

Jasmine Forbes

From: Jasmine Forbes
Sent: Monday, August 17, 2020 7:41 PM
To: 'Kurt Runge'
Subject: RE: Devol Crematorium

Good Evening,

Thank you for your correspondence related to Concept Site Plan application SP-8415-2020. Your correspondence will be included in the Council's record for their consideration.

Regards,
Jasmine Forbes



Jasmine Forbes, Planner I
Planning and Code Administration

City of Gaithersburg | 31 South Summit Avenue | Gaithersburg, MD, 20877
Direct: 240-805-1069 | Main: 301-258-6330 | www.gaithersburgmd.gov
Jasmine.Forbes@gaitthersburgmd.gov

From: Kurt Runge <kwrunge@gmail.com>
Sent: Monday, August 17, 2020 7:34 PM
To: Planning External Mailing <Planning@gaitthersburgmd.gov>; Jud Ashman <Jud.Ashman@gaitthersburgmd.gov>
Subject: Devol Crematorium

This email is from an EXTERNAL source. Please use caution when opening attachments, clicking links, or responding.

Dear Mayor,

As a resident of the area near the proposed crematorium, I am strongly against the planned rezoning and development of the Devol crematorium. The development of this crematorium will have a significant and negative impact of our local area, property values and our environment.

Kurt W. Runge
12 Hutton St
Gaithersburg, MD 20877

Jasmine Forbes

From: Jasmine Forbes
Sent: Monday, August 17, 2020 7:48 PM
To: 'paul s ramirez'
Subject: RE: No crematorium in East Gaithersburg

Good Evening,

Thank you for your correspondence related to Concept Site Plan application SP-8415-2020. Your correspondence will be included in the Council's record for their consideration.

Regards,
Jasmine Forbes



Jasmine Forbes, Planner I
Planning and Code Administration

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Direct: 240-805-1069 | Main: 301-258-6330 | www.gaithersburgmd.gov
Jasmine.Forbes@gaitthersburgmd.gov

From: paul s ramirez <paulsramirez96@gmail.com>
Sent: Monday, August 17, 2020 7:45 PM
To: Jasmine Forbes <Jasmine.Forbes@gaitthersburgmd.gov>; Robert Wu <robert.wu@gaitthersburgmd.gov>; Ryan Spiegel <ryan.spiegel@gaitthersburgmd.gov>; Michael Sesma <michael.sesma@gaitthersburgmd.gov>; Neil Harris <Neil.Harris@gaitthersburgmd.gov>; Laurie-Anne Sayles <Laurie-Anne.Sayles@gaitthersburgmd.gov>; Jud Ashman <Jud.Ashman@gaitthersburgmd.gov>
Subject: No crematorium in East Gaithersburg

This email is from an EXTERNAL source. Please use caution when opening attachments, clicking links, or responding.

Dear Mayor and City Council,

My family and I are residents of Gaithersburg. We have heard the news about the DeVol Funeral Home wanting to build a crematorium at 14 East Deer Park Drive. I am writing to you to say, along with the other neighbors of Gaithersburg, that I completely disagree with the idea of having a crematorium near our homes. I heard that crematoriums are an Industrial Use in Montgomery County, and they do not have a place in a residential neighborhood. It is not a good idea to have ashes being blown near homes, parks and schools, because it is dangerous to people's health. I had just read on the paper that the crematorium releases poisonous chemicals into the air which can cause asthma, cancer and other illnesses. This has me concerned about everyone's health, especially my mother's health. She had lung cancer 5 years ago, and as of today she is still recovering and my father goes to work everyday. I'm also concerned about the brothers of my parish, the children and the elderly being exposed to these chemicals. I hope you receive my e-mail as soon as possible.

Sincerely,
Paul Sebastian Ramirez

Sent from [Mail](#) for Windows 10

Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 18, 2020 9:36 AM
To: 'Carol'
Cc: Jud Ashman; micahel.sesma@gaithersburgmd.gov; Neil Harris; Laurie-Anne Sayles; Robert Wu; Ryan Spiegel; Lynn Board; Dennis Enslinger
Subject: RE: SP 8415 2020

Good Morning,

Thank you for your correspondence related to Concept Site Plan application SP-8415-2020. Your correspondence will be included in the Council's record for their consideration.

Regards,
Jasmine Forbes

Jasmine Forbes, Planner I
Planning and Code Administration

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Direct: 240-805-1069 | Main: 301-258-6330 | www.gaithersburgmd.gov
Jasmine.Forbes@gaithersburgmd.gov

-----Original Message-----

From: Carol <carolsimsjohnson@gmail.com>
Sent: Monday, August 17, 2020 9:02 PM
To: Jud Ashman <Jud.Ashman@gaithersburgmd.gov>; micahel.sesma@gaithersburgmd.gov; Neil Harris <Neil.Harris@gaithersburgmd.gov>; Laurie-Anne Sayles <Laurie-Anne.Sayles@gaithersburgmd.gov>; Robert Wu <robert.wu@gaithersburgmd.gov>; Ryan Spiegel <ryan.spiegel@gaithersburgmd.gov>; Lynn Board <Lynn.Board@gaithersburgmd.gov>; Jasmine Forbes <Jasmine.Forbes@gaithersburgmd.gov>
Subject: SP 8415 2020

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Good evening,
I submitted a request to extend the public comment period for 60 days. You did not consider it. You did not discuss it. You did not vote on it. Instead you focused attention only on the request to extend from the applicant. How is this just, right, or fair? I deserve full consideration. I am submitting this email into the public record on SP 8415 2020
Respectfully, Carol Johnson Sent from my iPhone

Jasmine Forbes

From: Doris Stokes
Sent: Tuesday, August 18, 2020 11:15 AM
To: Carol
Cc: Mayor and Council; Dennis Enslinger; Thomas Lonergan; John Schlichting; Jasmine Forbes; Gregory Mann; Michelle Betancourt
Subject: RE: SP 8415 2020
Attachments: B. Carol Johnson and Patrick Casey - East Gaithersburg United - SP-8415-2020 DeVol Funeral Home - 08112020.pdf

Carol,

Thank you for your written testimony regarding SP-8415-2020, DeVol Funeral Home. Your attached testimony was received on August 11 and included in the Mayor and City Council weekly correspondence packet on Thursday, August 13. In addition to your written testimony, there were at least 15 or more others received from members of the community expressing their concern, requesting a no vote to proceed, and asking for the record to be extended. The numerous emails and letters received, including yours, does not get read during the meeting. Staff did note during the August 17th Regular Session that some residents were asking for the record to be extended for 60 days. In addition, the applicant submitted a letter requesting an extension of the closing of the record until September 16th to allow them to conduct community engagement.

You did email me for assistance yesterday to register and receive meeting information to participate, but for whatever reason, choose not to speak during the public comment period. Please know that your written and oral testimony are treated the same with consideration by the Mayor and City Council. With that being said, staff's recommendation was to close the record on September 16 (30 days), with anticipated policy discussion and final action on October 5, 2020. The Mayor and City Council considered all received and agreed with staff's recommendation and voted to extend the record for 30 days. Thanks for your understanding.

-----Original Message-----

From: Carol <carolsimsjohnson@gmail.com>
Sent: Monday, August 17, 2020 9:48 PM
To: Neil Harris <Neil.Harris@gaitthersburgmd.gov>
Cc: Doris Stokes <Doris.Stokes@gaitthersburgmd.gov>; CityHall External Mail <cityhall@gaitthersburgmd.gov>
Subject: Re: SP 8415 2020

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This reply is for the public record SP 8415 2020. Carol Johnson Dear Neil, Why should I have to speak in the public period? This question does not answer my question. Devol or their representatives did not comment in the public period.

So you are saying if I want a topic considered not only do I need to put in a formal request to the city clerk, I must also speak in the public comment period?

I submitted a resolution for vote and it should have been read by city council and mayor as it had been submitted according to the city clerk's instructions in time for tonight's meeting. This matter was before you, why did you not ask how the action should proceed when there were two separate requests for the record on a similar subject?

Respectfully, Carol Johnson, Gaither St

Sent from my iPhone

> On Aug 17, 2020, at 21:08, Neil Harris <Neil.Harris@gaitthersburgmd.gov> wrote:
>
> Just curious -- why did you not speak during the public comment period?
>
> On 8/17/20, 9:01 PM, "Carol" <carolsimsjohnson@gmail.com> wrote:
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> Sent from my iPhone
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Jasmine Forbes

From: Carol Johnson <carolsimsjohnson@gmail.com>
Sent: Tuesday, August 18, 2020 11:49 AM
To: Doris Stokes
Cc: Mayor and Council; Dennis Enslinger; Thomas Lonergan; John Schlichting; Jasmine Forbes; Gregory Mann; Michelle Betancourt
Subject: Re: SP 8415 2020

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Hi, I am still not satisfied. On the speaking at the public part, I admit I am very confused about these virtual meetings. I thought you had to register to view the meeting, and as we discussed, the register page is not working. I did not realize you just have to go to the Utube site. So, you may have interpreted my request to register as a request to speak. I am sorry for the confusion. It would help if you change the link on the virtual site to "register to speak" and of course if you fixed this link.

To understand why I am not satisfied, 1) DeVol's request was explained in some detail, with questions, and voted on. They did not request to speak at the public section, so why the difference in treatment? My request was not considered at the meeting. 2) My request was also explained in some detail in my letter. This is an equivalent letter to what DeVol must have sent, but I have yet to see this because you have yet to send me their letter as I have requested yesterday. 3) The letters that were sent in besides mine are not my responsibility, but I believe the community was in agreement to ask for a 60 day extension. We wanted to present a unified and concerned case, and there was much discussion regarding our request and the best way to go about it. We are not lawyers, we are just members of the community. That is why my request had the letter head "East Deer Park United". We wanted to be recognized as a group of concerned citizens. I did not feel it is necessary for me to speak during the public section to have my request considered and voted on. If this is part of the procedure -- that you must submit a request AND speak, then that should have been made clear. I must emphasize this last sentence, from my dealings with the City it is very much like walking down a dark path as to what is required of us to have our voice heard and listened to.

To summarize, I am not satisfied because:

My request was not discussed or put to a vote.

The community request was not adequately represented at the Aug 17 2020 Mayor and City Council meeting.

Please send me a copy of the letter DeVol submitted with their request to extend the public comment period to Sept 16.

Thank you, Carol Johnson

On Tue, Aug 18, 2020 at 11:14 AM Doris Stokes <Doris.Stokes@gaitthersburgmd.gov> wrote:
Carol,

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-----Original Message-----

From: Carol <carolsimsjohnson@gmail.com>

Sent: Monday, August 17, 2020 9:48 PM

To: Neil Harris <Neil.Harris@gaithersburgmd.gov>

Cc: Doris Stokes <Doris.Stokes@gaithersburgmd.gov>; CityHall External Mail <cityhall@gaithersburgmd.gov>

Subject: Re: SP 8415 2020

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Sent from my iPhone

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> Sent from my iPhone

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Jasmine Forbes

From: Jud Ashman
Sent: Tuesday, August 18, 2020 1:18 PM
To: Carol Johnson; Doris Stokes
Cc: Mayor and Council; Dennis Enslinger; Thomas Lonergan; John Schlichting; Jasmine Forbes; Gregory Mann; Michelle Betancourt
Subject: Re: SP 8415 2020

Hi Carol,

Obviously, I can't comment on the substance of the DeVol application, but I did want to clarify a bit about how things work at the municipal level.

In any municipality (including Gaithersburg), the laws are structured so that, when someone submits an application to do something with their property, there is a process that the government utilizes to consider it. The law is structured this way intentionally to ensure that all applicants are treated fairly.

During that consideration process, you should note that the applicant plays a different role from the role played by members of the public. Why? Because they have different responsibilities. For example, it's the *applicant's* responsibility to present, justify, and defend the application. In order to do that, they are given more time at a meeting than the 3 minutes given to an individual member of the public for oral testimony. And it's the *public's* role to submit comment and feedback on that proposal for the Council to consider.

In general practice, if an *applicant* requests an extension of the record or a delay on a vote, unless there's some specific time constraint we're balancing, the Council usually will agree to it. Why? Because, the applicant is essentially saying to us, 'I need a bit more time in order to effectively present, justify, and defend my application.' And, all things being equal, we believe that it's fair and in everyone's best interest to afford all applicants the opportunity to make their best case.

On the other hand, members of the public don't have the same burden to present, justify, and defend their positions. They can support or oppose the items before the Mayor and Council for any reason they want. They have several weeks (sometimes a month or two) during which to submit as much in writing as they'd like, as well as the up-to-3-minute testimonies at our meetings. If members of the public wish to coordinate their writings or testimonies, they're welcome to. If they simply want to say, "I'm for this" or "I'm against this," that's fine too. And everything in between.

All that said, while the Councilmembers and I consider **all** the substantive feedback we receive on the issues we're considering, it would be an unusual circumstance for us to take action on a specific *procedural* request from the public. Not impossible, but unusual.

I hope that give you some perspective this. I'm happy to discuss further over a Zoom, if you want to follow up.

Yours,
- Jud

Jud Ashman

Mayor, Gaithersburg, MD
Founder & Chair, Gaithersburg Book Festival
www.gaithersburgbookfestival.org

From: Carol Johnson <carolsimsjohnson@gmail.com>

Sent: Tuesday, August 18, 2020 11:48:35 AM

To: Doris Stokes

Cc: Mayor and Council; Dennis Enslinger; Thomas Lonergan; John Schlichting; Jasmine Forbes; Gregory Mann; Michelle Betancourt

Subject: Re: SP 8415 2020

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From: Carol <carolsimsjohnson@gmail.com>

Sent: Monday, August 17, 2020 9:48 PM

To: Neil Harris <Neil.Harris@gaithersburgmd.gov>

Cc: Doris Stokes <Doris.Stokes@gaithersburgmd.gov>; CityHall External Mail <cityhall@gaithersburgmd.gov>

Subject: Re: SP 8415 2020

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> Respectfully, Carol Johnson

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Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 18, 2020 9:11 AM
To: 'Paula'
Subject: RE: De Vol Funeral Home

Good Morning,

Thank you for your correspondence related to Concept Site Plan application SP-8415-2020. Your correspondence will be included in the Council's record for their consideration.

Regards,
Jasmine Forbes



Jasmine Forbes, Planner I
Planning and Code Administration

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Direct: 240-805-1069 | Main: 301-258-6330 | www.gaithersburgmd.gov
Jasmine.Forbes@gaitthersburgmd.gov

From: Paula <pauyrubio@hotmail.com>
Sent: Monday, August 17, 2020 9:17 PM
To: Planning External Mailing <Planning@gaitthersburgmd.gov>
Subject: De Vol Funeral Home

This email is from an EXTERNAL source. Please use caution when opening attachments, clicking links, or responding.

To whom it may concern:

My name is Paula Gamez and I vote to not have the crematorium that De Vol Funeral is planning to build at 14E. Deer Park Drive.

This is a family neighborhood, not an industrial zone.

I live at 217 Hutton st Gaithersburg MD.

Thank you!

Best,
Paula Gamez

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Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 18, 2020 11:03 AM
To: 'Jose Diaz'
Subject: RE: No To Devol Crematorium

Good Morning,

Thank you for your correspondence related to Concept Site Plan application SP-8415-2020. Your correspondence will be included in the Council's record for their consideration.

Regards,
Jasmine Forbes



Jasmine Forbes, Planner I
Planning and Code Administration

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Direct: 240-805-1069 | Main: 301-258-6330 | www.gaithersburgmd.gov
Jasmine.Forbes@gaithersburgmd.gov

From: Jose Diaz <jrdiaz0181@gmail.com>
Sent: Tuesday, August 18, 2020 10:58 AM
To: Planning External Mailing <Planning@gaithersburgmd.gov>
Cc: Jud Ashman <Jud.Ashman@gaithersburgmd.gov>
Subject: No To Devol Crematorium

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Hi,
My name is Jose Diaz and my address is 114 Rolling Road, Gaithersburg. I live in the Deer park community. I have a family with three small children I don't want my children to live close to a Crematorium it will be dangerous for their health all the gas and smell. We do not approve Devol Crematorium.

Jose Diaz