

SPECIAL USE PERMIT REQUEST
A Natural Burial Ground at Panorama Farms
PREAPP202000091 Natural Cemetery at Panorama Farms /
T.M.P. 04500-00-00-00100

PROJECT PROPOSAL

NARRATIVE

Introduction. Albemarle County cemeteries in Rural Area (RA) districts are a by-right use with a Special Use Permit (SUP). The applicant, Panorama Farms, Inc. (PFI) – 300 Panorama Rd, Earlysville, VA 22936 – is in the Rio district and also enjoys RA status. PFI seeks an SUP in order to create a new cemetery on approximately 20 acres of the farm, the western entrance of which is at 3550 Reas Ford Lane. There is no public access from the eastern side of the farm and the Earlysville Road entrance. No other current activities at Panorama Farms are affected by this use, nor will any of those activities affect this proposed use.

A cemetery is the final resting place for those who have passed on, and a sacred space to mourn where the remains of loved ones are interred. A green cemetery or natural burial ground is environmentally respectful and an increasingly valuable choice for families who seek an alternative to conventional interments, and to do so in open space. Indeed natural burials have been the norm in both the Jewish and Muslim communities for millennia, and standard practice before the Civil War. By nature and by definition, this cemetery – as with any cemetery – will remain a place for families to use and visit for generations. To protect and hold that space, a natural burial ground at Panorama Farms will do no harm to the public health; burial service attendees and visitors will be safe, yet free to experience the natural environment; and the general welfare of the community will be enhanced by this option for their loved ones.

Description. A “green” cemetery (or natural burial ground) is defined as a cemetery in which everything in the ground is biodegradable. Unlike at a conventional cemetery, there is no embalming, no metal or exotic wood caskets, and no concrete vaults. Above the ground, green interment sites are usually marked with flat, natural fieldstones or with native plantings. No plastic memorials are permitted. Gravesites at the typical green cemetery are usually accessed by foot, along mowed paths through hayfields, and trails through wooded areas. Internal roads are unimproved gravel and, often, just slightly improved farm tracks.

A. *What is the project's public need or benefit?*

A Natural Burial Ground at Panorama Farms would meet the increasing need for a more environmentally responsible option for burying the dead. Its benefit to the public is that it is another option for honoring the deceased but in what many find to be a more intimate and respectful setting.

[The] sacredness of life and the dignity of each human person...are honored by a natural burial... [It is] a natural returning of the body to the earth from which it came.

<http://www.virginiatrappists.org/cemetery/>

As of April 2020, the Green Burial Council¹ estimates that there are 250 green cemeteries in the US. This would be the first green cemetery in Albemarle County; one of four in Virginia; and the only one within 80 miles of Charlottesville.

B. Will the use be of substantial detriment to adjacent property?

This permit seeks approval for approximately 20 acres of ground. Even if it were larger, a green cemetery is measured by how little effect it has on the surrounding landscape, how visually unobtrusive it is, and how proactively it preserves the natural environment.

The new cemetery will be located at the only western entrance to Panorama Farms at 3550 Reas Ford Lane. There is no access to the site from the east or from Earlysville Rd. The impact on neighbors is *de minimus*. Virginia Code [Title 57 Ch. 3 § 57-26] however requires a 750' setback from adjacent residences without the consent of the owner. PFI has secured setback waivers from the owners of 95 Graemont Lane and 3600 Graemont Drive. Negotiations continue with the owner of 3600 Reas Ford Lane for permission to waive a portion of that setback.

Concept Plan A

"Base Map – annotated v 2.0": This map shows all boundaries, state roads, entrance(s), internal circulation, gas line and stream buffers. The property is adjacent to, and its western boundary is Reas Ford Lane, a gravel surfaced secondary road. It is approximately one-half mile from Reas Ford Road, the nearest hard surfaced road. All applicable 250 yard setback areas (as required by VA Code Section 57.26) are designated.

Concept Plan B

"Green Cemetery Footprint – v 3.0": This map shows the proposed burial areas that include setback areas waived by the owners.

¹ The Green Burial Council is the nascent organization that seeks to educate the public about Green or natural burials. <https://www.greenburialcouncil.org/>

Waivers. Properties requiring setbacks are shown. Waivers enclosed that have been granted.

- 3600 Graemont Dr.: See base map. Boundary not shown on "footprint" map since the 2.2-acre area has already been incorporated.
- 95 Graemont Ln. See base map. This area although a waiver has been granted, is wholly within the setback of 3604 Reas Ford Ln.

C. Will the character of the zoning district change with this use?

A Natural Cemetery at Panorama Farms will have no visual impact, nor will it have any negative effect on the character of the surrounding district or on adjacent properties. Furthermore, even at full capacity it will use a fraction of the total farm and have little effect on the remainder of it. Panorama Farms has been an example of pragmatic, environmental stewardship consistent with agricultural uses for almost 70 years and this use will continue that legacy.

D. Will the use be in harmony with the purpose and intent of the zoning ordinance?

The purpose and intent of Rural Areas zoning is to

"Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/density..."

A green cemetery at Panorama Farms embodies both the spirit and letter of the RA district intent, especially when considering the alternative, either residential development, or a conventional cemetery. To quote "Scientific American" magazine,

American funerals are responsible each year for the felling of 30 million board feet of casket wood (some of which comes from tropical hardwoods), 90,000 tons of steel, 1.6 million tons of concrete for burial vaults, and 800,000 gallons of embalming fluid. Even cremation is an environmental horror story, with the incineration process emitting many a noxious substance, including dioxin, hydrochloric acid, sulfur dioxide, and climate-changing carbon dioxide.

<https://www.scientificamerican.com/article/eco-afterlife-green-burial/>

Furthermore, current agricultural activities, such as haymaking will continue in the designated burial areas until encroaching burials plots make it impractical or inadvisable to continue. General mowing and bushhogging will continue regardless. The most visible impact might be mowed paths through the hayfields and paths through the woods to provide access to burial sites.

More importantly, one of the Albemarle County Comprehensive Plan's stated goals is, "to preserves and protects...open space and natural resources..." This goal is one shared by the Murray family. In short, the endeavor will enable future generations to pay for what is both an enduring family mission, as well as a specific goal of Albemarle County's Rural Area district.

E. Will the use be in harmony with the uses permitted by right in the zoning ordinance?

This cemetery is compatible with current agricultural uses on Panorama Farms as well as other by-right uses permitted in RA districts. A green cemetery will also serve the public. Not only would this option for burying the dead be an alternative to conventional cemeteries, but it would be all but unnoticeable from the road and from adjoining properties.

F. Will the use be in harmony with additional regulations in section 5?

Cemeteries are not mentioned in Section 5.0. Therefore, no additional regulations are addressed.

G. Will the public health, safety and general welfare, of the community be protected if the use is approved?

Virginia Department of Health. According to Josh Kirtley of VDH, reached by phone September 8, 2020, their agency does not regulate cemeteries. Only if one already exists, and development is proposed adjacent to it, does VDH inspect for septic (50') and water source (100') setbacks. The site is about 2,000 feet from the South Rivanna Reservoir. All required 100' stream buffers will be observed. No burials would occur on steep slopes or in questionable soils.

Safety. The Albemarle County Police approved the approach to the current entrance at 3550 Reas Ford Lane in 2012. In deference to the four dwellings at the dead end beyond the entrance, if necessary, PFI will work to mitigate the effects of burial service traffic with:

- Signage. A sign posted saying "Cemetery entrance ahead" or a similar message.
- Hours. The site will be gated with daylight only visiting hours and with limited operating hours within that time.

Earlsville Fire Company is less than two miles away on Reas Ford Road. In 2012, the entrance at 3550 Reas Ford Ln was deemed adequate for law enforcement, fire and rescue vehicles.

Concept Plan C

“Green Cemetery Parking and Pavilion – v 3.0 100 ft scale”: This map shows the proposed future pavilion site and “building envelope,” parking and overflow parking areas. The upgraded farm track from the “1953 entrance” to the existing north/south internal road follows the contour. The terrain is such that little grading would be necessary and head-in overflow parking on either side of the track is feasible with little land disturbance. The main parking area and the future pavilion site is flat. All road surfaces are now and would continue to be pervious.

Parking. The main parking area is head-in with ten, 10' x 20' spaces. It is adjacent to the future pavilion site, and is an appropriate scale for the average attendance at a green burial service, or about six to eight persons. The main parking area is on a level grassy area. It will have a gravel surface should future demand indicate. Standard access to all gravesites is by foot. The terrain does permit access to the majority of gravesites for those who might need vehicular transportation.

Overflow parking will be on grass, head-in on both sides of the east/west “1953” entrance. There will be a total of (50) designated overflow spaces. Should there be the rare service exceeding that number, attendees would be directed by temporary signage to the area south of the (future) pavilion area where there is space for at least an additional 100 cars.

Traffic. According to the operators of eight green cemeteries in the Southeast (VA, GA, NC, TN and SC), typical green burial services involve about six to twelve vehicles, all coming at the same time; and leaving at about the same time. Two of those contacted operate “hybrid” cemeteries that offer both conventional and green burial services. They too report that green services, by comparison, are generally smaller, more intimate and more understated.

Concept Plan D

“Green cemetery attendee data – v 3.0”. This spreadsheet shows attendee data for (10) ten existing, green, and hybrid cemeteries in the Mid-Atlantic region.

VDOT representative has visited the site and verbally approved both entrances for two-way access to the property.

CONSISTENCY WITH COMPREHENSIVE PLAN

The Albemarle County Comprehensive Plan states that the purpose and intent of Rural Areas is to

"Preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/density..."

From dark skies to scenic views to preserving and protecting water resources to mitigating the effects of carbon and climate, this project meets the spirit of the Rural Area designation in the Comprehensive Plan. The Comp Plan points out that the 65+ population continues to grow faster than any other demographic. As a result, the need for more environmentally friendly burial opportunities can only grow with it. Importantly, this startup business is an alternative to subdividing the land. For the Murray family, it stands to provide a financial means to preserve the family farm as an agricultural, rural asset and open space.

Strategy 7a: "... the Rural Area is not intended for residential development. Instead, emphasis is placed on stewardship of the land, retaining agricultural and forestal activities, protecting natural resources and maintaining unfragmented land to protect biodiversity."

<https://www.albemarle.org/home/showpublisheddocument?id=264>

IMPACTS ON PUBLIC FACILITIES & PUBLIC INFRASTRUCTURE

No public facilities are affected. Cemetery occupants no longer need to use the schools or other public resources. Reas Ford Lane is a gravel secondary road that adjoins the property and VDOT has verbally approved² both entrances for two-way traffic.

Based on interviews with numerous operators of green cemeteries, (see "attendee data") a fraction of them provide toilet facilities and, aside from the largest "hybrid" cemeteries, if facilities are provided at all, they are exclusively portajohns or composting toilets. Should demand require it in the future, we will incorporate an aesthetically screened and appropriately distanced portable toilet within the proposed future pavilion area.

² Willis Bledsaul, VDOT land development engineer; Dec 23, 2020 email: "I met with Mr. Murray on site and reviewed his (1953 existing entrance) for a low volume commercial entrance, and found it acceptable."

IMPACTS ON ENVIRONMENTAL FEATURES

At the macro level, green burials not only reduce pollutants in the ground, but they also will help to mitigate climate change. It is worth re-emphasizing that the success of a green cemetery is measured by how little effect it appears to have on the surroundings landscape. Internal roads will follow long-existing farm lanes and will have unimproved gravel surfaces. The parking area(s) will be unpaved, pervious and on level grassy areas. The main parking area will be gravel only if necessary to protect from erosion. Signage and way finding will be obvious but unobtrusive. Gates will prevent trespassing onto the non-cemetery areas of the farm or neighboring properties. 100' stream buffers will be honored. The woods will remain along the property line and agreement has been reached with the neighbors not to operate within 50' of the property line. The site is over 2,000' from the reservoir and no steep slopes are in the burial area.

ADDENDA

Concept Plan: The following maps in the aggregate illustrate the conceptual plan for cemetery.

A. Base Map – annotated v 2.0

B. Cemetery Footprint – v 3.0 300 ft scale

Waivers:

- 95 Graemont Lane;
- 3600 Graemont Drive

C. Green Cemetery parking and Pavilion – v 3.0 100 ft scale

D. Green cemetery attendee data – v 3.0

E. Other Documents: Metes and Bounds description – v 1.5