

Montgomery County Cemetery Inventory

ID: 162

Name: ⁱAspen Hill Memorial Park & Companion Cemetery

Alternate name: ⁱAspen Hill Pet Cemetery

Address: 13630 Georgia Ave.

Town: Aspen Hill

ADC Map Page 30 Grid D-7

Type

Religious _____
 Family _____
 Private _____
 Other Pet & Companion (all new)

Association

Free black _____
 Enslaved _____
 Ethnic _____
 Prehistoric _____

Setting Rural Urban Suburban Forested Other _____

Condition Excellent Good Fair Poor

Negative Impacts (vandalism, dumping, neglect, encroachment, etc) Some areas not maintained as well as newer areas

Approximate no. of burials 5000 ^{Pets} ₇₀ owners Date range of burials 1917 to present

Description (markers, materials, arrangement, landscaping, fence, paths and roads, etc.)

The cemetery is approximately 8 acres. Pets include dogs, cats, some horses, and at least one parrot. Many varieties of stones. Some with religious emblems (star of David, Virgin Mary statues, etc). Caretaker estimates 50,000 pets and 70 companions (owners). The older sections have trees and bushes and are overgrown. Newer section is well maintained. Chain link fenced on all sides. Interesting cemetery.

Surveyor(s) EARL M. DUNN Survey date 10/18/2004

Photographer EARL M. DUNN Date 10/18/2004 Photo no. _____

Current owner _____

Address/Phone No. _____

Historic Status Locational Atlas ID _____ National Register
 Master Plan ID _____ Other _____

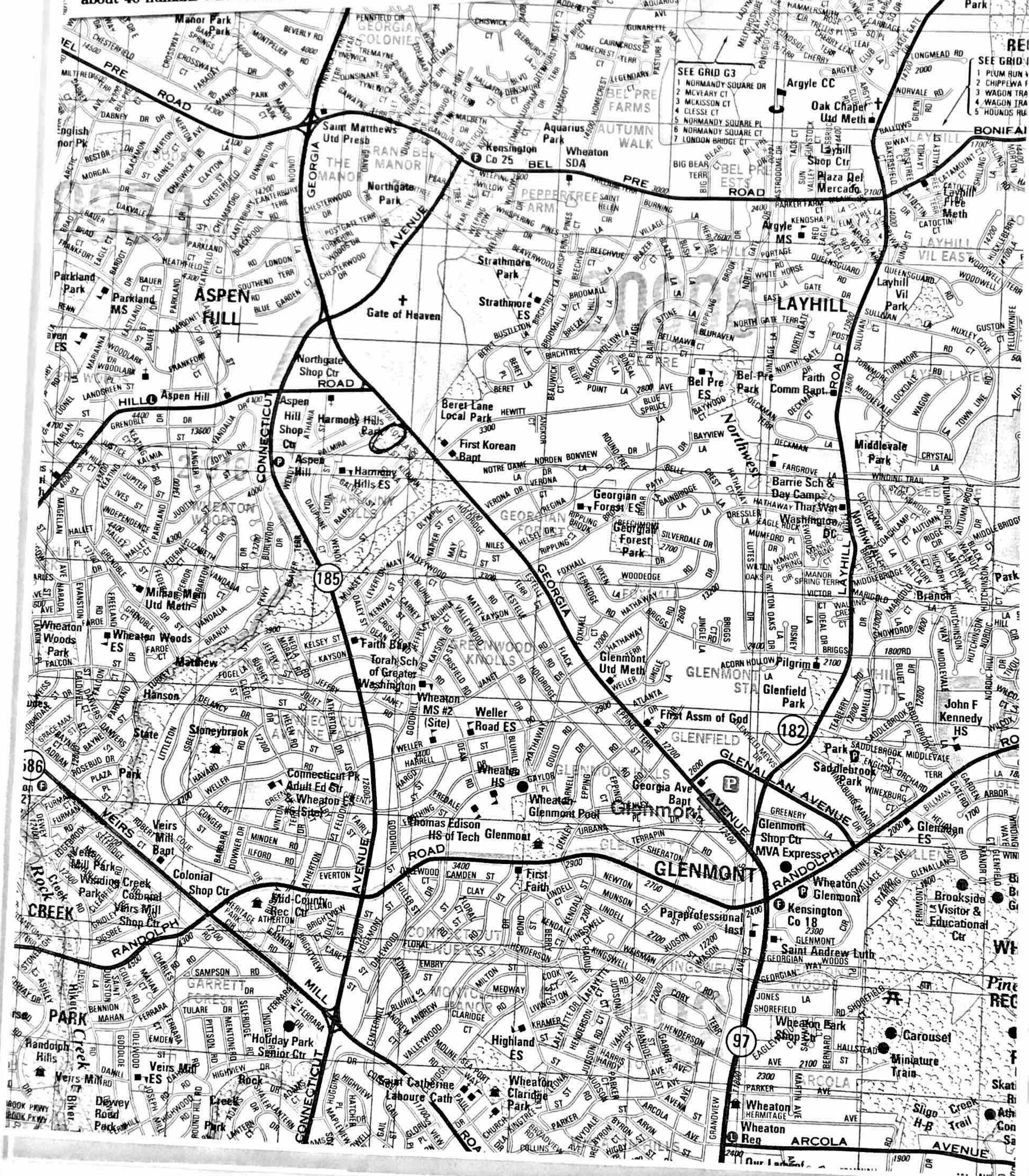
UTM _____

Additional sources of information:

See file @ Peerkess Rockville

162
ASPIN HILL MEMORIAL PARK
13630 GEORGIA AVE.
ASPEN HILL

ASPEN HILL MEMORIAL PARK AND COMPANION CEMETERY
 Directions: From Silver Spring, Route 97 North, Georgia Avenue. [A.D.C.
 Map: Montgomery, page 33, grid coordinates B-1.] Condition of cemetery:
 Well kept. Active cemetery. Most recent death: Present. Location of
 burial records: Aspen Hill Memorial Park and Companion Cemetery office.
 Records not transcribed. Comments: Pet cemetery, contains remains of
 about 40 humans who wished to be buried with their pets.



162
 ASPEN HILL MEMORIAL PARK
 18630 GEORGIA AVE.
 ASPEN HILL

Volunteers clean pet cemetery

by Candace James

Staff Writer

More than 100 people — ranging in age from 3 to 73 — turned out to help the staff of the Chesapeake Wildlife Sanctuary clean up their new site at the Aspin Hill Memorial Park on Sunday.

Aspin Hill Memorial Park, located at 13630 Georgia Ave., is better known as the Aspin Hill pet cemetery. Some 40,000 to 60,000 pets are buried there.

Dianne Pearce, director of the wildlife sanctuary, which has its headquarters in Bowie, said that people went so far as to bring things from home to help out with cleaning, digging, planting, painting and mulching.

"We had a ball," Pearce said Monday. "It was amazing."

She said people got so caught up in the pleasure of refurbishing the site that some have returned on their own time to continue the projects.

Chesapeake Wildlife Sanctuary plans to open a Wildlife Education Center to help the public understand the native wildlife that surrounds them, Pearce said.

Pearce is a firm believer that giving positive reinforcement to adults and children who want to help injured or sick animals, rather than having the public be apathetic or afraid, is tantamount for a better relationship between humans and animals, and can even contribute to people being more caring and sensitive toward other people.

Earlier this year, the Maryland General Assembly passed a bond bill for \$100,000 that provides funding for the construction of the environmental learning center.

Pearce said the wildlife sanctuary will raise enough money to match that amount.

The clean-up event on Sunday was scheduled as a predecessor to



Brian Lewis/GAZETTE

Jenny Pepson, 12, of Aspen Hill volunteers during the clean-up of the Aspin Hill Memorial Park on Sunday.

the official Montgomery County Community Service Day on Oct. 24, but Pearce said there was such an

outpouring of volunteerism that they may hold another clean-up day on Oct. 24 as well.

Community News

PAGE A-4 (UPPER HALF)

State questions charitable status of pet cemetery

Aspen Hill residents also wondering about fate of facility

by **Effie Bathen**
Staff Writer

As people are questioning why the historic Aspen Hill Pet Cemetery is taking on the look of a marina, and its president is promising a new museum on the site, state officials are questioning the owner's status as a charity.

The Maryland Secretary of State's Office has filed a complaint against the Chesapeake Wildlife Sanctuary, which owns the memorial park at 13630 Georgia Ave., saying it failed to submit financial reports dating back to 1997.

The financial disclosures are required for soliciting charitable donations, Aja Foster, a spokeswoman with the Secretary of State's Office, said.

In June 1999, Maryland's Charities and Legal Services Division began investigating the Ches-



Boats, cars and other vehicles are lined up on the 8-acre Chesapeake Wildlife Sanctuary property, which includes the historic Aspen Hill Pet Cemetery.

Effie Bathen/The Gazette

ceived a complaint about the growing number of vehicles on the property.

He visited the park Feb. 9, and Pearce showed up the next night at a civic association board meeting. She was apparently concerned about his visit, Becker said.

Pearce told board members that the vehicles were donations that had been accepted without proper paperwork, and they were still being processed, Becker said.

Pearce also passed out fliers announcing the establishment of an "Aspen Hill Museum," he said.

The flier reads: "The Sanctuary is inviting contributions of photos, books, bios of notable residents, amusing or notable Aspen Hill stories, press clippings, exhibits and any other items that honor the many contributions of the Aspen Hill Community."

The flier also notes that "the Sanctuary has been lovingly restoring the Memorial Park buildings and grounds through the generous support and monetary contributions of the community."

In 1998, Pearce led an effort to

In June 1999, Maryland's Charities and Legal Services Division began investigating the Chesapeake Wildlife Sanctuary when the group became "increasingly delinquent in filing annual reports and disclosure statements," according to a Jan. 23 statement from the Secretary of State's Office.

Many still refer to the memorial park and wildlife sanctuary as the Aspen Hill Pet Cemetery. The word "Aspin," with an I, was used because the pet cemetery was named after a kennel in England, according to the Aspen Hill Master Plan, not after the surrounding community, which uses an E in the word.

The state complaint was filed Dec. 18 in the Circuit Court of Anne Arundel County. It cited violations of the Maryland Solicitations Act, a law governing charitable organizations.

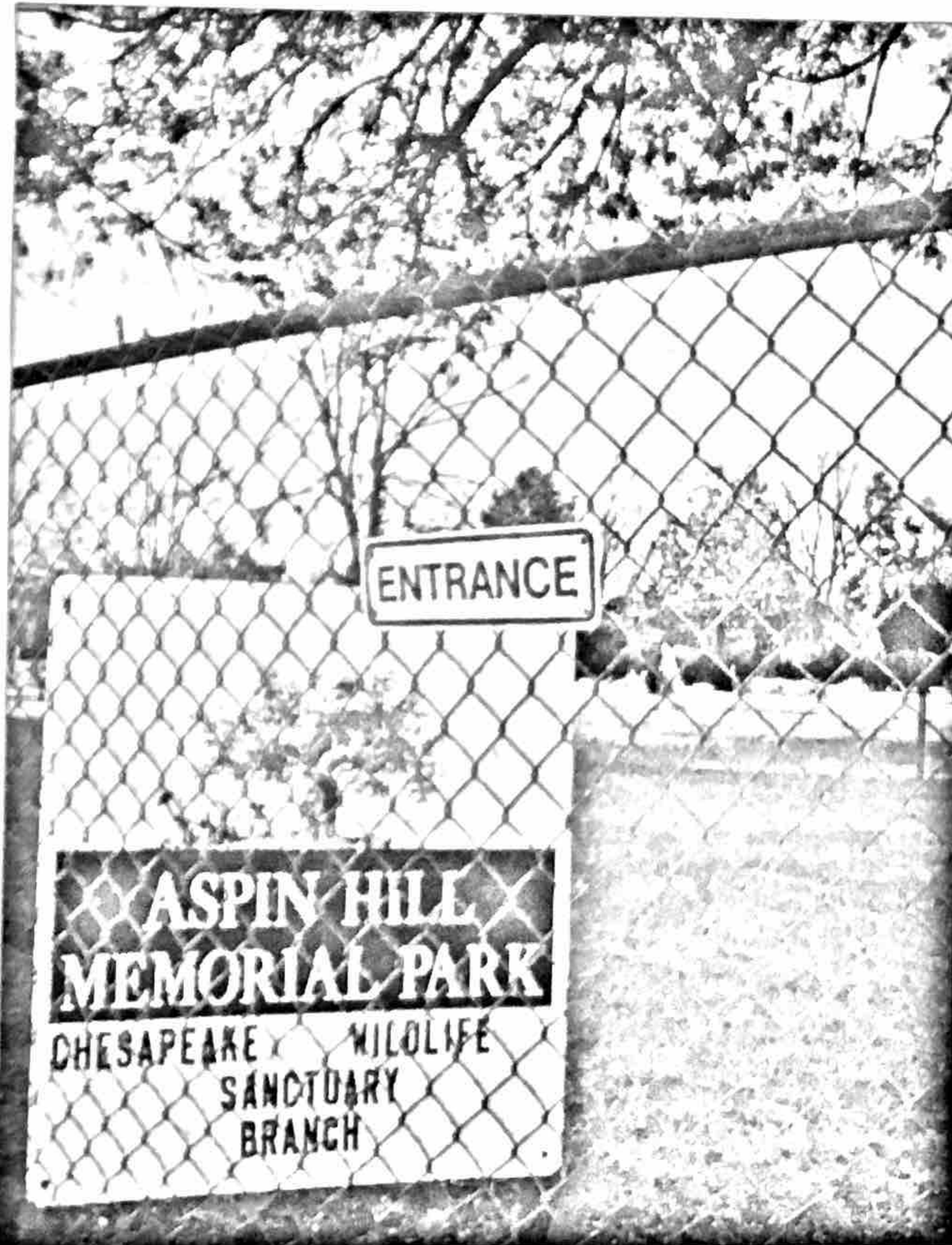
The complaint orders the wildlife group to file the financial reports and prohibits charitable solicitations until they are filed, Foster said.

The wildlife organization was initially requested to respond to the complaint by Feb. 8, but was given an extension until close of business on Tuesday, Foster said. The Gazette could not determine by press time Tuesday whether the organization had responded.

Several messages left at different telephone numbers for the head of the wildlife organization, Dianne Pearce, were not returned.

Calls to the wildlife group continue to be taken by an automated message system directing callers to leave messages for such things as special events, problems with sick animals and information on making donations.

Boats, cars and other vehicles are lined up on the 8-acre Chesapeake Wildlife Sanctuary property, which includes the historic Aspin Hill Pet Cemetery.



Area residents are questioning the fate of the Aspin Hill Pet Cemetery, owned by the Chesapeake Wildlife Sanctuary. The historic facility sits near the intersection of Georgia Avenue and Aspen Hill Road in Aspen Hill.

The wildlife group's Web site, carrying a 2004 copyright notation, promotes a "Chesapeake Wildlife Festival" at the Aspen Hill location in October. It also notes that the group's Wildlife Care Center in

The Maryland Secretary of State's Office has filed a complaint against the Chesapeake Wildlife Sanctuary, which owns the memorial park at 13630 Georgia Ave., saying it failed to submit financial reports dating back to 1997.

Bowie is closed for the installation of a new septic system and other renovations.

Meanwhile, over a dozen vehicles have been seen parked on the property in recent weeks. They include cars, vans, trucks and at least eight boats.

The Web site and a sign on the gate in Aspen Hill advises that the group is not accepting wildlife patients while renovations are under way.

The sign on the gate refers people to a telephone number for the Maryland Department of Natural Resources, which is able to refer callers to currently licensed wildlife rehabilitators.

According to Department of Natural Resource records, the last wildlife rehabilitation license for Chesapeake Wildlife Sanctuary expired Dec. 31, 2000.

Donald Becker, a member of the board and the former president of the Aspen Hill Civic Association, said the board in recent weeks re-

tions of the community."

In 1998, Pearce led an effort to open a 28,000-square-foot wildlife education center on the property.

The state approved two awards of \$100,000 each in 1998 and 1999, but the money was never claimed. It reverted back to the state.

The pet cemetery is on about half of the 8-acre property near the intersection of Aspen Hill Road. A Tudor-styled house, a kennel and a chapel also are located on the property.

The property was established in 1921 by Richard and Bertha Birney to be used as a boarding kennel. The memorial park is a designated historic site, said Gwen Wright, supervisor of the county's Historic Preservation Commission.

According to county records, many notable pets are among more than 40,000 animals at the cemetery. They include seven dogs that belonged to former FBI director J. Edgar Hoover, as well as Jiggs from the vintage "Our Gang" movie series. President Lyndon B. Johnson's dogs, called Him and Her, were cremated at the center before being buried in Texas.

In the 1990s, the animal advocate group People for the Ethical Treatment of Animals (PETA) transferred the property to the wildlife group headed by Pearce, the county historian said.

Wright said her commission only reviews exterior alterations to the property and would not have been notified of interior changes.

Stringent covenants attached to ownership of the property, she said, require that it be maintained and operated as a pet cemetery as well as an educational animal care facility in perpetuity.

ding. Page A-24

ed tournament. Page A-54

Gazette



JOB FAIR

Friday in Gaithersburg.
Classified, Page A-60.



HEALTHY CHALLENGE

Follow two teams'
progress in Gazette 2.

ADVERTISING SUPPLEMENTS

HILL PAGE A-1

25 cents www.gazette.net

roni pizza with Dr.
e would be eating in
e with a handpicked

s on Knight's sched-
tra hour-long recess
s only and bubble
a treat that is usual-

AL, Page A-11

ark nbly

ronmental laws,
n state contracts

led Monday at mid-
confetti in the State

ion where we found
o advance the com-
; we made progress

N, Page A-22

Pet cemetery to go to Humane Society

■ Circuit Court judge issues opinion that Chesapeake Wildlife Sanctuary breached agreements for use of site

BY MELISSA J. BRACHFELD
STAFF WRITER

Chesapeake Wildlife Sanctuary and its president, Dianne D. Pearce, have lost control of the Aspin Hill Pet Cemetery, according to Montgomery County Circuit Court documents filed Monday.

After battling for years in Circuit Court over control of the pet cemetery, Dorothy M. Shapiro, the Potomac patron who donated the property, won her case against Pearce, Chesapeake Wildlife Sanctuary and the organization's vice president, Victor G. Riemer.

In the memorandum of opinion and order, Circuit Court Judge DeLawrence Beard ordered

See CEMETERY, Page A-12

162
ASPIN HILL MEMORIAL PARK
13630 GEORGIA AVE.
ASPEN HILL

CEMETERY

■ Continued from Page A-1

that Pearce and her organization are responsible for \$160,000 in compensatory damages and \$70,000 in punitive damages. Pearce is further ordered to obey the restrictive covenants tied to the land until the property at 13630 Georgia Ave. can be transferred to the Montgomery County Humane Society Inc.

The case went before Beard Nov. 27 through Nov. 30 and again on Dec. 1 and Dec. 4 as a bench trial.

Shapiro said in a phone conversation Monday evening that she is overjoyed with Beard's decision.

"We hope it's an end to all the difficulties so we can just enjoy the property now," she said.

The property will need to be restored, but she said she hopes it will become a place that the whole community can enjoy.

"We hope to make it a proud tourist attraction as it once was," Shapiro said.

Pearce nor her attorney, David Honick of the law firm Honick and White of Salisbury and Berlin, could be reached for comment by Gazette press time Tuesday.

Shapiro's lawsuit stemmed from an event in October 2004 when Pearce and Chesapeake Wildlife Sanctuary were ordered by an Anne Arundel County Circuit Court judge to cease soliciting charitable donations in Maryland until they submitted delinquent financial reports for fiscal years 1997 through 2002 with the state. As a result, the organization's charitable status was revoked.

The memorandum states that the State of Maryland Charitable Division does not recognize Chesapeake Wildlife Sanctuary as a nonprofit organization.

Shapiro contributed \$400,000 to purchase the 7.79-acre property in Aspen Hill for People for the Ethical Treatment of Animals [PETA] in 1988.

When the property was donated to PETA, a Declaration of Covenants and Restrictions was executed, detailing how the land could be used. From then on, property occupants would be subject to those rules and conditions.

According to some of the conditions listed in the declaration, ownership of the property is restricted to tax-exempt charitable organizations or governmental agencies that benefit animals and the grounds and graves must be well maintained.

Chesapeake Wildlife Sanctuary moved onto the property shortly after PETA moved to another location in 1996.

The memorandum states that PETA kept the grounds and other structures in immaculate condition, but all that changed after Chesapeake Wildlife Sanctuary moved in.

"Today the grounds are poorly maintained," the memorandum states. "There are boxes and various items strewn about. The aviary has been removed. Some areas are overgrown and littered with rubbish. Only a few

areas are regularly mown. Several of the graveyard headstones are broken, sunken or tipped over."

The memorandum also states that pet burials slowed and seem to have now ceased altogether.

"In fact, even one pet buried per week seems unlikely in light of the fact that the new burial section of cemetery seems scarcely used," the memorandum states.

In accordance with her right under the covenants, the memorandum states, Shapiro herself attempted to have a cat buried on the property some time after 2002. However, the document notes that Pearce ignored Shapiro's requests or made excuses.

The memorandum also states that almost immediately after moving onto the property, Pearce began soliciting donations from Shapiro, telling her that the donations were to benefit the cemetery by going toward the construction of a wildlife educational center. Over the course of seven years, donations from Shapiro totaled \$160,000.

"She also claims to have started construction on the education center with preliminary layouts and purchase of a boundary survey," the memorandum states. "However, neither products of her alleged labor were produced at trial; currently, there is no educational center on the property."

Although Beard's judgment was in favor of Shapiro, it is not clear when Pearce and Riemer, who both live on the cemetery grounds part of the week, will leave the property.

The judge's opinion states that the defendants breached the agreements, "However, without specific provisions in the agreements providing for eviction of the owner upon breach, it is not an option. Therefore, [Shapiro] is limited to the remedies imposed through other counts."

Sue Lawless, Shapiro's attor-

ney, was not available for comment, but Howard Metro, a partner in the Rockville law firm McMillan Metro, of which Lawless is a part, said the decision as to what will be done with Pearce and Riemer will most likely be made by the Montgomery County Humane Society.

"I think the Humane Society will have to make that decision," he said. "They will have the deed."

Pearce still has other problems to contend with outside of Montgomery County.

In October, the Maryland Department of the Environment issued charges against Chesapeake Wildlife Sanctuary in Worcester County Circuit Court for alleged illegal activity related to the handling of the organization's finances and record keeping.

According to court charging documents filed in Worcester County, Pearce failed to build vegetated, non-tidal wetlands in Worcester County, for which Chesapeake Wildlife Sanctuary received land and \$150,000 in 1999.

Chesapeake Wildlife Sanctuary had agreed to build the wetlands within a year of taking title to the 88-acre Worcester County property, which court documents say was on or about Jan. 11, 2000.

Pearce is formally charged with fraudulent misappropriation by a fiduciary and grossly negligent failure to maintain records required to report activities of a charitable organization from Jan. 15, 1999, through April 15, 2006.

If convicted of all counts, Pearce could face a maximum sentence of five years of incarceration, \$3,000 in fines and liability for restitution.

Raquel Guillory, public information officer for Maryland Attorney General Douglas F. Gansler, said the trial date for the case had originally been scheduled for Jan. 8, but was then moved to April 3 and rescheduled again to Aug. 1.

THE LAW OFFICE OF GIMMEL, WEIMAN, ERSEK & BLOMBERG, P.A.



IS MY BUSINESS MARITAL PROPERTY?

In Maryland, the value of a business interest acquired during the marriage is considered marital property, even if it is owned and operated by only one spouse.

Upon divorce, the Court must determine the "fair market value" of a spouse's business interest, which is what a willing buyer would pay a willing seller, neither being under the compulsion to act and both having reasonable knowledge of all relevant facts.

Lower your rates, not your standards.

(Discounts up to 5-40% on car insurance.)

Switch to State Farm® and you could save big. Take advantage of one of our many discounts—saving money's one of the reasons why 1.3 million drivers switched to State Farm last year. Hurry in (but please don't speed).

Find a State Farm agent near you and call today:



Kevin Huang Vorrtsakul, Agent
13975 Connecticut Ave, Ste 310
Aspen Hill, MD 20906-2921
Bus: 301-460-4800



Pat Dady, Agent
15215 Shady Grove Rd, Ste 102
Rockville, MD 20850-3235
Bus: 301-948-4414



Randy Falk, Agent, LUTC
15805 Crabbs Branch Way
Rockville, MD 20855-2635
Bus: 301-670-0222

