



Takoma Park City Council Meeting – February 22, 2017 Agenda Item 3

Presentation

Proposal to Establish a Scatter Garden in Takoma Park

Recommended Council Action

Hear the proposal.

Context with Key Issues

A group of residents has requested that an area of City-owned park land be designated in perpetuity as a place for people to bring the cremated remains of their loved ones (Scatter Garden). The proposal was first presented to the City Council at a work session on November 2, 2016. Beth Baker and Jennifer Berman will be at the City Council meeting on February 22 to provide updated information on the proposal, including suggested locations.

Council Priority

Engaged, Responsive, Service-oriented Government

Environmental Impact of Action

N/A – for information only at this time.

Fiscal Impact of Action

N/A – for information only at this time.

Attachments and Links

- Proposal to Establish a Scatter Garden in Takoma Park (presented on November 2, 2016)
- Link to: [Background Information provided for the meeting on November 2, 2016](#)

A Proposal

Imagine a special place in Takoma Park where people could bring the cremated remains of loved ones.

A sanctuary for remembering.

A place for the legacy of Takoma Park.

As long-time residents of Takoma Park, we ask the City Council and Mayor to designate an area of city-owned park land to serve as a place for people to bring the cremated remains of their loved ones. Many residents have deep roots in the city, and a strong emotional connection, and would like to have their final resting place here as well. Without a doubt, many people have already consigned the ashes of loved ones to various places around Takoma Park, anonymously. A special place just for this purpose would keep the legacy of Takoma Park within the city. A wall of names would also be a permanent tribute to those whose ashes are spread here. It would be a place people could come to reflect and remember their loved one, and their connection to the town that meant so much to them.

Municipally-owned and -operated cemeteries are very common and many of them have scatter gardens in addition to traditional graveyard areas. However, we have not been able to find another city that has a municipally-owned and -operated scatter garden unconnected to a full-service cemetery. We've recently learned that the city of Chicago is considering designating an area for this purpose. If Takoma Park creates one, we would yet again be on the leading edge of a green alternative movement.

We are asking the City of Takoma Park to designate an area of city-owned land as a memorial scatter garden in perpetuity. We will ask the city to provide the land, routine maintenance, and hopefully soil, mulch, and plantings. While we would appreciate other financial help for construction, we envision much of the cost of memorial structures will be raised through grants, contributions, and individual fund-raising campaigns. The cost of plaques will be paid for by individuals using the garden.

Some frequently asked questions:

IS IT LEGAL?

(A detailed legal memo from our pro bono council is attached)

If Takoma Park wishes to establish a memorial garden for cremated remains, there is no legal reason to prevent or impede the city from doing so. Montgomery County Office of Zoning and Site Plan Enforcement told us that for Memorial Gardens

(Definitions: Sec. 59.1.4.2) "a publicly owned/or operated use is permitted in all zones in Montgomery County." Additionally they stated, "the Town of Takoma Park does not need a Conditional Use to use or develop their own property."

The Maryland Office of Cemetery Oversight states that a county or municipal corporation may appropriate money to fund the repair, preservation or maintenance of a burial site. The same Maryland DLLR website of FAQ states: "Maryland law does not prohibit the scattering of cremains on private property with the permission of the property owner." Additionally, Maryland regulations exempt "county, city or municipal corporations from permitting and registration requirements in the operation of a cemetery," which, by their definition, would include places for the disposition of ashes (Business Regulations Article, § 5-102.)

The Environmental Compliance Supervisor at the Maryland Department of Environmental Protection, Steve Martin, told us in a phone conversation that a memorial garden is an approved place for the deposition of cremated remains and would not be a concern for the Maryland DEP. Additionally, the Maryland Board of Morticians and Funeral Directors states that cremated remains do not have to be placed in a cemetery. They encourage people to get the permission of the property owner if they chose to scatter on private land.

ARE THERE HEALTH CONCERNS?

No. The body is burned in an oven at nearly 2,000 degrees Fahrenheit, destroying all organic matter and disease-carrying pathogens. The cremains are not light enough to become airborne and inhaled, unlike the ashes that are routinely dumped from fireplaces or barbeque grills. The cremains are composed mostly of calcium phosphate with trace amounts of other elements. The ppm of heavy metals is lower than the ppm in both the average US agricultural soils and in 10 tested Baltimore city gardens.

Email correspondence with 3 noted soil scientists, including the world expert of heavy metals in soil, along with data charts and chemical analysis of cremated remains, are attached.

WHERE WOULD IT BE LOCATED?

With the help of the city, and input from citizens, an appropriate area of city-owned property would be decided upon -- preferably an area that is somewhat secluded and little-used, and already maintained as a garden by the city. Several sites have been noted as possibilities.

HOW MUCH WOULD IT COST?

Costs of design, construction and landscaping would depend on many factors (size, benches, wall, landscaping, hardscaping), and could be scaled to a wide range of

budgets. The largest cost would be the design and construction of a wall on which could be affixed or inscribed the names of the people being remembered, but this cost is highly variable based on size and materials. This money would be raised through a combination of grants, contributions, and a community fund-raising effort, along with city support, if possible.. We suggest the garden be built on land owned and already maintained by Takoma Park. Modest fees for placing ashes could help defray costs, and individuals would be responsible for paying for their plaque. We request that the city handle the processing and payment of plaques.

HOW MANY PEOPLE WOULD USE IT?

An average of 60 residents of Takoma Park die every year. Assuming a 40% rate similar to the rest of Maryland, 24 of them are cremated. It's difficult to project how many of their relatives would choose to use the scatter garden. The two cemeteries close to us that we surveyed reported 3 to 5 per year. Takoma Park may experience a higher rate.

WHAT DO CREMAINS LOOK LIKE?

The cremains are light brown to grey, about the consistency of coarse sand and small gravel. They average 4 to 6 pounds, with a mass about the size of a half-gallon of milk. After incineration, the ashes are crushed, so nothing recognizable is left.

WOULD CREMAINS BE BAD FOR THE SOIL?

No. The ashes are composed mostly of calcium phosphates, with trace amounts of other minerals. Calcium, in the form of bone meal, is a common soil additive.

WOULD THE GARDEN REQUIRE SPECIAL MAINTENANCE?

No, the garden would be maintained just like any garden on city property. We've talked to maintenance crews for other scatter gardens and they tell us they don't do anything special.

ARE THE CREMAINS ACTUALLY SCATTERED?

Not necessarily. In some gardens, people dig a small hole in which to bury the cremains. In others, they clear away an area of mulch, lay the cremains down and cover them, or the cremains are sprinkled and raked into the ground cover. Some gardens have an underground container with a small opening through which all the cremains are poured. A small sign on site would advise people how to proceed.

WHAT DO PEOPLE USUALLY DO WITH ASHES?

Many cemeteries have scatter gardens. It is also common for people to take the ashes to a place that holds some meaning for the deceased and bury them discreetly. Without a doubt, cremated remains have already been buried in Takoma Park, on

private property or in city parks. Sometimes people keep them in a memorial urn at home as a remembrance. There are also many services available for the disposition of ashes: they can be made into jewelry, put into fireworks, transported into the upper atmosphere, launched in a balloon, mixed with cement to build up an ocean reef, packed into shotgun shells for memorial hunting - even incorporated into ink for a memorial tattoo.

WHAT IF THE CITY DECIDES TO REPURPOSE THE LAND?

The scatter garden would require a commitment by the city to set aside that land in perpetuity for this purpose. Once the garden was created, and had a memorial wall with many years worth of names inscribed upon it, it will have acquired a place in the hearts of the people of Takoma Park that would make it very difficult to convert the land into something else.

WHAT DO SCATTER GARDENS LOOK LIKE?

A scatter garden can look like just a garden, or it can have memorial structures that make it something special. Benches are a common element. Below are some pictures of other scatter gardens.

A Scatter Garden can look something like this:

Washington State
Scatter Garden for Veterans
within a full-service
cemetery



Helsinki
Each rock has a
plaque with a name



Courtenay, California
A municipal cemetery
with a scatter garden



Kansas City
A scatter garden
within a botanical
garden



Woodlawn Cemetery
Bronx, NY
A scatter garden
within a cemetery.
Individual plaques
on rocks



Or something like this:

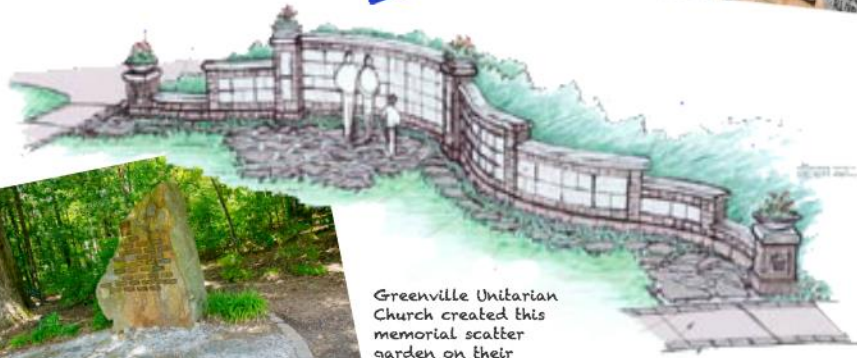
Glenwood Cemetery, DC
A scatter garden within
a cemetery. The names on
the wall go back to 1820.
Here, ashes are scattered
on the ground and raked
into ground cover.



Or something like this:



Scatter garden
memorial wall plans
by C/PRA Studio



Greenville Unitarian
Church created this
memorial scatter
garden on their
grounds

