's a crime. It's a crime to desecrate a body. But yet we're allowing this to go on under the state law. All right. Thank you.

(Applause.)

MS. HEAFEY: Do you want to send it to me?

MR. DUDEK: Yeah, I'm going to submit some records.

MS. HEAFEY: Perfect.

MR. DUDEK: I'll do that at the end.

MS. HEAFEY: Whenever you would like to that would be perfect. The next person I have is Jim Allen.

MR. ALLEN: Good evening. My name is Jim Allen, J-I-M, A-L-L-E-N. And just like everybody else here, we're all here to oppose, I assume most people are here to oppose the crematorium.

I apologize that we are so emotional about this because this is where we live. This is where our kids are. We depend on government to protect us. And I've

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got to tell you guys, I'm not a very involved person. Like everyone else here, we worked our butts off today. We got our kids on the bus. We went to work. We came home. We slurped down something quick. And here we are. And it's very difficult to get people out here and to be involved. Nobody wants to be involved.

This whole process has been horrible. You know, to get a crematorium in here, evidently there's some little white sign on the side of Route 7 that we all drive by every day. And literally, you know, this man is going to make a business decision in your front and backyard. I mean, everyone passed by that sign every single day and no one knew. And it's just obnoxious.

If I wanted to have an addition to my home, I've got to have a sign in my front yard. I've got to have a bunch of stuff on there for how many times, but this man can make a business decision and put a crematorium in your backyard, in your front yard, where my kids play basketball, where our friends' kids have daycare, where the elderly are not far away at the nursing home.

And I've got to tell you, this whole process

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for people who aren't political, for people who don't want to be involved until you make me be involved because you're going to mess with my family and my neighborhood and my friends, I'm sorry that we're passionate. We're counting on you guys.

The stuff that I'm seeing and hearing what I heard today, I'm sure just like everybody else, you just want to flip over stuff and walk away. But that's not the right thing to do. We need you guys. We need you guys to protect us.

You see that little girl over there crawling around? We have a million of those little girls around here. We need you to protect us. And to hear it's in the bag for these folks. How it started with a little sign on Route 7 that no one understands.

Ma'am, I don't know why you're shaking your head at me. I mean, I'm trying to express my thing and I just can't -- I get distracted because I'm looking at you and you're shaking your head at me. Please stop because it's distracting me from my testimony.

AUDIENCE MEMBER: I'm sorry.

MR. ALLEN: Thank you. I appreciate that.

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I'm not trying to be hard on you, but this whole process is very frustrating. I'm looking at you. I'm talking to you because this is my family. This is my neighborhood. These are my friends. And that little girl, amongst a lot of other little girls around here, count on you guys to make the right decision. And that decision is for these folks. It all starts with a little sign that no one pays attention to. And we all, as homeowners, have to put signs in our front yards so everybody can see. There was no sign on there.

We've been to countless meetings. About a year and a half ago we were here for meetings with you guys. And basically, we get a notice today to come to another one and what do we hear? We see on the notice it's pretty much determined by social justice or social environmental scores. I mean, guys, this is not a social experiment. You see we have a very diverse crowd here.

This is our health, our safety, our kids, our families, our neighborhoods. It affects other business owners. We have Taco Love, one of the most coveted businesses around. How long do you think they're going to stay here with their outdoor seating right across the

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street from where they're burning up people? It's not likely.

So as homeowners, we have to put these things in the front yard. We all drove by this on Route 7. We've all been to countless meetings. We've got to rezone. We've done everything we need to do as a community to stop and protect our kids and protect our family, protect our neighborhood.

And to hear -- I hope -- I have no reason to believe that my neighbor would be lying. But to hear from what I'm seeing on the notice to come here and that what he had testified about, that's bad. I mean, we're counting on you guys. I mean, I don't want to trash you. I don't want to bash you. I want you to think about what if this was your family? What if this was your neighborhood? And literally, there's a crematorium in the front, back, side, left, right. You know, it's just unacceptable.

I really do hope you take it into account because we are definitely suffering from the dump on Route 40, the reclamation center, I-95. Gunpowder River is full of pollutants. We can't even fish. All we ask

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is to be able to breathe. That's it. We just want to breathe.

(Applause.)

MS. HEAFEY: Before I call up the last person, can you hear me? There we go. Again, I want to be sure that people don't think this is in the bag. It really is not.

AUDIENCE MEMBER: It is.

MS. HEAFEY: It is not. There is a lot more to do for research. All the information you folks have said tonight, the information about the other crematories, the air quality that is showing up in other countries, I guess, there's a lot, and it will all get reviewed. I promise it will get reviewed. This is what we do.

And we have had occasions -- and you're laughing at me -- we have had occasions when information has come to us through a hearing where it has dead-stopped a project.

MR. PANDEY: How many have been rejected?

MS. HEAFEY: I've been here doing this for 32 years, and I remember three.

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MR. PANDEY: In 32 years, three rejected.
MS. HEAFEY: And, again, it depends on information that people bring forward, which is wonderful.
MR. PANDEY: So the odds are overwhelming that it's going to get approved.
MS. HEAFEY: It is not necessarily the case, honestly.
MR. PANDEY: Well, the data tells you three out of how many?
MS. HEAFEY: But that means that people brought the right information to us that we were not aware of, and we count on that. I appreciate when someone has that for us.
So I'm going to call the last person up who is, I'm going to mess up your name, I'm so sorry. Brian Cherundolo? I'm so sorry if I'm messing that up. Is there a Brian? I'm so sorry.
MR. CHERUNDOLO: You're okay.
MS. HEAFEY: Thank you. Can you spell that for the court reporter?
MR. CHERUNDOLO: Yes, I'll spell it for you.

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So my name is Brian Cherundolo, B-R-I-A-N, C-H-E-R-U-N-D-O-L-O.
So in listening to the testimony over the last several months, a couple things come up. First off, I do support crematoriums. I do reject the idea of the location of this proposed crematorium. There are better locations to put a crematorium. I totally support the idea of crematoriums.
Why do I reject the current location? First off, if you look at the information from the Maryland Department of the Environment, as was previously stated before, the tract that the proposed crematorium is to be located in has a very high burden of overpopulation for diseases that include asthma, myocardial infarct, and from the MDE website, we are in the population of over 75th percentile in the state, meaning there's only 24 percent of areas or tracts in the state that have a worse area than this proposed tract or the tract that the proposed crematorium wants to be located.
So first question I have for the MDE is, you made a statement several times that information could be changed based on information that is brought up.

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MS. HEAFEY: That's correct.
MR. CHERUNDOLO: My question and challenge to you all is the lack of information we have on the environmental impacts that the crematoriums have. So before a decision is made, my ask would be to obtain and provide additional information for the public to understand how crematoriums work and the potential impacts that they have.
Second question I have is, there was a statement in one of the slides, and it's kind of hard to go through, but you, sir, made a statement that the tolerance is, if you will, where I believe one-tenth that of a worker.
MR. HAFNER: One-one-hundred.
MR. CHERUNDOLO: One-one-hundred. I would like to know what that is for the general public, because typically in radiation, you have different tolerances for workers and different tolerances for the general public. I would like to know what that is. And I believe everyone else would like to know what that is for the general public, because I don't believe it's one-one-hundred, if it's anything like radiation.

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So, question for Mr. Evans and his team. So back on May 6th we received an email from Larry Schmidt to the general public indicating the following. I'm going to quote this.
"You can be assured and satisfy yourselves that the crematorium does not emit any pollutants, hazardous materials, et cetera, and will not create any detrimental impacts on the community."
I responded to that email that same day asking for the following: "Based on your claim, please provide data that supports that from three independent references." We have yet to receive that information.
So back to the statement. As I stated earlier, please provide information on any potential impacts that could negatively impact our community. Because, first off, we have a right to know, and if this track is as bad as you all say it is, then you're not abiding by your mission, which states the following. "The MDE's mission is to protect and restore the environment for the health and well-being of all Marylanders."
So I believe it's your due right to make sure you have all the information you need to ensure the

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safety of this community as we are all Marylanders. Thank you.

(Applause.)

MS. HEAFEY: Thank you so much. Okay. So that was the last person I had who had signed up to speak. If there's anyone else who would like to speak who didn't sign up, you guys can come on up here and sit in my little reserved chairs and I'll call you up one at a time. Come on up.

Okay. So what I'm going to ask you guys to do is come up and, again, state your name and spell it for the court reporter, since I don't have you listed as a speaker. You want to start?

MR. C. ALLEN: Hello. My name is Carson Allen, C-A-R-S-O-N, A-L-L-E-N. I don't come here with any evidence, and I don't have any sources, and I don't have anything.

But what I saw that day when I was out there handing out flyers with my mom over there, Jennifer Allen, just the neighborhood right across the street, literally less than 100 feet away, a road apart is a trailer park where on the front it looks okay and stable,

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but just behind the front houses are people who have to get into their houses using ramps and people who depend on oxygen tanks and have disabilities walking and just are poor. There's a bunch of problems with their homes, including they don't have doorbells, windows are broken, doors are broken, and just their infrastructure is broken. And we're just building this right across the street.

And, again, these people need this oxygen. They live off oxygen tanks and mobility scooters, and we're just placing, what, literally less than 100 feet away. That's my point.

(Applause.)

MS. HEAFEY: Thank you.

MS. KING: Can you hear me okay?

MS. HEAFEY: A little louder.

MS. KING: I'm nervous. I wasn't planning on speaking today so I'm shaking. I'm sorry.

My name is Lydia King, L-Y-D-I-A. My last name is King, K-I-N-G. And that's Laney, my daughter. She's just over a year and a half old, and we're advocating for her and for ourselves.

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We live right off of Durham Avenue, which is right around the corner. Anyone who sees us, we're outside all of the time. My husband and I's dream is to create like this natural playground in our less than an acre worth of property. Laney is an outside girly, and we have plans to expand our family. So it's really personal to us. We recognize this isn't something that we can fight with money, but more so ethics and a dream.

So I just ask that the Evans family consider the families that are impacted. One thing that I noticed during the well-put-together slides was the word compound over and over again. The crematorium is just one environmental impact.

My question is, what is the compounding impact that this community is faced with between a crematorium, a reclamation center, the dump? I'm sure we have a lot going on over in this community and we just have to think of ourselves currently, the community, and the generations before us. So, thank you.

(Applause.)

MS. HIRAM: Good evening, everyone. So I was not even planning to speak, but I actually do want

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to thank the Department of the Environment for the well-put presentation that has actually been an eye-opener.

So in one of your slides you stated that toxic, the name was toxic air pollutant ambient impact requirement. So in your well-put slide, you stated that they, and I'm going to read because I took a screenshot but you're basically saying that if we are exposed for 70 years continuously, that one in 100,000 people will have the probability of developing cancer.

Now, I know you can all agree with me that cancer is one disease that nobody wants to have. One out of 100,000 is way too many. So for you guys working for us because you work for the Department of Environment, having such a slide presentation, you're basically saying that you're okay with this community having one person out of 100,000 develop cancer.

As a healthcare provider, I'm against that statement, and I strongly feel that knowing that this permit should not be given.

For you guys that are the champion of this, I don't have anything against your business model. I'm

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a businesswoman. I hear what you're doing. But exposing your fellow constituents, citizens, to cancer should be a big no. That's where the buck stops. Don't make money out of exposing people to cancer. That's all I'm about to say. And my name is Priscilla. Thank you.

MS. HEAFEY: Thank you. Okay. What is your last name?

MS. HIRAM: Hiram, H-I-R-A-M.

MS. HEAFEY: Okay. Thank you so much. Thank you, ma'am. I'm sorry. I didn't mean to have you come back.

MR. PANDEY: Hi. Yeah, my name is Niranjan Pandey. I'm actually a scientist. That's my field of expertise. So I appreciated your presentation, but I had a couple of questions. So, you know, regulations are all fine. You know, you have measurements. Maybe they're fine.

First of all, those measurements are theoretical, right, because they haven't built it yet. So you have no idea, you know, what that's going to do once it's built. And knowing how the state authorities

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normally work, you know, you guys may never show up and they will be doing stuff and the damage that they will have caused the community, it's done. You know, they will pay maybe $100,000 in fines. And even the fines are probably minuscule compared to the profits that they make, right? And so the damage will be done.

And as the years progress, what's going to happen? Yeah, they're new in the beginning. Yeah, they're brand new. They're going to be perfect for a year, for two years, and you guys are doing all this stuff. You have a lot of other things to do. So what's going to happen? There's going to be a month, two months when there's emitting stuff. We don't know.

They're supposed to be opaque. I mean, if it's an opacity problem, then you notice it. But if it's not an opacity problem, you don't notice it, right? So in the meantime, what's going to happen? There's going to be fumes, there's going to be mercury, there's going to be this, there's going to be that. But two months will have passed.

And then, first of all, what's to alert you guys to even come here? If there is a problem, you think

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they're going to tell you? I don't think so. They're planning to -- I mean, I don't understand the moral compass these people have. You know, if they are planning to build a facility that has the potential, Taco Love doesn't have the potential to kill you. Green Pizzeria doesn't have the potential to kill you. But your business has the potential to kill that little girl there, to shorten her life, to shorten my life.

MS. HEAFEY: Okay. Sir, first of all, can you speak to everybody?

MR. PANDEY: Okay. Yeah. But my point is, let's say there's a certain amount of time over which the damage has occurred.

The only thing that they will be responsible for is a few hundred thousand dollars fines maybe, if that, okay? But the person, their lungs have been permanently damaged. You know, their asthma is now incurable, COPD, everything, right?

Okay. At the Wilmer Institute where me and my wife work, you know, there's things, experiments people do with exposure to smoke. It's deadly in so many ways. The only thing you are looking at there is the increase

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in rate of cancer. I think we need an explanation for all the different diseases that this could potentially affect.

Okay. We also need -- I mean, yes, they're free to have their business there. But perhaps what we need is an MDE representative on the spot every day to make sure that the fumes that are coming out of there are fine, because I don't want to risk it. Two months down the road, they're not going to voluntarily tell everybody that, okay, our stacks were broken or whatever, and we just found out. Nobody's going to find out. Nobody.

In fact, what is the mechanism by which you find out? What is the mechanism? Do they tell you? No. Do you come? No, because you're busy doing other stuff, you're understaffed, right? So what's going to happen is that the damage will have been done. It will be irreversible damage because somebody will get a disease that they cannot overcome because of the damage that that caused.

And I'm not saying the numbers you're talking about, yeah, that might not cause damage. But if it's broken, if it breaks, who's going to tell us? They're

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not going to tell you because they're afraid that they're going to be shut down. So where's the overseeing mechanism? Who oversees that every day?

AUDIENCE MEMBER: No one.

MR. PANDEY: Because if you're going to have a facility like this in a crowded, densely populated area here, then you need to have extra, extra, extra. If you really care about the people, if you really care about our health, if you really care about this, yes, you need to care about businesses. I'm not saying they shouldn't have a business. They can. It's okay, have a funeral home. But I think the only opposition is to the crematorium, right, isn't that what it is?

AUDIENCE MEMBER: Right.

MR. PANDEY: Because we all need a funeral home. But the crematorium is the problem. And the crematorium is the problem because of the density. You guys need to have a conscience. I don't know what's wrong with you guys.

MS. HEAFEY: Sir.

MR. PANDEY: You guys are --

MS. HEAFEY: No more personal attacks.

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MR. PANDEY: Well, I'm saying they are the representatives of the business. So who am I going to talk to?

AUDIENCE MEMBER: He's referring to them.

MS. HEAFEY: No, I understand.

AUDIENCE MEMBER: He's talking to them.

MR. PANDEY: Okay.

AUDIENCE MEMBER: They need to know, right. Just look straight ahead.

MR. PANDEY: It's life for us. It's business for you, it's health for us.

(Applause.)

MR. PANDEY: So what I'm saying is if you want something like this, if you want a business like this, we need to have somebody from the MDE there every day to make sure --

MR. DUDEK: That's not going to happen.

MR. PANDEY: It's not going to happen, so then they're not going to come here.

MR. DUDEK: That's why it shouldn't be approved.

MR. PANDEY: Exactly.

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MR. DUDEK: Put it on 40.

MS. HEAFEY: Okay. I need to move on to some other folks.

(Audience disruption.)

AUDIENCE MEMBER: Ma'am, is he done talking?

MR. DUDEK: Has he finished?

(Applause.)

MS. HEAFEY: Can you do me a favor? Can you check with your name so I can have your record?

MS. PERKINS: Yes.

MS. HEAFEY: Thank you, I appreciate that. Ma'am, sorry.

MS. PERKINS: Hi, my name is Audrey Perkins. A-U-D-R-E-Y, P-E-R-K-I-N-S. She's not listening. So anyway --

AUDIENCE MEMBER: Turn the mic down.

MS. PERKINS: Should I turn it? I feel like Beyonce now. I pulled up some information off the Internet because there's another group in the city that is going through this process. It's with, I think, Vaughn Green, I believe. And what was interesting that I noted in here is that MDE has never, ever done any

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kind of measurement on any emissions of any crematory in the state.

AUDIENCE MEMBER: Wow.

MS. PERKINS: I would like to know information on the data that you have obtained on the crematory. Are you listening?

MS. HEAFEY: Crematory. I'm taking notes.

MS. PERKINS: Crematories that are in existence here.

AUDIENCE MEMBER: What did you just say?

MS. PERKINS: What?

AUDIENCE MEMBER: What was that again?

MS. PERKINS: The emissions test.

AUDIENCE MEMBER: No, what did you just say?

MS. PERKINS: Are you listening? I said, are you listening?

AUDIENCE MEMBER: No, before that. MDE has not what?

MS. PERKINS: Has not tested any crematories in Maryland at all.

AUDIENCE MEMBER: Ever.

MS. PERKINS: Emissions, nothing, no.

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AUDIENCE MEMBER: Exactly --
MS. PERKINS: Yes.
AUDIENCE MEMBER: Really?
MS. PERKINS: Yes. And then the people that run it, they should be tested on an annual basis. There should be some tests that they should take for their compliance and ability to be alerted to anything that is wrong with the incinerator. From what they said there, they're just given a mathematical problem to solve, and that is the measurement of the test. These are things that I'm hearing.

I would like to get input from your Department. I would like to have figures on the emissions testings you have gotten and also how this unit is calibrated? And the people that run it, how are they certified and trained to run this unit?

I happened to pull out the specs on the unit, which was in Matthew's website, and it's quite a system. There's still an issue here that I'm concerned with about the CO2 that is not entirely filtered or scrubbed out and it still goes through the stack, and that I would like to have tested too.

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In addition to that, I will bring something to the end, but I would really like it if your office would do an air quality check on this area now, what it is like now.

If you do an air quality check now and you find it not to be good for the people that live here because of the two dumps, I-95, and Pulaski Highway, and all the traffic that we're having here, I would really like to know what those figures are.

I have seen too many people recently in this area, friends that are close to me pass away, and these are young people, young men, and there was really no sense to why they developed health issues because they were very healthy and strong people, and all of a sudden they were exposed to something that created a cancer or an infection that was not able to be resolved, and they passed away.

I am really curious, not only the air, but the water too, that we drink around here. I don't know what you can do, taking a couple tap measurements, but the thing is, I guess I would like to know how you intend on checking these emissions, since on record you have not

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done it for anything or any crematory that exists already.

All right. I think finally I would just like to say, you know, we've also discovered that when there are crematories in areas where there is housing and residential housing close to it, the values of the homes diminish to like about 15 percent, is what I've heard and found and looked at.

AUDIENCE MEMBER: That's right. That's correct.

MS. PERKINS: So that's something that, you know, we are all homeowners and we love this area. That's why we are fighting so hard for it. We really do. I see a lot of people here. I've been here 30-plus years. You know, I used to walk my dog all around everywhere and be talking to myself.

AUDIENCE MEMBER: We'll get reparations.

MS. PERKINS: Yes. So I would just ask for these things, if you could provide them to us, particularly the test results. All right. Thank you.

(Applause.)

MS. ARTHUR: Hi, my name is Clareth,

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C-L-A-R-E-T-H, last name Arthur, A-R-T-H-U-R.

Mr. Evans, I already told you that I didn't want to have this thing done right across the street from my house, but yet you're putting it in, or you're trying to put it in. I've had cancer. I've been in remission for 39 years.

(Applause.)

MS. ARTHUR: I've had more health issues because of the cancer and all the radiation treatments and chemotherapy and all that. I went through seven and a half months of chemotherapy, five weeks and one day of radiation treatments every single day.

The only thing that's keeping me alive is my kids. I have three kids that I wasn't supposed to have any, and now I have heart issues. I've had my gallbladder removed. I've had you name it, I've got it. And I don't want to have any more of it. And these kids that are around here, they don't need it either so you need to take it away.

AUDIENCE MEMBER: Amen.

MS. ARTHUR: I'm sick and tired of it. Every time I come out of my house, I see the trash that

people leave because they see that sign every day, and they just throw the trash outside the window of their cars, and it's ridiculous.

Everything else around here is making us get sicker and sicker and sicker, and something has to stop it. I don't know who's going to do it, whether it be the MDE, I don't know who it is. Somebody needs to stop it because too many people are dying. Put it in your front yard. Put it in your back yard. Not in my front yard.

(Applause.)

MS. ARTHUR: That's all I have.

MS. HEAFEY: If you could sign in for me and your contact information, and I'll just mark it here for speaking.

Sir, go ahead. Actually, you're going to be the last person. We're running out of time. So once you speak, I'll do some closing information on how to reach people. So go ahead.

MR. KING: My name is Alex King, A-L-E-X, K-I-N-G. I believe that there may be other facilities managed by this company or family. If so, I would like to see some independent testing on their other

facilities to see that they are managed to your regulations. I would like to see that in the reports.

AUDIENCE MEMBER: Could you please use the mic? We can't hear you.

MR. KING: I'm sorry. I just would like to see if there are other properties managed by this family. I would like to see some of the testing reports or an independent report, not a self-reported test, and to have it to our availability to see that everything is managed to the standards. That's all.

(Applause.)

MS. HEAFEY: Okay. So quick reminder. The comment period is open through the 21st of November. Please feel free to send additional comments to my attention by the 21st.

If someone requests a 60-day extension to the comment period, I will notify everybody who's signed in here or you are also welcome to call me. If there's an extension request, we'll be sending out a notification to let everybody know, including our elected officials.

MR. PANDEY: How do you send a request?

MS. HEAFEY: Via email or postal mail,

whatever I have, whatever you guys have put on your sign-in sheets. So hopefully I can read it. If you guys are scribbling like my husband does, could you come and make sure that we've got it nice and clear because I do want to be able to send information out to you.

We will also be putting anything on the website under Evans. Feel free to check on that regularly. And like I said, the PowerPoint that Matt did, I'll be adding that to the docket tomorrow so that you can refer to it anytime you need to.

Thank you guys so much for coming out tonight. I really appreciate it. When we're finished with the comment period, they will be reviewing all of the comments and the questions that were made and they will all be addressed in writing so that everybody gets a copy of what was asked. Like I said, including the people who might be just writing in and couldn't make it tonight, they will still hear all of the comments and the answers. So thank you again very, very much. Safe travels.

(Whereupon, the hearing was concluded at 7:43 p.m.)

CERTIFICATE OF COURT REPORTER

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s/Karen Willoughby
KAREN WILLOUGHBY, CER
Court Reporter

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Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: Extension to Comment Period for Evans Funeral Chapel Draft Air Permit

1 message

andy dudek <adudekjr@live.com> Fri, Nov 15, 2024 at 3:21 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Reference to Docket #05-23 to construct a crematorium at 11543 Philadelphia Road - White Marsh, Md. 21162 -
Evans Funeral Home

I am strongly opposed that this application for a crematorium be granted. I am requesting that the Secretary
of MDE submit an Administrative, Executive and Legislative Review to change the current regulations to providing setbacks from a crematorium of a minimum of 500 feet from homes, schools, daycares, restaurants,
etc.

This change will safeguard and protect the health, safety and welfare of not only our community in this matter
but all residents of the State of Maryland. This is long overdue and MDE needs to look out for it's citizens. This current procedure gives all the appearances of impropriety.

Last night on channel 11 News at 11 PM there was a story on the Brown Funeral Home where they admit there is an environmental impact to crematoriums and their solution is to have a water crematorium which is cleaner, greener and no environmental impacts. They said they should be up and running when MDE approves their permit.
I am requesting MDE stop processing this and other's until they look at these water cremations and what would be the impact on the public living in close proximity.
If this is safe then MDE should deny this application and provide an option to the applicant to submit for a water crematory.

If approved with all the material MDE has of opposition and valid issues, concerns and facts to the contrary I am requesting Charles Evans can never apply and be approved for another crematory on this site.
I request that Charles Evans can only do cremations connected with his business only and MDE has rigid limits of cremations that can only be done Monday thru Friday between 8 AM and 5 PM with no weekends or holidays at this location.
Any violation will result in permanent revocation of his permit.

Thank you,

Andy Dudek, Jr.

From: andy dudek <adudekjr@live.com>
Sent: Thursday, November 14, 2024 3:33 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Subject: Re: Extension to Comment Period for Evans Funeral Chapel Draft Air Permit

Thank you Shannon.

On Nov 14, 2024 1:27 PM, Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:

> Hi Andy,
>
> You can add to your comments via email, that is sufficient for the "in writing" requirement.
>
> Thanks for checking in,
> Shannon
>
> Shannon Heafey Public Participation Coordinator
> Air Quality Permits Program, Air and Radiation Administration
> Maryland Department of the Environment
> 1800 Washington Boulevard, Baltimore, Maryland 21230
> shannon.heafey@maryland.gov
> 410-537-4433
>
> On Thu, Nov 14, 2024 at 1:16 PM andy dudek <adudekjr@live.com> wrote:
>
> > Hi Shannon,
> >
> > Just to be clear if I want to supply another comment and or a request can I submit an email to you or must it be in writing.
> >
> > Thanks,
> >
> > Andy Dudek, Jr.
> >
> > On Nov 14, 2024 11:31 AM, Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:
> >
> > > Dear Concerned Community Members:
> > >
> > > This email is to inform you that a written request for an extension to the review period for the Evans Funeral Chapel draft permit for the installation of one human crematory at their White Marsh location has been submitted to the Department and granted. The comment period has been extended through **January 21, 2025**.
> > >
> > > For reference, Docket #05-23 containing the application, draft Permit and Fact Sheet are located here:
> > > https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx
> > >
> > > Please feel free to contact me with any questions.
> > >
> > > Sincerely,
> > > Shannon Heafey
> > >
> > > Shannon Heafey Public Participation Coordinator
> > > Air Quality Permits Program, Air and Radiation Administration
> > > Maryland Department of the Environment

1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Fw: Reference to Comment Period for Evans Funeral Chapel Draft Air Permit

1 message

andy dudek <adudekjr@live.com> Fri, Dec 13, 2024 at 3:06 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Cc: Catherine Allen <cathyallen0808@gmail.com>, markhauf <markhauf@comcast.net>

Reference to Docket #05-23 to construct a crematorium at 11543 Philadelphia Road - White Marsh, Md. 21162

Please see attached. The attached information clearly provides scientific details from temperature inversion that happen often
coupled with all the other environmental health risks along with the close proximity of the I-95 and 2 Recycling with the Big
Gunpowder Falls makes this unique to this area and further demonstrates why this permit application needs to be denied.

The additional information is disgusting on what is apparently going on behind the scenes.

I am respectfully requesting that the Secreatary of MDE make a close inspection of this information in particular.

Thank you,

Andy Dudek, Jr.

From: cathyallen0808@gmail.com <cathyallen0808@gmail.com>
Sent: Wednesday, December 11, 2024 8:45 PM
To: Andy Dudek <adudekjr@live.com>
Subject: Information

Andy,

This information is from a guy I follow on social media. I reached out to him with the info we had up to the 11/12 meeting. His response is below.
Cathy Allen

Hey there, I've been going over what you sent me. There's a weather condition that can happen quite often called a "temperature inversion". This is when you see smoke, haze, smog or fog stuck at ground levels and when it's extreme we get air quality alerts because at those stronger inversion conditions, you can actually see smoke or steam from a chimney come out and stay at ground level and not drift off.
This means anytime there is a temperature inversion strong enough to cause a poor air quality alerts the discharge from the crematorium is not going anywhere but right in your neighborhood around it.
It seems irresponsible for this thing to be placed in the area they want to use it in. There has to be zoning against such a hazardous or industrial waste producing piece of equipment, so I would imagine there is something there happening behind the scenes that isnt right... you would think such a heavily EPA regulated machine would be put only in a very industrial type zone, not in an urban setting like this address listed. It makes me think there should at least be restrictions placed on when they can use this machine, during daytime hours only and absolutely not when air quality alerts or poor air quality is happening during temperature inversion conditions.

A lawyer should be able to find some kind of precedence on this aspect in other cases to help compare what was allowed vs. what actually happened later on and if problems were overlooked because if these weather conditions occur, that discharge is hanging in the air in the immediate area and "precipitating" or falling all over the neighborhood.

It really feels like Evans got this piece of land cheap, it's not really zoned against it so they thought they'd be able to slip it in, and now that you've found out about it they're in for a fight they probably don't want of enough attention is brought to it. I'd really up the public awareness on it, maybe with yard signs like I've seen up here where I'm at against the local airport expansion. (NO Airport rezoning signs in everyone's yards around the airport).

There may be extra equipment that can be required on the discharge too, like a secondary "scrubber" system. I saw numbers of i think maybe 5 lbs per DAY as the upper limit of discharge? That's an insane amount of fine particulate in the air when a temperature inversion and no wind happens, and is keeping the particulates covering your cars instead of "harmlessly floating away"... I would think also the Chesapeake Bay Foundation would like to know about this and may help, they are currently in a huge fight with Exelon power about the nasty stuff being washed into the bay from the Susquehanna, and would NOT be happy hearing about an additional 5+ pounds of hazardous material falling into the Bay from this crematorium.

In short, the best way to go about stopping this is by making it too expensive and un-profitable. It's how big business does it to small business, and how government does it to keep out business they don't want. So what I mean is finding technicalities to force Evans to purchase more/extra EPA regulated equipment since they think they can just put the basic unit in and discharge 5 lbs of human waste into the air per day in a residential area. It really feels like someone at the county should care more and isnt paying close enough attention. Election pressure, as in adding wording to threaten against re-election,at help sway things your way also.

I'm honestly shocked at the numbers this thing can output if they run it full-time. And if they try to say they won't, bullshit as they'll likely try to get it in at a low level then immediately apply for higher levels of output after it's been built as is how all businesses "get their foot in the door" to better profitability. Populations expand, they can end up getting local and federal contracts, a close forensics look at their business plan vs. the maximum capability of the machine itself, vs. the current available "market share" (or to be blunt, the amount of available business as in dead bodies available at any given time for them to process) would likely reveal their true plans for upwards growth, which is the goal of any business in reality. I highly doubt they just plan to open this thing and operate it at its lowest level, profitability ALWAYS plays a role and upwards growth is always a component of that.

I think a formal citizens committee should be formed and a local governmental experienced lawyer along with a good state/federal hazardous materials case related environmental lawyer firm should be immediately consulted to find out all of these real facts that seem to always be hidden from plain sight until it's too late in these types of deals.

I'd be happy to do a zoom meeting or other type of Live chat on this to better explain what happens with a temperature inversion, here's a link that fully describes what happens with images to show how this weather condition which happens a lot around here (we just went through a couple weeks period of it with clear skies day and night) could expose the neighborhood to hazardous products from what is not a very tall discharge chimney and in an oddly suburban setting.

https://en.wikipedia.org/wiki/Inversion_(meteorology)

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: Reference to Comment Period for Evans Funeral Chapel Draft Air Permit

1 message

andy dudek <adudekjr@live.com> Fri, Dec 20, 2024 at 3:24 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Cc: markhauf <markhauf@comcast.net>

Reference to Docket # 05-23 to construct a crematorium at 11543 Philadelphia Road - White Marsh, Md. 21162

There is a report from April 24, 2024 from WBAL TV11 from the American Lung Association's 25 Annual "State of the Air"
Report where Baltimore County and Harford County Md. got an "F" grade where other areas, such as Baltimore City got
there best grade ever in the smog category.

Baltimore City went from a grade of "C" to "B". Carroll County has a "B" grade and Anne Arundel County has improved
it's grade from "F" to "C". The surrounding Counties around and including Baltimore City have a better, (passing) air
quality where Baltimore and Harford County have failed with a grade of "F".

A lot of the Air pollution comes from Cleveland, Ohio where there is high industry on Lake Erie and where their smoke
stacks pump high levels of pollution in to the air that is carried at high altitudes and settle over Baltimore and Harford
Counties which I am sure you are acutely aware.

The above information and facts completely support along with the many other reports already supplied that this area
needs protection from further contaminants. Our Air quality is failing at the worst possible grade and MDE has an
obligation to protect the public by denying the crematorium application in question.

Sincerely,

Andy Dudek, Jr.

From: andy dudek <adudekjr@live.com>
Sent: Friday, December 13, 2024 3:18 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Cc: Catherine Allen <cathyallen0808@gmail.com>; markhauf <markhauf@comcast.net>
Subject: Fw: Reference to Comment Period for Evans Funeral Chapel Draft Air Permit

Please add the correction where it should read, I-95 and a Landfill and Recycling Center...

Thank you, Andy Dudek, Jr.

From: andy dudek <adudekjr@live.com>
Sent: Friday, December 13, 2024 3:06 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Cc: Catherine Allen <cathyallen0808@gmail.com>; markhauf <markhauf@comcast.net>
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https://en.wikipedia.org/wiki/Inversion_(meteorology)

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Docket# 05-23

1 message

Jon Bahr <jon.bahr1@gmail.com> Mon, Feb 10, 2025 at 2:00 PM
To: shannon.heafey@maryland.gov
Cc: wmcaa.treasurer@gmail.com

Good Afternoon,

As a concerned resident of the White Marsh community, I would like to submit the following questions for docket# 05-23 (Evans Funeral Home Crematorium):

1. What are the guidelines for placing a crematorium near residential areas, schools, daycares, and restaurants?
2. What steps will be taken to ensure that the crematorium's emissions do not harm the air quality in the surrounding area?
3. If the MDE monitors the output from Evans Funeral Home:
    - How often will the monitoring occur?
    - What tools or equipment will be used for monitoring?
    - Will the regular testing include polychlorinated dibenzo-p-dioxins, dibenzofurans (PCDD/Fs), and mercury?
    - Will air quality, vegetation, and soil be tested, and how frequently?
    - What is the time frame from testing to the availability of results?
    - Will the results be accessible to residents in real-time?
    - What circumstances would trigger an inspection outside of the standard monitoring plan?
4. Will there be a designated contact person for residents and business owners to address any concerns?
5. Who from the MDE will act as the local representative to ensure the safety of residents and business owners?
6. How quickly will monitoring results be available if immediate action is needed to protect the surrounding area, including homes, schools, daycares, churches, and restaurants?
7. What measures will be taken on days with low air quality to manage the crematorium's output?
    - How will natural events like smog, rain, and wind affect the safe operation of the crematorium?
8. What systems will be in place to ensure ongoing compliance with emission standards?
9. If harmful monitoring results are found:
    - What is the time frame for Evans Funeral Home to shut down their equipment?
    - How soon will the public be informed?
    - If it is not standard policy to inform the public, what is the reasoning behind this?
    - What safety measures will be provided for area residents?
    - If residents are negatively impacted, will Evans Funeral Home provide financial support for treatment, or will this responsibility fall to the MDE? Is there a contact number?
    - What steps will the MDE take in response to harmful findings?
    - What steps will Evans Funeral Home take?
    - How closely will the MDE monitor Evans Funeral Home to ensure compliance with these steps?
    - Will Evans Funeral Home be required to stop providing crematorium services until the issue is resolved?
10. How will the crematorium manage waste to prevent contamination of local water sources?
    - How will waste management be monitored?
    - How frequently will this monitoring occur?
    - Where can residents review the monitoring results?
11. What measures will be taken to ensure the health and safety of residents living near the crematorium?
12. Are there any studies or assessments detailing the potential health risks associated with the crematorium's operations? If so, will these be provided to the community before proceeding with the project?
13. How will the presence of the crematorium affect property values in the surrounding neighborhoods?
    - Is there data on how similar communities have been impacted?

- Have any inquiries been made into the long-term impact (5-10 years) of having such a facility in a residential area?

14. What plans are in place to address potential traffic congestion?
    - Given the frequent congestion due to incidents on 695/95 and locally on Route 40, Belair Road, or Philadelphia Road, will the road be expanded to four lanes? If so, should this be done before construction begins?
15. What plans are in place to address increased noise levels due to the crematorium?
    - Will there be specific times when services must be shut down?
16. How will the crematorium ensure compliance with local, state, and federal environmental regulations?
    - Who will be responsible for monitoring compliance?
    - How often will compliance be monitored?
    - Where will the findings be posted?
    - What steps will be taken if the crematorium is not in compliance?
17. Have alternative locations for the crematorium been considered, and if so, why were they deemed unsuitable compared to the current location?
    - Given that Evans Funeral Home has locations in Parkville and Forrest Hill with crematoriums, would it not be more cost-effective to expand these facilities?
18. Are there other methods of handling cremation that could have less impact on the community and environment?
19. Have any studies been conducted to address the long-term health effects of the crematorium's emissions? If not, should this be done before construction begins?
20. Does the community have any say or recourse, given their concerns about the negative impact on health and traffic?
21. What steps can residents take if they believe Evans Funeral Home is not following regulations?
    - Will there be a contact person at the MDE?
    - What is the expected response time?

Thank you,

Jonathan Bahr

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Docket# 05-23

1 message

Carol Bahr <cbahr555@gmail.com> Mon, Feb 10, 2025 at 6:21 PM
To: shannon.heafey@maryland.gov

Sent

Subject: Docket# 05-23

To: shannon.heafey@maryland.gov

CC: wmcca.treasurer@gmail.com

SUBJECT line: Docket# 05-23

Hello Ms. Heafey,

Below please find my questions around the proposed crematorium for Evans funeral home.

1. How will the presence of the crematorium affect property values in the surrounding neighborhoods?
    - Is there data on how similar communities have been impacted?
    - Have any inquiries been made into the long-term impact (5-10 years) of having such a facility in a residential area?
2. What plans are in place to address potential traffic congestion?
3. The area has a congestion issue due, what will the plan be to not add to the congestion?
4. Will the road be expanded? Would this need to be completed prior?
5. What plans are in place to address increased noise levels due to the crematorium?
    - Will there be specific times when services must be shut down?
6. How will the crematorium ensure compliance with local, state, and federal environmental regulations?
    - Who will be responsible for monitoring compliance?
    - How often will compliance be monitored?
    - Where will the findings be posted?
    - What steps will be taken if the crematorium is not in compliance?
7. Have alternative locations for the crematorium been considered, and if so, why were they deemed unsuitable compared to the current location?
    - Given that Evans Funeral Home has locations in Parkville and Forrest Hill with crematoriums, would it not be more cost-effective to expand these facilities?
8. Are there other methods of handling cremation that could have less impact on the community and environment?
9. Have any studies been conducted to address the long-term health effects of the crematorium's emissions? If not, should this be done before construction begins?
10. Does the community have any say or recourse, given their concerns about the negative impact on health and traffic?
11. What steps can residents take if they believe Evans Funeral Home is not following regulations?
    - Will there be a contact person at the MDE?
    - What is the expected response time?
12. What are the specific zoning regulations for siting a crematorium in this area?
13. Are there any emergency response plans in place in case of an accident or malfunction at the crematorium?

- How soon will the community be notified if an emergency occurs?

14. What are the potential long-term environmental impacts of the crematorium on the local ecosystem?
15. How will the crematorium ensure that its operations do not interfere with local wildlife?
16. Are there any further community engagement plans to keep residents informed about the crematorium's operations and any potential issues?
17. What are the potential economic impacts of the crematorium on the local community?
18. How will the crematorium address any potential odor issues that may arise from its operations?
19. What are the specific health and safety protocols that the crematorium will follow to protect its workers and the community?
20. How will the crematorium ensure that its operations do not contribute to noise pollution in the area?
    - How will this be monitored?
21. How will the EFH ensure they will not contribute to further exacerbate the current traffic conditions?
22. What are the guidelines for placing a crematorium near residential areas, schools, daycares, and restaurants?
23. What steps will be taken to ensure that the crematorium's emissions do not harm the air quality in the surrounding area?
24. If the MDE monitors the output from Evans Funeral Home:
    - How often will the monitoring occur?
    - What tools or equipment will be used for monitoring?
    - Will the regular testing include polychlorinated dibenzo-p-dioxins, dibenzofurans (PCDD/Fs), and mercury?
    - Will air quality, vegetation, and soil be tested, and how frequently?
    - What is the time frame from testing to the availability of results?
    - Will the results be accessible to local residents in real-time?
    - What circumstances would trigger an inspection outside of the standard monitoring plan?
25. Will there be a designated contact person for local residents and business owners to address any concerns?
26. Who from the MDE will act as the local representative to ensure the safety of residents and business owners?
27. How quickly will monitoring results be available if immediate action is needed to protect the surrounding area, including homes, schools, daycares, churches, and restaurants?
28. What measures will be taken on days with low air quality to manage the crematorium's output?
    - How will natural events like smog, rain, and wind affect the safe operation of the crematorium?
29. What systems will be in place to ensure ongoing compliance with emission standards?
30. If harmful monitoring results are found:
    - What is the time frame for Evans Funeral Home to shut down their equipment?
    - How soon will the public be informed?
    - If it is not standard policy to inform the public, what is the reasoning behind this?
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    - What steps will the MDE take in response to harmful findings?
    - What steps will Evans Funeral Home take?
    - How closely will the MDE monitor Evans Funeral Home to ensure compliance with these steps?
    - Will Evans Funeral Home be required to stop providing crematorium services until the issue is resolved?
31. How will the crematorium manage waste to prevent contamination of local water sources?
    - How will waste management be monitored?
    - How frequently will this monitoring occur?
    - Where can local residents review the monitoring results?
32. What measures will be taken to ensure the health and safety of residents living near the crematorium?
33. Are there any studies or assessments detailing the potential health risks associated with the crematorium's operations? If so, will these be provided to the community before proceeding with the project?

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Docket # 05-23

1 message

Natalia Bahr <natalianbahr@gmail.com> Mon, Feb 10, 2025 at 2:17 PM
To: shannon.heafey@maryland.gov
Cc: wmcca.treasurer@gmail.com

Hello Ms. Heafey,

Please see the below questions in regard to the Evans Funeral Home crematorium:

1. What are the standard practices for siting a crematorium near residential areas, schools/daycares, and restaurants?
2. What measures will be taken to ensure that emissions from the crematorium do not negatively impact air quality in the surrounding area?
3. Assuming the MDE will monitor the output provided by Evans Funeral Home:
    - How frequently will it be monitored?
    - What tools or testing equipment will be used for monitoring?
    - Will polychlorinated dibenzo-p-dioxins, dibenzofurans (PCDD/Fs), and mercury be included in the regular testing?
    - Will air quality, vegetation, and soil be tested? How often?
    - What is the turnaround time from testing to results availability?
    - Will results be available in real-time to local residents?
    - What triggers an inspection outside of the standard monitoring plan?
4. Will local residents and business owners have a contact person for any concerns that arise?
5. Who from the MDE will be the local representative for residents and business owners to ensure safety?
6. How quickly will monitoring results be available if swift action is needed to protect the surrounding area, including homes, schools, daycares, churches, and restaurants?
7. What happens to the crematorium's output on low air quality days?
    - How will smog, rain, wind, and other natural events impact the safe execution of this process?
8. What monitoring systems will be in place to ensure ongoing compliance with emission standards?
9. If monitoring results are found to be harmful:
    - What is the turnaround time for Evans Funeral Home to shut down their equipment?
    - How soon will the public be informed?
    - If it is not policy to inform the public, what is the reasoning behind this?
    - What safety measures will be provided for area residents?
    - If area residents are negatively impacted, will Evans Funeral Home provide financial support for any treatment needed, or will this fall to the MDE? Is there a contact number?
    - What are the next steps for the MDE in the case of harmful findings?
    - What are the next steps for Evans Funeral Home?
    - How closely does the MDE monitor Evans Funeral Home to ensure they follow these steps?
    - Will Evans Funeral Home be stopped from providing crematorium services until the issue is resolved?
10. How will the crematorium manage waste and ensure it does not contaminate local water sources?
    - How will this waste management be monitored?
    - How often?
    - Where can local residents review monitoring results?
11. What steps will be taken to ensure the health and safety of residents living near the crematorium?
12. Are there any studies or assessments available that detail the potential health risks associated with the crematorium's operations? If so, will they be provided to the community before moving forward with this venture?
13. How will the presence of the crematorium affect property values in the surrounding neighborhoods?
    - Do we have any data on how it impacted other similar communities?
    - Have any inquiries been made into the 5-10 year impact of having such a facility in a residential area?
14. What plans are in place to address potential traffic congestion?
    - The area is often congested due to incidents from 695/95 and locally on Route 40, Belair Road, or Philadelphia Road. Will the road be expanded to four lanes? If so, shouldn't this be done before building?
15. What are the plans to address increased noise levels due to the crematorium?
    - Will there be a timeframe in which services must be shut down?
16. How will the crematorium ensure compliance with local, state, and federal environmental regulations?
    - Who will monitor this?

- How often will this be monitored?
- Where will the findings be posted?
- What are the next steps if they are not in compliance?

17. Have alternative locations for the crematorium been considered, and if so, why were they deemed unsuitable compared to the current location?
    - The Evans Funeral Home has locations in Parkville and Forrest Hill that include a crematorium. For financial reasons, would it not make more sense to expand these facilities?
18. Are there other methods of handling cremation that could be less impactful on the community and environment?
19. Have any studies been completed to address the long-term health effects that the emissions may cause? If not, shouldn't this be done before breaking ground?
20. Does the community have any say or recourse, as they have been very upfront that a crematorium is unwanted due to the negative impact on health and traffic?
21. What steps can residents take if they believe Evans Funeral Home is not following regulations?
    - Will we have a contact at the MDE?
    - What is the expected turnaround time?
22. What are the specific zoning regulations for siting a crematorium in this area?
23. Are there any emergency response plans in place in case of an accident or malfunction at the crematorium?
    - How soon will the community be notified if an emergency occurs?
24. What are the potential long-term environmental impacts of the crematorium on the local ecosystem?
25. How will the crematorium ensure that its operations do not interfere with local wildlife?
26. Are there any further community engagement plans to keep residents informed about the crematorium's operations and any potential issues?
27. What are the potential economic impacts of the crematorium on the local community?
28. How will the crematorium address any potential odor issues that may arise from its operations?
29. What are the specific health and safety protocols that the crematorium will follow to protect its workers and the community?
30. How will the crematorium ensure that its operations do not contribute to noise pollution in the area?
    - How will this be monitored?
31. How will the EFH ensure they will not contribute to further exacerbate the current traffic conditions?

Best regards,

Natalia Bahr

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

opposition to human crematory

1 message

David Marks <dmarks@baltimorecountymd.gov> Tue, Nov 12, 2024 at 5:13 AM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>, "suna.sariscak@maryland.gov" <suna.sariscak@maryland.gov>, Janel Dutton -MDE- <janel.dutton1@maryland.gov>, Matthew Hafner -MDE- <matthew.hafner@maryland.gov>
Cc: Information WMCCA <wmcca.info@gmail.com>, Bradley Lang <blang@baltimorecountymd.gov>

Attached is my formal letter of opposition to the permit for the crematory that will be considered at tonight's public hearing. The hearing was scheduled at the same time as a Council work session, so my aide Bradley Lang will represent me. I ask that he be allowed to speak on my behalf. Thank you.

Councilman David Marks

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www.baltimorecountymd.gov

Marks opposition to crematory.pdf
367K

Baltimore County Councilman David Marks
Historic Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-3384

November 12, 2024

Deputy Director Angelo Bianca
Maryland Air and Radiation Administration
1800 Washington Avenue
Baltimore, MD 21230

Dear Deputy Director Bianca:

I am writing to strongly oppose the issuance of a permit to construct a human crematory at 11543 Philadelphia Road in Baltimore County. I would have attended the public hearing if it had not been scheduled during a County Council work session.

I have consistently stood with the community in strong opposition to the placement of a crematory at this location. I share all the concerns you will hear about possible public health impacts on the surrounding residential and business neighborhoods. Our office supported downzoning this location in the Comprehensive Zoning Map Process to block a crematory, and we once again **emphatically** and **clearly** urge you to reject this proposal.

To the best of my knowledge, there is no public support in the White Marsh area other than from those who would financially support from the development of the crematory.

Thank you for your thoughtful consideration of all viewpoints, including those from the community.

Sincerely:

David Marks
County Councilman

Baltimore County Councilman David Marks
Historic Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-3384

January 17, 2025

Ms. Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230

Dear Ms. Heafey:

I am writing to again reiterate my strong opposition to the issuance of a permit to construct a human crematory at 11543 Philadelphia Road in Baltimore County. I have emphasized my opposition in multiple public venues and in meetings with the community.

I have consistently stood with the community in strong opposition to the placement of a crematory at this location. I share all the concerns you have heard about possible public health impacts on the surrounding residential and business neighborhoods. Our office supported downzoning this location in the Comprehensive Zoning Map Process to block a crematory, and we once again **emphatically** and **clearly** urge you to reject this proposal.

To the best of my knowledge, there is little public support in the White Marsh area other than from those who would financially support from the development of the crematory.

Thank you for your thoughtful consideration of all viewpoints, including those from the community.

Sincerely:

David Marks
County Councilman

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Air pollution and risk of autism in children | News | Harvard T.H. Chan School of Public Health

1 message

Kathie Deinlein <kbukowski54@gmail.com> Wed, Nov 13, 2024 at 7:28 AM
To: Shannon.Heafey@maryland.gov

As I was Leaving your meeting last night about the Evans crematorium, a newscast came on my radio, talking about air pollution, and the more recent increase in autism and children. There are several studies stating that increased air pollution causes autism when the pregnant mother is exposed to the air pollution. As you know, we already live in an area with the Eastern landfill, the restoration center, and 95 increasing our air pollution.. We can now add the fear of autism to the other fears of having a crematorium in a residential neighborhood.

It was not clear to me how to reach out to you to add a comment to those opposing the Evans crematorium, but I did hear you say that your card was on the front desk and we could reach out to you. I would like the attached article to be part of the discussion as to why the Evans crematorium would not be, a good match for Philadelphia Road location. If I need to send this comment to someone else, please let me know.
Kathleen Deinlein
5633 Allender Rd.
Whitemarsh, Maryland 21162

https://www.hsph.harvard.edu/news/hsph-in-the-news/air-pollution-linked-with-increased-risk-of-autism-in-children/

Sent from my iPad

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Evans crematorium

1 message

Kathie Deinlein <kbukowski54@gmail.com> Sat, Nov 16, 2024 at 7:13 PM
To: Shannon.Heafey@maryland.gov

I would like this to be submitted as a reason for the evans crematorium not to be built in a residential neighborhood which is already plagued by air pollution.
Kathleen Deinlein
5633 Allender Road
White Marsh MD 21162

https://www.nature.com/articles/s41598-023-30877-5.pdf

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s41598-023-30877-5.pdf
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Exposure to local, source-specific ambient air pollution during pregnancy and autism in children: a cohort study from southern Sweden

Erin Flanagan[1]✉, Ebba Malmqvist[1], Ralf Rittner[1], Peik Gustafsson[2], Karin Källén[1] & Anna Oudin[1]

Evidence of air pollution exposure, namely, ambient particulate matter (PM), during pregnancy and an increased risk of autism in children is growing; however, the unique PM sources that contribute to this association are currently unknown. The aim of the present study was to investigate local, source-specific ambient PM exposure during pregnancy and its associations with childhood autism, specifically, and autism spectrum disorders (ASD) as a group. A cohort of 40,245 singleton births from 2000 to 2009 in Scania, Sweden, was combined with data on locally emitted PM with an aerodynamic diameter < 2.5 µm ($PM_{2.5}$). A flat, two-dimensional dispersion model was used to assess local $PM_{2.5}$ concentrations (all-source $PM_{2.5}$, small-scale residential heating- mainly wood burning, tailpipe exhaust, and vehicle wear-and-tear) at the mother's residential address during pregnancy. Associations were analyzed using binary logistic regression. Exposure to local $PM_{2.5}$ during pregnancy from each of the investigated sources was associated with childhood autism in the fully adjusted models. For ASD, similar, but less pronounced, associations were found. The results add to existing evidence that exposure to air pollution during pregnancy may be associated with an increased risk of childhood autism. Further, these findings suggest that locally produced emissions from both residential wood burning and road traffic-related sources (tailpipe exhaust and vehicle wear-and-tear) contribute to this association.

Air pollution is a major cause of morbidity and mortality worldwide[1]. Particulate matter (PM) with an aerodynamic diameter less than 2.5 µm ($PM_{2.5}$) derived from fossil fuels alone has recently been estimated to contribute to 10.2 million premature deaths around the world each year[2]. The relationship between traffic-related air pollution, often tailpipe emissions stemming from diesel fuel and petrol combustion, and adverse health effects is well established[3–5]. Additionally, vehicle wear-and-tear's finer fractions contribute to inhalable PM pollution[6]. Wood burning for residential heating and leisure purposes also produces PM as well as other toxic compounds[7–9], yet little is known about the health effects of ambient wood smoke.

Evolving evidence indicates that health effects may vary in type and degree depending on the source of $PM_{2.5}$ exposure[10]. Source-specific epidemiological studies are still scarce, though, as such separation requires high quality exposure data that has not been available previously. Air pollution is far from static and varies substantially in time and space, which means that advanced exposure assessment is needed to better capture local exposures' unique composition. With this, the health effects of distinct sources, rather than total concentrations, can be investigated. For instance, associations between tailpipe exhaust particles and low birth weight have been observed in a Swedish study using advanced source-specific exposure data[11]. Associations between ambient wood smoke, and their related markers, and both dementia[12] and childhood asthma[13] have also been found in other Sweden-based studies using advanced exposure assessment data.

[1]Division of Occupational and Environmental Medicine, Department of Laboratory Medicine, Faculty of Medicine, Lund University, Lund, Sweden. [2]Child and Adolescent Psychiatry, Department of Clinical Sciences, Faculty of Medicine, Lund University, Lund, Sweden. ✉email: erin.flanagan@med.lu.se

While all people are susceptible to the adverse health effects of air pollution, pregnant women and their developing fetuses may be particularly vulnerable[14,15]. Thus, air pollution exposure during pregnancy and in early life has been studied in connection to autism spectrum disorders (ASD). Evidence of this association has been developing, with a 2016 systematic review and meta-analysis supporting the association but emphasizing cautious interpretation due to the relatively small sample of available studies[16]. A 2019 systematic review and meta-analysis including both adults and children has demonstrated more robust associations, naming ASD among other neurological and developmental disorders associated with $PM_{2.5}$ exposure[17]. More current systematic reviews and meta-analyses focusing on children only and prenatal exposure specifically identified the strongest evidence for $PM_{2.5}$ exposure and ASD[18,19], with one reporting each 5 $\mu g/m^3$ incremental increase in $PM_{2.5}$ to lead to a 5%, 7%, or 15% increased risk of ASD in newborns depending on the model used[19]. Similarly, a 2022 systematic review and meta-analysis examining vulnerable exposure windows, including prenatal periods (first trimester, third trimester and entire pregnancy), first year after birth, and second year after birth, also reported an association between $PM_{2.5}$ and ASD, and the authors named early postnatal periods as critical exposure windows[20]. Some disagreement exists, however, as another review found the pregnancy period to be the most impactful $PM_{2.5}$ exposure window for ASD[21].

Autism development is poorly understood, but mounting evidence has emphasized the importance of genetic and environmental factors[22]. With the latter being modifiable, research on the role of the environment, particularly air pollution, has increased. Suggested biological mechanisms include oxidative stress, inflammation (neuro-inflammation and systemic inflammation), neurotoxicity, and endocrine disruption[23–26]. Animal models also support developmental neurotoxicity as a plausible pathway[27,28], and one such study has demonstrated ASD traits in mice following prenatal exposure to diesel exhaust[29]. A recent study of maternal serum samples indicated that high exposure to traffic-related air pollution during pregnancy disturbed metabolic pathways and mitochondrial function among mothers with children that developed ASD[30]. Moreover, short- and long-term species of $PM_{2.5}$ that can be traced to wood burning have been shown to negatively affect several metabolic pathways involved in oxidative stress and inflammation[31].

Although air pollution has been demonstrated to significantly affect neurodevelopment and contribute to autism[18,19], only one study could be identified considering these associations with respect to source-specific exposure (tailpipe and non-tailpipe emissions from road traffic)[32]. As the sources of locally produced air pollution may vary from setting to setting and each source can have unique effects on human health, previous research has encouraged more source-apportionment studies of PM[33]. Road traffic is often one of the largest contributors to PM emissions and is predicted to increase[19], therefore, exploring the various sources of traffic-related PM can provide a better understanding of their individual impacts on public health. Additionally, too few epidemiological studies investigating ambient wood smoke from residential wood combustion and health exist to date[34], and none consider autism. Indeed, a review on the health impacts of wood burning emissions cited the need for more studies on non-respiratory pediatric outcomes, with better exposure assessment and proper adjustment for confounding[35]. The knowledge gleaned from source-specific findings can be used to inform air quality policy on all potentially detrimental emission sources.

The aim of the present study was to investigate the association between exposure to source-specific ambient $PM_{2.5}$ during pregnancy and autism in children within a low-exposure setting where air pollution concentrations generally comply with the current European air quality guidelines[36].

Methods

Study setting and study population. This study was undertaken in Scania (Skåne), the southernmost county in Sweden, which had a total population of approximately 1.4 million at the end of 2019. The study population is comprised of the Maternal Air Pollution in Southern Sweden (MAPSS) cohort, containing data on 43,256 singleton births from 2000 to 2009 in Scania. A detailed description of this cohort has been provided previously by Malmqvist et al.[37]. In short, MAPSS utilizes a high-quality local birth register with 98% coverage of all births in Scania and includes important data on the women's obstetric history, risk factors, and other relevant covariates. The birth register, Perinatal Revision Syd (PRS), has a wide catchment area of hospitals in Malmö, Lund, and Trelleborg.

Using each woman's unique personal identification number, PRS was linked to air pollution concentrations at her residential address as well as to additional demographic information and socioeconomic characteristics obtained from Statistics Sweden. This data combined constitutes MAPSS. When excluding children with missing exposure or incorrect data linkage, the final study size was 40,245 (Fig. 1).

Exposure assessment. A Gaussian plume air dispersion model was used to model the dispersion of emissions throughout Scania, Sweden, during the study period[38]. This flat, two-dimensional dispersion model is a locally adjusted version of the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) by the United States Environmental Protection Agency[39] and was implemented in the ENVIMAN software package. Total $PM_{2.5}$ concentrations were modelled at a 100 m by 100 m spatial resolution and a standard, hourly temporal resolution, which was then aggregated into yearly concentrations to derive annual mean concentrations. Source-specific $PM_{2.5}$ concentrations were based on dispersion calculations utilizing statistical weather data, which consisted of 360 different conditions. These were derived from monitored weather conditions over a long period. The software calculated dispersion for each $PM_{2.5}$ source according to each of the 360 conditions, multiplied the result for each case with the frequency in which the condition occurred during the monitored period, and summed these to obtain an annual mean concentration. Because modelling each individual 100-m grid-square throughout the entire study area (11,303 km^2) and for the whole study period (12 years) is both resource- and time-intensive, the dispersion calculation was only carried out for

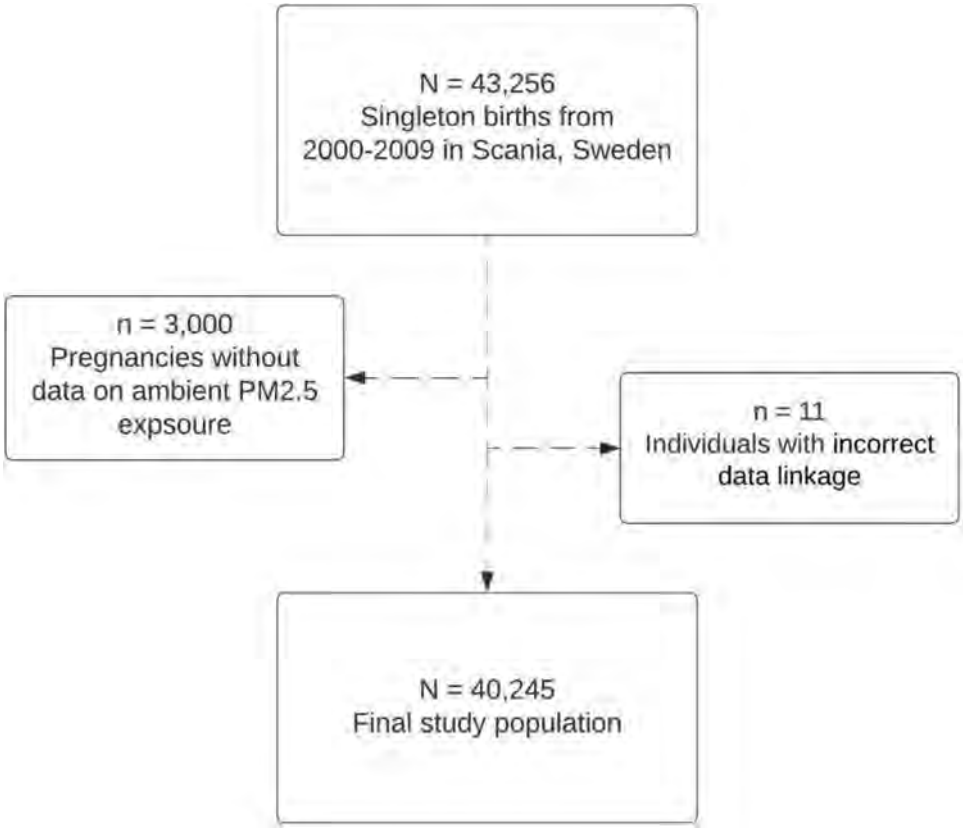


Figure 1. Flowchart of the study population by exclusion of individuals falling outside the study area and due to missing data or incorrect data linkage.

the start and end years (2000 and 2011) of the study period. The interpolation of the years between them was based on an atmospheric ventilation index using a complex method developed by the Swedish Clean Air and Climate Research Program. To derive monthly values, further interpolation was performed and is described in Rittner et al.[38]. During this process, month- and year-specific temporal and meteorological variations in air pollution were addressed. The model was evaluated against measured monthly mean $PM_{2.5}$ concentrations, aggregated from hourly or daily averages, from three monitoring stations in Malmö, Trelleborg and Landskrona (along the west and southwest coast of Scania). Correlations (Pearson R^2) between modelled and measured $PM_{2.5}$ concentrations ranged from 0.44 to 0.86, with the highest correlation seen in the southwest part of Scania where Malmö, the largest city in Scania, is located[38]. Mean bias of the $PM_{2.5}$ model was negative and positive spanning: − 8.99 to 4.59 μg/m^3, which does not indicate the presence of systematic modelling error in any specific direction[38]. The root mean square error (RMSE) for the three monitoring stations ranged between 1.50 and 9.33[38].

Emission data for this dispersion model was obtained from a detailed database of local emission sources maintained by the City of Malmö's Environmental Department. These included aviation, industries, major energy and heat producers, railroads, road traffic, shipping, small-scale residential heating, non-road vehicles, and emissions from Zealand, Denmark. Aviation emission data from regional airports and Kastrup (Copenhagen, Denmark) were obtained from the airports' annual environmental reports. Industry and energy production emissions were reported by relevant entities within the study area. Railroads in Sweden are mainly electric; therefore, railroad emissions were estimated using the fuel consumption of the few operational diesel engine freight trains in Scania while in transit on railway lines and while static at railway stations[37]. To account for emissions from road traffic, data on fuel sources (petrol, diesel, and compressed natural gas), types of vehicles (passenger cars, light-goods vehicles and heavy-duty vehicles), traffic volume, and speed limits were known for each road segment (classified into one of 36 distinct road types in an urban or rural environment) in the study area. This data was gathered from the Swedish Road Administration and local municipalities. Emission factors developed by the Handbook of Emission Factors for Road Transport (HBEFA), version 3.2[40] were then applied to this data to estimate local traffic exhaust emissions. Emissions from vehicle wear-and-tear, or the abrasive emissions from road traffic, included re-suspended road dust, tire-wear and brake-wear particles according to the emission model detailed in HBEFA 3.2[40]. Originally, only the re-suspension of PM_{10} particles was included in the emission database. To include $PM_{2.5}$, it was estimated that only 20% of PM_{10} particles were less than 2.5 μm in diameter (i.e., $PM_{2.5}$ equals 0.2 of PM_{10})[38]. The suspension of road dust and tire-wear during wintertime was also based on research analyzing particulate emissions from studded tires in Stockholm, Sweden. These were then

applied to the Scanian setting according to an estimate of the percentage of vehicles with studded tires (35% in 2000 and 25% in 2011[38]). Shipping emissions from around Scania's coast were estimated by Gustafsson[39] for the year 2000, and 2011 emissions were described by Project Shipair[41]. Regarding small-scale residential heating, the frequency of, for example, fireplace- and/or wood stove-use in Scania was estimated using detailed chimney sweeping records[39]. Emissions from non-road vehicles throughout the study area were derived from a report by the Swedish Environmental Research Institute, IVL. Scania's proximity to the industrial island of Zealand and the area's prevailing westerly winds warranted the inclusion of their local emissions in the dispersion model[38].

The geographical coordinates of each woman's residential address were obtained from Statistics Sweden, linked to MAPSS, and used to calculate individual exposure. Statistics Sweden only updates changes in residency at the end of the calendar year. Exposure estimates for every gestational month were, therefore, based on the nearest available time: January–June coordinates from the end of the previous year and July–December coordinates from the end of the current year. Moreover, if 67% or more of monthly exposure data was non-missing, the pregnancy exposure overall was designated as non-missing. This cut-off was chosen following an evaluation of monthly exposures for pregnancies with complete exposure data. For pregnancies where > 67% of the monthly exposure data was missing, all missing values were replaced with an estimated value based on exposure from subsequent years using the Expectation–Maximization algorithm.

Because this study examined locally emitted $PM_{2.5}$, regional background concentrations (often referred to as "long-range" or "in-transported") were not considered. As regional background emissions typically comprise the majority of total PM, investigating only local PM concentrations results in seemingly low exposure levels. However, the spatial contrast of regional background concentrations is low in this study area[38]. Because of this, effect estimates would still describe contrasts in local exposures even if regional background concentrations were included. The interpretation of the estimates becomes somewhat different, though: it illustrates the effect of local contrasts rather than the aggregate effect of total PM, which is more traditionally studied.

Four sources of locally emitted $PM_{2.5}$ were investigated: all-source $PM_{2.5}$, small-scale residential heating, tailpipe exhaust, and vehicle wear-and-tear. Small-scale residential heating mainly consists of wood burning in household fireplaces and/or wood stoves for heating or leisure, and vehicle wear-and-tear comprises the air pollution generated from re-suspended road dust and vehicles' brakes and tires (Fig. 2). All other source contributions (aviation, industries, major energy and heat producers, railroads, shipping, non-road vehicles, etc.) were very small. Therefore, these were not examined separately but were captured by the aggregated all-source $PM_{2.5}$ category, which also included small-scale residential heating, tailpipe exhaust, and vehicle wear-and-tear. The distribution of these exposure variables can be seen in Supplementary Fig. S1 (Supplementary Information).

Outcome assessment. The outcome of interest in this study was autism, specifically ASD [International Classification of Mental and Behavioral Disorders version 10 (ICD-10) diagnosis codes starting with F84] and childhood autism (ICD-10 diagnosis code F84.0) only. ASD comprises all pervasive developmental disorders. It is characterized by one or more of the following areas of neurodivergence: qualitative variations in patterns of communication; difficulties with reciprocal social interactions; and a restricted, repetitive collection of behaviors and interests. For childhood autism, symptoms within all three areas of neurodivergence must be present before the age of 3 years.

When a child is suspected of having autism in Scania, they are referred to the Departments of Child and Adolescent Psychiatry and are examined by a multidisciplinary team[42]. These evaluations utilize both the Autism Diagnostic Observation Schedule-Generic (ADOS-G)[43] and the Autism Diagnostic Interview-Revised (ADI-R)[44] for most (75%) cases. Diagnostic methods for the remaining cases can differ. On occasion, structured instruments other than ADOS and ADI, such as the Mini-International Neuropsychiatric Interview for Children and Adolescents (MINI Kid), the Kiddie Schedule for Affective Disorders and Schizophrenia (K-SADS), the Social Communication Questionnaire (SCQ), the Social Responsiveness Scale, 2nd Edition (SRS-2), the Child Behavior Checklist (CBCL), or the Nordic Questionnaire for Evaluation of Development and Behavior in Children and Adolescents called Five-to-Fifteen (5–15 or FTF), are used to varying degrees and in varying combinations. In all cases, however, the child's behavior is observed, the parents are interviewed, and information is gathered from the child's school. All data is then evaluated and compared to diagnostic criteria in the Diagnostic and Statistical Manual of Mental Disorders (DSM). Finally, an autism diagnosis is assigned according to the ICD-10 and entered into the Skåne Healthcare Database (SHR). The outcome data used in this study was extracted from SHR and was available through the 31st of December, 2017.

Covariates. The risk factors for autism development, identified a priori, considered for this study were maternal age (≤ 19, 20–34, ≥ 35), parity (1, 2, 3, or ≥ 4), pre-pregnancy body mass index (BMI; < 18.5, 18.5–24.9, 25–29.9, ≥ 30 kg/m^2), smoking status at first antenatal visit (non-smoker, 1–9 cigarettes/day, ≥ 10 cigarettes/day), as well as sex of the child (male/female) and birth year (categorical; 2000–2009). Socioeconomic status (SES) predictors were also incorporated to control for potential confounding. These included maternal birth country (Sweden, Europe, other), maternal education (≤ 9, 10–12, 13–16, and > 16 years of schooling), annual household disposable income (quartiles), and neighborhood-level SES. Neighborhood-level SES was a continuous measure and captures the proportion of inhabitants in the neighborhood with "low economic standard", which is defined by Statistics Sweden as the number of people living in a household with an economic standard that is less than 60% of the national median value[45]. Other covariates considered in sensitivity analyses included birth month and low birth weight.

Statistical methods. The main analyses applied binary logistic regression models with ASD or childhood autism as the outcome in a univariate model and two multivariate models using exposure data during pregnancy

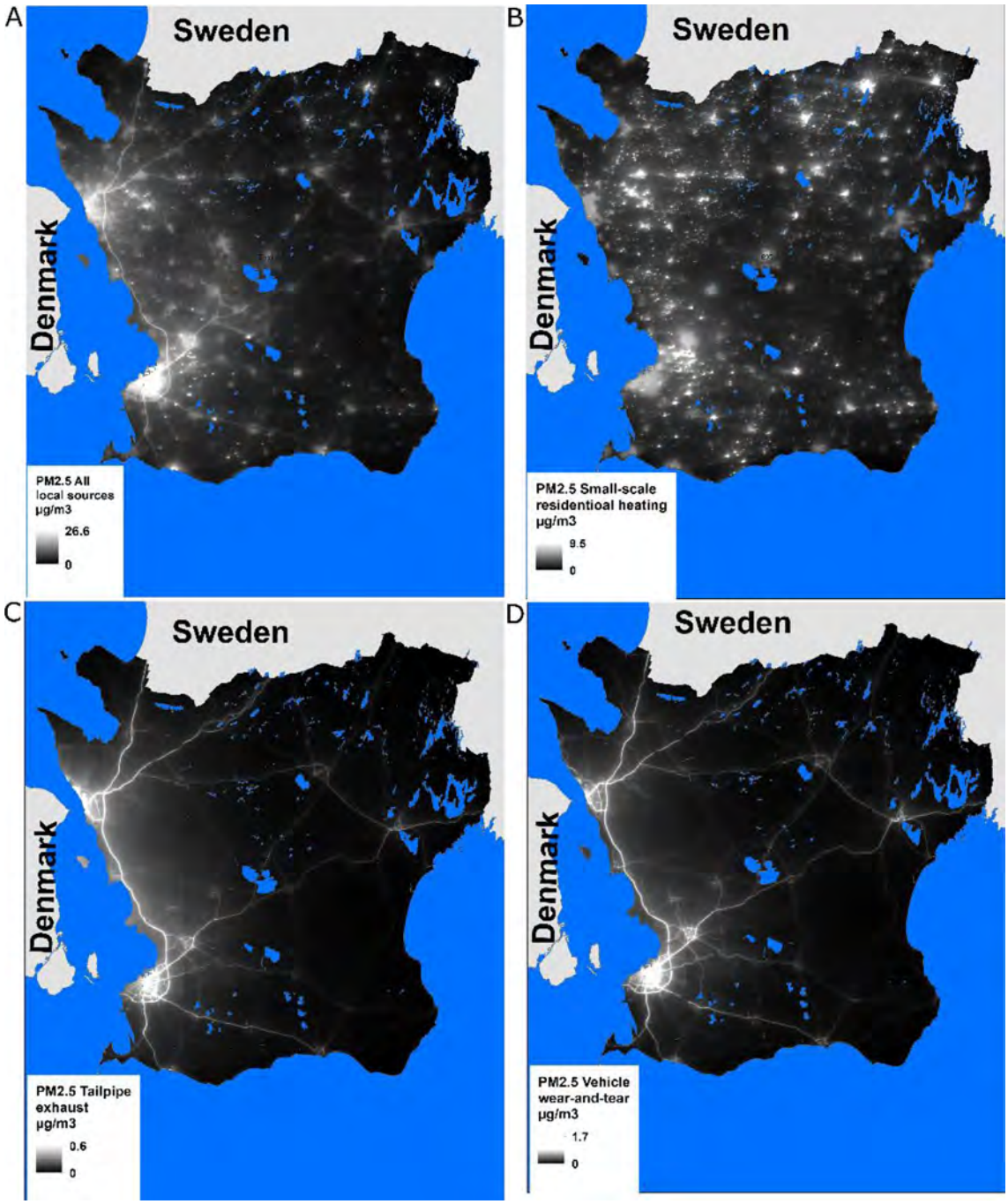


Figure 2. Annual mean concentrations (µg/m^3) of locally produced $PM_{2.5}$ from (**A**) all-source $PM_{2.5}$, (**B**) small-scale residential heating, (**C**) tailpipe exhaust, and (**D**) vehicle wear-and-tear for the year 2009 in Scania, Sweden. The maps were created using R version 3.6 (https://www.R-project.org/) and ESRI ArcGIS version 10.5.1 (https://www.esri.com).

where missing observations were replaced with imputed data. Concerning missing outcome and covariate data, however, complete-case analysis was applied. The first multivariate model was partially adjusted and included only variables that were significantly associated with the outcome when using the all-source (local) $PM_{2.5}$ exposure variable: parity, pre-pregnancy BMI, sex of the child, and birth year. In addition to these variables, the second multivariate model, hereafter referred to as the fully adjusted model, also included maternal age, smoking status at first antenatal visit, maternal birth country, maternal education, annual household disposable income, and neighborhood-level SES. As correlation coefficients between the different sources of $PM_{2.5}$ were very high (Supplementary Table S1, Supplementary Information), a single pollutant model was used. Linear exposure trends were assessed using a continuous increment corresponding to an interquartile range (IQR) increase in local $PM_{2.5}$ concentrations. The $PM_{2.5}$ sources' respective IQRs were as follows: 0.99 µg/m^3 for all-source $PM_{2.5}$, 0.33 µg/m^3 for small-scale residential heating, 0.12 µg/m^3 for tailpipe exhaust, and 0.31 µg/m^3

for vehicle wear-and-tear. To check the assumption of linearity, associations were also investigated with the exposure variables in tertiles.

Three sensitivity analyses were conducted using the fully adjusted model with all-source $PM_{2.5}$ as the exposure and childhood autism as the outcome. One adjusted for birth month as a categorical variable, as air pollution may vary substantially throughout the year; there may, therefore, be seasonal effects in the risk of autism[46]. The second excluded children with a low birth weight (LBW; < 2500 g) because birth weight is a potential mediator of the effect: air pollution increases the risk for low birth weight[47], and low birth weight is a risk factor for autism[48]. Lastly, the children of mothers born outside of Sweden were excluded, as previous studies have shown much a higher risk of childhood autism among children whose mothers emigrated from non-European countries[47].

All statistical analyses were carried out using SPSS version 27. Odds ratios (OR) and their corresponding 95% confidence intervals (CI) were reported for all analyses.

Ethical considerations. The Lund University Ethical Committee approved this study prior to its realization (permission number 2014/696 and amendment 2016/211). As this was a register-based study, no formal informed consent was required. Lund University's rules and protocols on data collection and processing were strictly followed. To ensure data integrity and safeguard confidentiality, sensitive data was stored in LUSEC, a highly secure data management platform hosted by the Faculty of Medicine, Lund University, Sweden, which utilizes data encryption and two-factor authentication. All methods were carried out in accordance with relevant guidelines and regulations. No personal identifying information is included in the present article.

Results

Descriptive information on the exposures, covariates, and ASD is documented in Table 1. Relationships between ASD and various markers of socioeconomic status, smoking intensity, BMI, and $PM_{2.5}$ exposure were seen.

All-source $PM_{2.5}$ exposure during pregnancy was associated with ASD, with ORs of 1.33 (95% CI 1.13–1.57) in the partially adjusted model and 1.22 (95% CI 0.99–1.50) in the fully adjusted model (Table 2). An association was also found for exposure to $PM_{2.5}$ from small-scale residential heating and ASD in the partially adjusted model [1.22 (95% CI 1.08–1.37)], but the association was less pronounced in the fully adjusted model: 1.12 (95% CI 0.94–1.34). Regarding the road traffic-related sources, both tailpipe exhaust and vehicle wear-and-tear were associated with ASD: ORs in the fully adjusted model were 1.30 (95% CI 1.05–1.60) and 1.24 (95% CI 1.02–1.50), respectively. Analyses utilizing exposure variables in tertiles did not suggest any major deviations from linearity (data not shown).

Results for childhood autism (Table 3) were somewhat more pronounced compared to ASD as a group, with ORs of 1.34 (95% CI 1.05–1.70) for all-source $PM_{2.5}$, 1.18 (95% CI 1.01–1.39) for small-scale residential heating, 1.46 (95% CI 1.15–1.85) for tailpipe exhaust, and 1.36 (95% CI 1.10–1.68) for vehicle wear-and-tear in fully adjusted models.

Concerning the sensitivity analyses using the fully adjusted model, adjusting for birth month did not affect the OR estimate for childhood autism: 1.34 (95% CI 1.06–1.70). Additionally, when excluding LBW babies, the OR for childhood autism was 1.35 (95% CI 1.06–1.72), which is similar to the OR for all births [1.34 (95% CI 1.05–1.70)]. Limiting the study population to Swedish-born women resulted in lower ORs compared to the entire study population. For example, the OR for childhood autism associated with an IQR increase in all-source $PM_{2.5}$ was 1.16 (95% CI 0.87–1.54) among Swedish-born women, compared to 1.34 (95% CI 1.05–1.70) for all women.

Discussion

Main findings. In this population-based study from southern Sweden, associations were observed between exposure to nearly all investigated sources of local $PM_{2.5}$, except for small-scale residential heating, during pregnancy and the broad diagnosis group ASD. Exposure to locally produced $PM_{2.5}$ from each investigated source (all-source $PM_{2.5}$, small-scale residential heating, tailpipe exhaust, and vehicle wear-and-tear) was associated with childhood autism, with associations being somewhat more pronounced than for ASD. Because ASD comprises all pervasive developmental disorders for which symptoms of neurodivergence do not have to be present by a specified age, these results may reflect the larger heterogeneity within the ASD group compared to childhood autism, which has stricter, more uniform diagnostic criteria.

When considering only mothers born in Sweden, the associations tended to be lower than for that of the entire study population. Findings from previous research on environmental injustice in Scania showed that non-Swedish-born persons, as well as those with less education and lower income, had higher odds of being exposed to greater concentrations of air pollution[49]. In Sweden, children born to women who emigrated from Sub-Saharan Africa and the Middle East are, furthermore, more commonly diagnosed with autism[47]. Other than air pollution exposure and SES risk factors, a possible explanation for the higher proportion of autism diagnoses among immigrants is, for example, vitamin D deficiency[50], which is particularly predominant among immigrants from Sub-Saharan Africa and the Middle East living in Scandinavia[51–53]. Although data on vitamin D deficiency was not available for the present study, it is unlikely that this would explain our findings, especially since controlling for birth month did not affect the results.

Small-scale residential heating. No previous epidemiological studies investigating the effects of source-specific ambient wood smoke exposure from small-scale residential heating on autism development could be identified. Concerning neurological conditions in general, a longitudinal study in northern Sweden has indicated that $PM_{2.5}$ from residential wood burning is associated with dementia incidence[12]. In an experimental study, exposure to wood smoke particles induced cytotoxicity and disrupted proliferation in exposed first trimester placenta cells; particles detected inside the cells also caused structural damage to mitochondria and

	Number of subjects	All-source $PM_{2.5}$	Small-scale residential heating	Tailpipe exhaust	Vehicle wear-and-tear	ASD* (%)
N	40,245	40,245	40,234	40,234	40,234	368 (0.9)
Total	40,245†	1.41 (0.64)	0.48 (0.25)	0.13 (0.08)	0.32 (0.21)	368 (0.9)
ASD						
No	39,877	1.41 (0.64)	0.48 (0.25)	0.13 (0.08)	0.32 (0.21)	–
Yes	368	1.54 (0.65)	0.53 (0.27)	0.15 (0.08)	0.36 (0.23)	–
Childhood autism						
No	39,877	1.41 (0.64)	0.48 (0.25)	0.13 (0.08)	0.32 (0.21)	0 (0)
Yes	282	1.55 (0.64)	0.51 (0.26)	0.15 (0.08)	0.38 (0.23)	282 (100)
Missing	86	1.51 (0.67)	0.60 (0.28)	0.14 (0.08)	0.31 (0.20)	86 (100)
Sex of the child						
Male	20,755	1.41 (0.63)	0.48 (0.26)	0.13 (0.08)	0.32 (0.21)	280 (1.3)
Female	19,490	1.41 (0.64)	0.48 (0.25)	0.13 (0.08)	0.32 (0.21)	88 (0.5)
Household disposable income level (quartiles)‡						
Lowest	9539	1.72 (0.63)	0.57 (0.28)	0.17 (0.08)	0.42 (0.22)	112 (1.2)
Lower middle	9910	1.52 (0.65)	0.53 (0.26)	0.14 (0.08)	0.35 (0.22)	104 (1.0)
Higher middle	10,733	1.25 (0.58)	0.44 (0.23)	0.11 (0.07)	0.27 (0.20)	87 (0.8)
Highest	10,050	1.17 (0.52)	0.40 (0.20)	0.11 (0.06)	0.25 (0.17)	65 (0.6)
Missing	13	1.20 (0.67)	0.38 (0.24)	0.12 (0.08)	0.30 (0.20)	0 (0)
Maternal education (years)						
≤ 9	4965	1.67 (0.63)	0.55 (0.27)	0.16 (0.08)	0.41 (0.22)	50 (1.0)
10–12	16,854	1.35 (0.64)	0.47 (0.25)	0.13 (0.08)	0.30 (0.21)	155 (0.9)
13–16	16,224	1.34 (0.60)	0.47 (0.24)	0.12 (0.07)	0.30 (0.20)	138 (0.9)
> 16	652	1.30 (0.51)	0.48 (0.22)	0.11 (0.06)	0.28 (0.16)	10 (1.5)
Missing	1550	1.86 (0.55)	0.58 (0.28)	0.19 (0.07)	0.49 (0.20)	12 (0.8)
Maternal age						
≤ 30	21,688	1.46 (0.65)	0.59 (0.25)	0.14 (0.08)	0.34 (0.22)	208 (1)
31–34	10,904	1.34 (0.61)	0.47 (0.24)	0.13 (0.07)	0.30 (0.20)	84 (0.8)
≥ 35	7653	1.37 (0.62)	0.48 (0.26)	0.13 (0.07)	0.31 (0.20)	76 (1.0)
Maternal smoking						
Non-smoker	34,193	1.40 (0.63)	0.48 (0.25)	0.13 (0.08)	0.32 (0.21)	302 (0.9)
1–9 cig/day	2676	1.47 (0.71)	0.51 (0.26)	0.14 (0.08)	0.33 (0.21)	30 (1.1)
≥ 10 cig/day	1091	1.51 (0.68)	0.53 (0.27)	0.14 (0.08)	0.34 (0.22)	14 (1.3)
Missing	2285	1.34 (0.62)	0.51 (0.25)	0.12 (0.07)	0.28 (0.19)	21 (0.9)
Maternal BMI (kg/m^2)						
< 18.5	953	1.50 (0.64)	0.51 (0.25)	0.14 (0.08)	0.35 (0.22)	14 (1.5)
18.5 ≤ 25	22,444	1.41 (0.63)	0.48 (0.24)	0.13 (0.08)	0.32 (0.21)	174 (0.8)
25 ≤ 30	8731	1.41 (0.65)	0.48 (0.26)	0.13 (0.08)	0.32 (0.22)	94 (1.1)
≥ 30	3732	1.42 (0.68)	0.48 (0.28)	0.14 (0.08)	0.33 (0.23)	51 (1.4)
Missing	4385	1.35 (0.62)	0.50 (0.24)	0.12 (0.07)	0.29 (0.19)	34 (0.8)
Maternal birth country						
Sweden	28,088	1.26 (0.60)	0.45 (0.24)	0.12 (0.07)	0.27 (0.19)	257 (0.9)
Europe	5326	1.65 (0.61)	0.53 (0.26)	0.16 (0.07)	0.41 (0.21)	53 (1.0)
Other	6830	1.83 (0.53)	0.58 (0.27)	0.18 (0.07)	0.47 (0.20)	58 (0.8)
Parity						
1st child	19,241	1.44 (0.64)	0.49 (0.25)	0.14 (0.08)	0.34 (0.22)	207 (1.1)
2nd child	13,396	1.33 (0.61)	0.47 (0.25)	0.12 (0.07)	0.29 (0.20)	98 (0.7)
3rd child	4973	1.37 (0.64)	0.48 (0.25)	0.13 (0.08)	0.31 (0.20)	47 (0.9)
≥ 4th child	2635	1.62 (0.66)	0.55 (0.28)	0.16 (0.08)	0.39 (0.23)	16 (0.6)
Birth year						
2000	3745	1.56 (0.69)	0.71 (0.30)	0.15 (0.08)	0.28 (0.17)	32 (0.9)
2001	3912	1.50 (0.65)	0.66 (0.26)	0.14 (0.08)	0.29 (0.18)	43 (1.1)
2002	4379	1.55 (0.68)	0.66 (0.26)	0.15 (0.08)	0.31 (0.19)	51 (1.2)
2003	4380	1.46 (0.65)	0.57 (0.23)	0.14 (0.08)	0.30 (0.20)	45 (1.0)
2004	4509	1.38 (0.63)	0.47 (0.18)	0.13 (0.07)	0.30 (0.20)	46 (1.0)
2005	4689	1.27 (0.58)	0.38 (0.14)	0.12 (0.07)	0.30 (0.21)	33 (0.7)
2006	4074	1.31 (0.59)	0.33 (0.12)	0.12 (0.07)	0.35 (0.23)	40 (1.0)

Continued

	Number of subjects	All-source $PM_{2.5}$	Small-scale residential heating	Tailpipe exhaust	Vehicle wear-and-tear	ASD* (%)
2007	4557	1.33 (0.64)	0.32 (0.12)	0.13 (0.07)	0.36 (0.24)	35 (0.8)
2008	4601	1.42 (0.64)	0.38 (0.19)	0.14 (0.08)	0.39 (0.26)	31 (0.7)
2009	1399	1.22 (0.54)	0.24 (0.11)	0.11 (0.97)	0.34 (0.23)	12 (0.9)

Table 1. Mean and standard deviation (SD) of local $PM_{2.5}$ concentrations (μg/m^3) by source during pregnancy for autism spectrum disorder (ASD) and covariates. *$PM_{2.5}$* particulate matter with a diameter of < 2.5 μm, *Cig* cigarette, *BMI* body mass index. *International Classification of Mental and Behavioral Disorders version 10 (ICD-10) diagnoses codes beginning with F84. †Given for all-source $PM_{2.5}$ (N may vary slightly by $PM_{2.5}$ source). ‡Measured as annual disposable income. A category of missing is given for variables where more than one observation has missing data.

	Crude model		Partially adjusted model†		Fully adjusted model‡	
	OR	(95% CI)	OR	(95% CI)	OR	(95% CI)
All-source $PM_{2.5}$	1.36	(1.17–1.58)	1.33	(1.13–1.57)	1.22	(0.99–1.50)
Small-scale residential heating	1.22	(1.10–1.34)	1.22	(1.08–1.37)	1.12	(0.94–1.34)
Tailpipe exhaust	1.38	(1.19–1.60)	1.36	(1.16–1.59)	1.30	(1.05–1.60)
Vehicle wear-and-tear	1.29	(1.12–1.48)	1.32	(1.14–1.54)	1.24	(1.02–1.50)

Table 2. Odds ratios (OR) and their 95% confidence intervals (CI) for autism spectrum disorders (ASD; ICD-10 codes starting with F84) associated with an interquartile range (IQR) increase in concentrations (μg/m^3) of the investigated sources of local $PM_{2.5}$ during pregnancy. IQRs: all-source $PM_{2.5}$ = 0.99 μg/m^3, small-scale residential heating = 0.33 μg/m^3, tailpipe exhaust = 0.12 μg/m^3, vehicle wear-and-tear = 0.31 μg/m^3. †Adjusted for maternal parity, pre-pregnancy BMI, sex of the child, and birth year. ‡Adjusted for all covariates included in the partially adjusted model as well as maternal age, smoking status, birth country, education, income, and neighborhood-level SES. Number (N) of women included in each model (given for all-source $PM_{2.5}$; N may vary slightly by $PM_{2.5}$ source): Crude model = 40,245 (number of cases = 368), Partially adjusted model = 35,860, Fully adjusted model = 29,383.

	Crude model		Partially adjusted model†		Fully adjusted model‡	
	OR	(95% CI)	OR	(95% CI)	OR	(95% CI)
All-source $PM_{2.5}$	1.39	(1.17–1.65)	1.25	(1.11–1.42)	1.34	(1.05–1.70)
Small-scale residential heating	1.15	(1.01–1.30)	1.25	(1.11–1.42)	1.18	(1.01–1.39)
Tailpipe exhaust	1.44	(1.22–1.70)	1.50	(1.26–1.80)	1.46	(1.15–1.85)
Vehicle wear-and-tear	1.41	(1.21–1.65)	1.43	(1.21–1.69)	1.36	(1.10–1.68)

Table 3. Odds ratios (OR) and their 95% confidence intervals (CI) for childhood autism (ICD-10 code F84.0) associated with an interquartile range (IQR) increase in concentrations (μg/m^3) of the investigated sources of local $PM_{2.5}$ during pregnancy. IQRs: all-source $PM_{2.5}$ = 0.99 μg/m^3, small-scale residential heating = 0.33 μg/m^3, tailpipe exhaust = 0.12 μg/m^3, vehicle wear-and-tear = 0.31 μg/m^3. †Adjusted for maternal parity, pre-pregnancy BMI, sex of the child, and birth year. ‡Adjusted for all covariates included in the partially adjusted model as well as maternal age, smoking status, birth country, education, income, and neighborhood-level SES. Number (N) of women included in each model (given for all-source $PM_{2.5}$; N may vary slightly by $PM_{2.5}$ source): Crude model = 40,159 (number of cases = 282), Partially adjusted model = 35,764, Fully adjusted model = 29,313.

endoplasmic reticulum[54]. Existing source-apportionment studies investigating prenatal exposures have mainly included pregnancy complications, where Delta-C (a marker for wood smoke) during wintertime was found to be associated with greater odds of developing early-onset preeclampsia[55], and birth outcomes, where $PM_{2.5}$ from biomass burning (i.e., ambient wood smoke) was associated with a lower risk of preterm birth[56], low birth weight[57], and stillbirth[58]. Despite this evidence on other adverse health effects, additional studies on wood smoke and autism are needed to corroborate our results.

Due to its unique chemical composition, $PM_{2.5}$ derived from wood smoke may have varying toxicity compared to other sources of ambient $PM_{2.5}$. For example, a 2003 review stated that studies including residential wood combustion as a major source of PM reported higher relative risks for adverse health outcomes compared to general ambient PM estimations[59]. A study examining short-term exposure also found higher statistically significant risk-increases in mortality when 24-h average concentrations were used and stronger increased risks

for deaths occurring in the cold season, both of which better represent $PM_{2.5}$ exposure from wood burning compared to traffic[60]. There is much heterogeneity in the literature surrounding this source, its origins and its assessment, however, as a 2018 review found ambient PM from biomass burning to be less detrimental than other sources[33], with a noted exception from Copenhagen[61]. In the present study, emphasis is placed on the positive associations observed for all $PM_{2.5}$ sources, including small-scale residential heating, as opposed to comparing the size of each source's individual point estimates. Regardless, residential wood burning remains an air quality concern. Initiatives aiming to reduce ambient $PM_{2.5}$ and PM_{10} concentrations from wood smoke have luckily proven successful and have been shown to improve public health[62].

Road traffic-related sources. Our results suggest that both local $PM_{2.5}$ from tailpipe exhaust and vehicle wear-and-tear contribute to the observed associations with autism. These findings are in line with our previous study on prenatal exposure to ambient NO_X concentrations, mainly from traffic, and autism using the same cohort (MAPSS), where children in the highest exposure quartile had a 40% greater risk of developing ASD compared to those in the lowest[42]. Under the assumption of a causal association between $PM_{2.5}$ and childhood autism, a health impact assessment conducted in Scania identified 3% of autism cases to be attributable to locally emitted $PM_{2.5}$, of which ~ 30% is derived from traffic[63]. Outside our study setting, two case–control studies from California found 15% increased odds[64] and just over double the risk[65] of autism development due to traffic-related $PM_{2.5}$ exposure during pregnancy.

However, studies conducted in Stockholm, Sweden, did not find associations between exposure to traffic-related air pollution during pregnancy and ASD[66,67]. Reasons for this conflict may include that those studies considered PM_{10} and NO_X, while ours investigated $PM_{2.5}$, which is the pollutant with the strongest evidence in connection to autism development according to systematic reviews[18,19]. Another register-based study in Stockholm not observing associations used "symptoms of neurodevelopmental disorders" as opposed to physician-diagnosed ASD[66]. Similarly, a study using four European cohorts, including a Swedish one, explored autistic traits, but did not find an association with air pollution, even for $PM_{2.5}$; here, land-use regression models, with predictor variables including traffic and space heating, were used[68]. In neighboring Denmark, researchers found that exposure to traffic-related NO_2, PM_{10}, and $PM_{2.5}$ in early infancy, not during pregnancy, was associated with autism[69]. In the present study, exposure during fetal life and postnatal life could not be adequately differentiated.

One study, conducted in Southern California, USA, on prenatal exposure to traffic-related $PM_{2.5}$ that further differentiated between tailpipe exhaust and vehicle wear-and-tear in association with autism was identified[32]. Authors used tracers of carbonaceous tailpipe $PM_{2.5}$, including elemental carbon (EC) and organic carbon (OC), from diesel and gasoline fuel combustion as well as non-tailpipe particles rich in trace metals (copper, iron and manganese) from re-suspended dust, tire-wear and brake-wear. The observed hazards ratios (HR) for tailpipe tracers of $PM_{2.5}$ were 1.11 (95% CI 1.06–1.16), 1.09 (95% CI 1.04–1.15) per interquartile increase of EC and OC, respectively[32]. For interquartile increases in non-tailpipe tracers of copper, iron and manganese, the HRs were 1.09 (95% CI 1.04–1.13), 1.14 (95% CI 1.09–1.20), and 1.17 (95% CI 1.12–1.22), respectively[32]. This is in line with our findings that $PM_{2.5}$ from both tailpipe exhaust and vehicle wear-and-tear may contribute to air pollution's association with ASD. Interestingly, Rahman and colleagues found that the associations for tailpipe tracers were considerably attenuated when analyses were adjusted for non-tailpipe sources, while estimates for non-tailpipe tracers were generally unaltered when adjusting for tailpipe sources[32]. This indicates that the HRs for non-tailpipe emissions and ASD were independent of the effects of tailpipe emissions, further supporting their importance as a traffic-related source with negative health impacts.

Future research. Systematic reviews on air pollution exposure and ASD development have noted both the pregnancy and postnatal periods to be decisive exposure windows[19]. With this, future studies should prioritize the discernment and investigation of specific vulnerable periods, such as pregnancy trimesters and late gestation versus the first year(s) of life, which was not possible in the present study.

The continued inclusion of residential wood burning in source-specific air pollution epidemiology is pertinent, as it has been shown to be a significant source of ambient PM, especially in wintertime, and has also been identified as a potential challenge toward air quality control due to the increase in recreational wood stove-use, particularly in urban areas across Europe[70]. Moreover, recent reviews[33,35] on the health effects of PM exposure attributable to wood combustion are limited to mainly respiratory outcomes, with some cardiovascular and oncological outcomes included. Future research should, therefore, consider investigating additional health effects[35], such as the development of autism where current literature is lacking. Such source-apportionment studies are needed to substantiate our results.

As only one prior study on autism could be identified that apportioned $PM_{2.5}$ road traffic emissions into their respective tailpipe exhaust and vehicle wear-and-tear sources, future studies should consider source-specific separation. This source-apportionment of traffic-related air pollution would also be valuable for research on other health outcomes. The subsequent findings would provide a greater understanding of how distinct $PM_{2.5}$ sources affect human health. Importantly, vehicle wear-and-tear from re-suspended dust, tires and brakes will continue to be a relevant source of PM, especially as larger proportions of vehicle fleets become electrified and tailpipe emissions are reduced.

Methodological considerations. A key strength of this study is its large sample population derived from the MAPSS birth cohort, comprising 98% of all births occurring in the hospital catchment areas throughout Scania. Utilizing a validated, high resolution dispersion model to estimate $PM_{2.5}$ exposure and obtaining the exact geographic coordinates of each woman's home residence were also vital for accurate exposure estimates

at the individual level. An additional strength includes the thorough outcome assessment performed by Departments of Child and Adolescent Psychiatry. It should be mentioned, however, that the prerequisites for autism diagnosis have likely changed over time worldwide. For instance, a Swedish study reported that the presence of significantly fewer symptoms appeared to be necessary to receive a clinical autism diagnosis between the years 2004 and 2014 compared to 1998 and 2007[71]. Any such trends in our data should not have affected the results because the analyses were adjusted for birth year.

Furthermore, health care systems in Sweden are tax-subsidized and are used by virtually all residents, which increases the ability to identify physician-diagnosed cases of ASD and childhood autism and record them in high quality healthcare databases. With this, outcome misclassification, response-bias, recall-bias, and selection bias were likely avoided. Information on covariates were similarly collected from well-managed, precise registers. Our results are also considered generalizable to study areas where the populations and sources of air pollution are comparable. The findings are relevant to both public health in general and the clinical setting specifically because they indicate that locally produced $PM_{2.5}$ concentrations can affect the risk of autism among children. Finally, this study contributes evidence to an emerging research area investigating the health effects of local, source-specific air pollution exposure. Interestingly, accumulating evidence suggests that locally produced PM may be more hazardous to human health than regional, background concentrations[72].

This study also has several limitations. A sizeable proportion of the study population was missing data on exposure, outcome, and/or covariates. While missing exposure values were able to be imputed using exposure data from subsequent years, the absence of detailedness in the exposure data hindered our ability to fully distinguish between sensitive periods of pregnancy, i.e., trimesters, as well as between the entire pregnancy period and the first year(s) of life. These exposure windows tend to be highly correlated because air pollution concentrations are relatively stable between years, and only a limited proportion of women move to a new residential address, with new exposure concentrations, directly after giving birth. Still, the present study aims to describe prenatal exposure, and it is, therefore, described as such. Another limitation is that data on parental diagnoses was not available. Given that genetic factors account for a considerable part of the variation in autism development and emergence[73], our results could partly be explained by heredity, if parents with autism were more likely to reside in areas characterized by higher concentrations of air pollution than parents without autism. Residual confounding may be present due to other risk factors for autism that are also associated with the exposure but are not accounted for in our statistical models, such as lifestyle factors and vitamin D deficiency. There is also potential for residual confounding with respect to SES, as indicated by results from the sensitivity analysis on Swedish-born women. Exposure misclassification may exist, as exposure was assessed at each woman's home residence, and participants' total exposure, including indoor, behavior-related, transport-related, and occupational, was not considered. However, this approach is deemed standard practice in air pollution epidemiology research, with the assumption that the resulting misclassification is non-differential. Moreover, we could not clearly distinguish between tailpipe exhaust and vehicle wear-and-tear due these sources' high correlation (Supplementary Table S1, Supplementary Information). Instead, more studies, preferably in a multi-cohort setting, are needed to increase statistical power. Finally, because the differences in ORs between the investigated sources of local $PM_{2.5}$ were not formally tested, direct comparisons between our source-specific risk estimates could not be made.

Conclusion

These findings add to current evidence that prenatal exposure to ambient air pollution is associated with an increased risk of developing ASD, particularly childhood autism, and offers insight into these associations in a relatively low exposure setting. Additionally, this source-specific study indicates that both local $PM_{2.5}$ from small-scale residential heating (mainly wood burning) and road traffic (tailpipe emissions and vehicle wear-and-tear) are relevant exposure sources. Our results also support existing literature that has documented the substantial health effects of locally produced particles, despite their relatively small contribution to PM's total concentrations compared to long-range, in-transported particles.

Data availability

The datasets generated during and/or analyzed during the current study are stored on a secure server and are not publicly available because they contain sensitive information (on health data, demographic characteristics, socioeconomic status) and, therefore, cannot be shared openly. However, they are available from Anna Oudin (anna.oudin@med.lu.se) on reasonable request.

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Author contributions

E.F. drafted and edited the manuscript, performed preliminary statistical analyses, and created Fig. 1 and Supplementary Fig. S1. E.M. helped conceive the study. R.R. was responsible for exposure assessment, data management, and created Fig. 2. P.G. was responsible for the outcome data and validation together with his team. K.K. provided input on statistical analyses. A.O. conceived the study, performed final statistical analyses, and edited the manuscript. All authors reviewed and approved the final version of the manuscript.

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Competing interests
The authors declare no competing interests.

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Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Opposing Evans crematorium

1 message

Kathie Deinlein <kbukowski54@gmail.com> Sun, Nov 17, 2024 at 7:09 PM
To: Shannon.Heafey@maryland.gov

This article from Harvard University discusses the link between increased air pollution, and autism and children. This is one more reason that the Evans crematorium should not be placed into a residential area putting our unborn and young children at risk. We beg to investigate this possibility before approving permit for them to build in our neighborhood. Please include in the comments from our community meeting.
Kathleen Deinlein
5633 Allender Road
White Marsh MD 21162

Sent from my iPad

2 attachments



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The new study found that the risk of ASD increased by 64% with exposure to 10 micrograms of $PM_{2.5}$ per cubic meter of air (mcg/m^3) during early childhood and by 31% during prenatal periods. During the prenatal period, the greatest risk was found during the third trimester.

The results also suggested that $PM_{2.5}$ exposure could affect vulnerable populations even at low levels, below current regulations.

Lead author of the study was Cheng-Kuan (Calvin) Lin, PhD '19, currently an adjunct professor at the Massachusetts College of Pharmacy and Health Sciences. Senior author was David Christiani, Elkan Blout Professor of Environmental Genetics at Harvard Chan School.

Read the study: Association between exposure to ambient particulate matters and risks of autism spectrum disorder in children: a systematic review and exposure-response meta-analysis

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Air pollution linked with increased risk of autism in children

Exposure to fine particulate air pollution ($PM_{2.5}$) has been linked with significantly increased risk of autism spectrum disorder (ASD) in children, particularly if exposure occurs during the third trimester of pregnancy or during early childhood, according to a meta-analysis from Harvard T.H. Chan School of Public Health.

The study was published April 29, 2021, in Environmental Research Letters.

The authors noted that there has been a steep rise in the prevalence of childhood diagnosis of ASD over the past several years, from 6.7 per 1,000 people in 2000 to 16.8 per 1,000 people in 2014. Possible risk factors include those related to family, such as genetics or parental age, or the environment. Previous studies have found an association between exposure to ambient particulate matter (PM) and neurobehavioral dysfunction, but they've been inconclusive regarding the link between PM exposure and the development of ASD.

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Crematorium

1 message

Pete Eibner <petefastforward@yahoo.com> Tue, Jan 21, 2025 at 8:28 AM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>

Dear Ms Heafey,

Thank you for looking into the issues with Evans Crematorium being placed directly in our neighborhood.

I have some questions regarding its safety...

From the research I have done, it appears that one of the major emissions from a crematorium is Mercury. Hg is a neurotoxin. We have a large community with families, small children, and teenagers. What studies can be cited that show the affect of a crematorium and its emissions on young, developing bodies and minds over a 10 year period?

What studies have been done on the ash from its burn off affecting the ground? My family has a garden that provides us food in the summer. If the ground is polluted, then obviously, there is a very good chance that we will ingest those toxins. What studies have been done showing the 10 year affect on the soil around the neighborhoods.

We are very close to I95, and we have a landfill within a mile of our community. We already have concerns about the pollution from those 2 things. What measurements have been done on the current air quality in our white marsh community, and how the addition of carcinogens and toxins into the air would affect it? Please cite those studies, if you would.

Thank you for your time

Pete

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: Crematorium

1 message

Pete Eibner <petefastforward@yahoo.com> Tue, Jan 21, 2025 at 11:43 AM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

If this is for the record, I would also submit that it is incomprehensible that our local government would even entertain placing this in the middle of a community. Part of a local govenment's function is to protect the communities in which it represents.

Thank you very much for your time.

Please protect us!

On Tuesday, January 21, 2025 at 11:39:00 AM EST, Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:

Good Day Mr. Eibner,

Thank you for submitting your comments for the record. The Department will begin reviewing and addressing the comments received, including questions submitted during the comment period shortly. You will receive a Response to Comments document once a Final Determination is made.

Sincerely,
Shannon Heafey

Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

On Tue, Jan 21, 2025 at 8:28 AM Pete Eibner <petefastforward@yahoo.com> wrote:

> Dear Ms Heafey,
>
> Thank you for looking into the issues with Evans Crematorium being placed directly in our neighborhood.
>
> I have some questions regarding its safety...
>
> From the research I have done, it appears that one of the major emissions from a crematorium is Mercury. Hg is a neurotoxin. We have a large community with families, small children, and teenagers. What studies can be cited that show the affect of a crematorium and its emissions on young, developing bodies and minds over a 10 year period?
>
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> We are very close to I95, and we have a landfill within a mile of our community. We already have concerns about the pollution from those 2 things. What measurements have been done on the current air quality in our white marsh community, and how the addition of carcinogens and toxins into the air would affect it? Please cite those studies, if you would.

> Thank you for your time
>
> Pete

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

COPIES of letter/comments to oppose to construct Evans Crematorium at 11543 Philadelphia Rd, White Marsh MD 21162

1 message

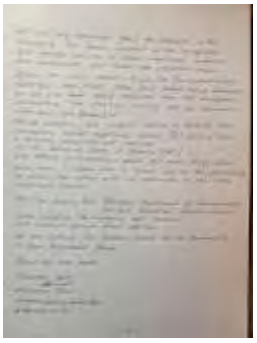
Maryana Israel <israelmaryana@gmail.com> Mon, Feb 10, 2025 at 2:46 PM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>

Dear Ms. Shannon Heafey,
I am attaching copies of my letter comments to oppose to
Evans Funeral Chapel & Cremation Services Permit to construct crematory at 11543 Philadelphia Rd White Marsh MD 21162 near our residential homes that could cause serious health problems and issues for our Honeygo Ridge community.
Thank you for the opportunity to write this letter and look forward to a correct final determination from Maryland Department of the Environment Air And Radiation Administration.

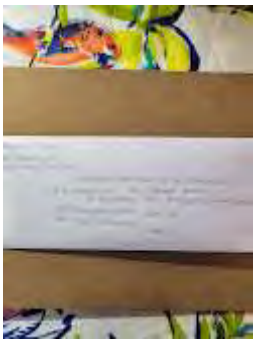
Sincerely,
Maryana Israel
11510 Ashbury CT.
White Marsh MD 21162
Israelmaryana@gmail.com

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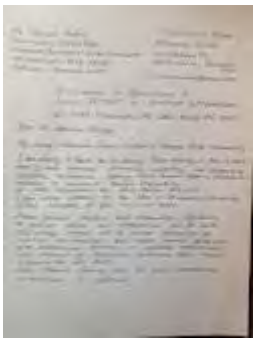
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Maryana Israel
1510 Ashbury Ct,
White Marsh, MD, 21162

Maryland Department of the Environment
to the attention of: Ms. Shannon Heafey
Air Permitting Public Participation Coordinator
1800 Washington BLVD, Suite 720
Baltimore, Maryland
21230



Ms. Shannon Heafey
Coordinator, Title V & Public
Maryland Department of the Environment
1800 Washington BLVD, Ste. 720
Baltimore, Maryland, 21230

Testimony from
Maryana Israel
11510 Ashbury Ct.,
White Marsh, Maryland
21162
israelmaryana@gmail.com

Testimony in Oppositions To
Evan's PERMIT to construct a CREMATORY
at 11543 Philadelphia Rd., White Marsh, MD, 21162

Dear Ms. Shannon Heafey,

My name is Maryana Israel, resident of Honeygo Ridge community.

I am writing to thank you for having Public Hearing in Nov. 12, 2024 that I have attended personally, supporting our community resident's testimonies, opposing Evans Funeral Chapel & Cremation services to construct Human Crematory at 11543 Philadelphia Rd., White Marsh, MD, 21162.
I am highly opposed to the idea of Crematory operating within hundreds of feet from our homes.

Please consider proposed and resubmitted Legislation to restrict where new crematorium can be built.
New zoning reform bill to protect community by limiting environmental and health impacts associated with crematorium facilities in populated neighborhoods was proposed by Baltimore Councilman Mark Conway in January this year 2025,
could CHANGE zoning LAWS for New Crematorium in Maryland, if approved.

We are very concerned about the pollutants in the community. The gasses emitted by the incinerator will increase pollution or cause respiratory problems and development will reduce the properties values.

Again, the main concern to me the Toxins, particularly MERCURY that would stem from bodies being cremated at the site and being deposited into the atmosphere surrounding the facility, directly into our backyard of the house 11510 Ashbury Ct.

My big concerns are mostly related to HEALTH that crematory could negatively effect. This part of town is already congested and polluted
(I-95 ; Dumping place at Pulasky HWY)
and adding a crematorium would just make things worse.

Once more, I would like to thank You for the opportunity to write the letter with my comments in this very important matter.

And I am asking that Maryland Department of Environment
Air And Radiation Administration
after reviewing the comments and concerns
will make a correct final decision.

We are putting the healthy future of our community in your, Government hands.

Thank You very much.

Sincerely yours,

Maryana Israel
israelmaryana@gmail.com
443-635-4398

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

No Evan's Crematorium.

1 message

Pradeep Pant <pradip.pant@gmail.com> Sat, Nov 16, 2024 at 1:33 PM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>

Hi Shannon,

I was just informed by my neighbor that you are the contact person to file a complaint about the crematorium that is being planned in our backyard. I don't know if I missed the deadline but my wife and I have been residents of this community for almost two years now.
We just want to have our voice heard. I have laid out 4 points in a hurry as to why we are so opposed to building a crematorium so close to our house. I hope I did not miss the deadline. I can give several more reasons not to build it in our community.
I hope you will take our argument into consideration.

Please contact us at our numbers (in the letter) if you need to talk to us.

Thank you,
Pradeep and Neeru.

No Evan's Crematorium.pdf
100K

Pradeep and Neeru Pant

5520 Apperson Rd, White Marsh, MD 21162

To: Shannon Heafey

Subject: We want NO EVAN'S CREAMATORIUM in our backyards.

Dear Shannon,

We are **strongly opposed** to building of the Evan's Crematorium in our community. I want to put forward few reasons why it must not be built in our quiet neighborhood.

1. Pollution to the residential environment: The crematorium will release toxic pollutant to the environment and there is no reason for it to be near residential neighborhood. Since it is too close to our homes, the toxin must be tightly monitored in a regular basis. Based on what I have heard, the crematorium has violated the toxin levels and we have no faith in Evan's crematorium to honestly follow the guidelines.
2. Unwanted heavy traffic: The single lane road is the only a peaceful and quiet neighborhood. Philadelphia road is a single lane road shared by a huge community of people. The road normally gets heavy traffic during work hours. Traffic to this road gets worse when I-95 overspills due to accidents. We strongly do not want regular funeral procession along this small road.
3. Health risks to the residents: There are mobile home right next to the site planned for the Funeral Home. To my knowledge, there are people with respiratory conditions in those homes. Not only that, the funeral home will burn bodies with different implants and cause pollutions of heavy elements. The aging population in these communities will face even worse health conditions just due to the unwanted Funeral Home.
4. Impact to local businesses in a small community: There are at least family of hundreds that survive on their earnings from businesses in the Honeygo Square Mall. Most of them being food, are sure to dry out because people would not want to eat out next to a funeral home, in a highly polluted area. These businesses have been there before the funeral home and they have more rights to be there than the Funeral Home.

I can provide you several other reasons why Evan's funeral has no business building crematorium in our backyards. It must be stopped.

Thank you,

Pradeep Pant, 443-761-1931

Neeru Aryal Pant, 443-986-5800

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: Evans Funeral Home

1 message

Brian Cherundolo <bcherund@verizon.net> Wed, Nov 13, 2024 at 10:02 AM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Hi Shannon,

Thank you for confirming the email.

Yes, please add the email correspondence to the formal record.

Best regards,

Brian

On Wednesday, November 13, 2024 at 09:41:24 AM EST, Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:

Good Morning Mr. Cherundolo,

Thank you very much for participating in last evening's hearing.
This letter is very helpful, I have sent it to the permit engineer and Chief of the Chemical and Mineral Division for review.
Thank you for forwarding it to me

I'll add it to the formal record, if you wish (just let me know).
Shannon Heafey

> Shannon Heafey Public Participation Coordinator
> Air Quality Permits Program, Air and Radiation Administration
> Maryland Department of the Environment
> 1800 Washington Boulevard, Baltimore, Maryland 21230
> shannon.heafey@maryland.gov
> 410-537-4433

On Tue, Nov 12, 2024 at 7:43 PM Brian Cherundolo <bcherund@verizon.net> wrote:

> Hi Shannon,
>
> Per your request, please see the May 6, 2024 email from Lawrence Schmidt attorney for Evans Funeral Homes.
>
> Please confirm you have received this message.
>
> Best regards,
>
> Brian Cherundolo
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** Brian Cherundolo <bcherund@verizon.net>
> **Date:** May 6, 2024 at 4:06:45 PM EDT
> **To:** Information WMCCA <wmcca.info@gmail.com>, Lawrence Schmidt <lschmidt@sgs-law.com>
> **Cc:** ckennedychuck@aol.com, andy dudek <adudekjr@live.com>, Albert Hewitt

<hewitt_albert@yahoo.com>, Matt and Kayla Amrhein <ateammk2021@gmail.com>, Catherine Allen <cathyallen0808@gmail.com>, Amber Hillis <ashillis92@gmail.com>, Diane Brazil <brazilfam@comcast.net>, Mike Bendler <bbcardguy9@hotmail.com>, Brenda Workmeister <bworkmeister12@gmail.com>, Chip Hilseberg <infinitemonkey3@gmail.com>, cblueeyes33@hotmail.com, Joanne Clabaugh <jocatwoman@comcast.net>, Nadia Enurah <nenurah@hotmail.com>, Susanne Forno <susanneforno@gmail.com>, Graig Sauer <graig.sauer@gmail.com>, Joan Garrity <joangarrity@gmail.com>, Greg Smith <gsmit114@gmail.com>, Mike Thomas Honeygo Ridge HOA <miket03@gmail.com>, Jennifer Miller <Jennifer.raye.miller@gmail.com>, LSUChris@comcast.net, lancastercn@gmail.com, Raquel Muneses <rockyblbca@gmail.com>, "McDonough, Kevin" <kevinmcdonough@comcast.net>, markhauf <markhauf@comcast.net>, Patty Miller <pattybmiller@gmail.com>, M R <mr2cats@gmail.com>, Monica Searfino <msearfino@gmail.com>, stephaniemin@comcast.net, TonyzSi <tonyzsi@yahoo.com>, Heather Canoles <hcanoles@gmail.com>, Mark Clabaugh <mclabaugh1@gmail.com>, Jim Allen <allen9426@yahoo.com>, Pete Eibner <petefastforward@yahoo.com>, Caroline Kuhlman <carolinekuhlman@gmail.com>, Diana Ludwick <diana.ducey@gmail.com>, csdemil@aol.com
Subject: Re: Evans Funeral Home

Hi Lawrence,

Based on the claim in your email below and in lieu of a site visit, I request the following prior to the May 13, 2024 hearing:

- Claim #1: “You can be assured and satisfy yourselves that the crematory does not emit any pollutants, hazardous materials, etc. and will not create any detrimental impacts on the community.”
    - o Please provide data from at least 3 independent sources that clearly and objectionably states a crematory does not emit any pollutants, hazardous materials, etc. and will not create any detrimental impacts on the community.

Until the above data is provided, **and** the state and or local government requires continual crematorium exhaust monitoring, putting a crematorium in a residential area can result in negative impacts to those who live, work, and congregate in the area.

Best regards,

Brian

On Monday, May 6, 2024 at 01:15:18 PM EDT, Lawrence Schmidt <lschmidt@sgs-law.com> wrote:

Ladies and Gentlemen: I obtained your email address either by being copied on an email from you to the Baltimore County Office of Administrative Hearings or you being copied on an email from the White Marsh Cowenton Community Association to Baltimore County (on which I was copied). As I understand it, you are an “interested party” in the zoning matter concerning the proposed funeral home at 11543 Philadelphia Road.

I am the zoning lawyer representing Mr. Charles Evans and the Evans Funeral Home.

As you may be aware, this matter originally came before the Office of Administrative Hearings in May 2022; at which time zoning approval was given for the proposed funeral home and associated crematory. A copy of the written decision approving the proposal is attached. Despite apparent rumors currently swirling in the community, the fact that a crematory was proposed at this location was disclosed at that hearing. I refer you to page four of the decision wherein the presiding judge recounts the testimony of Mr. Evans at the hearing. He testified that there would be a crematory and also described the Federal and State regulations with which the crematory would need comply.

Although the May 2022 hearing was advertised and public notice as required by Baltimore County given, the Judge's decision (see page three) notes that only one interested person appeared at the public hearing, for "informational purposes."

Sometime after the hearing, I was contacted by (I believe) Ms. Patti of the WMCCA who raised questions about the crematory. In an effort to address those questions and alleviate any concerns, Mr. Evans hosted a meeting at the funeral home he operates in Harford County (3 Newport Drive, Forest Hill). There is a crematory at that location. I attended that meeting (my records indicate it was on April 13, 2023), as did Ms. Patti, Councilman David Marks and two other residents of the area, whose names I do not recall. There was actually a cremation occurring during our visit and we were all able to view the process and ask questions. Significantly, we were able to view the chimney associated with the crematory and observe that it did not emit any debris, smoke, etc. The only visible effect of the operation was the existence of heat being vented from the crematory chamber.

Obviously, since that meeting and hearing there appears to be further community interest and my client (Charles Evans) asked me to invite any members of the community who did not attend the meeting at the Harford County funeral home to inspect the facilities at that location. Mr. Evans is pleased to host another meeting. You can be assured and satisfy yourselves that the crematory does not emit any pollutants, hazardous materials, etc. and will not create any detrimental impacts on the community.

If you have such interest, please reply to this email and I will coordinate a meeting at the Forest Hill funeral home at a convenient time for whoever would like to attend. If there are others who are not on this email, please extend this invitation to them as well.

I look forward to hearing from you. Thank you for your interest.

Lawrence E. Schmidt

Attorney for Evans Funeral Homes

SGS SMITH GILDEA & SCHMIDT LLC

Lawrence E. Schmidt

PARTNER

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lschmidt@sgs-law.com

www.sgs-law.com

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Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Evans Crematory

1 message

Cynthia Jacknan <ncjackman@comcast.net> Tue, Nov 12, 2024 at 8:49 PM
To: shannon.heafey@maryland.gov

Miss Heafey,
We've lived in the Honeygo Ridge Development for 21 years. We love our community.
We are writing to show our opposition to the Evans Crematory being constructed right behind our house. It would create an unsafe environment for us and the surrounding communities.
Thank you
Cynthia Jackman

Sent from my iPhone

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: Extension to Comment Period for Evans Funeral Chapel Draft Air Permit

1 message

Shannon Heafey -MDE- <shannon.heafey@maryland.gov> Fri, Nov 15, 2024 at 3:45 PM
To: Evelyn Jacobs <evelynjacobs2002@yahoo.com>

Hi Evelyn,

Thank you for your letter. It will be added to the other comments received during this comment period and each concern will be addressed in the Response to Comments document that everyone who has participated in the process will be receiving.

I can address two of your concerns, though-
Regarding what someone overheard between the permit applicant and the permit engineer, this is the response I gave to the gentleman who raised the concern earlier to me-

"What I can tell you, is that when a permit applicant asks a permit engineer what the next steps in an Air Permit process would/could be, the answers will always be prefaced with "typically", as each permit is very different from other permits, even for the same types of operations. Public comments can, and have, disclosed conditions which may require a draft permit to be modified to meet Air Quality Standards and regulations or may impact whether a permit can be issued at all. This is explained to permit applicants throughout the process."

Each permit application goes through a very technical review and many factors contribute to whether a permit is issued or denied. It would appear that whoever overheard part of the conversation did not hear the entirety, which absolutely would sound alarming. Nothing is final, there are many comments and statements for the engineers to review and address, and I anticipate quite a few more with the extension of the comment period.

Regarding the control equipment, the type of retort the company would like to install has built-in emissions controls, called an afterburner, therefore *additional* controls are not required to meet Maryland's strict requirements. It isn't that such a unit would not have any emissions controls at all, that would never be allowed under Maryland's air regulations.

Regarding the zoning, MDE has no say over zoning, that is county/city controlled. I understand there is another hearing scheduled regarding the zoning exception, but as of this time, the county has given zoning approval.

Again, all of the concerns you raised will be addressed at the end of the comment period, but please feel free to reach out to me anytime with questions.

Again, thank you for your letter,
Shannon

Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

On Fri, Nov 15, 2024 at 3:17 PM Evelyn Jacobs <evelynjacobs2002@yahoo.com> wrote:

> Good Afternoon Ms. Heafey,
>
> I was in attendance at the public hearing held on November 12, 2024.

I am strongly opposed to the burning of human remains at the proposed site in White Marsh and I have comments and questions please.

The proposed area is already saturated with pollutants. As a long time resident of this area , I have seen the decline in the air quality
Within two miles of the proposed site , the residents already have : 1.) A landfill on Pulaski highway spewing toxins 2.) A reclamation center
on Philadelphia Rd spewing toxins . In addition to the sites themselves , each location hosts many diesel trucks disposing of waste there each
day. Most of the trucks are old and you can see the black smoke they emit as they drive around the area.
Cargill Salt , Ocean Auto and J. Gibson McIlvain is also located within two miles of the proposed site, All of these companies have heavy duty diesel trucks
driving to their site daily.
Pulaski Highway has almost completed a 152 new home community. Again, taxing a small area of Baltimore County already grossly polluted.
Interstate 95 is also in range of the community. Yet another source of multiple pollutants.

I am very concerned by the possibility of the permit being approved and the residents soon dealing with the effects of burning bodies in our hometown.
I read in a section of the permit :

9. Control Devices Associated with this Equipment
None

This has the potential to leak major toxins into the air . Many families live here. There are day care centers nearby. A Senior Living complex. Rows of homes
filled with young and old families alike. We don't need to be subjected to this.
There are many other locations Mr. Evans can select that won't potentially poison people. Most people in this area could not afford to move away from here and
the risk. Mr. Evans can.

I would also like Matt Haftner to explain what was overheard in the hallway that night when he was telling Mr. Evans "the permit would go through".

Who, what agency will be monitoring this system?
How often will it be checked?

What about the concerns in the letter below:
What about compliance with Regulations for the Protection of Water Quality , Streams... Forest Conservation.

How can one man be allowed to destroy all this for so many..?

There are so many things wrong with allowing this.

ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and Sustainability (EPS) - Development Coordination

DATE: April 4, 2022

SUBJECT: DEPS Comment for Zoning Item # 2022-0051-SPHXA
Address: 11543 Philadelphia Road
(19A Newport Drive, LLC Property)

Zoning Advisory Committee Meeting of **March 14, 2022**

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

1. **The site plan shows an existing Forest Buffer Easement (FBE) on the property. Environmental Impact Review found no evidence there is an existing FBE on the property.**

   Reviewer: Gris Batchelder

2. **This project will require presentation to the Development Review Committee (DRC) for determination of plan process prior to issuance of any permits for Grading or Construction.**

   Reviewer: Steve Ford

THESE are not emissions - they are poisons. Plus he wants to be tons of natural gas

TABLE I
PROJECTED MAXIMUM EMISSIONS FROM THE PROPOSED INSTALLATION

POLLUTANT	PROJECTED MAXIMUM EMISSIONS (lbs/day)	(tons/year)
Oxides of Nitrogen (NO_X) (includes Nitrogen Dioxide – NO_2)	3.4	0.62
Carbon Monoxide (CO)	2.8	0.51
Sulfur Dioxide (SO_2)	0.99	0.18
Total Particulate Matter (PM) (includes PM-10 and PM-2.5)	1.5	0.27
Volatile Organic Compounds (VOC)	1.4	0.26

TABLE II
PROJECTED IMPACT OF EMISSIONS OF CRITERIA POLLUTANTS FROM THE PROPOSED INSTALLATION ON AMBIENT AIR QUALITY

POLLUTANTS	MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS CAUSED BY EMISSIONS FROM PROPOSED PROCESS ($\mu g/m^3$)	BACKGROUND AMBIENT AIR CONCENTRATIONS ($\mu g/m^3$)*	NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) ($\mu g/m^3$)
Nitrogen Dioxide (NO_2)	1-hour max → 11.0 annual avg → 0.9	1-hour max → 92 annual avg → 26	1-hour max → 188 annual avg →100
Carbon Monoxide (CO)	1-hour max → 9.1 8-hour max→ 6.4	1-hour max.→ 1,260 8-hour max.→ 2,980	1-hour max.→ 40,000 8-hour max.→ 10,000
Sulfur Dioxide (SO_2)	1-hour max → 3.2 24-hour max → 1.3	1-hour max → 30 24-hour max → 5	1-hour max → 196 24-hour max → 366
Particulate Matter (PM_{10})	24-hour max → 1.9	24-hour max.→ 101	24-hour max.→ 150

*Background concentrations were obtained from Maryland air monitoring stations as follows:

NO_2 → Monitoring Station in Lochearn, Baltimore County
PM_{10} → Monitoring Station in Old Town, Baltimore City
CO and SO_2 → Monitoring Station in Essex, Baltimore County

Sincerely,
Evelyn Jacobs

On Thursday, November 14, 2024 at 11:31:58 AM EST, Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:

Dear Concerned Community Members:

This email is to inform you that a written request for an extension to the review period for the Evans Funeral Chapel draft permit for the installation of one human crematory at their White Marsh location has been submitted to the Department and granted. The comment period has been extended through **January 21, 2025**.

For reference, Docket #05-23 containing the application, draft Permit and Fact Sheet are located here:
https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx

Please feel free to contact me with any questions.

Sincerely,
Shannon Heafey

Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Docket 5-23.

1 message

Cheryl Patterson <sakes108@yahoo.com> Mon, Feb 10, 2025 at 9:47 PM
Reply-To: Cheryl Patterson <sakes108@yahoo.com>
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>

Good evening, I am writing in response to Evans Funeral Home and Crematorium on Philadelphia Road in White Marsh. My concerns/questions are:
-What tests does the state do to monitor the smoke coming from the Evans location in Harford County?
-Are we as the public allowed to see them?

As a Mom and community member, I ask that you not approve the Crematorium at the Philadelphia Road location. Aside from the concerns of the smoke output, I'd like to remind you we have Eastern Landfill 5 minutes from that location in one direction and Honeygo Run Landfill 5 minutes the other direction from that location.

Please, please, please do not approve this Crematorium to be built on this location.

Thank you,
Cheryl Patterson

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Docket 5-23

1 message

Catherine Allen <cathyallen0808@gmail.com> Mon, Feb 10, 2025 at 8:57 PM
To: Shannon -Mde- <shannon.heafey@maryland.gov>, wmcca.treasurer@gmail.com

Questions concerning proposed crematorium:

(1 of 2)

Overburdened Exposure Score (%ile score): Census Tract 4113.02, Baltimore County, Maryland

Census tract identifier	24005411302
Geographic Area Name	Census Tract 4113.02, Baltimore County, Maryland
Total Population	3,916.00
Percent NATA Cancer Risk Score (% for this tract)	60.00
Percent NATA Cancer Risk Score (% Distribution across Maryland)	27.71
Percent NATA Respiratory Hazard Index Score (% for this tract)	80.00
Percent NATA Respiratory Hazard Index Score (% Distribution across Maryland)	30.90
Percent NATA Diesel (PM) (% for this tract)	29.31
Percent NATA Diesel (PM Score) (% Distribution across Maryland)(% Distribution across Maryland)	22.27
Percent NATA Particulate Matter (PM2.5) Score (% for this tract)	92.58
Percent Percent NATA Particulate Matter (PM2.5) Score (% Distribution across Maryland)	20.90
Percent Ozone Score (% for this tract)	97.88
Percent Ozone Score (% Distribution across Maryland)	29.99
Percent Traffic Proximity Score (% for this tract)	13.77
Percent Traffic Proximity Score (% Distribution across Maryland)	29.19
Percent Toxics Release Inventory (TRI) Score (% for this tract)	15.79
Percent Toxics Release Inventory (TRI) Score (% Distribution across Maryland)	94.87
Percent Hazardous Waste Landfill Proximity Score (% for this tract)	66.67
Percent Hazardous Waste Landfill Proximity Score (% Distribution across Maryland)	99.66
Percent Overburdened Exposure Score (% for this tract)	57.00

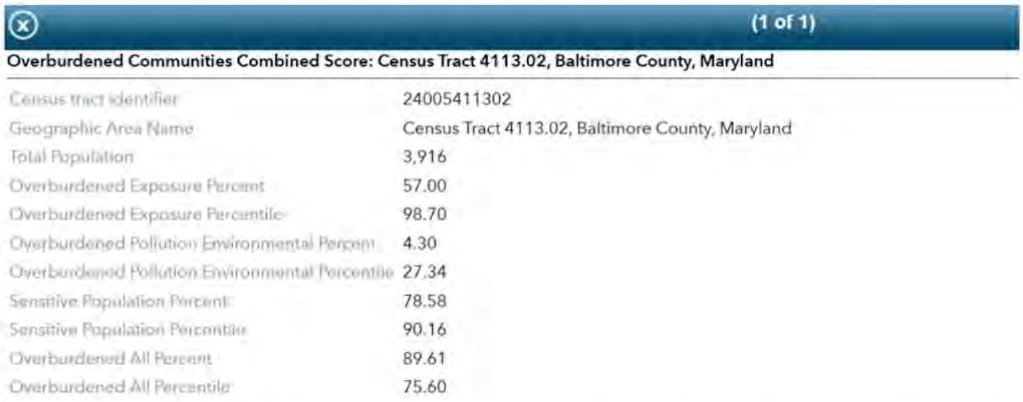
The MDE Environmental Justice Screening Tool indicates that the census tract where the crematorium is to be located scored 80 on the Respiratory Hazard Index, 92.58 on the Particulate Matter Score and 97.88 for the Ozone Score. Please explain how locating a crematorium inside of this track is acceptable.

(1 of 2)

Overburdened Sensitive Population (%ile score):Census Tract 4113.02, Baltimore County, Maryland

Census tract identifier	24005411302
Geographic Area Name	Census Tract 4113.02, Baltimore County, Maryland
Asthma Emergency Room Discharges (% for this tract)	95.30
Asthma Emergency Room Discharges (% Distribution across Maryland)	83.25
Myocardial Infarction Discharges (% for this tract)	97.80
Myocardial Infarction Discharges (% Distribution across Maryland)	82.16
Low Birth Rate Infants (% for this tract)	29.60
Low Birth Rate Infants (% Distribution across Maryland)	32.19
Lack of Broadband Access Score (% for this tract)	8.36
Lack of Broadband Access Score (% Distribution across Maryland)	36.77
Sensitive Population Score (% for this tract)	57.77
Sensitive Population Score (% Distribution across Maryland)	58.60

The Environmental Justice Screening Tool shows Asthma Emergency Room Discharges for this census track at 95.30% and Sensitive Population Score for this census track at 57.77. How will the additional particulate matter from the crematorium affect these individuals?



(1 of 1)

Overburdened Communities Combined Score: Census Tract 4113.02, Baltimore County, Maryland

Census tract identifier	24005411302
Geographic Area Name	Census Tract 4113.02, Baltimore County, Maryland
Total Population	3,916
Overburdened Exposure Percent	57.00
Overburdened Exposure Percentile	98.70
Overburdened Pollution Environmental Percent	4.30
Overburdened Pollution Environmental Percentile	27.34
Sensitive Population Percent	78.58
Sensitive Population Percentile	90.16
Overburdened All Percent	89.61
Overburdened All Percentile	75.60

The Overburdened Communities Score for the census tract in which the crematorium would be built is 89.61% placing this tract in the 75th percentile. Why would a crematorium be approved in a residential area scoring in the highest bracket where approximately four thousand residents live? Wouldn't it be more appropriate to permit construction in an area where there is either less burden or less residential property?

The presentation given on November 12th showed that visible emissions cannot be more than 40% opacity and cannot be for more than 6 consecutive minutes during any 60-minute period. How can this be monitored? The crematorium could emit for a maximum of 50 minutes per hour under this model. If residents report emissions in excess of these limits, what steps will the State, County and Department of the Environment take? Should residents film emissions if they are believed to be out of compliance? What will Evans be required to do if they are found in violation? How is the opacity measured?

An initial U.S. EPA Method 9 opacity observation performed by an independent third party certified to conduct the test will be required. Will residents be notified when this testing occurs and the results of the testing? What happens if the test fails? The presentation states: All Air Quality Compliance Program staff are certified to conduct Method 9 observations and will conduct these observations when the facility is inspected. This does not sound like an independent third party. How will the independent third party be selected? Will the community have input into selecting or approving the independent third party?

Exhaust gases must be vented out of a stack at a height of at least 37 feet from the ground to ensure proper dispersion of exhaust gases. Temperature inversions, which are common in the area where the crematorium is scheduled, will affect the proper dispersion of exhaust gases. What measures will be taken to ensure proper dispersion during times of temperature inversions? Must the crematorium suspend incineration if exhaust gases are not disbursing properly?

How is an increase in cancer risk of no more than 1 in 100,000 acceptable in the middle of a residential area? Before signing the permit, the community would like the signer to consider if they would want a crematorium in their own backyard, front yard, or side yard.

The Permittee shall not cremate more than 2 human remains during any 8-hour period. How will this be monitored? What happens if they are found in violation? Will violations become public record?

The Permittee shall not combust any halogenated plastics, including polyvinyl chloride (PVC) body bags or PVC pipes. The Permittee shall not combust any hazardous waste, or hospital, medical, and infectious waste as defined in COMAR 26.11.08.01B(18). How will this be monitored? What agency or agencies enforce these regulations? How are violations handled? Are violations public record? Who should residents contact if they are concerned with violations?

Who monitors the records the crematorium is required to keep? How often are they monitored? How are they verified? Is there a system of checks and balances or are the local residents just supposed to trust the business owners? Are there any records, certifications, etc. that a crematorium is required to keep posted? What is available as public record?

The Permittee must demonstrate initial compliance and apply for and obtain a State permit-to-operate before operating the human crematory after the initial 180-day temporary operating period allowed for testing. What happens if compliance is not demonstrated during the temporary operating period? What failures, if any, would cause the permit-to-operate not to be issued? Who will be responsible for reviewing the compliance? What specific information is needed to demonstrate compliance?

The Maryland Department of Health's State Board of Morticians and Funeral Directors regulates and inspects crematory facilities and requires training for crematory operators. How often do they inspect the crematoriums? What specifically are they looking for? What happens if they find a violation?

Catherine Allen
5615 Carrington Dr
White Marsh, MD

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Evans Funeral Crematorium Comment - Docket #05-23

1 message

horizonknight1 <biology81@gmail.com> Wed, Nov 20, 2024 at 1:04 PM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>

Hello, my name is Ming and I live at 5519 maudes way. I am against the Evans Crematorium being considered for 11543 Philadelphia Rd, white marsh, MD.
I have 2 asthmatic kids; ages 3 and 5. My main concern is that the air pollution from the crematorium would have a negative impact on their health by increasing their asthmatic attacks.
My kids and other kids can easily be exposed to the pollutants when they are waiting for their school bus because their bus stop is in front of maudes way entrance which is only a few feet from the proposed site of the crematorium.
The crematorium is not good for the health of our residential community. Thank you for listening to my concerns.

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Crematory in White Marsh

1 message

Ilovemynewtruck <ilovemynewtruck@aol.com> Wed, Jan 8, 2025 at 11:39 AM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>

Hello,
I have some questions regarding the proposed crematory in my community.

Which interventions will MDE require and enforce, with consideration to building downwash and the effects of plume impaction on elevated terrain? Both may result in higher contaminant concentrations at ground level than would otherwise occur.
How does MDE propose to control the effects of plume impaction to safeguard the health and wellbeing of nearby residents?

I am very concerned with this being in my zip code.

Kimberly Ayre
410-245-4255

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: MDE Hearing in White Marsh 11/11/24

1 message

markhauf <markhauf@comcast.net> Thu, Nov 14, 2024 at 12:42 AM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>, Information WMCCA <wmcca.info@gmail.com>, markhauf@comcast.net, Audrey Perkins <perkinsaudrey648@gmail.com>, Council5@baltimorecountymd.gov
Cc: Cathy Allen <cathyallen0808@gmail.com>, Audrey Perkins <perkinsaudrey648@gmail.com>

Mrs. Heafey,

I wanted to thank you for coordinating/mediating last night's meeting, as well as providing the relevant information that has been requested today. I also wanted to explain my overall demeanor last night, so there's no misunderstanding for my frustration. While I'm VERY passionate about my community and our cause, I'm also usually respectful in my actions and words. I came to last night's meeting, excited for the opportunity to represent the community I live in, as well as the community which I represent, the WMCCA. I was looking forward to presenting to the group and providing testimony related to this very important issue. Minutes after walking through the door, I was approached by a concerned attendee, who overheard a conversation that occurred between Mr. Hafner and Mr. Evans, in which Mr. Hafner told Mr Evans, that after this hearing, there might be a few tweaks to the permit, but then he would have his permit to build his crematory in a few months. I immediately found another person to accompany the attendee and myself, to question Mr. Hafner about his statements. Surprisingly, he didn't deny it at all, quite the contrary. I was both shocked and disappointed. Mr. Hafner's conduct, in my opinion, was at a minimum, unprofessional, probably worse.9

Our community has continued to attend every hearing and meeting related to this building, because there's a real fear and concern, for the health of our community. This location, in the middle of multiple high end developments, across the street from a daycare center and what is basically fixed income senior housing, as well as within shouting distance of MULTIPLE outside eating establishments, is atrocious, senseless and just plain stupid. On top of that, horrible pollution from traffic that we deal with every day, as well as further air quality burdens, from the Honeygo Reclamation Center and Days Cove Dump, burdens that we can see, smell and sometimes taste, daily. The MDE, knowing all this, giving the green light to this business, is ludicrous. After hearing about the pre-meeting collusion between Mr. Hafner and Mr. Evans, this permit process, data gathering, documentation and permit issuance, might even be worse than just a bad decision. It wreaks of a break of public trust.

I just can't get past this. I'm requesting, if you would, the contact information for the head of Mr. Hafner's department, or his supervisor. I'm requesting my concerns be reported as/if required by other MDE personnel and that my complaint, be logged into the official record in this matter.

Public trust of state and local officials, is paramount to processes like these. Any breakdown or breach of that trust, or anything that doesn't pass the smell test, lends itself to public distrust of government. I'd say that's exactly what a large group of highly taxed citizens in our area feels right now, based on emails that I have received today. They feel cheated, hurt, lied to and disenfranchised. In my opinion, this was NOT an acceptable result, of a fair and "transparent" citizen/government process. For the record, I don't believe the citizens of our community, can in any way receive, or feel like they have received, a fair or just result in this permit process, based on what occurred before last night's meeting. That feeling or result, should be unacceptable, from all sides in an important matter like this.

Thank you for your time, efforts and assistance in this matter.

Mark Hauf
WMCCA
(443) 421-2520
markhauf@comcast.net

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

-------- Original message --------
From: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Date: 11/13/24 12:42 PM (GMT-05:00)
To: Information WMCCA <wmcca.info@gmail.com>

Cc: Chris & Doralee Sissy Wilson <lsuchris@comcast.net>, Cathy Allen <cathyallen0808@gmail.com>, Mark Hauf <markhauf@comcast.net>, Audrey Perkins <perkinsaudrey648@gmail.com>
Subject: Re: MDE Hearing in White Marsh 11/11/24

Here is the full updated docket URL:
https://mde.maryland.gov/programs/permits/AirManagementPermits/Documents/Public-Review/new%20public%20review%20documents/Evans%20Initial-Supplement-updated%20Docket-05-23.pdf

easier to pass on-
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then on this page scroll down to "Scheduled Public Hearings" and click on the updated Evans Docket.
The docket now has the presentation Matt gave about the tentative determination, and the updated comment period expiration date.

The people who attended from MDE:
Matt Hafner- Chief, Chemical and Mineral Division
Janel Dutton- Lead with Chemical and Mineral Division
Dennis Borie- Permit Engineer with Chemical and Mineral Division
and me,

Shannon

Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

On Wed, Nov 13, 2024 at 11:55 AM Information WMCCA <wmcca.info@gmail.com> wrote:

> Thank you Shannon for the detailed response. Please include the names of the MDE representatives who were in attendance at the hearing.
>
> Is there a link to view the online docket?
>
> Heather

On Wed, Nov 13, 2024, 10:58 AM Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:

> > Good Morning Heather,
> >
> > Thank you for checking with me. You can email the comments to my attention. I will add them to the other formal comments for the record.
> >
> > At the end of the comment period, the permit engineers will review and address all of the comments that have been submitted during the comment period and will complete a Response to Comments Document with a Final Determination. Those documents will be sent to all of the elected officials, participants in the informational meeting and public hearing, and added to the online docket. I do not have a time frame for that part, since there are upcoming holidays and limited staff working on several equally complex project applications.- in addition to many other permit applications.
> >
> > FYI, an extension to the comment period has been requested and granted, the new expiration date will be January 21, 2025. I will be sending out a notification about the change of the comment period in the next day or so. If

you know of anyone who hasn't yet signed up for our interested parties lists please ask them to contact me for the latest information.

I am processing the sign-in sheets this morning, I'll contact you when I have done that.

Thank you again,
Shannon

Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

On Tue, Nov 12, 2024 at 11:21 PM Information WMCCA <wmcca.info@gmail.com> wrote:

Hello Shannon,

Please accept my apologies for not being in attendance at the hearing. I will submit my comments and questions in writing shortly. Is email alright or should I mail them via USPS?

Also, is it possible to get a copy of the sign in sheet as well as the names & titles of MDE representatives in attendance?

Lastly, what is next as far as the official hearing record, timeline for a decision, etc?

Thank you, Shannon, for your attention and consideration of the above.

Regards,

Heather Patti
President
White Marsh Cowenton Improvement Association

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Re: MDE Hearing in White Marsh 11/11/24

1 message

Audrey Perkins <perkinsaudrey648@gmail.com> Thu, Nov 14, 2024 at 1:12 PM
To: Shannon Heafey -MDE- <shannon.heafey@maryland.gov>
Cc: markhauf <markhauf@comcast.net>, Information WMCCA <WMCCA.info@gmail.com>, Council5@baltimorecountymd.gov, Cathy Allen <cathyallen0808@gmail.com>

Mark, Perhaps it is time to have a conversation or audience with the governor. I know the Baltimore Banner reporter was in the audience when you made your comments and I hope he reports what transpired Tuesday night. The fact that you did not hear this first hand should not make any difference.
This entire process continues to set up road blocks since the beginning. The more I think about the first meeting in which I was the only member of the community present the permit office should have raised some questions at the time. In consideration of the residents in this area who were dealing with the pandemic and all the other personal and public issues families were coping with the meeting should have been rescheduled because of the extenuating circumstances. In addition to the fact that the "Evan's" sign stated that a funeral parlour and cremation services would be constructed on this parcel of land. There was no mention that a crematory was to be constructed. Even to this day the "Evan's " sign still does not show any mention of a crematory at this site. We have had to deal with judges who take it upon themselves to circumvent the judicial process and the real kicker is that the permittees lawyer was head of the permit office prior to taking on this client. (I am not sure if I am representing him correctly so please understand if I am off base in any way concerning this)

At this point in time I think most of us are tired of being "jerked" around and hearing the comment that was made by your staff member was the straw that finally broke the proverbial camel's back. We have followed the process as good citizens and when we hear comments being made by people who we rely on is extremely disheartening.
Please add this to our comments documentation.

Audrey Perkins

On Thu, 14 Nov 2024 at 11:12 AM, Shannon Heafey -MDE- <shannon.heafey@maryland.gov> wrote:

> Dear Mr. Hauf,
>
> Thank you for sending this email. I understand that what you heard sounded discouraging, and I appreciate the frustration you felt. Understanding from what you wrote in this email that you didn't hear the exchange between Mr. Evans and Mr. Hafner directly, or in its entirety, I wish we had both heard this first hand. What I can tell you, is that when a permit applicant asks a permit engineer what the next steps in an Air Permit process would/could be, the answers will always be prefaced with "typically", as each permit is very different from other permits, even for the same types of operations. Public comments can, and have, disclosed conditions which may require a draft permit to be modified to meet Air Quality Standards and regulations or may impact whether a permit can be issued at all. This is explained to permit applicants throughout the process.
>
> At the end of the comment period, all of the comments will be reviewed and addressed, and since you submitted this email to me during the comment period, I will be including it in the formal record to be reviewed and addressed.
>
> If you have any other comments, or concerns, please feel free to contact me. I will be sending an email later today to announce that a request for an extension to the comment period was submitted and granted. The comment period for this application will expire on January 21, 2025.
>
> Sincerely,
> Shannon Heafey
>
> Shannon Heafey Public Participation Coordinator
> Air Quality Permits Program, Air and Radiation Administration
> Maryland Department of the Environment
> 1800 Washington Boulevard, Baltimore, Maryland 21230
> shannon.heafey@maryland.gov

410-537-4433

On Thu, Nov 14, 2024 at 12:42 AM markhauf <markhauf@comcast.net> wrote:

Mrs. Heafey,

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To: Information WMCCA <wmcca.info@gmail.com>
Cc: Chris & Doralee Sissy Wilson <lsuchris@comcast.net>, Cathy Allen <cathyallen0808@gmail.com>, Mark Hauf <markhauf@comcast.net>, Audrey Perkins <perkinsaudrey648@gmail.com>
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Janel Dutton- Lead with Chemical and Mineral Division
Dennis Borie- Permit Engineer with Chemical and Mineral Division
and me,

Shannon

Shannon Heafey Public Participation Coordinator
Air Quality Permits Program, Air and Radiation Administration
Maryland Department of the Environment
1800 Washington Boulevard, Baltimore, Maryland 21230
shannon.heafey@maryland.gov
410-537-4433

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Thank you, Shannon, for your attention and consideration of the above.

Regards,

Heather Patti
President
White Marsh Cowenton Improvement Association

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Air Quality Permit - Evans Funeral Home & Crematory

1 message

Nancy Gregoire <bostongregoire@verizon.net> Fri, Nov 15, 2024 at 4:56 PM
To: "Shannon.Heafey@maryland.gov" <Shannon.Heafey@maryland.gov>

Hi Shannon,

I was given your name to send my concerns regarding the Evans Funeral Home & Crematory to be built on Philadelphia Road. I have serious concerns as this will be a crematory only and built very close to several residential communities including Honeygo Ridge where I live. Crematories emit harmful air pollutants, including particulate matter, sulfur dioxide, nitrogen oxides and heavy metals. These pollutants can have severe effects on the surrounding environment and human health. Not enough research has been done on the effects that can be caused especially when crematories are built so close to residential areas and there for no federal regulations that currently exist. Much like when cigarettes first came out, the federal government didn't have regulations or requirements to warn people of their addictive nature and that they caused cancer. I feel we are in the same situation with crematories and the pollutants they admit.

The area on Philadelphia Road that is being considered is very residential with some businesses that are service-oriented like restaurants, shops and hair salons. A crematory would be very different than the surrounding businesses that don't pollute the air like this would. We are already located between 2 refuse facilities (Days Cove Road and Honeygo Reclamation) as well as between 2 major roads (Rt. 40 and Rt. 95). The addition of the crematory would yet be another pollutant that is added to the air that surrounds our neighborhood. I ask that you deny Evans Funeral Home the permit they are requesting.

Thank you for your time, Nancy Gregoire

5617 Harvey Road
White Marsh, MD 21162
443-992-8028

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

comments about Evans Crematorium

1 message

Niranjan Pandey <pandey.niranjan@gmail.com> Wed, Nov 13, 2024 at 7:12 PM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>
Cc: "WMCCA.info@gmail.com" <WMCCA.info@gmail.com>, markhauf@comcast.net, "cathyallen0808@gmail.com" <cathyallen0808@gmail.com>, Joan Garrity <honeygoridgehoa@verizon.net>

Hi Shannon,

I am a resident of Honeygo Ridge Community which is going to be impacted negatively if the Evans Crematorium comes to our neighborhood.

I am a scientist by profession with a PhD in Molecular Biophysics. I have more than 30 years of experience coming up with hypotheses to explain biological phenomena, collecting and analyzing data, and coming to conclusions to further understanding of cancer and other diseases. The scientific questions I ask below are the type of questions that I routinely ask in my work.

Thank you for the opportunity to speak at the meeting last night. I would first like to request an extension of the comment period to give everyone in the neighborhood extra time to comment on the possible establishment of the Evans crematorium on Philadelphia Road.

I have the following comments separated by category.

1. **Scientific -**

a. As I mentioned yesterday, the information provided by the scientist from MDE only had the expected theoretical output from the crematorium. **Please provide data from other crematoria of similar design so that we can find out what is actually released from an operating crematorium. Also please provide real data from functioning crematoria of how the chemicals that are released change over time in terms of the types of chemicals and their amounts to help determine how exhaust from crematoria change over time as they age. Finally, is there a process of rescinding the permit if the Evans company does not abide by the exhaust limits or if they have a different violation? Please let us know the details of such a rescinding process, the types of violations that could trigger a rescission and send us documentation to assure us that such a process and the law have teeth so that there is a realistic chance that they can be held to account.**

b. Also as I mentioned yesterday, the data provided by the scientist is the expected output when the system is new. The question was what would happen if the system broke down. Inspections by the MDE are only annual so the community could potentially be exposed to unknown chemicals if the system broke down in between inspections. Evans cannot be trusted to self-report and self-regulate. **Could you please provide MDE's plan for continuous monitoring to ensure the safety of the community?**

c. My experience with inspections of laboratories that I have been part of provides a cautionary tale for inspection of the crematorium. Often the date of inspection is announced well before the day of inspection allowing the lab to fix its problems ensuring the lack of findings and a pass. **Please confirm that inspection dates will not be announced to Evans in advance of the actual inspection. Also please commit to us that you will provide all inspection related data so that the community can be assured that we are safe.**

d. My understanding is that MDE will test for levels of chemicals from a list that they have. There could be situations in which chemicals that are not on the list will be released and they would be totally unaccounted for. For example, the deceased could be wearing a wig of unknown material, the clothing could have unknown kinds of artificial fabric, the coffin, which I am assuming gets incinerated with the deceased, could have unusual finishes, the deceased could have mercury or silver in their mouths resulting from dental work, or they could have artificial body parts that are made of plastic to name a few. No one knows and more importantly, no one can know what chemicals could be released upon incineration of the chemicals present in these unusual circumstances. Release of these chemicals would be much less problematic if it were to happen in a sparsely populated area or away from population centers but given that the crematorium is going to be located in the middle of a densely populated area, it could be a major health problem. **Please provide a detailed plan for how you plan to deal with the potential release of unknown chemicals in our neighborhood.**

e. Does the MDE or some other department of the State of Maryland have a mandate to monitor not just the type of chemicals and their amounts but also how the introduction of an emitter of pollutants like the Evans crematorium is affecting the actual health of residents of the neighborhood? This is especially crucial because as I indicated above, there is no way to know all the chemicals being released and those that can potentially be released from the crematorium because of technical limitations and lack of knowledge. **Please provide a plan to monitor the health of our community if they are indeed able to establish themselves in our neighborhood.**

2. **Financial**

a. Multiple residents mentioned last night that housing prices drop significantly once a crematorium comes into a neighborhood. **Could you provide evidence to the contrary or point us to someone who can?**

b. It looks like Evans is getting favorable treatment over existing businesses in our neighborhood. Clearly, while Evans will profit from locating in a neighborhood with a strong infrastructure, allowing them to come into our neighborhood will hurt other businesses. As an example Taco Love will have to end their outdoor seating, a feature beloved in our community**. Can you please provide the rationale for allowing a new business to enter our neighborhood when it is going to hurt so many businesses? Can you also provide an argument for residents to stay here and not move out? How exactly does Evans crematorium uplift our community and how is it good for us?**

3. **Other quality of life issues**

a. You may not be aware because you don't live here, but on many mornings Philadelphia Road, our only road in and out of the community for many residents, has a huge amount of traffic. Locating the crematorium in our neighborhood is going to significantly worsen the situation. Not only will there be a lot more cars coming here, they will mostly be part of a slow moving funeral procession. **As asked above, how does increased traffic help our community? On the contrary, it will significantly reduce our quality of life both in terms of increasing car exhaust further and worsening our commutes.**

Thank you.

Dr. Niranjan Pandey
Research Associate Faculty
Johns Hopkins School of Medicine
Department of Biomedical Engineering



Reply Forward

Maryland

Shannon Heafey -MDE- <shannon.heafey@maryland.gov>

Fwd: Evans crematory emails

1 message

Angelo Bianca -MDE- <angelo.bianca@maryland.gov> Thu, Dec 12, 2024 at 10:43 AM
To: "shannon.heafey@maryland.gov" <shannon.heafey@maryland.gov>
Cc: Suna Sariscak -MDE- <suna.sariscak@maryland.gov>

The incoming emails on Evans are in red.

---------- Forwarded message ---------
From: **Brandon Brooks -MDE-** <brandon.brooks@maryland.gov>
Date: Tue, Dec 10, 2024 at 1:18 PM
Subject: Re: Evans crematory emails
To: Angelo Bianca -MDE- <angelo.bianca@maryland.gov>

jillian.genovese@gmail.com

Dear Ms. Genovese,

Thank you for your email about Evans crematory in the White Marsh area where you expressed concerns about emissions from the proposed crematory. Each permit has a public comment process and your objection is noted for the official record. The comment period has been extended through January 21, 2025, so you may submit additional comments.

The information the Department used to develop the draft permit can be found on our Website at this location: https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx.

Please click on docket 05-23 for the Evans project specifically. If the Department decides to issue a permit for the Evans crematory, there will be a document that is responsive to all comments received. As a commenter, you will be notified directly when the final decision is published on whether or not to issue the permit.

I hope the additional information gives you insight about how the Department of the Environment considers permit applications and uses science, the law and public input to determine if a permit should be issued and if issued, what conditions are required to ensure the permit meets federal and state air quality standards.

Sincerely,
Angelo Bianca, Deputy Director
Air and Radiation Administration

alsalihi885@gmail.com

Dear Dr. Alsalihi,

Thank you so much for your email about Evans crematory in the White Marsh area and your concerns about emissions and other potential problems associated with the proposed crematory. At the Maryland Department of the Environment, we implement environmental laws and as such the environmental permitting process does not address reasons 2-5. Your local government has the authority to address those concerns. Each environmental permit has a public comment process and your objection is noted for the official record. The comment period has been extended through January 21, 2025, so you may submit additional comments.

The information the Department used to develop the draft permit can be found on our Website at this location: https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx.

Please click on docket 05-23 for the Evans project specifically. If the Department decides to issue a permit for the Evans crematory, there will be a document that is responsive to all comments received. As a commenter, you will be notified

directly when the final decision is published on whether or not to issue the permit.

Thank you for your interest in this project...I hope this gives you some more information about how the Department of the Environment considers permit applications and uses science and the law to determine if the permit meets federal and state air quality standards.

Sincerely,
Angelo Bianca, Deputy Director
Air and Radiation Administration

On Mon, Dec 9, 2024 at 10:48 AM Angelo Bianca -MDE- <angelo.bianca@maryland.gov> wrote:

> Two draft responses, based on approved prior response...the incoming emails are in red.
>
> jillian.genovese@gmail.com
> Dear Ms. Genovese,
>
> Thank you so much for your email about Evans crematory in the White Marsh area and your concerns about emissions from the proposed crematory. Each permit has a public comment process and your objection is noted for the official record. The comment period has been extended through January 21, 2025, so you may submit additional comments.
>
> The information the Department used to develop the draft permit can be found on our Website at this location:
> https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx.
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>
> Thank you for your interest in this project...I hope this gives you some more information about how the Department of the Environment considers permit applications and uses science and the law to determine if the permit meets federal and state air quality standards.
>
> Sincerely,
> Angelo Bianca, Deputy Director
> Air and Radiation Administration
>
> My name is Jillian Genovese, I live in the Fieldcrest Community right off of Philadelphia rd and New Forge. I'm emailing you to share my vehement opposition to the Evans Crematorium permit that is currently under consideration by the MDE. I was unable to attend the in-person hearing, but I've shared my reasoning below:
>
> > One cremation is shown to emit an estimated 535 lbs of CO2 pollution, which is the equivalent of a 609 mile car journey, respectively. That is just one cremation. After further research, I've found that within the working hours of the crematorium, up to four cremations can be performed a day. That is 2140 lbs of CO2 being emitted in our air, just yards away from our homes. Four cremations a day is a generous number, and depending on the requirements, that number can be up to six. Our neighborhood is zoned to one of the best elementary schools in the county. We have a thriving community with children of many races & backgrounds collaborating, & playing outdoors. This is something you can witness with your own two eyes at any point during after school hours, and I highly recommend you do so to fully understand the scope. This crematorium poses a direct threat to these children's wellbeing. It is exposing them to harsh chemicals, carcinogens, and neurotoxins. It is straight poison.
> >
> > Please do NOT approve the permitting of this business. Our neighborhood is already surrounded by enough pollutants via I-95, Route 40, & Philadelphia rd. Adding to the list will greatly impact the quality of life for our children,

and community entirely. Thank you.

I'd like to share some scholarly articles with you to back my research, should you need further evidence:
https://scholar.google.com/scholar_url?url=https://www.academia.edu/download/92933293/The_environmental_pollution_caused_by_cemeteries_and_cremations.pdf&hl=en&sa=X&ei=p0c1Z7_rH4iCy9YP4Mv8gAQ&scisig=AFWwaeayaacIk6APImJ3Nt_9NY9A&oi=scholarr

https://www.sciencedirect.com/science/article/pii/S0160412009002050

Please reach out if you have questions. I appreciate your time.
Jillian Genovese

alsalihi885@gmail.com

Dear Dr. Alsalihi,

Thank you so much for your email about Evans crematory in the White Marsh area and your concerns about emissions and other potential problems associated with the proposed crematory. Each permit has a public comment process and your objection is noted for the official record. The comment period has been extended through January 21, 2025, so you may submit additional comments.

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Thank you for your interest in this project...I hope this gives you some more information about how the Department of the Environment considers permit applications and uses science and the law to determine if the permit meets federal and state air quality standards.

Sincerely,
Angelo Bianca, Deputy Director
Air and Radiation Administration

Good evening Madam Secretary,

I hope this message finds you well. I am writing to formally express my concern and strong opposition to the proposal to grant a permit for the construction of a crematorium in our community. I believe that the negative consequences of such a facility outweigh any potential benefits for our area.

There are several reasons for my opposition:

1. **Health and Environmental Concerns**: The emissions from crematoriums can have adverse effects on air quality, and the potential release of harmful pollutants, including mercury and particulate matter, could pose a health risk to nearby residents. Given our community's proximity to schools, parks, and homes, this is a serious issue that needs to be carefully considered.
2. **Impact on Property Values**: The presence of a crematorium in a residential or semi-residential area may lead to a decrease in property values. I believe this would hinder and blunt the growth of the White Marsh community.

3. **Emotional and Social Impact**: A crematorium could have a significant emotional and psychological impact on the residents of our community. The idea of having such a facility nearby could create a sense of unease, particularly for families with young children, the elderly, and those who may be sensitive to the subject of death and cremation.
4. **Traffic and Safety Concerns**: The construction of a crematorium would likely result in an increase in traffic, especially heavy vehicles used to transport remains. This could create safety hazards, particularly on roads that were not designed for such traffic, and disrupt the daily lives of residents.
5. **Incompatibility with Community Character**: Our community is known for its family-friendly environment, green spaces, and peaceful atmosphere. The establishment of a crematorium would be an incongruent development that could undermine the character of the area and its appeal to current and future residents.

For these reasons, I urge you to carefully reconsider granting this permit. I believe that alternative locations, away from residential areas, should be explored to ensure the well-being of our community and to avoid the negative consequences outlined above.

Thank you for your time and consideration. I trust that you will take the concerns of the community seriously when making your decision.

Sincerely,
Dr. Mina Alsalihi

--

Brandon Brooks

Office of the Secretary
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230
brandon.brooks@maryland.gov
(443) 615-2565 (M)

NO CREMATORY!
2024

THE TESTIMONY IN OPPOSITION TO CREMATORY NOV. 12, 2024

My name is Ikenna Enurah and I have lived in the White Marsh Honeygo Ridge community for eighteen years. I have a Master's degree in environmental science from Towson University. I know for a fact that crematoriums are sources of air pollution including mercury emission. This pollution can cause subtle chronic health effects due to long-term low dose exposure. Mercury pollution is drastically increased in crematories that burn corpses with amalgam dental fillings. In humans mercury damages the nervous system and can harm childhood development. That is why I am in strong support of Resolution 25-23. & NO CREMATORY in my AREA.

Thank you,

Ikenna Enurah

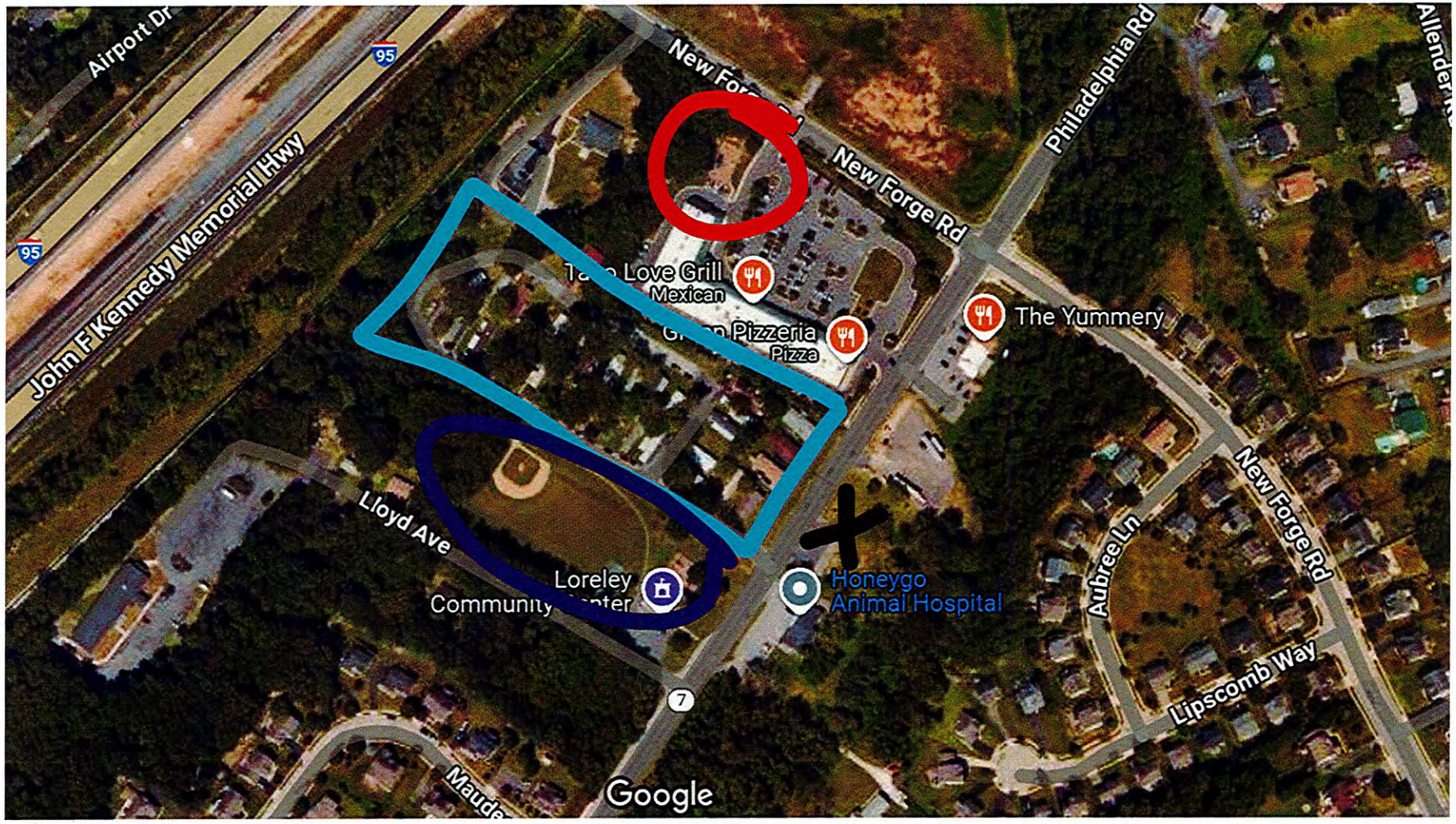
11510 ASBURY CT

WHITE MARSH, MD 21162

Cell # 10.227.2226

Ikennaenurah@yahoo.com

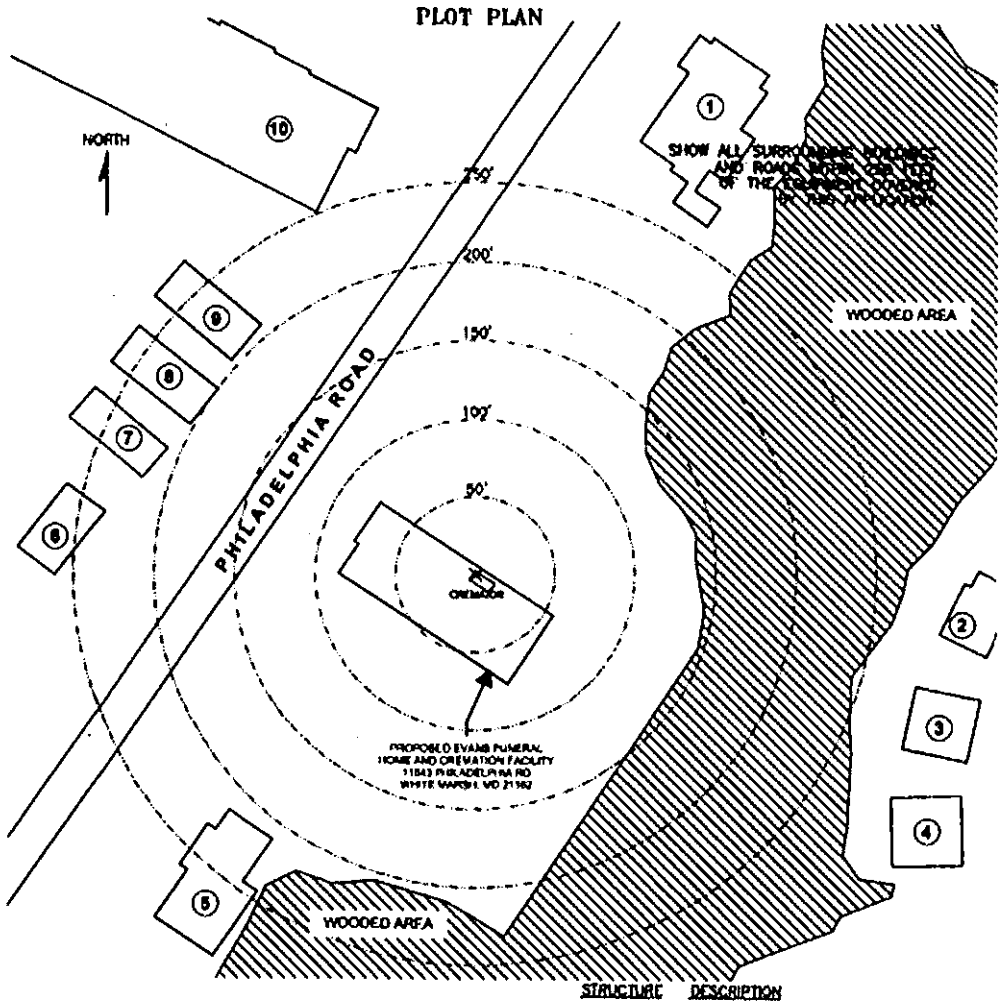
Catherine Allen



Daycare playground

Mobile Home community (low-income underserved community)

Community Center basketball and baseball



STRUCTURE	DESCRIPTION
(1)	COMMERCIAL TENANT BUILDING
(2)	SINGLE FAMILY HOME
(3)	SINGLE FAMILY HOME
(4)	SINGLE FAMILY HOME
(5)	ANIMAL HOSPITAL
(6)	SINGLE FAMILY HOME
(7)	SINGLE FAMILY HOME
(8)	SINGLE FAMILY HOME
(9)	SINGLE FAMILY HOME
(10)	SHOPPING CENTER

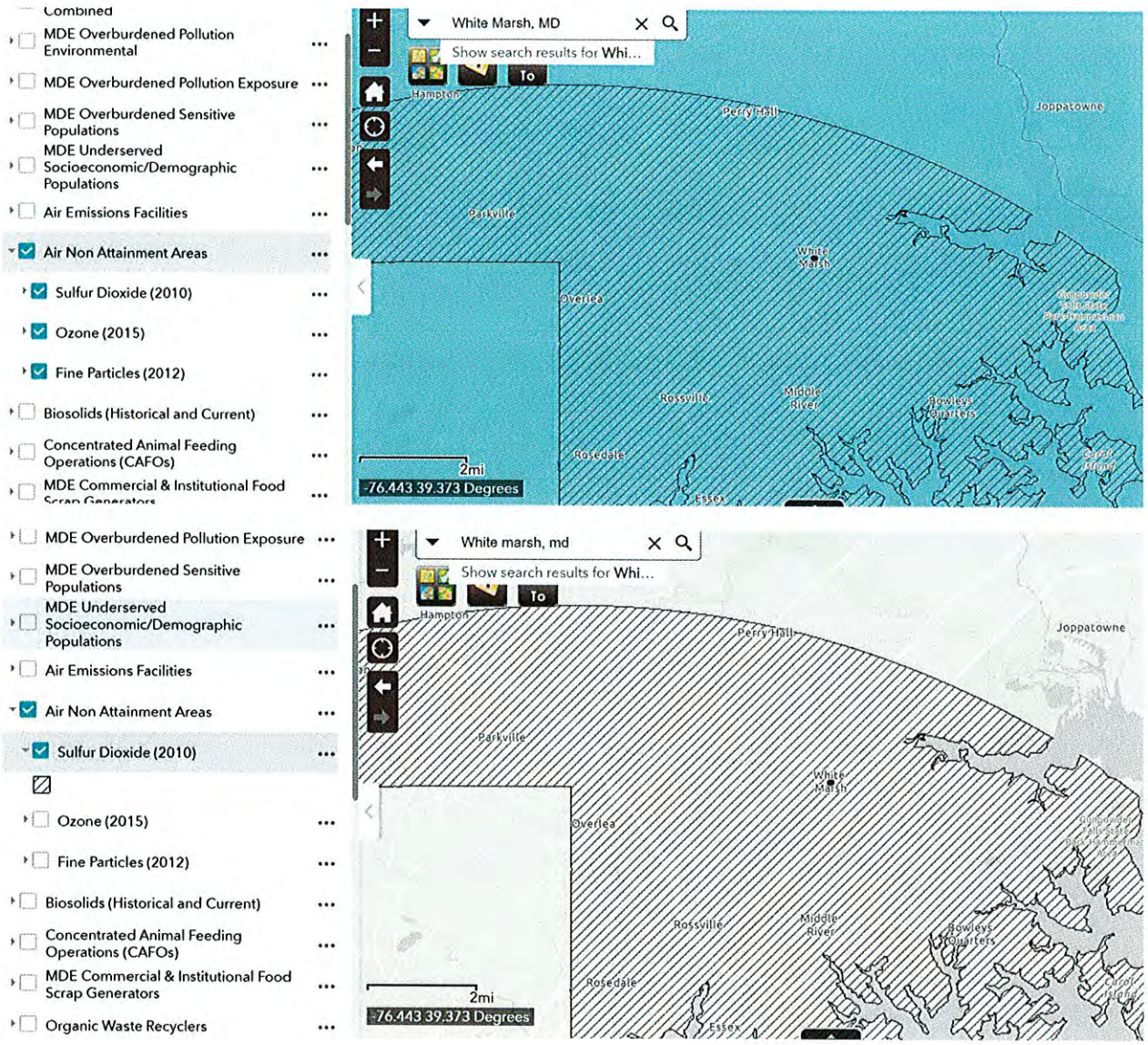
INSTRUCTIONS

1. INDICATE LOCATION AND TYPE OF BUILDING BY THE USE OF SMALL NUMBERED CIRCLES WITH THE DESCRIPTION BELOW.
2. SHOW ROADS AS LINES REPRESENTING THE ROAD EDGES. INDICATE STREET NAMES AND HIGHWAY NUMBERS.
3. SHOW WOODED OR CLEARED AREA BY APPROXIMATE BOUNDARY LINES AND THE WORDS "WOODS," "CLEARED," "CORNFIELD," ETC.

Mobile Home Manufactured housing

6,7,8,9 anywhere else is referred to as manufactured homes or mobile dwellings

Catherine Allen



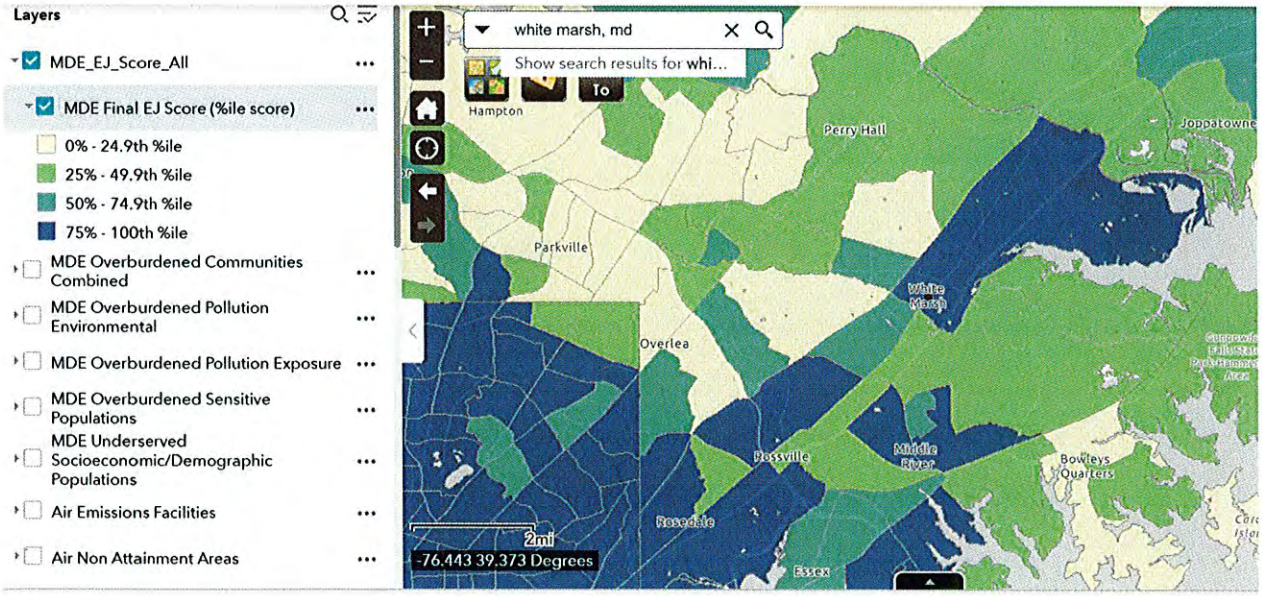
We are the dot inside of the zone

Catherine Allen

An air nonattainment area is a region where the concentration of one or more pollutants exceeds the National Ambient Air Quality Standards (NAAQS) set by the EPA. The pollutants that can cause an area to be designated as nonattainment include:

- Ozone (O3)
- Atmospheric particulate matter (PM2.5/PM10)
- Lead (Pb)
- Carbon monoxide (CO)
- Sulfur oxides (SOx)
- Nitrogen oxides (NOx)

When an area is designated as nonattainment, the state must create a State Implement Plan (SIP) to outline how it will reduce emissions and return the area to compliance. States must meet specific deadlines to submit their plans.



By color we are in the worst percentile

Catherine Allen

KEEP PERMIT AT SITE

CONTROL NO. B - 07933

Wes Moore
Governor

State of Maryland

Serena McIlwain
Secretary

DEPARTMENT OF THE ENVIRONMENT

Air and Radiation Administration
1800 Washington Boulevard, Suite 720
Baltimore, MD 21230

[X] Construction Permit [ ] Operating Permit

PERMIT NO. 005-2978-1-0211

DATE ISSUED JUL 08 2025

PERMIT FEE $1,500.00 (Paid)

EXPIRATION DATE In accordance with COMAR 26.11.02.04B

LEGAL OWNER & ADDRESS

Evans Funeral Chapel
8800 Harford Road
Baltimore, MD 21234
Attn: Mr. Charles Evans Jr., President

SITE

Evans Funeral Chapel & Cremation Services – White Marsh, P.A.
11543 Philadelphia Road
White Marsh, MD 21162
AI # 177675

SOURCE DESCRIPTION

This permit authorizes the installation of one (1) human crematory.

This permit serves as a temporary permit to operate for a period of 180 days after initial start-up of the crematory.

This source is subject to the conditions described on the attached pages.

Program Manager

Angela Bearing
Director, Air and Radiation Administration

INDEX

Part A – General Provisions
Part B – Applicable Regulations
Part C – Construction Conditions
Part D – Operating and Monitoring Conditions
Part E – Notifications and Testing
Part F – Record Keeping and Reporting
Part G – Temporary Permit-To-Operate Conditions

This permit covers the following registered installation:

ARA Registration No.	Description	Installation Date
005-2978-1-0211	Matthews ES PPII Plus, 175 pounds per hour, human crematory	To be installed

Part A – General Provisions

(1) The following Air and Radiation Administration (ARA) permit-to-construct application forms and supplemental information are incorporated into this permit by reference:

(a) Application for Processing or Manufacturing Equipment (Form 5) received February 21, 2023.

(b) Emission Point Data (Form 5EP) received February 21, 2023.

(c) Toxic Air Pollutant (TAP) Emissions Summary and Compliance Demonstration (Form 5A & 5T) received February 21, 2023.

(d) Supplemental Information, emissions calculations, screen modeling results, plot plan, environmental justice report, flow diagram, and equipment specifications received February 21, 2023.

If there are any conflicts between representations in this permit and representations in the applications, the representations in the permit shall govern. Estimates of dimensions, volumes, emissions rates, operating rates, feed rates and hours of operation included in the applications do not constitute enforceable numeric limits beyond the extent necessary for compliance with applicable requirements.

(2) Upon presentation of credentials, representatives of the Maryland Department of the Environment ("MDE" or the "Department"), the Baltimore County Health Department, and the Baltimore County Department of Environmental Protection & Sustainability shall at any reasonable time be granted, without delay and without prior notification, access to the Permittee's property and permitted to:

(a) inspect any construction authorized by this permit;

(b) sample, as necessary to determine compliance with requirements of this permit, any materials stored or processed on-site, any waste materials, and any discharge into the environment;

(c) inspect any monitoring equipment required by this permit;

(d) review and copy any records, including all documents required to be maintained by this permit, relevant to a determination of compliance with requirements of this permit;

(e) obtain any photographic documentation or evidence necessary to determine compliance with the requirements of this permit; and

(f) exercise its right of entry through use of an unmanned aircraft system to conduct inspections, collect samples, or make visual observations through photographic or video recordings to determine compliance with the requirements of this permit.

(3) The Permittee shall notify the Department prior to increasing quantities and/or changing the types of any materials referenced in the application or limited by this permit. If the Department determines that such increases or changes constitute a modification, the Permittee shall obtain a permit-to-construct prior to implementing the modification.

(4) Nothing in this permit authorizes the violation of any rule or regulation or the creation of a nuisance or air pollution.

(5) If any provision of this permit is declared by proper authority to be invalid, the remaining provisions of the permit shall remain in effect.

(6) Subsequent to issuance of this permit, the Department may impose additional and modified requirements that are incorporated into a State permit-to-operate issued pursuant to COMAR 26.11.02.13.

Part B – Applicable Regulations

(1) This source is a crematory as defined in COMAR 26.11.08.01(9-1).

(2) This source is located in Baltimore County, which is designated as an Area III pursuant to COMAR 26.11.01.03C.

(3) This source is subject to all applicable federal air pollution control requirements.

(4) This source is subject to all applicable federally enforceable State air pollution control requirements including, but not limited to, the following regulations:

(a) COMAR 26.11.01.07C, which requires that the Permittee report to the Department occurrences of excess emissions.

(b) COMAR 26.11.02.04B, which states that a permit to construct or an approval expires if, as determined by the Department:

(i) Substantial construction or modification is not commenced within 18 months after the date of issuance of the permit or approval, unless the Department specifies a longer period in the permit or approval;

(ii) Construction or modification is substantially discontinued for a period of 18 months after the construction or modification has commenced; or

(iii) The source for which the permit or approval was issued is not completed within a reasonable period after the date of issuance of the permit or approval.

(c) COMAR 26.11.02.09A, which requires that the Permittee obtain a permit-to-construct if an installation is to be modified in a manner that would cause changes in the quantity, nature, or characteristics of emissions from the installation as referenced in this permit.

(d) COMAR 26.11.08.04B, which prohibits visible emissions other than uncombined water.

Exceptions. The requirements do not apply to emissions during start-up, or adjustments or occasional cleaning of control equipment if:

(i) The visible emissions are not greater than 40 percent opacity; and

(ii) The visible emissions do not occur for more than 6 consecutive minutes in any 60-minute period.

(e) COMAR 26.11.08.05B(2)(a), which limits the concentration of particulate matter in any exhaust gases to not more than 0.10 grains per standard cubic foot of dry exhaust gas.

(5) This source is subject to all applicable State-only enforceable air pollution control requirements including, but not limited to, the following regulations:

(a) COMAR 26.11.02.13A(1), which requires that the Permittee obtain from the Department, and maintain and renew as required, a valid State permit-to-operate.

(b) COMAR 26.11.02.19C & D, which require that the Permittee submit to the Department annual certifications of emissions, and that the Permittee maintain sufficient records to support the emissions information presented in such submittals.

(c) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.

(d) COMAR 26.11.15.05, which requires that the Permittee implement "Best Available Control Technology for Toxics" (T – BACT) to control emissions of toxic air pollutants.

(e) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions would unreasonably endanger human health.

Part C – Construction Conditions

(1) Except as otherwise provided in this part, the Matthews ES PPII Plus, 175 pounds per hour, human crematory shall be constructed in accordance with specifications included in the incorporated applications and in accordance with the specifications provided by the vendor and manufacturer.

(2) The crematory shall be designed to limit particulate matter emissions to no more than 0.10 grains per standard cubic foot dry, adjusted to 12 percent carbon dioxide.

(3) The crematory shall be equipped with a secondary combustion chamber capable of achieving a retention time of at least 1.0 second, and an operating temperature of at least 1600 °F.

(4) The crematory shall be equipped with temperature sensors and recorders to continuously monitor and record the temperature of the secondary combustion chamber during operation.

(5) The crematory shall be equipped with an opacity sensor interlocked with a control system that continuously monitors the stack gases for visible emissions during operation and adjusts cremation operations to prevent visible emissions from exiting the crematory stack.

(6) The stack height of the crematory stack shall be at least 37 feet above the ground.

Part D – Operating and Monitoring Conditions

(1) Except as otherwise provided in this part, the Matthews ES PPII Plus, 175 pounds per hour, human crematory authorized by this permit shall be operated in accordance with specifications included in the application and any operating procedures recommended by equipment vendors unless the Permittee obtains from the Department written authorization for alternative operating procedures.

(2) The Permittee shall comply with the following operational limitations unless the Permittee can demonstrate, to the satisfaction of the Department, that compliance with all applicable air quality regulations and standards can be achieved at other conditions:

(a) The Permittee shall only cremate human remains in the Matthews ES PPII Plus, 175 pounds per hour, crematory.

(b) The Permittee shall not cremate more than 2 human remains in the crematory during any 8-hour period.

(c) The Permittee shall not combust any halogenated plastics, including polyvinyl chloride (PVC) body bags or PVC pipes.

(d) The Permittee shall not combust any hazardous waste, or hospital, medical, and infectious waste as defined in COMAR 26.11.08.01B(19) and (33) and COMAR 26.13.02.

(3) Prior to the initiation of cremation in the primary chamber, the secondary chamber shall be preheated until the gases leaving the secondary chamber attain a temperature of at least 1600 °F.

(4) While remains are being cremated, the secondary chamber temperature shall be maintained at 1600 °F or higher.

(5) While remains are cremated, the temperature of the flue gases at the outlet of the secondary combustion chambers shall be continuously monitored and recorded on a chart recorder or other continuous record keeping device. The records shall show the dates and times of all recorded temperature readings.

(6) Prior to initial operations, the Permittee shall develop and maintain an Operations and Maintenance (O&M) Plan for the crematory, reviewed and approved by the Department, that incorporates all of the following:

(a) Information that is sufficient to demonstrate that air emissions from the crematory can be expected to comply with all applicable regulatory requirements during periods of normal operation. Examples of types of information that could be included to support the required demonstrations would be design criteria, vendor specifications and performance guarantees, approved computer modeling studies, and results of testing programs in which approved test methods and procedures were utilized.

(b) Procedures that provide for proper operation and maintenance of the crematory and associated operating and monitoring equipment.

(c) Provisions for periodic monitoring of operating parameters as necessary to determine that the crematory is functioning properly.

(d) Descriptions of procedures to be followed and corrective actions to be taken when monitoring information indicates that the crematory is not functioning properly.

(e) Provisions for developing written or printable electronic records that will show whether prescribed operating, maintenance and monitoring procedures are consistently followed, and whether timely and appropriate corrective actions are taken when malfunctions occur.

(7) The Permittee shall adhere to all provisions incorporated into the O&M Plan.

Part E – Notifications and Testing

(1) The Permittee shall notify the Department of the initial start-up date of the one (1) Matthews ES PPII Plus, 175 pounds per hour, human crematory within fifteen (15) days after the date.

(2) Within 120 days after initial startup, the Permittee shall conduct a modified EPA Method 9 opacity observation of the crematory stack to demonstrate compliance with the requirements of COMAR 26.11.08.04B, to assess the effectiveness the crematory's opacity sensor, and to determine when operations require adjustments to ensure compliance.

(a) The opacity observation shall be conducted by an observer certified in accordance with the Method 9 standards and procedures in Appendix A-4 to 40 CFR, Part 60.

(b) The opacity observation shall be conducted for a one-hour period while human remains are cremated.

(c) During the opacity observation, the Permittee shall make adjustments to the opacity sensor equipment and crematory operations as needed to ensure that visible emissions do not occur during normal operation.

(d) If visible emissions are observed during the opacity observation, the Permittee shall take corrective actions to bring the crematory into compliance.

(e) At least 30 days prior to conducting the modified Method 9 opacity observation, the Permittee shall notify the Department of the intended date of the observation to allow for an inspector to be present.

(f) Within 30 days after conducting a modified Method 9 opacity observation, the Permittee shall submit the results and a description of adjustments and/or corrective actions made during the observations to the Department.

(3) Within 120 days after initial startup, the Permittee shall conduct performance tests on the crematory stack to determine emissions of particulate matter (as PM-10) using EPA Method 5 and emissions of metals using EPA Method 29.

(a) At least 30 days prior to the performance tests, the Permittee shall submit to the Department a test protocol for review and approval.

(b) Within 60 days following the performance tests, the Permittee shall submit to the Department the performance test results.

(c) In lieu of conducting performance tests, the Permittee may submit Method 5 and Method 29 performance test results conducted within the last five years by a third-party stack testing company on an identical crematory unit.

(d) The performance test results shall include a demonstration of compliance with applicable particulate matter and metal toxic air pollutant requirements.

Part F – Record Keeping and Reporting

(1) The Permittee shall maintain for at least five (5) years, and shall make available to the Department upon request, records of the following information for the crematory:

(a) Charts or other continuous records of the flue gas temperature at the outlet of the secondary combustion chamber. The records must show the date and start time of each cremation. The recording chart, or other method, shall be replaced as necessary in order to ensure that there is no overlapping of any portion of the recording of cremation cycles.

(b) A daily log of the following information:

(i) the date and start time of each cremation;

(ii) the number of human remains cremated per 8 hour period;

(iil) the approximate weight of each charge;

(iv) the duration of each cremation cycle;

(c) Records of all maintenance performed on the crematory including the date and description of the maintenance performed and actions taken.

(d) A copy of the required Operations and Maintenance (O&M) Plan.

(e) Records of the results of all modified Method 9 opacity observations and Method 5 and Method 29 performance tests.

(2) The Permittee shall maintain at the facility for at least five (5) years, and shall make available to the Department upon request, records necessary to support annual certifications of emissions and demonstrations of compliance for toxic air pollutants. Such records shall include, if applicable, the following:

(a) mass emissions rates for each regulated pollutant, and the total mass emissions rate for all regulated pollutants for each registered source of emissions;

(b) accounts of the methods and assumptions used to quantify emissions;

(c) all operating data, including operating schedules and production data, that were used in determinations of emissions;

(d) amounts, types, and analyses of all fuels used;

(e) any records, the maintenance of which is required by this permit or by State or federal regulations, that pertain to the operation and maintenance of continuous emissions monitors, including:

(i) all emissions data generated by such monitors;

(ii) all monitor calibration data;

(iii) information regarding the percentage of time each monitor was available for service; and

(iv) information concerning any equipment malfunctions.

(f) information concerning operation, maintenance, and performance of air pollution control equipment and compliance monitoring equipment, including:

(i) identifications and descriptions of all such equipment;

(ii) operating schedules for each item of such equipment;

(iii) accounts of any significant maintenance performed;

(iv) accounts of all malfunctions and outages; and

(v) accounts of any episodes of reduced efficiency.

(g) limitations on source operation or any work practice standards that significantly affect emissions; and

(h) other relevant information as required by the Department.

(3) The Permittee shall submit to the Department by April 1 of each year a certification of emissions for the previous calendar year. The certifications shall be prepared in accordance with requirements, as applicable, adopted under COMAR 26.11.01.05 – 1 and COMAR 26.11.02.19D.

(a) Certifications of emissions shall be submitted on forms obtained from the Department.

(b) A certification of emissions shall include mass emissions rates for each regulated pollutant, and the total mass emissions rate for all regulated pollutants for each of the facility's registered sources of emissions.

(c) The person responsible for a certification of emissions shall certify the submittal to the Department in the following manner:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(4) The Permittee shall submit to the Department by April 1 of each year a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee's facility during the previous calendar year. Such analysis shall include either:

(a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or

(b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.

(5) The Permittee shall report, in accordance with requirements under COMAR 26.11.01.07, occurrences of excess emissions to the Compliance Program of the Air and Radiation Administration.

Part G – Temporary Permit-to-Operate Requirements

(1) This permit-to-construct shall also serve as a temporary permit-to-operate that confers upon the Permittee authorization to operate the one (1) Matthews ES PPII Plus, 175 pounds per hour, human crematory for a period of up to 180 days after initiating operation.

(2) During the effective period of the temporary permit-to-operate the Permittee shall operate the new installation as required by the applicable terms and conditions of this permit-to-construct, and in accordance with operating procedures and recommendations provided by equipment vendors.

(3) The Permittee shall submit to the Department an application for a State permit-to-operate no later than 60 days prior to expiration of the effective period of the temporary permit-to-operate.

(4) During the effective period of the temporary permit-to-operate the Permittee shall comply with all required notification, opacity observation, and performance test requirements as specified in Part E of this permit.

(5) With the application for a State permit-to-operate, the Permittee shall submit a proposed Operations and Maintenance Plan required by Part D(6) of this permit for review and approval by the Department.

Matthews University

"Did You Know" ™ Educational Series

A Publication of Matthews Cremation

Issue No. 130

Emissions from Cremation Equipment

Does cremation equipment have unusual emissions?

No, emissions from crematories are similar to restaurants, vehicles and home fireplaces.

Since the 1990 Clean Air Act air pollution discussions have often included crematories. Knowing this, we have spent tremendous amounts of time and money to be certain we have accurate environmental data on the emissions from crematories. We have found in past dealings with the EPA, that our industry is misrepresented unless we have good quality information on which we can defend ourselves from over regulation.

Emissions from cremation equipment are the same types you might find from other very common sources of air pollution. Below you will find a brief description of the most common regulated pollutants from a crematory and a comparison to give a point of reference.

Particulates (PM) - Solid matter such as dust, soot, ash and other unburned particles from the human remains, cremation container and contents of the container.

Average Particulate Emissions *(Expressed in pounds per hour)*		
A	**Typical State Standard**	.39 lbs/hr
B	**Cremation with casket/container**	.08 lbs/hr
C	**Wood Stove**	.46 lbs/hr
D	**Restaurant Cooking 100 burgers/hr**	.18 lbs/hr
E	**Diesel Truck**	.14 lbs/hr

Carbon Monoxide (CO) - A gaseous pollutant resulting from the incomplete combustion of fuel, cremation container and human remains.

Average Carbon Monoxide Emissions *(Expressed in parts per million, PPM @ 7% oz)*		
A	**Typical State Standard**	.24 lb/hr
B	**Cremation with casket/container**	.06 lbs/hr
C	**Wood Stove**	3.5 lbs/hr
D	**Restaurant Cooking 100 burgers/hr**	Not Avail.
E	**Diesel Truck**	22 lbs/hr

As you can clearly see, emissions from cremation equipment are not unusual but rather common to our everyday life experiences. In addition, the actual emission levels of cremation equipment are surprisingly low to most people.

Cremation equipment that is properly designed, operated and maintained will be a "good neighbor" to the other businesses and people that come into contact with it.

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THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

SE 3267 (Borgwardt)

DECLARATION OF FINALITY
FINAL DECISION

The decision of the Zoning Hearing Examiner in this case was filed with the District Council for Prince George's County, Maryland on December 28, 1981. A copy of the decision was sent to all persons of record on that date. Since no appeal of that decision has been filed with the District Council by any person of record or the People's Zoning Counsel, and since this case is not one which the County Zoning Ordinance requires to be transmitted to the District Council for final disposition, nor one which the District Council has elected itself to render a final decision, the decision of the Zoning Hearing Examiner on Special Exception No. 3267, became final and effective on January 27, 1982, in accordance with Section 27-490(b) of the Zoning Ordinance for Prince George's County, Maryland.

CERTIFICATE OF SERVICE

This is to certify that on February 5, 1982, the Clerk of the Council's Declaration of Finality of Decision by the Zoning Hearing Examiner in the above-cited case was mailed, postage prepaid to the following named persons of record:

Applicant or Applicant's Representative

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PEOPLE'S ZONING COUNSEL

DEPARTMENT OF ASSESSMENTS (SEE ATTACHED LIST)

PROPERTY STANDARDS DIVISION

Jean M. Schmuhl
Clerk, County Council of
Prince George's County, Maryland

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

SE-3988 (Donald & Katherine Borgwardt)

DECLARATION OF FINALITY
OF THE ZONING HEARING EXAMINER'S DECISION

The decision of the Zoning Hearing Examiner in this case was filed with the District Council of Prince George's County, Maryland, on January 22, 1991. A copy of the decision was sent to all parties of record on that date. Since no appeal of that decision was filed with the District Council by any person of record or the People's Zoning Counsel, and since the District Council did not elect to make the final decision, the decision of the Zoning Hearing Examiner became final and effective on February 22, 1991, in accordance with the provisions of Section 27-312 of the Zoning Ordinance of Prince George's County, Maryland.

CERTIFICATE OF SERVICE

This is to certify that on February 25, 1991, this notice was mailed, postage prepaid, to all persons of record.

Jean M. Schmuhl, CMC
Clerk of the Council

(6/85)

RESOLUTION OF
DONALD V. BORGWARDT, FUNERAL HOME, P.A.

The undersigned persons, being the President of DONALD V. BORGWARDT, FUNERAL HOME, P.A., a Maryland professional association (the "Company"), do hereby acknowledge the adoption of the following resolution with the same force and effect as though said resolution was adopted at an organizational meeting of the Company and duly noticed and convened as follows:

WHEREAS, the Company owns approximately 1.74 +/- acres of real property more specifically shown on County Tax Map 12, Grid F3; Tax Account No. 0061812 (the "Subject Property").

WHEREAS, the Subject Property is currently developed with a funeral home in the RR (Residential, Rural) Zone.

WHEREAS, the Subject Property was classified in the R-R (Rural Residential) Zone under the prior Zoning Ordinance in effect before April 1, 2022.

WHEREAS, on or around March 31, 2025, the Company filed for acceptance, a Special Exception application (to wit: SE-4848) with the Development Review Division of The Maryland-National Capital Park and Planning Commission (the "M-NCPPC") requesting an approval of a special exception for the addition of a crematory to the existing funeral parlor on the Subject Property pursuant to the regulations and procedures of the prior R-R Zone.

WHEREAS, the Company now wishes to authorize and direct **Donald V. Borgwardt** to act on behalf of the Company and take whatever steps necessary and enter into any future agreements required to accommodate the approval of SE-4848 for the Subject Property. This authorization shall include, but is not limited to, testifying on behalf of the Company at any hearing (evidentiary or otherwise) before the Prince George's County Planning Board, the Zoning Hearing Examiner, and/or the County Council for Prince George's County, sitting as the District Council.

WHEREAS, **Donald V. Borgwardt** is qualified and has agreed to act on behalf of the Company and take whatever steps necessary to accommodate the approval of SE-4848 for the Subject Property.

NOW THEREFORE, RESOLVED, **Donald V. Borgwardt** is hereby approved, authorized, and directed to act on behalf of the Company and take any and all steps necessary to accommodate the approval of SE-4848 for the Subject Property. This authorization and direction to act on behalf of the Company includes, but is not limited to, appearing before any boards, municipalities, administrative agencies, hearing examiners, county, or district councils, etc.; entering into or accepting any agreement(s)/condition(s) necessary to accommodate the development of the Subject Property; and to provide testimony or evidence by the Company.

APPROVED AND EXECUTED by the President of DONALD V. BORGWARDT, FUNERAL HOME, P.A., as of the 30 day of September 2025.

DONALD V. BORGWARDT, FUNERAL HOME, P.A.

By: Donald V Borgwardt
Name: Donald V. Borgwardt
Title: President



Barry Burczyk | Equipment Consultant
bburczyk@matw.com
689-336-7231
MatthewsEnvironmental.com

Professional Summary

- 40-year professional career in sales and management in industries that included plastics, packaging and most recently large capital cremation equipment.

Qualifications/Competencies

- Crematory Operator Certification Program (COCP)
- Crematory site analysis & complete evaluation and recommendations.
- Knowledge of air permit & environmental requirements for all states and Canada.
- Presented as expert witness at zoning hearings on behalf of Matthews.
- Ongoing project involvement and development across the US.

Education

- University of Wisconsin – Milwaukee
    - Bachelor of Business Administration (BBA)
    - Marketing & Economics

Mark G. L. Ferguson, R.A.

Senior Land Planner
Site Design, Inc./RDA
5407 Water Street, Suite 206
Upper Marlboro, Maryland 20772
(301) 952-8200
mglferguson@engsite.tech

Education:

Bachelor of Architecture
University of Maryland, College Park, 1985

Licensure:

Registered Architect
Maryland Registration #7621, 1987

Employment:

5/05 to Present:	Senior Land Planner RDA Engineering Company, Inc./Site Design, Inc. Upper Marlboro & Largo, Maryland
5/99 to 5/05:	Principal Mark G. L. Ferguson, R.A., Architect & Planner Hyattsville, Maryland
5/89 to 5/99:	Architect/Planner Robertson-Dhalwala Associates, LLC Upper Marlboro, Maryland Prince Frederick, Maryland
9/87 to 5/89	Architect AIP Architects Adelphi, Maryland
6/85 to 9/87	Intern Architect AIP Architects Adelphi, Maryland
2/84 to 6/85	Intern AIP Architects Adelphi, Maryland

Professional Experience:

Mr. Ferguson has broad experience in the fields of architecture, land planning and civil engineering, with projects ranging in scope from small residential additions to community planning. He has provided expert planning testimony before the Circuit Court for Prince George's County, the Prince George's District Council, Planning Board, Zoning Hearing Examiner and Board of Zoning Appeals for numerous planning cases, as well as testimony before similar boards in other Southern Maryland jurisdictions. Cases on which Mr. Ferguson has provided expert testimony or litigative assistance include:

- RST New Carrollton
  New Carrollton, Maryland
  Expert planning testimony in in application ZMA-2024-003, requesting rezoning from the NAC base zone to the NAC-PD planned development zone.

- The Mark at College Park
  College Park, Maryland
  Expert planning testimony in in application ZMA-2024-002, requesting rezoning from the RTO-L-E base zone to the RTO-PD planned development zone.

- Marianne Davis Trust
  Greenbelt, Maryland
  Expert planning testimony in in application ZMA-2022-001, requesting rezoning from the RR zone to the RMF-48 zone.

- Oak Creek Club
  Mitchellville, Maryland
  Expert planning testimony in in application A-8427/02, 8578/02 & 8579/02, requesting to amend conditions of the zoning approval to allow additional dwelling units in the R-L and L-A-C Zones.

- Kenwood Village
  Upper Marlboro, Maryland
  Expert planning testimony in in application A-9802-C/01 & A-9803-C/01, requesting to amend the Basic Plan and conditions of the zoning approval in the R-S Zone.

- Queens Chapel Town Center
  Hyattsville, Maryland
  Expert planning testimony in a request to amend the conditions of the zoning approval allowing continuation of an existing restaurant with drive-through service in the C-S-C (T-D-O) zone in the West Hyattsville Local Center.

- National Capital Business Park (formerly Willowbrook)
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9968/03, requesting revision of the Basic Plan and prior conditions of the zoning approval for a planned community in the R-S comprehensive design zone being developed under the E-I-A Zone's table of uses and standards.

- Signature Club at Manning Village
  Accokeek, Maryland
  Expert planning testimony in a request to amend conditions of the zoning approval A-9960-C for a tract in the M-X-T mixed use zone.

- Clay Property
  Hyattsville, Maryland
  Expert planning testimony in application CSP-20001, requesting rezoning from the R-80 (T-D-O) zone to the R-20 (T-D-O) zone in the Prince George's Plaza Regional Transit District.

- Vista95 Logistics Center
  Camp Springs, Maryland
  Expert planning testimony in a request to amend conditions of zoning approval A-9706-C for a tract in the I-1 industrial zone.

- Signature Club at Manning Village
  Accokeek, Maryland
  Expert planning testimony in a request to amend conditions of the zoning approval A-9960-C for a tract in the M-X-T mixed use zone.

- National View
  Oxon Hill, Maryland
  Expert planning testimony in application A-10055, requesting rezoning from the R-55 and R-R residential zones to the M-X-T mixed use zone.

- National Capital Business Park (formerly Willowbrook)
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9968/02, requesting approval of a new Basic Plan and revision of the conditions of the zoning approval for a planned community in the R-S comprehensive design zone, to allow it to be developed under the E-I-A Zone's table of uses and standards.

- Wintergreen Tract
  Bryantown, Maryland
  Expert Planning testimony in Charles County zoning map amendment application 20-01, requesting rezoning from the RC residential zone to the CV commercial zone.

- Cecil Real Properties, LLC Tract
  Elkton, Maryland
  Expert Planning testimony in Cecil County zoning map amendment application 2020-02, requesting rezoning from the ST suburban transition residential zone to the M2 heavy industrial zone.

- Timothy Branch
  Brandywine, Maryland
  Expert planning testimony in application A-9988/01, requesting approval of a new Basic Plan and revision of the conditions of the zoning approval for a planned community in the L-A-C comprehensive design zone.

- Sears Parcel, Bowie Town Center
  Bowie, Maryland
  Expert planning testimony in application A-8589/04, requesting approval of a new Basic Plan and revision of the conditions of the zoning approval for a tract in a planned community in the M-A-C comprehensive design zone.

- Callicott Property
  Upper Marlboro, Maryland
  Expert planning testimony in application A-10054, requesting rezoning from the C-S-C commercial zone to the R-80 residential zone.

- Khan Property
  Brandywine, Maryland
  Expert planning testimony in application A-10049, requesting rezoning from the R-R residential zone to the C-M commercial zone.

- Saint Barnabas Mixed-Use Park
  Temple Hills, Maryland
  Expert planning testimony in application A-10047, requesting rezoning from the C-S-C commercial and I-1 industrial zones to the M-X-T mixed use zone.

- Locust Hill
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9975/01, requesting approval of a new Basic Plan and revision of prior conditions of rezoning approval for a planned community in the R-L comprehensive design zone.

- Willowbrook
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9968/01, requesting approval of a new Basic Plan and revision of prior conditions of rezoning approval for a planned community in the R-S comprehensive design zone.

- Renard Lakes
  Brandywine, Maryland
  Expert planning testimony in application A-10046, requesting rezoning from the R-S comprehensive design zone to the I-1 industrial zone.

- Moore's Corner
  Brandywine, Maryland
  Expert planning testimony in application A-10044, requesting rezoning from the R-R residential zone to the M-X-T mixed use zone.

- Linda Lane Commercial Park
  Camp Springs, Maryland
  Expert planning testimony in application A-10043, requesting rezoning from the R-80 residential and C-S-C commercial zones to the M-X-T mixed use zone.

- Brandywine-Waldorf Medical Clinic
  Brandywine, Maryland
  Expert planning testimony in application A-10042, requesting rezoning from the C-O commercial zone to the M-X-T mixed use zone.

- Glenn Dale Commons
  Glenn Dale, Maryland
  Expert planning testimony in application A-10038, requesting rezoning from the I-1 industrial zone to the M-X-T mixed use zone.

- American Rescue Workers
  Capitol Heights, Maryland
  Expert planning testimony in application A-10037, requesting rezoning from the R-R residential zone to the I-2 heavy industrial zone.

- Donnell Drive
  Forestville, Maryland
  Expert planning testimony in application A-10036, requesting rezoning from the R-T townhouse zone to the C-M commercial zone.

- Virginia Linen
  Capitol Heights, Maryland
  Expert planning testimony in application A-10033, requesting rezoning from the I-3 planned industrial zone to the I-1 light industrial zone.

- Amber Ridge
  Bowie, Maryland
  Expert planning testimony in application A-10031, requesting rezoning from the C-S-C commercial zone to the M-X-T mixed use zone.

- Oakcrest
  Laurel, Maryland
  Expert planning testimony in application A-10030, requesting rezoning from the R-55 residential zone to the C-S-C commercial zone.

- Fairview Commercial Property
  Lanham, Maryland
  Expert planning testimony in application A-10024, requesting rezoning from the R-80 residential zone to the C-S-C commercial zone.

- King Property
  Largo, Maryland
  Expert planning testimony in application A-10020, requesting rezoning from the I-3 planned industrial zone to the M-X-T mixed use zone.

- Cafritz Tract
  Riverdale Park, Maryland
  Expert planning testimony in application A-10018, requesting rezoning from the R-55 residential zone to the M-U-TC mixed use zone.

- Jemal's Post
  Forestville, Maryland
  Expert planning testimony in application A-10003, requesting rezoning from the I-1 industrial zone to the C-S-C commercial zone.

- Defiance Drive
  Fort Washington, Maryland
  Expert planning testimony in application A-10000, requesting rezoning from the R-E estate zone to the R-R residential zone.

- Sauerwein Property
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9977, requesting approval of rezoning from the R-R residential zone to the R-T (townhouse) residential zone.

- Renard Lakes
  Brandywine, Maryland
  Expert planning testimony in application A-9970, requesting approval of a Basic Plan and rezoning from the I-1 industrial zone to the R-S comprehensive design zone.

- Bevard East
  Piscataway, Maryland
  Expert planning testimony in application A-9967, requesting approval of a Basic Plan and rezoning from the R-E residential zone to the R-L comprehensive design zone.

- Smith Home Farm
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9965 and A-9966, requesting approval of a Basic Plan and rezoning from the R-A residential zone to the R-M and L-A-C comprehensive design zones.

- Boone Property
  Largo, Maryland
  Expert planning testimony in application A-9957, requesting rezoning from the R-E estate zone to the R-R residential zone.

- Edwards Property
  Adelphi, Maryland
  Expert planning testimony in application A-9954, requesting approval of a Basic Plan and rezoning from the R-R residential zone to the L-A-C comprehensive design zone.

- Buck Property
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9952, requesting approval of a Basic Plan and rezoning from the R-A residential zone and the E-I-A comprehensive design zone to the R-S comprehensive design zone.

- Nicowski Property
  Upper Marlboro, Maryland
  Expert planning testimony in application A-9939, requesting rezoning from the C-O commercial zone to the C-S-C commercial zone.

- Parcel B, Largo Town Center
  Largo, Maryland
  Expert planning testimony in application A-9280, requesting an amendment to the Basic Plan for a site in the M-A-C comprehensive design zone.
- Rod & Reel, Inc., et al. v. Town of Chesapeake Beach
  Expert planning testimony in Case# C-04-CV-24-000310, seeking just compensation for income lost due to a moratorium.

- Queenstown Apartments
  Mount Rainier, Maryland
  Litigative Assistance in State Highway Administration Project PG3645I84, Item #110255, seeking just compensation for the State's condemnation of property for construction of the Queens Chapel Road improvements.

- State Roads Commission of the State Highway Administration v. Crescent Cities Jaycees
  Expert planning testimony in Case# CAL-94-20084, seeking just compensation for the State's condemnation of property for the expansion of Maryland Route 5.

- Millard Property
  Camp Springs, Maryland
  Expert planning testimony in State Highway Administration Project PG209A31, Item #89084, seeking just compensation for the State's condemnation of property for road improvements to Naylor Road associated with the construction of the Naylor Road Metro Station.

- Brandywine-Waldorf Medical Clinic
  Brandywine, Maryland
  Expert report in State Highway Administration Project PG175A31, Item #106368, seeking just compensation for the State's condemnation of property for road improvements to Branch Avenue associated with the construction of the interchange of Maryland Route 5 with various roads in the vicinity of T.B.

- University Place Center
  Langley Park, Maryland
  Expert report in State Highway Administration Project 10420130, Item #900576, seeking just compensation for the State's condemnation of property for construction of the Purple Line.

- *Washington Metropolitan Area Transit Authority v. 119,593 Square Feet of Land, More or Less, Situate in Landover, Prince George's County and Landover Beverage Realty LLC, et al.,* Case No. 8:20-cv-3468 TDC
  Landover, Maryland
  Expert rebuttal report in a case seeking just compensation for the State's condemnation of property for construction of a subway maintenance facility.

- *United States v. Makowsky*, Case #01-2096 D/Bre (D. Tenn)
  Litigative consultation to the U.S. Department of Justice on a case seeking remedies to accessibility barriers at an apartment complex in Shelby County, Tennessee.

- *United States v. Rose, et al.*, Case #02-73518 (E.D. Mich)
  Expert testimony for the U.S. Department of Justice on a case seeking remedies to accessibility barriers at apartment complexes in Van Buren Township, Michigan and in Batavia Ohio.

- *United States v. Rose, et al.*, Case #3:01cv0040AS (N.D. Ind)
  Expert testimony for the U.S. Department of Justice on a case seeking remedies to accessibility barriers at apartment complexes in Elkhart City, Indiana and in Fort Wayne, Indiana.

- *Weatherburn Associates, LLC, et al. v. County Commissioners for Charles County, Maryland*, Case #08-C-16-002422
  Expert report for the defendant in a proceeding seeking compensation for losses arising out of the alleged failure of the defendant to pursue environmental approvals of a certain formerly-planned road improvement in Charles County, Maryland.

- *Varsity Investment Group, LLC, et al. v. Prince George's County, Maryland*, Case #CAL-18-41277
  Expert report for the plaintiff in a proceeding seeking enforcement of a County Council Resolution granting remission of impact fees for the conversion of an office building to multifamily dwellings in Oxon Hill, Maryland.

- *Jackson v. Sumby*, Case #CAE-18-01785
  Expert testimony for the plaintiff in an proceeding alleging adverse possession of a shared driveway between two houses in Capitol Heights, Maryland.

- *Scaggs v. Barrett, et al.*, AAA Case #04-C-10-000151CN
  Expert testimony for the defendant in an arbitration proceeding alleging negligence in the preparation of a feasibility study in connection with a proposed subdivision in Calvert County, Maryland.

- Washington Gas Liquefied Natural Gas Storage Facility
  Hyattsville, Maryland
  *Pro bono e*xpert planning testimony in application SE-245/06, opposing the approval of a Special Exception to permit a regional liquefied natural gas storage facility in the O-S Zone, adjacent to a planned high-density mixed-use development around the West Hyattsville Metro station.

- Westside Shoppes Starbucks
  Laurel, Maryland
  Expert planning testimony in City of Laurel application SE No. 921, requesting approval of a Special Exception for a coffee shop with drive-through service in the M-X-T Zone.

- Westside Shoppes Wawa
  Laurel, Maryland
  Expert planning testimony in City of Laurel application SE No. 920, requesting approval of a Special Exception for a gas station complex in the M-X-T Zone.

- South Bowie Self Storage
  Bowie, Maryland
  Expert planning testimony in application SE-2022-015, requesting approval of a Special Exception for Consolidated Storage in the CS Zone.

- LOL Daycare
  Greenbelt, Maryland
  Expert planning testimony in application SE-2022-012, requesting approval of a day care center for children in the CGO Zone.

- Glenn Dale Self Storage
  Greenbelt, Maryland
  Expert planning testimony in application SE-2022-002, requesting approval of a Special Exception for Consolidated Storage in the CS Zone.

- Gaslight III
  Brandywine, Maryland
  Expert planning testimony in application SE-22007, requesting approval of surface mine in the R-A Zone.

- Dash-In Mill Branch
  Bowie, Maryland
  Expert planning testimony in application SE-22006, requesting approval of a Special Exception for a car wash in the C-S-C Zone.

- Stewart Property
  Bowie, Maryland
  Expert planning testimony in application SE-22002, requesting approval of a Special Exception for a Planned Retirement Community in the R-R Zone, including a variance from the minimum development area requirement.

- 301 Tobacco
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4859, requesting approval of a Special Exception for a tobacco shop in the C-S-C Zone.

- Alexander Landing
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4856, requesting approval of a Special Exception for Elderly housing (attached dwellings) in the R-R Zone.

- McDonald's Restaurant
  Forest Heights, Maryland
  Expert planning testimony in application ROSP-4196/01, requesting approval of a revised Special Exception Site Plan for a nonconforming restaurant in the C-S-C Zone.

- ACE Eastover Square Check Cashing
  Forest Heights, Maryland
  Expert planning testimony in application SE-4847, requesting approval of a Special Exception for a occupancy by a check cashing business in the C-S-C Zone.

- Royal Farms #393
  Hyattsville, Maryland
  Expert planning testimony in application SE-4846, requesting approval of a Special Exception for a gas station in the C-S-C Zone.

- 7-Eleven Brightseat Road
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4845, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the I-3 Zone.

- Children's Guild Preschool
  Clinton, Maryland
  Expert planning testimony in application SE-4836, requesting approval of a Special Exception for the alteration of an existing church to accommodate a private school in the R-55 Zone.

- Royal Farms #411
  Landover, Maryland
  Expert planning testimony in application SE-4834, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the C-S-C Zone, including a request for variance approval.

- 7-Eleven Boone's Lane
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4832, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the C-S-C Zone.

- Schultz Road Senior Living
  Clinton, Maryland
  Expert planning testimony in application SE-4830, requesting approval of a Special Exception for the construction of apartment dwellings for the elderly in the R-80 Zone.

- Resurrection Cemetery
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4823, requesting approval of a new Special Exception for the expansion of an existing cemetery in the R-R Zone.

- 7-Eleven Marlboro Pike
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4822, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the C-S-C Zone.

- Enterprise Rent-A-Car
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4819, requesting approval of a Special Exception for a vehicle rental facility in the C-S-C Zone.

- Royal Farms #220
  Accokeek, Maryland
  Expert planning testimony in application SE-4816, requesting approval of a Special Exception for the

construction of a new gas station and food & beverage store in the C-S-C Zone, including a request for permission to construct in a master-planned right-of-way.

- Hunt Real Estate Development
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4815, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the C-S-C Zone.

- SMO Gas Station & Car Wash
  Clinton, Maryland
  Expert planning testimony in application SE-4812, requesting approval of a Special Exception for the rebuild of an existing gas station with the addition of a car wash in the C-S-C Zone.

- Contee Estate Senior Living
  Laurel, Maryland
  Expert planning testimony in application SE-4811, requesting approval of a Special Exception for a congregate living facility for the elderly in the R-R Zone, including a request for Alternative Compliance.

- Uptown Suites
  Lanham, Maryland
  Expert planning testimony in application SE-4794, requesting approval of a Special Exception for a hotel in the I-2 Zone.

- Ernest Maier Concrete Batching Plant
  Bladensburg, Maryland
  Expert planning testimony in application SE-4792, requesting approval of a Special Exception for a concrete batching plant in the I-2 Zone.

- Smith Property Surface Mine
  Brandywine, Maryland
  Expert planning testimony in application SE-4517, requesting approval of a Special Exception for an extension in the validity period for an existing surface mine in the O-S Zone.

- Aggregate Industries Sand & Gravel Wet Processing Facility
  Brandywine, Maryland
  Expert planning testimony in application SE-4790, requesting approval of a Special Exception for an extension in the validity period for an existing wash plant in the R-A and R-E Zones.

- Traditions at Beechfield
  Mitchellville, Maryland
  Expert planning testimony in application SE-4785, requesting approval of a Special Exception for a planned retirement community in the R-E Zone.

- Chuck's Used Auto Parts
  Marlow Heights, Maryland
  Expert planning testimony in application SE-4783, requesting approval of a Special Exception for a vehicle salvage yard in the I-1 Zone.

- Dollar General
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4778, requesting approval of a Special Exception for a department or variety store in the I-1 Zone.

- Sunoco Gas Station and Car Wash
  Camp Springs, Maryland
  Expert planning testimony in application SE-4778, requesting approval of a Special Exception for a car wash addition to an existing gas station in the C-S-C Zone, including approval of Alternative Compliance for landscape buffers.

- Forestville Auto Service
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4768, requesting approval of a Special Exception for a gas station in the C-S-C Zone.

- Sheriff Road Seventh Day Adventist Church
  Fairmount Heights, Maryland
  Expert planning testimony in application SE-4750, requesting approval of a Special Exception for a church on a tract of land of less than one acre in the R-55 Zone.

- E&R Services, Inc.
  Lanham, Maryland
  Expert planning testimony in application ROSP-4464/02, requesting approval of an expansion to an existing Special Exception for a contractor's office with outdoor storage in the C-A Zone.

- Word Power Baptist Tabernacle
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4694, requesting approval of a Special Exception for a church on a lot less than one acre in size in the R-18 Zone.

- Hotel at the Cafritz Property at Riverdale Park
  Riverdale Park, Maryland
  Expert planning testimony in application SE-4775, requesting approval of a Special Exception for a hotel in the M-U-TC Zone.

- SMO Gas Station & Car Wash
  Glenn Dale, Maryland
  Expert planning testimony in application SE-4757, requesting approval of a Special Exception for a gas station and a convenience store in the I-1 Zone.

- SMO Gas Station & Car Wash
  Beltsville, Maryland
  Expert planning testimony in application SE-4756, requesting approval of a Special Exception for a gas station in the C-S-C Zone.

- Liberty Motors
  Accokeek, Maryland
  Expert planning testimony in application ROSP-4575/02, requesting modification of two conditions of a Special Exception for a gas station in the C-S-C Zone.

- Rock Hill Sand & Gravel/Anthony George Project
  Brandywine, Maryland
  Expert planning testimony in application SE-4646, requesting approval of a Special Exception for a surface mining operation in the C-S-C Zone.

- SMO Gas Station & Car Wash
  Laurel, Maryland
  Expert planning testimony in application SE-4730, requesting approval of a Special Exception for a gas station and a car wash in the C-S-C Zone.

- Model Prayer Ministries
  Bladensburg, Maryland
  Expert planning testimony in application SE-4723, requesting approval of a Special Exception for a church on a tract of less than one acre in size in the R-55 Zone, including grant of variance.

- Dash-In Food Stores
  Clinton, Maryland
  Expert planning testimony in application SE-4654, requesting approval of a Special Exception for a gas station in the C-S-C Zone, including grant of variance.

- Cabin Branch
  Clarksville, Maryland
  Expert planning testimony for the opposition in Development Plan Amendment SPA 13-02, requesting approval of an outlet mall in the MXPD Zone.

- In Loving Hands
  Friendly, Maryland
  Expert planning testimony in application SE-4704, requesting approval of a Special Exception for a congregate living facility in the R-R Zone.

- A-1 Vehicle Salvage Yard
  Bladensburg, Maryland
  Expert planning testimony in application SE-4698, requesting approval of a Special Exception for a vehicle salvage yard in the I-1 Zone.

- Kreative Kids Child Care
  Beltsville, Maryland
  Expert planning testimony in application SE-4388/01, requesting revision to a prior approval of a Special Exception for a day care center in the R-R Zone to increase occupancy.

- Little Workers of the Sacred Heart Nursery
  Riverdale Park, Maryland
  Expert planning testimony in application SE-3473/01, requesting revision to a prior approval of a Special Exception for a day care center in the R-55 Zone to increase occupancy, including grant of variance.

- Six Flags Amusement Park
  Mitchellville, Maryland
  Expert planning testimony in application SE-2635 & SE-3400, requesting approval of modified conditions to allow for extended hours of operation on limited occasions for certain events, additional firework displays, modified noise limitations, and removing a stipulated height limit to allow for approval of new rides by Detailed Site Plan review and approval.

- American Legion Beltway Post #172
  Glenn Dale, Maryland
  Expert planning testimony in application SE-4725, requesting approval of a Special Exception for alterations to an existing private club in the R-80 Zone.

- CarMax
  Brandywine, Maryland
  Expert planning testimony in application SE-4697, requesting approval of a Special Exception for a used car sales lot in the C-S-C Zone, including testimony to justify construction in a planned transit right-of-way.

- McDonald's
  Adelphi, Maryland
  Expert planning testimony in application SE-4686, requesting approval of a Special Exception for alteration of a nonconforming fast food restaurant in the C-S-C Zone.

- Tires R Us
  Riverdale Park, Maryland
  Expert planning testimony in application SE-4675, requesting approval of a Special Exception for a tire store with installation facilities in the C-S-C Zone.

- The Tire Depot
  District Heights, Maryland
  Expert planning testimony in application SE-4673, requesting approval of a Special Exception for a tire store with installation facilities in the C-S-C Zone.

- 7-11 Store
  Lanham, Maryland
  Expert planning testimony in application SE-4670, requesting approval of a Special Exception for a food or beverage store in the C-M Zone.

- Beall Funeral Home
  Bowie, Maryland
  Expert planning testimony in application SE-4662, requesting approval of a Special Exception to add a crematorium to an existing funeral home in the R-E Zone.

- Fort Foote Barber & Beauty Shop
  Fort Washington, Maryland
  Expert planning testimony in application SE-4658, requesting approval of a Special Exception for a barber and beauty shop in the R-R Zone.

- Little People's Place Day Care Center
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4639, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Young World Family Day Care Center
  Cheltenham, Maryland
  Expert planning testimony in application SE-4635, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Star Wash Car Wash
  Laurel, Maryland
  Expert planning testimony in application SE-4630, requesting approval of a Special Exception for a car wash in the C-S-C Zone.

- Jock's Liquors
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4626, requesting approval of a Special Exception for the reconstruction of an existing nonconforming liquor store in the C-O Zone.

- Little People U Day Care Center
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4624, requesting approval of a Special Exception for a day care center in the R-55 Zone.

- Cherry Hill Park
  College Park, Maryland
  Expert planning testimony in application SE-4619, requesting approval of a Special Exception for the expansion of an existing recreational campground in the R-R Zone.

- Safeway Fuel Station
  Brandywine, Maryland
  Expert planning testimony in application SE-4612, requesting approval of a Special Exception for a gas station in the C-S-C Zone.

- Behr Apartments
  College Park, Maryland
  Expert planning testimony in application SE-4611, requesting approval of a Special Exception for an apartment building in the R-55 Zone.

- Barnabas Road Concrete Recycling Facility
  Temple Hills, Maryland
  Expert planning testimony in application SE-4605, requesting approval of a Special Exception for a concrete recycling facility in the I-1 Zone.

- Rose Child Development Center
  Temple Hills, Maryland
  Expert planning testimony in application SE-4601, requesting approval of a Special Exception for the expansion of an existing day care center in the R-80 Zone.

- Shell Oil Station
  Laurel, Maryland
  Expert planning testimony in application SE-4597, requesting approval of a Special Exception for a gas station in the C-S-C Zone, including revisions to a prior Special Exception under ROSP-1673/06.

- Catherine's Christian Learning Center
  Brandywine, Maryland
  Expert planning testimony in application SE-4592, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Panda Restaurant
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4574, requesting approval of a Special Exception for a fast food restaurant in the I-1 Zone.

- Manor Care of Largo
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4573, requesting approval of a Special Exception for the expansion of an existing nursing home in the R-R Zone.

- Bowie Assisted Living
  Bowie, Maryland
  Expert planning testimony in application SE-4569, requesting approval of a Special Exception to expand an existing congregate living facility in the R-R Zone.

- 7604 South Osborne Road
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4567, requesting approval of a Special Exception for a day care center in the R-A Zone.

- Superior Car Wash
  Bowie, Maryland
  Expert planning testimony in application SE-4565, requesting approval of a Special Exception for a car wash in the C-S-C Zone.

- Kinder Explorers Day Care Center
  Lanham, Maryland
  Expert planning testimony in application SE-4566, requesting approval of a Special Exception for a day care center in the R-R Zone, and subsequently in SE-4681 requesting approval for its expansion.

- Rita's Water Ice
  Clinton, Maryland
  Expert planning testimony in application SE-4535, requesting approval of a Special Exception for a fast-food restaurant in the C-S-C Zone.

- Chen's Apartments
  College Park, Maryland
  Expert planning testimony in application SE-4533, requesting approval of a Special Exception to alter a nonconforming apartment building in the R-55 Zone.

- Future Scholars Learning & Art Center
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4516, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Renee's Day Care Center
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4507, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Generations Early Learning Center
  Fort Washington, Maryland
  Expert planning testimony in application SE-4515, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Latchkey Day Care Center
  Oxon Hill, Maryland
  Expert planning testimony in application SE-4496, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Marvil Property
  Adelphi, Maryland
  Expert planning testimony in application SE-4494, requesting approval of a Special Exception for a nursery and garden center with an accessory arborist's operation in the R-R Zone.

- Jericho Senior Living
  Landover, Maryland
  Expert planning testimony in application SE-4483, requesting approval of a Special Exception for the adaptive use of a historic site as apartment dwellings for the elderly in the C-O Zone.

- WaWa
  Beltsville, Maryland
  Expert planning testimony in application SE-4477, requesting approval of a Special Exception for a convenience commercial store in the C-M Zone.

- Fun-Damentals Early Learning Center
  Friendly, Maryland
  Expert planning testimony in application SE-4476, requesting approval of a Special Exception for a day care center in the R-R Zone.

- Good News Day Care Center
  Temple Hills, Maryland
  Expert planning testimony in application SE-4473, requesting approval of a Special Exception for a day care center in the R-80 Zone.

- Wishy Washy Car Wash
  Accokeek, Maryland
  Expert planning testimony in application SE-4472, requesting approval of a Special Exception for a car wash in the C-S-C Zone.

- John Vitale & Sons
  Lanham, Maryland
  Expert planning testimony in application SE-4464, requesting approval of a Special Exception for a contractor's office in the C-A Zone.

- St. Paul Senior Living
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4463, requesting approval of a Special Exception for apartment dwellings for the elderly in the R-R Zone.

- Safeway Gas Station
  Fort Washington, Maryland
  Expert planning testimony in application SE-4448, requesting approval of a Special Exception for a gas station in the C-S-C Zone.

- BP Amoco Gas Station
  Temple Hills, Maryland
  Expert planning testimony in application SE-4445, requesting approval of a Special Exception for a convenience commercial store in the C-M Zone.

- WaWa
  Camp Springs, Maryland
  Expert planning testimony in application SE-4436, requesting approval of a Special Exception for a gas station in the C-S-C Zone.

- Quarles Petroleum
  Capitol Heights, Maryland
  Expert planning testimony in application SE-4410, requesting approval of a Special Exception for a gas station in the I-1 Zone.

- Brown Station Early Learning Center
  Upper Marlboro, Maryland
  Expert planning testimony in application SE-4393, requesting approval of a Special Exception for a day care center in the R-R Zone.

As principal of his own architecture and planning firm, Mr. Ferguson was involved with the following diverse residential, commercial and institutional architectural and planning projects:

- Franklin's General Store and Delicatessen
  Hyattsville, Maryland
  Consulting services for the preparation of construction documents and construction contract administration for a 11,000-square foot addition to a historic commercial structure on U.S. Route One. Also, land planning services involving necessary waivers of parking and loading requirements, variances from setbacks and landscaping requirements, and permission to build in planned right-of-way of U.S. Rte One.

- King Farm Village Center
  Rockville, Maryland
  Inspection services for five mixed-use buildings in the village center of the 500-acre New Urbanist development in Rockville, Maryland

- Trinity Church
  Upper Marlboro, Maryland
  Full architectural services for the construction of a portico to the fellowship hall on the site of a National Register-listed historic site

- Publick Playhouse
  Bladensburg, Maryland
  Land planning services for the redevelopment and expansion of an existing community theater building.

- Transnational Law and Business University
  Brandywine, Maryland
  Master planning of a university campus on a 342-acre site

- Balmoral
  Upper Marlboro, Maryland
  Planning of a comprehensively-designed 357 lot residential subdivision immediately to the south of and connected with the 2,400-unit Beech Tree development

- Fred Lynn Middle School
  Woodbridge, Virginia
  Consulting services for the preparation of construction documents for a 131,000-square foot renovation

- Graham Park Middle School
  Dumfries, Virginia
  Consulting services for the preparation of construction documents for a 99,000-square foot renovation and four-classroom addition.

- Elizabeth Graham Elementary School
  Woodbridge, Virginia
  Consulting services for the preparation of construction documents for a classroom addition.

- Dale City Elementary School
  Dale City, Virginia
  Consulting services for the preparation of construction documents for a classroom addition.

- Occoquan Elementary School
  Woodbridge, Virginia
  Consulting services for the preparation of construction documents for a four-classroom addition that tied together three of the four buildings at the oldest school in Prince William County.

- 4912 St. Barnabas Road
  Temple Hills, Maryland
  Consulting services on the design preparation of construction documents and permits processing for a 1,500-square foot tenant fit-out for an attorney's office.

- 6100 Executive Boulevard
  Bethesda, Maryland
  Full architectural services from space planning through construction documents preparation for a 1,500-square foot tenant fit-out for a technology consulting firm.

- Parking Lot Rehabilitation, Bureau of Prisons
  Washington, D.C.
  Consulting services on construction documents preparation for rehabilitation of the parking and service area in the central courtyard of the old Federal Home Loan Bank Board building at 320 First Street, N.W.

- Covenant Creek Subdivision
  Owings, Maryland
  Land planning services for the subdivision of 161 acres crossing the Calvert/Anne Arundel County border into 47 clustered lots, involving the use of Transferable Development Rights and development of public road access across a wetland area into a landlocked tract.

- Welch Property
  Accokeek, Maryland
  Land planning services for the development of a 326-unit planned retirement community on a 41-acre tract.

- Phase II, Boyd & Margaret Shields King Memorial Park
  Prince Frederick, Maryland
  Land planning and engineering services for the design and construction of the second phase of development of a 7.5-acre park adjacent to the Courthouse in the heart of the Prince Frederick Town Center

- White Sands Community Center
  Lusby, Maryland
  Feasibility analysis for conversion of existing stable facility into a community building.

- Good Hope Hills Condemnation
  Temple Hills, Maryland

Land planning services during condemnation proceedings against a one-acre commercial property.

- Additions and alterations to a private residence
  Washington Grove, Maryland
  Consulting services on the structural design, preparation of construction documents and construction observation for the construction of an award-winning 750-square foot, $150,000 addition and renovation to a historic structure in a National Register district.

- Additions and alterations to a private residence
  Chevy Chase, Maryland
  Consulting services from schematic design through the construction phases of an award-winning 1,700-square foot, $1.4 million dollar addition and renovation, which involved the relocation of a public sewer main from beneath the existing building.

- Additions and alterations to a private residence
  Hyattsville, Maryland
  Full architectural services for the construction of a large kitchen and bathroom addition to a Prince George's County listed historic site

- Additions and alterations to a private residence
  Silver Spring, Maryland
  Consulting schematic design services for a 2,000-square foot addition and renovation.

- Private residence
  Avenue, Maryland
  Architectural and planning services for the construction of a private residence on a 24-acre site on St. Clement's Bay

- Private residence
  Avenue, Maryland
  Full architectural services for the design of a private residence on a one-acre site on St. Clement's Bay

- Additions and alterations to a private residence
  University Park, Maryland
  Full architectural services for the construction of a 350-square foot addition.

At RDA his activities are concentrated in the following fields:

- Land use studies, feasibility analyses and detailed project planning for hundreds of various residential, commercial and industrial developments in Prince George's, Calvert, Montgomery, Charles, St Mary's and Anne Arundel Counties. This work requires intimate knowledge of the relevant master and/or comprehensive plans and zoning ordinances and other land development regulations in many jurisdictions.

- Hydrologic and hydraulic analyses of urban watersheds in connection with the development of drainage and stormwater management systems for various residential subdivisions and commercial and industrial projects. Tools used in these analyses included the TR-20, HEC-1 and HEC-2 hydraulic

analysis programs, USDA/SCS hydrologic analysis methods, as well as the Maryland State Highway Administration's and other rational hydrologic analysis methods.

- Hydraulic and structural design of storm drainage and stormwater management systems, including wet ponds, dry detention and retention basins, underground detention systems, vegetative and structural infiltration systems, oil/grit separators, and conventional open and enclosed drainage systems. Analysis of theoretical breach events in earthen embankment structures to determine possible effects of downstream flooding caused by dam failures.

Mr. Ferguson served from 1991 to 1996 as the Town Engineer for the Town of Edmonston, Maryland. In this capacity, Mr. Ferguson advised the Town Council on the effects of legislation, assisted in the preparation of ordinances, assisted in the planning process during the development of the Master Plans for Planning Areas 68 and 69, and advised the Town on the selection of project proposals for funding under the Community Development Block Grant program.

During his tenure at AIP Architects, Mr. Ferguson was responsible for the entire scope of the project development process for numerous architectural projects, including:

- Project feasibility and financial analysis
- Project planning and schematic design
- Management and development of construction documentation
- Specifications writing
- Construction contract documents preparation and administration of bidding
- Coordination with regulatory authorities and permit processing
- Construction contract administration and project observation

Some of the projects Mr. Ferguson had intensive involvement with at AIP Architects include:

Office/Commercial Building (54,000 sf)
1815 University Boulevard, Adelphi, Maryland

Comfort Inn (202 rooms)
Ocean Highway, Ocean City, Maryland

Commercial Building (22,000 sf)
7931 Georgia Avenue, Silver Spring, Maryland

Office Commercial Building (58,000 sf)
4915 St. Elmo Avenue, Bethesda, Maryland

Office/Condominium Park (14,000 sf)
Old Largo Road, Largo, Maryland

Office Building (18,000 sf)
801 Wayne Avenue, Silver Spring, Maryland

Other Professional Activities:

Chairman, Hyattsville Community Development Corporation, 2001-2007
Treasurer, Hyattsville Community Development Corporation, 2010-2018
Board Member, Hyattsville Community Development Corporation, 2001-2025

This local development corporation was created to undertake the revitalization of commercial areas in the city of Hyattsville, to encourage the arts, and act together with the Gateway CDC in the establishment of the Gateway Arts District. Among many other works, the Hyattsville CDC has sponsored the installation of multiple works of public art, administered the creation of two generations of Hyattsville's Community Sustainability Plans, secured and disseminated market studies for development in the Route One corridor, and managed the renovation of the former Arcade Theater into the City of Hyattsville's Municipal Annex.

Vice Chairman, City of Hyattsville Planning Committee, 2000-2005

This committee advises the Mayor, City Council and City Administrator on both external planning issues which impact the City, as well as redevelopment and revitalization issues within the City.

Member, City of Hyattsville Planning Committee, 1992-2005

Member, Neighborhood Design Center Project Review Committee, 1995-1998

This committee reviews and provides guidance for the work of less-experienced design professionals on their *pro bono* projects for the Neighborhood Design Center.

Member, Prince George's County Zoning Ordinance Review Task Force, 1994-1995

This task force, chaired by former Prince George's County Council chairman William B. Amonett, was formed by order of the Prince George's County Council, and met over a period of four months to review the County's entire Zoning Ordinance and the make recommendations on streamlining the 1200-page ordinance.

Member, Prince George's County Task Force to study the creation of U-L-I and M-U-TC zones, 1993-1994

This task force, chaired by Prince George's County Council member Stephen J. Del Giudice, was formed by order of the Prince George's County Council, and met over a period of three months to revise the legislation which was proposed to create the innovative U-L-I (Urban Light Industrial) and M-U-TC (Mixed-Use Town Center) zoning district regulations, which were proposed by the American Planning Association-award winning *Adopted Master Plan for Planning Area 68 (Avondale, Brentwood, Colmar Manor, Cottage City, Edmonston, Hyattsville, Mount Rainier, North Brentwood, Riverdale, University Hills)* as a means to encourage redevelopment and revitalization of existing urbanized areas of Prince George's County. The work of this task force led directly to the passage of the legislation.

MICHAEL A. NOVY, P.E.

POSITION: Senior Consultant in the Mitchellville, Maryland Office

EDUCATION: Graduated in 1983 from the University of Maryland
B.S. in Civil Engineering / Water Resources

AFFILIATIONS: Professional Engineer: Maryland No. 17711
Pennsylvania No. PE-041536-R
State of Maryland – Certified Erosion and Sediment Control Maryland No. RPC010452
American Society of Civil Engineers - Member
Maryland Building Industry Association – Prince George's County Chapter Committee Member

EXPERIENCE/ QUALIFICAIONS:

Mr. Novy is a Senior Consultant with the firm. Over his 41-year career he has been involved in commercial, industrial, residential, mining and landfill projects in Maryland. He has designed and supervised the design of site layouts, site grading plans, site development plans (including landscape architecture), stormwater management ponds for flood control, retention, and extended detention, and supervised the design of storm drain systems and water quality systems, including environmental site design, bioretention, sand filters, premanufactured filtering devices and drywells. He has prepared street grade establishment, and water, sewer, and street construction plans. He has also prepared grading plans and erosion/sediment control plans.

Early in his career Mr. Novy was employed as a civil/water resources engineer for an environmental consulting firm that was involved in land development, quarry, landfill, and dam rehabilitation projects in Maryland, Pennsylvania, and New York. He designed storm water management ponds for flood control, extended detention, wetland mitigation, sedimentation, storm drainage systems and developed storm water concept plans. He has prepared regulatory flood plain studies, stream improvement plans, and erosion and sediment control plans. He has prepared dam rehabilitation plans and specifications and wetland mitigation plans. In addition, he designed septic systems and sewage pumping station.

He has provided expert testimony as a professional engineer in Prince George's, Anne Arundel, and Frederick Counties in Maryland.

BALDWIN & SAMPSON, INC., CLINTON, MARYLAND 1984-1987:

Employed as a civil engineer for a surveying and engineering firm involved in land development and capital improvement projects: designed storm water management ponds and storm drainage systems; prepared sediment control plans, flood plain studies, and storm water concept plans; and developed grading plans and design drawings.

EXPERT TESTIMONY:

1993 - 1994	Frederick County - Stonebridge - Arbitration Hearing
Summer 2005	Anne Arundel County - Crandel Cove - Special Exception Variance Hearing
Fall 2007	Prince George's County - Marvaco Industrial Park – Special Exception Evidentiary Hearing
August 31, 2011	Prince George's County - 301 Commercial Center, Tires Plus - Special Exception Evidentiary Hearing

Mitchellville, MD

11721 Woodmore Road, Suite 200, Mitchellville, MD 20721
www.atwell-group.com



Ronald D. Lipford,

AIA, NCARB Architect

Principal In-Charge

Mr. Lipford bears the overall responsibility (Architect of Record) for the successful delivery of all professional architectural/engineering services delivered by Arel Architects, Inc. He organizes and manages a myriad of technical, administrative and marketing staff. Mr. Lipford's responsibilities include but are not limited to developing and maintaining consistent, efficient quality in project management and construction document delivery. He is the driving force behind maintaining a satisfied, well mixed client base. The client base that he has developed presents a unique balance (private, local and federal government, religious, corporate, institutional, and medical) has varied experiences. He is also responsible for maintaining solid working relationships with vendors and the many consultants Arel select on applicable projects. Under Mr. Lipford's leadership, U.S. Federal Govt, Maryland State, Prince George's County, locally based MBE, MDOT, Metropolitan Washington Airport Authority, and the City of Baltimore MBE have certified Arel Architects, Inc. as a capable and qualified minority enterprise.

Mr. Lipford has over 30 years of experience in Architecture. He possesses a great deal of experience in all levels of responsibility to include programming, design and technical coordination, and construction document preparation and construction administration. He has developed a reputation of providing quality service while building solid working relationships, which contribute to the high percentage of referral business and repeat clients. Although Mr. Lipford has extensive experience in many different building types, he has increasingly gained tremendous recognition with the local government, Public Safety, Education and Higher Education projects.

PROJECT EXPERIENCE

- Eugene Burroughs MS, Accokeek, MD. $40m (major addition and renovation)- Full architectural designs services and construction administrative duties.
- Hampton Park Retail Shopping Retrofit $13m (Total gut & Rehab), Principal Architect for a full rehab of the abandoned retail shopping complex re-purposed for office and retail shoping opportunities.
- The Town of La Plata Library, La Plata MD. $16m (new construction. Principal in charge of design and construction for a new 30,000sf library in the emerging town of La Plata, southern Maryland. The project involved a tremendous team of interior finishes and technologies to successfully meet the needs of the community.
- Shady Glen Fire/EMS Prince George's County George's County MD.- New 6-bay fire station with separate training and recuitment certification facility. Arel provided the full design and Construction Administration for this facility.
- Pinefield Fire/EMS Facility- Charles County MD. New 12,000 sf 6 bay station with future expansion for 35 bunk rooms. Arel is the Architect of Record for this steel framed pre-engineered facility.
- Prince George's County Public Safety Building, National Harbor, MD. $8.5 (New construction) new 10,000 sf 2 story Public Safety facility for several law enforcement agencies within one building

ACADEMIC TRAINING

Bachelor of Architecture, Hampton University, Hampton VA.

Post Secondary Cert, Harvard University, Cambridge MA. Forces of Change Senior Living

Certificate Post Secondary - Construction Management - Howard University, Wash., DC

PROFESSIONAL MEMBERSHIP

AIA Member - American Institute of Architects.

NOMA Member, National Organization of Minority Architects

Member NCARB - National Council of Architectural Registration Board

Lenhart Traffic Consulting, Inc.

Traffic Engineering & Transportation Planning

MICHAEL M. LENHART, P.E., P.T.O.E.

PRESIDENT

Mike Lenhart is a professional traffic engineer with over 28 years of combined technical and academic experience. Responsibilities with the firm include, but are not limited to, proposal preparation, various traffic engineering and managerial tasks in the areas of traffic impact analysis, traffic safety studies, and transportation planning, as well as providing expert witness testimony at public hearings and community meetings.

Mr. Lenhart has worked as a transportation professional in the private sector since 1999 and has provided traffic engineering and transportation planning services for over one thousand projects in numerous jurisdictions across Maryland. Previously, Mr. Lenhart served as the Chief of the Engineering Access Permits Department for the Maryland State Highway Administration (SHA). During his tenure at the SHA, Mr. Lenhart also served as the Traffic Engineer overseeing Southern Maryland. During his career, he has performed various traffic engineering tasks, including traffic signal design, highway and intersection capacity analysis, maintenance and protection of traffic design, and transportation planning. He has also participated in engineering training programs and researched transportation related topics.

Job History

2005 - Present
President – Lenhart Traffic Consulting, Inc.

2002 - 2005
Senior Project Manager - The Traffic Group, Inc.

2000 – 2002
Independent Consultant - The Traffic Group, Inc.

1999 - 2000
Senior Associate - The Traffic Group, Inc.

1998 – 1999
Division Chief – Engineering Access Permits
Maryland State Highway Administration

1990 - 1998
Traffic Engineer
Maryland State Highway Administration

Educational Background

- *Bachelors of Science in Civil Engineering -1990 (U of MD @ College Park)*
- *Masters of Science in Traffic Engineering& Transportation Planning -1998 (U of MD @ College Park)*

Affiliations

- Registered Professional Engineer (P.E.) – MD, DE
- Professional Traffic Operations Engineer (PTOE) - ITE
- Member ITE

Places where Mr. Lenhart has testified as an expert witness

Allegany County – Board of Appeals, Planning Commission
Annapolis - Planning Commission, Board of Appeals
Anne Arundel County – Board of Appeals, Administrative Hearing Officer
Baltimore County – Zoning Commissioner, Planning Board
Calvert County – Planning Commission, Board of Appeals, County Commissioners
Carroll County – Board of Zoning Appeals; Planning Board
Charles County – County Commissioners, Circuit Court, Board of Appeals, Planning Commission, Town of LaPlata Planning Commission, Town Council, Board of Appeals
City of Frederick – Planning Commission
Frederick County – Planning Commission, County Commissioners
Harford County – Circuit Court
Prince George's County – District Council, Planning Board, Zoning Examiner, Bowie City Council & Planning Commission, City of Laurel

Montgomery County – Planning Board, Zoning Examiner
Queen Anne's County – Planning Commission
St. Mary's County – Planning Commission; County Commissioners
Sussex County, DE – Planning Commission, Board of County Commissioners
Talbot County – Planning Commission
Town of Leesburg, VA – Planning Commission
Washington County – Board of County Commissioners
Worcester County – Planning Commission

MARYLAND STATE HIGHWAY ADMINISTRATION-ENGINEERING SERVICES, DISTRICT 5
High Accident Sections
Traffic Safety Studies
Traffic Signal Warrant Studies
Highway Design Consultation
Project Planning Consultation
Traffic Impact Study Review

Lenhart Traffic Consulting, Inc.
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