

Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 25, 2020 9:36 AM
To: 'Charles Case'
Subject: RE: Concept Plan No. SP-8415-2020 DeVOL Funeral Home Addition

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. Please note that the Council's record on this application will close on September 16th. For information about the application, please visit the project page:

<https://www.gaithersburgmd.gov/government/projects-in-the-city/10-and-14-east-deer-park-drive> .

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@gaithersburgmd.gov

From: Charles Case <charlesagility@gmail.com>
Sent: Tuesday, August 25, 2020 1:34 AM
To: Jud Ashman <Jud.Ashman@gaithersburgmd.gov>; Laurie-Anne Sayles <Laurie-Anne.Sayles@gaithersburgmd.gov>; Neil Harris <Neil.Harris@gaithersburgmd.gov>; Michael Sesma <michael.sesma@gaithersburgmd.gov>; Ryan Spiegel <ryan.spiegel@gaithersburgmd.gov>; Robert Wu <robert.wu@gaithersburgmd.gov>
Cc: Jasmine Forbes <Jasmine.Forbes@gaithersburgmd.gov>
Subject: Concept Plan No. SP-8415-2020 DeVOL Funeral Home Addition

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

Dear Mayor and City Council,

While the majority of DeVOL's proposed addition is consistent with the property's CD zoning, the addition of a crematorium is not. It is a facility which does not belong in a CD Zone, but rather an I-1 Zone (Light Industrial) and should not be placed in an existing residential neighborhood.

Per the testimony provided in the 8/3 meeting, the building at 14 E Deer Park Drive would be utilized for holding and viewing cremations, its primary use.

Looking at the cremation services which DeVOL would provide at the location, it is essentially the processing

of articles in a building which results in emissions and by-products in the form of gases and fumes. A processing use. Processing uses are specifically prohibited in a CD Zone (Sec. 24-160G.2.b.4).

Per the testimony provided on 8/3, constant monitoring by trained personnel as well as remote monitoring are required to ensure that visible smoke and odors are not released into the neighborhood. This sounds like an industrial processing facility.

The state will require an initial emissions test to allow the facility to operate. This sounds like an industrial processing facility.

Per the State of Maryland the Registered Crematory Operator must achieve certification as a crematory operator by the Cremation Association of North America (CANA), International Cemetery, Cremation and Funeral Association (ICCF), or other equivalent certification recognized jointly by the Board and the Office. They must also successfully complete the operator training course of the manufacturer. This appears to be an industrial process which requires a certain degree of knowledge to operate safely.

The crematory will have an exhaust stack which will release fumes and gases into the atmosphere. This will include particulate matter, mercury, and a range compounds from the remains, fuel, and medical implants. This is an industrial processing facility.

This crematory is an industrial processing facility which processes human remains into ashes. This use is not appropriate in a CD Zone, and is specifically excluded from a CD Zone as a production/manufacturing/assembly/processing use.

Thank You for your time and consideration.

Charles Case
16629 Alden Ave.
Gaithersburg, MD 20877

Jasmine Forbes

From: lsayles81@gmail.com
Sent: Tuesday, August 25, 2020 7:54 AM
To: Charles Case
Cc: Jud Ashman; Laurie-Anne Sayles; Neil Harris; Michael Sesma; Ryan Spiegel; Robert Wu; Jasmine Forbes; Doris Stokes
Subject: Re: Concept Plan No. SP-8415-2020 DeVOL Funeral Home Addition

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Good morning Mr. Case,

Thank you for sharing your concerns with us. I will share this with our City Clerk cc'd so it can be added to our public record.

Best,
Laurie-Anne Sayles
Council Vice President
City of Gaithersburg
240-268-4487 Phone
<http://www.gaithersburgmd.gov/>



Take 10 minutes to be counted now – visit: <https://2020census.gov/>

On Tue, Aug 25, 2020 at 1:34 AM Charles Case <charlesagility@gmail.com> wrote:

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Thank You for your time and consideration.

Charles Case
16629 Alden Ave.
Gaithersburg, MD 20877

Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 25, 2020 9:39 AM
To: 'Gendayi Gendayi'
Subject: RE: DeVol 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. Please note that the Council's record on this application will close on September 16th. For information about the application, please visit the project page:
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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: Gendayi Gendayi <gendayi34@yahoo.com>
Sent: Tuesday, August 25, 2020 6:33 AM
To: Jasmine Forbes <Jasmine.Forbes@gaithersburgmd.gov>
Subject: DeVol Funeral Home

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

Hi

I am a citizen of Gaithersburg and I say NO to the proposal to establish a crematorium in a residential area. This is absurd. Crematoriums belong in industrial areas. It should be zoned accordingly.

Shahaira Davy
Gaithersburg, MD 20878

Jasmine Forbes

From: Michael Sesma
Sent: Tuesday, August 25, 2020 7:59 AM
To: Gendayi Gendayi
Cc: Doris Stokes; Jasmine Forbes
Subject: Re: DeVol Funeral Home

Dear Shahaira,

Thank you for sharing your opinion on the DeVol application. Your email will be included with the correspondence in the record for this issue.

Best,
Mike

Michael A. Sesma
Council Member, City of Gaithersburg
301-412-4136

From: Gendayi Gendayi <gendayi34@yahoo.com>
Sent: Tuesday, August 25, 2020 6:35:13 AM
To: Michael Sesma
Subject: DeVol Funeral Home

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Hi

I am a citizen of Gaithersburg and I say NO to the proposal to establish a crematorium in a residential area. This is absurd. Crematoriums belong in industrial areas. It should be zoned accordingly.

Shahaira Davy
Gaithersburg, MD 20878

Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 25, 2020 9:51 AM
To: 'Marion Jackson'
Subject: RE:

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. Please note that the Council's record on this application will close on September 16th. For information about the application, please visit the project page:

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Regards,
Jasmine Forbes



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Planning and Code Administration

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Jasmine.Forbes@gaithersburgmd.gov

From: Marion Jackson <marion.w.jackson@hotmail.com>
Sent: Tuesday, August 25, 2020 9:19 AM
To: Jud Ashman <Jud.Ashman@gaithersburgmd.gov>; Jasmine Forbes <Jasmine.Forbes@gaithersburgmd.gov>; Planning External Mailing <Planning@gaithersburgmd.gov>
Cc: Laurie-Anne Sayles <Laurie-Anne.Sayles@gaithersburgmd.gov>; Michael-Sesma@gaithersburgmd.gov; Ryan Spiegel <ryan.spiegel@gaithersburgmd.gov>; Robert Wu <robert.wu@gaithersburgmd.gov>; Neil Harris <Neil.Harris@gaithersburgmd.gov>
Subject:

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

Subject: "NO" to the proposed DeVol application SP-8415-2020

Dear Mayor/Councilman/Planner:

I live in the Deer Park area which is a residential zone. I am concerned that the DeVol crematorium will bring an industrial zone into my neighborhood and will negatively affect the people I care about. I do not want a tall "chimney" emitting smoke and chemicals into the air where thousands of residents live, work, go to school. This parcel is not zoned for industrial use. I do not want the quality of life here changed by more traffic and smoke. Please reject this proposal.

Marion Jackson

Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 25, 2020 1:35 PM
To: 'matt'
Subject: RE: DeVol Crematorium

Good Afternoon,

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. Please note that the Council's record on this application will close on September 16th. For information about the application, please visit the project page:

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Regards,
Jasmine Forbes



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Jasmine.Forbes@gaithersburgmd.gov

From: matt <matt@hoyalaw.com>
Sent: Tuesday, August 25, 2020 10:59 AM
To: Jud Ashman <Jud.Ashman@gaithersburgmd.gov>; Jasmine Forbes <Jasmine.Forbes@gaithersburgmd.gov>
Subject: DeVol Crematorium

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

Dear Mayor Ashman and Ms. Forbes:

I am resending the below to you two, as I apparently mistyped your emails when I sent the original. My apologies.

Thank you in advance for your attention and consideration.

Very truly yours,

Matt Simmons

The Law Offices of
Matt Simmons, Esq., Chtd.
240.671.4058

From: matt [<mailto:matt@hoyalaw.com>]
Sent: Tuesday, August 25, 2020 10:51 AM
To: 'judashman@gaithersburgmd.gov' <judashman@gaithersburgmd.gov>; 'laurie-anne.Sayles@gaithersburgmd.gov'

<laurie-anne.Sayles@gaithersburgmd.gov>; 'neil.harris@gaithersburgmd.gov' <neil.harris@gaithersburgmd.gov>; 'ryan.spiegel@gaithersburgmd.gov' <ryan.spiegel@gaithersburgmd.gov>; 'michael.sesma@gaithersburgmd.gov' <michael.sesma@gaithersburgmd.gov>; 'robert.wu@gaithersburgmd.gov' <robert.wu@gaithersburgmd.gov>; 'planning@gaithersburgmd.gov' <planning@gaithersburgmd.gov>; 'jasmine.formbes@gaithersburgmd.gov' <jasmine.formbes@gaithersburgmd.gov>

Subject: DeVol Crematorium

Dear Mayor Ashman, City Council Members, and City Planning Staff:

I have lived in Montgomery County Maryland for almost half a century. My wife, Sarina, and I made our home here in Gaithersburg over 20 years, ago, and have lived here since. For 15 of those years, we've been on East Deer Park Drive. Our kids all went to WGES, FOMS, and GHS. In short, we have proudly made Gaithersburg our home.

I live just a few blocks from the DeVol home. I have severe asthma and allergic rhinitis. For the asthma alone, I am on two inhaled and one injectable medication. I am barely getting by as it is.

As luck would have it, I had to get the attached letter for a court appearance I had on Monday of last week. My first in-person court appearance in half a year. The letter was to let the Court know I might have difficulty conducting oral argument in a mask. Thankfully, the judge directed that we could stand at a podium away from everyone and argue with masks removed, which I did and then put my mask back on and sat down. But the walk in in the humidity had already set my lungs off. After about 6-8 minutes just sitting quietly wearing a mask, the judge stopped the proceedings, turned to me and ordered me to take my mask off, remarking that I was turning red and appeared to him to be in distress. That's how difficult it can be for me, even indoors in air conditioning.

Even masks aside, on hot and humid days here, I can barely move faster than a walk outside, as it is. That's been true for years now. If someone starts a fire or burns leaves on E. Deer Park or Central Ave. on a hot or humid day, it gets worse still, sometimes even inside my house I have trouble.

Simply put, I cannot withstand any diminution in air quality. The thought of having an industrial fire periodically burning just 4-5 houses from me and literally maybe 30-50 feet from the point closest to DeVol in my backyard, which runs down E. Deer Park toward DeVol behind several houses adjacent to mine, is an absolute non-starter for me.

I urge the City to reject DeVol's request to site a crematorium on my street, a residential street. We have a nearby industrial area over in the Airpark. Let them site it there. There is no reason they cannot move remains from their home to another location for disposal by burning. I, on the other hand, have to live here. I would like very much to continue doing that without fear of being killed or hospitalized by an industrial furnace burning feet from my home.

As a longtime city citizen and a confronting or adjoining property owner who will be materially and adversely impacted should the DeVol proposal be approved, I respectfully request to be included on any notices of meetings or hearings at which DeVol's proposal will be discussed or heard by the Mayor's Office, the City Council, or the City's agencies.

In the meantime, I thank you all for your time and attention to the foregoing.

Very truly yours,

Matt Simmons

114 E. Deer Park Dr.
Gaithersburg, MD 20877
240.671.4058
E-mail: Matt@HoyaLaw.com
About Us: www.HoyaLaw.com

Jasmine Forbes

From: Jasmine Forbes
Sent: Tuesday, August 25, 2020 1:41 PM
To: 'Issac Sherrod'
Subject: RE: Stop Devol Crematorium Save Our Neighborhood

Good Afternoon,

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. Please note that the Council's record on this application will close on September 16th. For information about the application, please visit the project page:

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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: Issac Sherrod <isherrod@splunk.com>
Sent: Tuesday, August 25, 2020 10:28 AM
To: Jasmine Forbes <Jasmine.Forbes@gaithersburgmd.gov>
Subject: Stop Devol Crematorium Save Our Neighborhood

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

Dear Jasmine Forbes,

As you are already aware the DeVol Funeral Home located on E. Deer Park Road is planning on building a crematorium directly next to residential properties as well as MCPS facilities. How could responsible officials have such a drastic lack of oversight? I believe it is not only your duty but, your obligation as an elected official to put the people of Gaithersburg interests ahead of businesses.

If you have it in your heart to not destroy family living in our city; please stop the crematorium from being built. As a homeowner, I will be basing my tenure in Gaithersburg on how the leadership approaches relevant situations.

Best,
Issac Sherrod
Facilities Manager
Splunk Inc.

isherrod@splunk.com

Tysons | AMER | APAC | EMEA

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