

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	Century Blvd, Germantown between Father Hurley Blvd and Winged Foot Ln	Meeting Date:	12/17/2025
Resource:	Burial Sites Inventory Waters (Zachariah) Family Burying Ground (HP-219)	Report Date:	12/10/2025
Applicant:	Dream Finders Homes, LLC (Symmetry/Poplar Grove development)	Public Notice:	12/03/2025
Review:	Comment prior to Planning Board	Staff:	Brian Crane
Proposal:	Parcel Subdivision and Water Family Burying Ground		

STAFF RECOMMENDATION

Staff requests that the HPC provide guidance for the Planning Board on the proposed cemetery parcel boundaries, cemetery preservation plan, and adjacent building program.

SITE DESCRIPTION

SIGNIFICANCE: *Burial Site Inventory (HP-219)*
 STYLE: 19th-century vernacular family burial ground
 DATE: ca 1796 - 1864

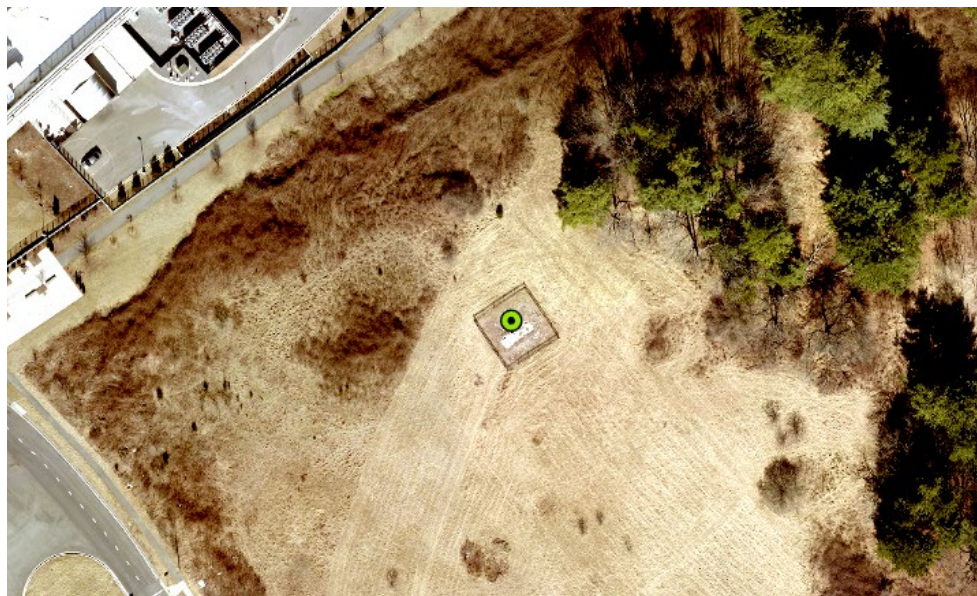


Figure 1: The Zachariah Waters Family Burying Ground is located on the northern side of Century Boulevard.

BACKGROUND

The burial ground associated with the family and descendants of Zachariah Waters (1748-1825) is at the north end of the Poplar Grove development project which was brought forward in the past under a development group known as Symmetry, now known as Dream Finders Homes, LLC. The cemetery is listed on the Montgomery County Burial Sites Inventory, but not on the Master Plan for Historic Preservation or the Locational Atlas. The Waters family were a prominent landowning family in Germantown from the 18th through 19th centuries. Zachariah Waters' farm had more than 500 acres and was called Poplar Spring. The farm remained in the Waters family until 1943.

There are 5 marked burials within the presently fenced cemetery on property owned by the applicant. The five surviving headstones date from 1824 to 1864 and include the graves of Zachariah Waters, Anna Waters, Baker Waters, Courtney Waters and Tilghman Waters. In addition to the Waters family burials, there was a burial ground for enslaved persons that historical research and volunteer survey places approximately one quarter mile south of the fenced cemetery and outside of the Symmetry property.

Additional possible graves were found outside the property in the proposed right-of-way for Dorsey Mill Road by archaeological investigations conducted in 2018 on behalf of Montgomery County Department of Transportation as part of the reviews for proposed road construction (*Figure 2*). The HPC's comments in 2019 included making provisions for the possible relocation of any remains exhumed from the County right-of-way to the Waters Cemetery.



Figure 2: Red circles indicate areas where archaeologists found evidence of graves in County right-of-way. Current property lines are white. The red dot indicates the Waters Burying Ground.

Staff separately worked with the applicant in 2018 and 2019 to identify the boundaries of the Waters cemetery and inventory surviving cemetery features as required by Montgomery County Code Section

50.4. Archaeological survey and testing included ground penetrating radar followed by shallow excavation to explore radar reflections and to verify that no evidence of graves exists outside the fenced area of the cemetery. This work has been completed; five graves were noted within the fenced area and no additional graves were found in the project area.

The applicant presented their cemetery preservation plan to the HPC on April 10, 2019 in advance of the Preliminary Plan going to the Planning Board, and the HPC gave the following comments at that time:

“The HPC is generally supportive of the current approach and plans to add a park, and offers the following comments for Planning Board consideration of the Poplar Grove preliminary and site plans:

1. The markers need to provide a map showing the relationship of the cemetery to nearby related historic sites (mill, house, etc.) along with more history of Zachariah Waters, especially his Revolutionary War service. The park should put the development in historical context.
2. The applicant should continue to cooperate with Historic Preservation staff and the Germantown Historical Society (which can provide appropriate documentation for map and history).
3. The applicant needs to create a detailed first phase maintenance plan in addition to later detailed plans for maintenance of cemetery and related park.
4. The first phase of the proposed Waters Cemetery park development should include interpretive signage and visitor benches at a minimum.
5. Development plans need to include possibility of interment of skeletal remains from the MCDOT highway project.
6. Development plans should account for the possibility of other skeletal remains uncovered elsewhere on this large site—will they remain in place? Be interred in the Waters cemetery? Elsewhere? (The family has been accounted for—what about the 22 people held in slavery?)
7. What is the relationship between the nearby office buildings and the cemetery/park site?”

The Planning Board adopted the HPC’s recommendations and incorporated them into the Preliminary Plan approval conditions on October 3, 2019.

The Planning Board approved an amendment to the Poplar Grove Preliminary Plan (120190040) on June 1, 2023 with the condition that the applicant prepare an interim cemetery maintenance plan. In November 2023, the applicant developed a plan to meet this condition. It includes the following items:

- a) Ground cover in the form of Pennsylvania sedge, or vinca/periwinkle, or similar groundcover, will be planted around each gravestone. This will eliminate the need for mowing near the gravestones and reduce the chances that a gravestone is bumped or damaged by a mower. Alternatively, mulch may be placed around the gravestones, or whatever other means other than hardscape that the Owner/Applicant and the County agree on to buffer the gravestones.
- b) The area within the fence surrounding the cemetery that is not treated with landscaping, if any, will be mowed twice during the growing season (April-October) -- late spring and late summer.
- c) Twice during the growing season (April-October), late spring and late summer, the landscaping within the fenced-in cemetery will be weeded, and any litter in the landscaping disposed of. Any clippings left on the gravestones will be gently hand-brushed off so that the clippings do not attract moisture or begin to grow on the gravestones.



3: Current conditions at the Waters Burying Ground (Image from 2025, Historic Preservation Office).

1. *Figure* The markers need to provide a map showing the relationship of the cemetery to nearby related historic sites (mill, house, etc.) along with more history of Zachariah Waters, especially his Revolutionary War service. The park should put the development in historical context.
2. The applicant should continue to cooperate with Historic Preservation staff and the Germantown Historical Society (which can provide appropriate documentation for map and history).
3. The applicant needs to create a detailed first phase maintenance plan in addition to later detailed plans for maintenance of cemetery and related park.
4. The first phase of the proposed Waters Cemetery park development should include interpretive signage and visitor benches at a minimum.
5. Development plans need to include possibility of interment of skeletal remains from the MCDOT highway project.
6. Development plans should account for the possibility of other skeletal remains uncovered elsewhere on this large site—will they remain in place? Be interred in the Waters cemetery? Elsewhere? (The family has been accounted for—what about the 22 people held in slavery?)

PROPOSAL

The applicant is revising the 2019 preliminary plan proposal and will be taking the revised application to the Planning Board for approval. The new proposal will subdivide the parcel containing the Waters Cemetery, develop a memorial park associated with it, and develop the surrounding area.

The applicant has substantially redesigned the overall development project since 2019. The size of the cemetery parcel has been reduced and the configuration of the proposed Waters Memorial Park and surrounding built environment have been reconfigured.

APPLICABLE GUIDELINES

Proposed subdivisions to parcels including a site listed on the Montgomery County Burial Sites Inventory are reviewed under *Montgomery County Code Section 50.4* and the *Historic Resources Preservation Ordinance, Section 24A-5*.

Montgomery County Code; Section 50.4:

1. When a proposed preliminary plan includes a burial site of which the applicant has actual notice or constructive notice or that is identified on the Montgomery County Cemetery Inventory within the site, the applicant must satisfy the following requirements:

- (c) The placement of lot lines must promote long-term maintenance of the burial site and protection of existing elements.
- (d) The burial site must be protected by arrangements sufficient to assure the Planning Board of its future maintenance and preservation, as specified in the Montgomery County Planning Board's guidelines for burial sites.

Montgomery County Code, Chapter 24A-5

The commission has the following powers and duties relevant under Chapter 24A-5:

- (f) To review any legislation and proposals affecting historic preservation, including preparation of master plans, and to make recommendations on such legislation and proposals to appropriate authorities.
- (g) To serve as a clearinghouse for information on historic preservation for county government, individuals, citizens' associations, historic societies and local advisory committees; to provide information and educational materials for the public; and to undertake activities to advance the goals of historic preservation in the county.
- (j) To advise the planning board, in the event of subdivision of land containing an historic resource, on the appurtenances and environmental setting necessary to preserve it.

STAFF DISCUSSION

Proposed Subdivision and Surrounding Residential and Commercial Development

The applicant proposes to subdivide the parcel containing the Waters Burying Ground and develop a walkway called Waters Walk leading to the cemetery as a public amenity. The development plan calls for 4-story residence units to be built along the east side of the Waters Burying Ground and Waters Walk, and a parking lot for associated commercial development on the west side.

County Code Section 50.4 states that "the placement of lot lines must promote long-term maintenance of the burial site and protection of existing elements." The proposed parcel would measure 48 x 56 feet and would include the currently fenced area surrounding the known graves plus a small buffer on all sides. The fenced area measures 40 x 40 feet.

The applicant has shared draft concept plans with Planning Staff since May 2025. Staff raised concerns about the encroachment of the proposed development plan on the space around the cemetery and the desirability of maintaining a visual buffer between the cemetery and surrounding buildings and parking. The applicant responded by pulling proposed houses back from the cemetery on the east side and removing proposed parking spaces adjacent to the cemetery on the west side. Housing on the east side moved back from approximately 18 feet to 22.5 feet from the cemetery fence.

The sense of visual distance between the cemetery and surrounding building plan for a pedestrian is helped by the difference in elevation (the cemetery is higher). The concept plan enhances this sense by creating intermediate spaces between the housing and cemetery fence on the east including a stoop, small yard, walkway, retaining wall and on the west, a cemetery fence shielding the parking lot. Staff supported these adjustments as supportive of maintaining a physical and visual buffer around the cemetery.

In September, the applicant submitted a draft preliminary plan that included lot lines flush with the present cemetery fence on the west side, 10 feet beyond the fence line on the north side, 2 feet on the east side, and approximately 5 feet beyond the fence on the south side (*Figure 4*). Staff recommended expanding the proposed parcel boundaries so that more of the buffer would be included in the cemetery parcel. The applicant responded by expanding the parcel boundary on the east and south sides to 7 feet and proposed pulling the fence back on the west side by two feet (*Figure 5*). The applicant did not adjust the parcel boundary on the west, proposed parking lot side.

Staff supports expanding the parcel boundary to 7 feet beyond the fence on the east and south sides of the cemetery, but remains concerned about the proposed lot lines on the west. Staff recommends expanding the parcel boundary to prevent future encroachment on the space surrounding the cemetery. If this is not possible on the west side, staff recommends an easement to guard against future encroachment. Staff does not support reducing the fenced area of the cemetery.

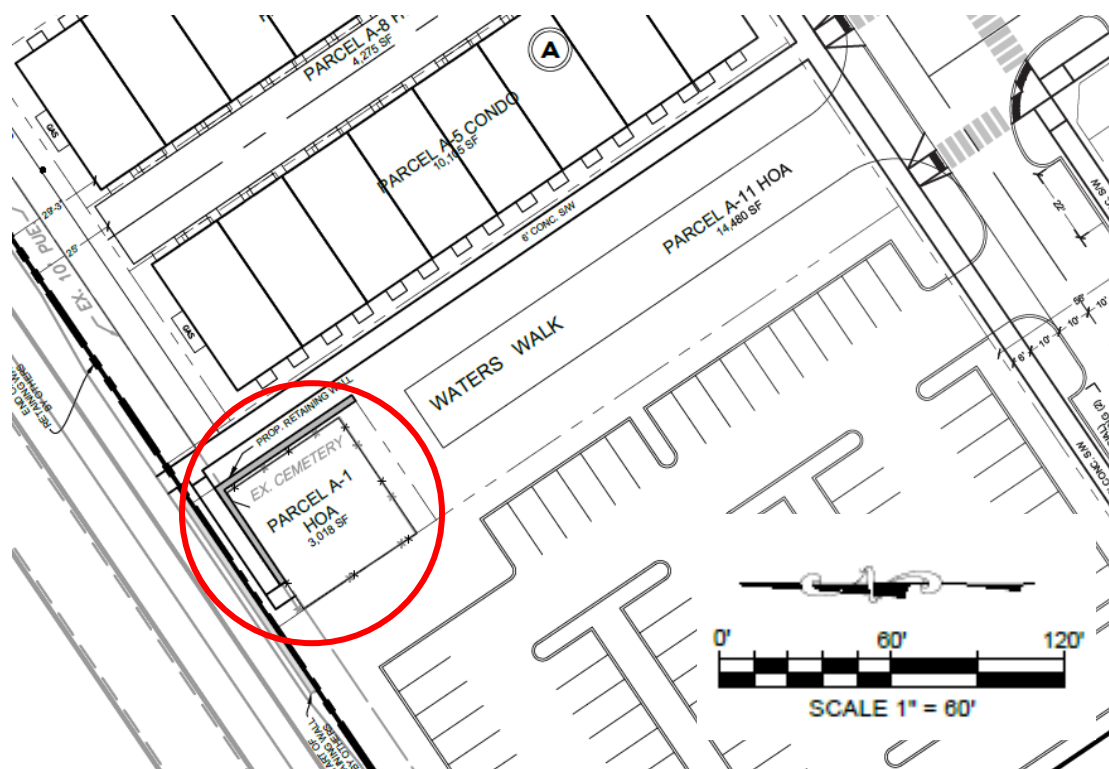


Figure 4: Plan view of proposed parcel boundaries around Waters Burying Ground (in red circle).

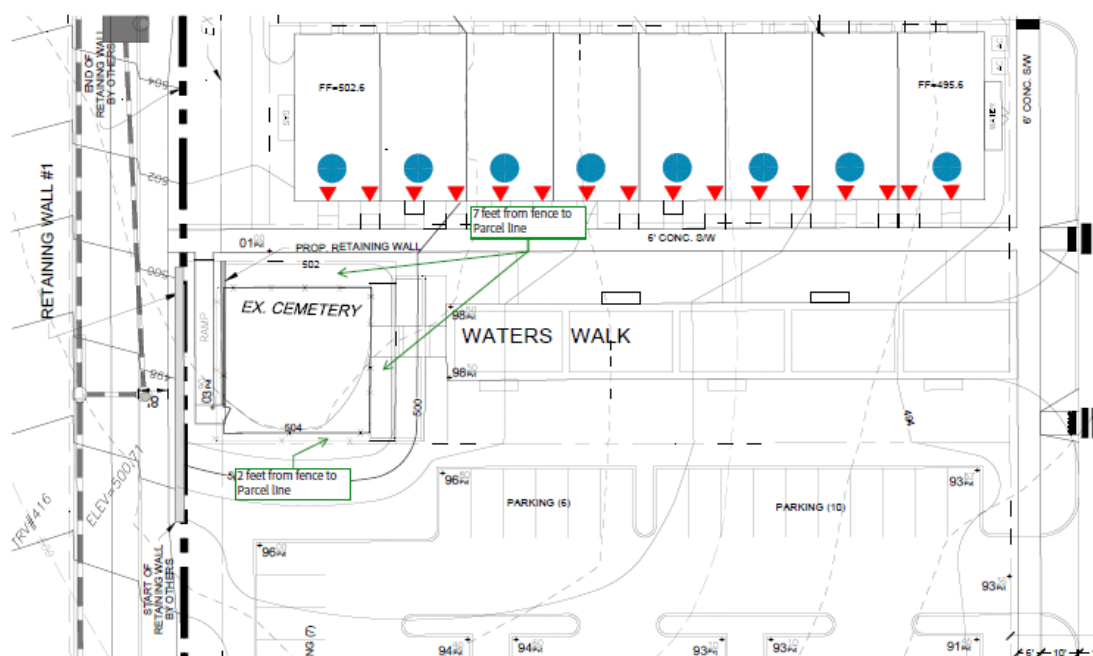


Figure 5: Plan view of November 2025 proposed revised parcel boundaries around Waters Burying Ground extending 7 feet from the cemetery fence on the east and south.

Staff recommends that the HPC reiterate its 2019 recommendations, with the exception of number 7, which references office buildings no longer planned.

Proposed Waters Park

The proposed park includes a paved walkway, shade trees, plantings, interpretive signage, benches, and a fence to screen adjacent parking (*Figures 6-8*). Staff supports this concept. It will facilitate preservation, access and appreciation of the Waters Family Cemetery. It is unclear whether the applicant intends to reset the toppled grave markers within the cemetery: some concept renderings show the markers upright, while others show the markers in their present condition. Staff recommends that the developer have the markers reset by a qualified stone conservator. Staff also recommends that the applicant develop text for proposed interpretive signage in consultation with Historic Preservation staff.

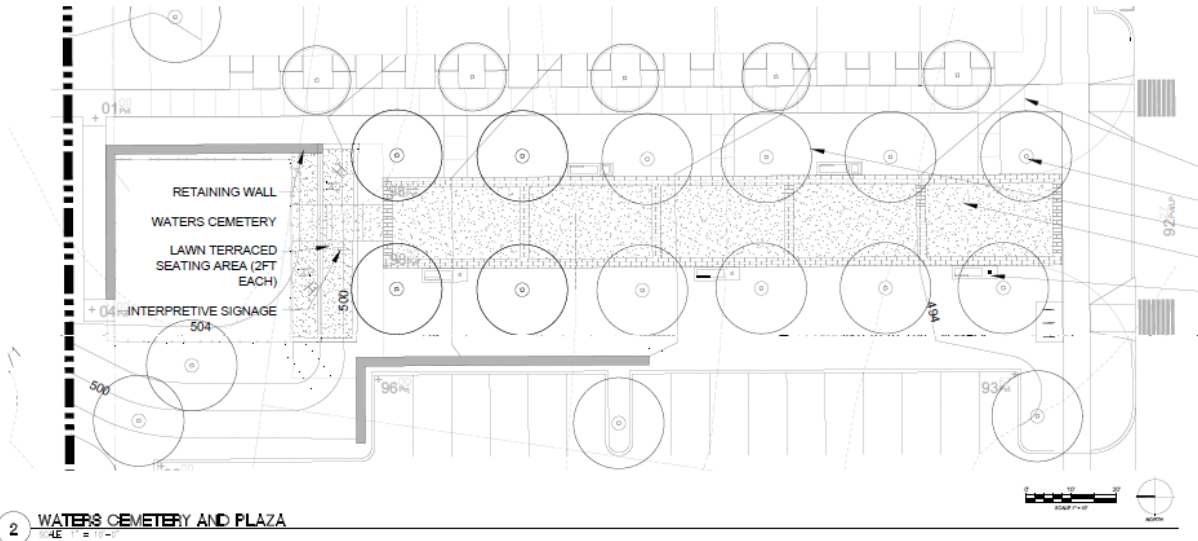


Figure 6: Proposed plantings, retaining walls, pavements in Waters Park.



Figure 7: Aerial rendering of proposed park facing east.



Figure 8: Rendering of proposed park facing north.

Staff requests feedback from the HPC regarding:

- The appropriateness of the proposed lot lines;
- The adequacy of surrounding cemetery buffers;
- The Waters Walk Park design; and
- Additional items for consideration by the Planning Board necessary for the preservation of the cemetery.

STAFF RECOMMENDATION

Staff recommends that the HPC reiterate the following recommendations it made in 2019:

1. The markers need to provide a map showing the relationship of the cemetery to nearby related historic sites (mill, house, etc.) along with more history of Zachariah Waters, especially his Revolutionary War service. The park should put the development in historical context.

2. The applicant should continue to cooperate with Historic Preservation staff and the Germantown Historical Society (which can provide appropriate documentation for map and history).
3. The applicant needs to create a detailed first phase maintenance plan in addition to later detailed plans for maintenance of cemetery and related park.
4. The first phase of the proposed Waters Cemetery park development should include interpretive signage and visitor benches at a minimum.
5. Development plans need to include possibility of interment of skeletal remains from the MCDOT highway project.
6. Development plans should account for the possibility of other skeletal remains uncovered elsewhere on this large site—will they remain in place? Be interred in the Waters cemetery? Elsewhere? (The family has been accounted for—what about the 22 people held in slavery?)

In addition, Staff recommends that the HPC support the concept provided that the buffer on the west side of the cemetery be protected in the future either through expanding the parcel boundaries or establishment of an easement. Staff does not support reducing the fenced area of the cemetery. Staff recommends that the stones be reset by a qualified conservator, and text for interpretive signage be developed in consultation with Historic Preservation staff.

An aerial architectural rendering of a proposed development named Poplar Grove. The rendering shows a large cluster of multi-story residential buildings with gabled roofs, interspersed with numerous trees. The development is situated along a road labeled 'CENTURY BOULEVARD'. To the left, there are several smaller, detached houses. In the bottom left corner, a road is labeled 'KINSTER DRIVE'. In the top left corner, a road is labeled 'FUTURE DORSEY MILL ROAD'. The overall scene is set against a backdrop of green fields and a body of water in the distance.

POPLAR GROVE

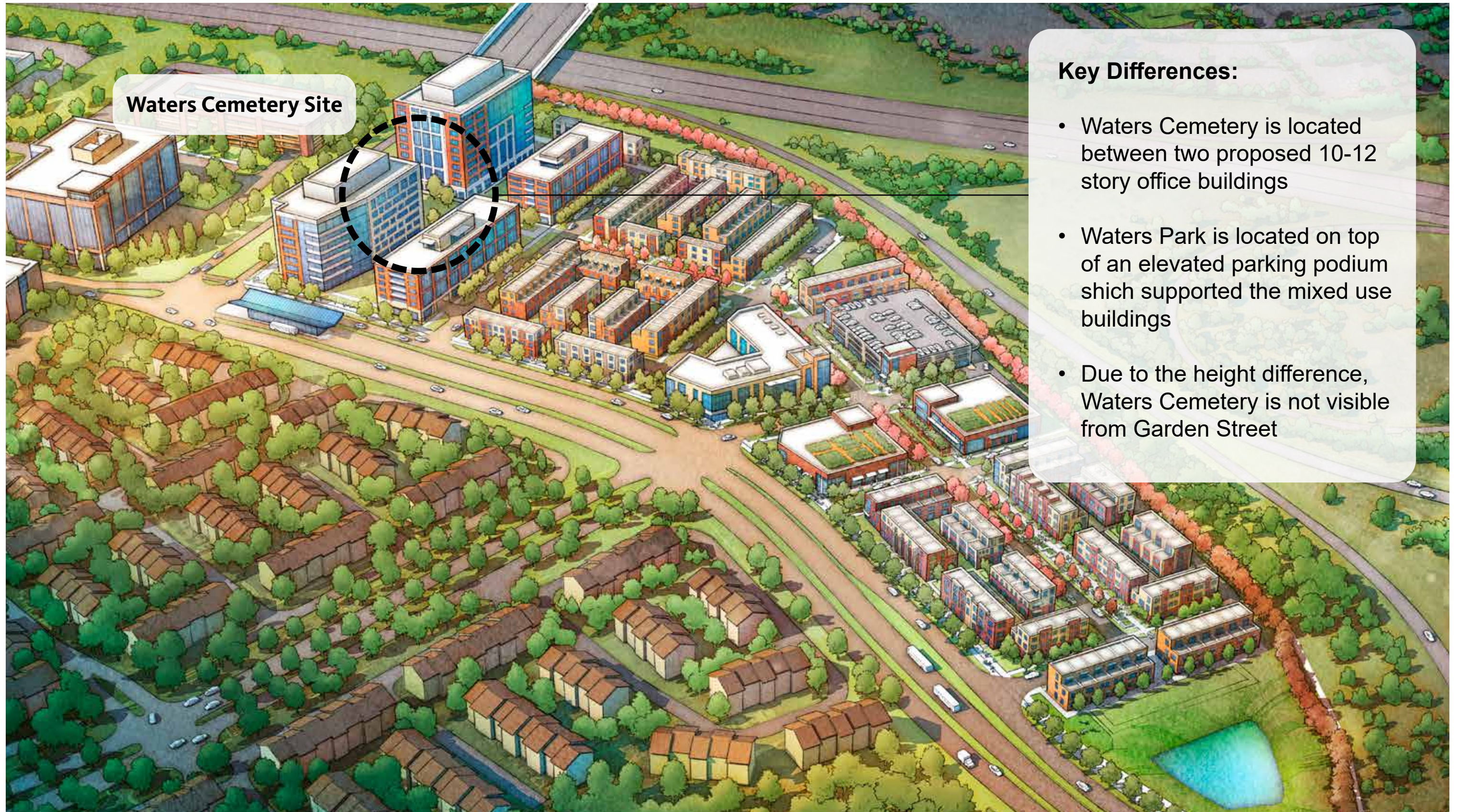
PRESENTATION TO HISTORIC PRESERVATION COMMISSION

DECEMBER 17, 2025

Project Principles

- Honor the **history and agricultural tradition** of the site
- Create a **walkable, connected residential community** with unique amenities
- Tell a story through **thoughtful design and placemaking**

2019 Approved Plan



Waters Cemetery Site

Key Differences:

- Waters Cemetery is located between two proposed 10-12 story office buildings
- Waters Park is located on top of an elevated parking podium which supported the mixed use buildings
- Due to the height difference, Waters Cemetery is not visible from Garden Street

A Framework for Storytelling...



Site Plan - Key Places

Community Gardens + Play Area



Neighborhood Courts (Typical)



Orchard Trail



Community Playground



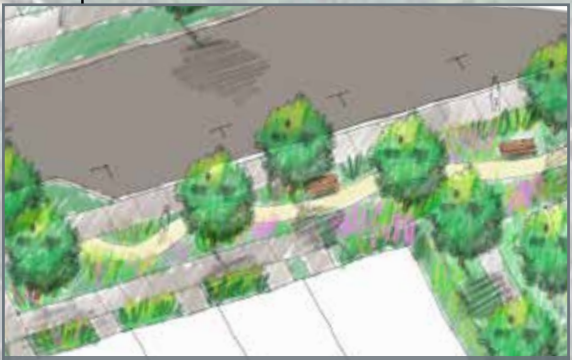
Waters Walk (Historic Cemetery)



The Lawn



Windmill Plaza - Entry Feature



Garden Street

Waters Walk & Cemetery



Waters Walk & Cemetery - Cross Sections



Waters Walk & Cemetery - Cross Sections



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery



Waters Walk & Cemetery

