



HOWARD COUNTY CEMETERY PRESERVATION ADVISORY BOARD

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

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December 2019 Minutes

Tuesday, December 17, 2019; 10:00 -11:30 a.m.

A special meeting of the Cemetery Preservation Advisory Board was held in the Ilchester room on the 2nd floor at 3430 Court House Drive, Ellicott City, MD 21043. All cases are public meetings unless otherwise indicated. All inquiries should be made to: 410-313-2350.

Members Present: Liz Larney, Chair; Mike Bennett; Chip Plitt

Staff Present: Beth Burgess; Kaitlyn Clifford

Public: Mike McCann, Fisher Collins & Carter; B. James Greenfield, MG Land Holding 1, LLC; Debra Radcliffe-Borsch; Alan Whitworth; Cheryl Munshower

General Topics

5020 Ten Oaks Road

Mr. McCann updated the Board on the changes Mr. Greenfield and the Scrivnor family descendants have discussed regarding the Scrivnor cemetery since the November CPAB meeting. Mr. McCann explained there has been changes to the legal documents (property deed and settlement materials) that require the cemetery to stay in permanent preservation and changes to the maintenance of the cemetery. The easement has been made larger, and widened to 20 feet from each burial, with an access lane width of 12 feet. Ms. Larney asked if the gate access to the easement was being moved to the side of the easement. Mr. McCann confirmed the gate would be placed by the access lane. Mr. Greenfield clarified the entrance to the easement would be a double gate with two 4-foot gates creating an 8-foot opening.

Mr. McCann discussed the updated maintenance agreement to include language regarding: the cemetery to be kept free of trash and debris, lawn maintenance expectations, zoning regulations for setbacks and adequate protections of the cemetery if there is construction on the parcel or accessory structures added.

Ms. Larney asked why the applicant selected a vinyl PVC fence to enclose the cemetery. Mr. Greenfield said that a PVC fence would last forever, and he was not aware of any alternatives. Ms. Larney said she recommended a material that was more historically accurate such as an aluminum or steel fence that does not need to be maintained since it is powder coated. Ms. Larney provided examples of the powder coated metal fence alternatives and said they would be sturdier and blend into the background rather than the white PVC fence which would be more of an attraction. Ms. Larney suggested the gates include extra equipment that would prevent a person from standing or swinging on the gate. Mr. Greenfield asked if the top of the fence and gate could be a simple design with the gate being the same straight across design as the fence panels. Ms. Larney said that would work as long as it did not make the gate accessible to climb.

Ms. Munshower asked if the legal documents would be updated to include a no trespassing sign for the cemetery. Mr. McCann said the legal documentation could be updated to include trespassing language.

Mr. McCann discussed the updated plan highlighted in green to show the permeant preservation easement area due to environmental features- floodplain, wetland and forest conservation. Mr. McCann said it was his understanding that the possible slave quarters and burials fell into the preservation area already and does not need to be further addressed. Ms. Burgess said that she walked the property and did not see evidence of any building foundations or any signs of additional burials so facts or proof would be required for any further preservation measures. Staff reviewed aerials as far back as 1943 and could not see additional outbuildings on Lot 1,2 or 3. Ms. Larney asked if Ms. Burgess had located yucca, periwinkle or specially placed stones. Ms. Burgess said the area was farm meadow and nothing besides a scrap metal pile was located.

Ms. Radliffe-Borsch said she was concerned that a shed could be placed next to the cemetery fence and explained that there could be as many as 5 adults and one baby buried in the cemetery. Ms. Larney asked if ground penetrating radar had been completed. Mr. Whitworth said since Mr. Greenfield has increased the size of the easement parcel he did not want Mr. Greenfield to encumber the cost of doing ground penetrating radar. Mr. Bennett said the developer was generous to expand the easement and did not think it was fair for the family to put restrictions on the placement of accessory buildings unless the area in question was deemed a cemetery itself which would require a 30 foot setback. Mr. McCann said the law states a 10-foot offset from the fence of the cemetery for an accessory structure.

Mr. McCann said there had been additional language in the legal documents addressing cultural and historic affiliation access. Ms. Larney asked about educational affiliation access being added. Mr. Greenfield said the inclusion of education affiliation went against the buyer's advice as they did not want to encumber the property and have school buses drive on the property.

Mr. Bennett discussed the State of Maryland's lawn growth requirements with the applicant as the proposal in the legal documents is much lower. The Scrivnor family discussed their concerns with having the grass too tall and the possible destruction that could occur to the footstones if the grass is allowed to grow taller. Mr. Greenfield said he would be agreeable to the family's request for a 4 to 6 inch grass height range in the legal documents. The Board concluded in agreeance with this suggestion from the Scrivnor family.

Mr. Plitt moved to approve the plan as submitted and commonly agreed upon. Mr. Bennett seconded. The motion was unanimously approved.

CPAB Business

- Mr. Plitt moved to approve the November 2019 minutes. Ms. Larney seconded. The motion was unanimously approved.

The meeting was adjourned at 10:35 am.

Next meeting: January 14, 2020 at 10am in George Howard Building.