

Dr. Nicholas Bellicini  
202 Sussex Way  
McMurray, PA 15317

March 16, 2011

Peters Township Zoning Board  
610 East McMurray Road  
McMurray, PA 15317

RE: Request to oppose zoning ordinance amendment to allow crematories in funeral homes in the C-1 and C-2 commercial zoning districts

Zoning Board and Planning Commission:

In regards to a legal notice I received, I would like to put on record, I strongly oppose any request to put a crematory in the C-1 and C-2 zoning on the route 19 corridor or Peters Township in general.

Zoning is designed to segregate uses that are thought to be incompatible, and preserve the "character" of a community.

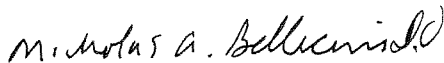
As a physician and soon to be first time father (my wife is finishing her 1<sup>st</sup> trimester), I am deeply concerned about air emissions particularly the "mercury vapor" debate. Mercury is a known mutagen and teratogen in humans. Mercury has a cumulative effect in the human body. Data has indicated increased miscarriage rates in women who live near crematoriums. The debate can truly never be answered scientifically unless randomized, controlled prospective studies are done on pregnant women and children which are obviously unethical and will never be performed.

In medical decision stratification benefits must outweigh potential risks. Thus, one must error on the side of caution when it comes to a community's health.

Health must come before wealth and our community will remain prosperous and happy. Recent events clearly indicate that the community is unhappy about the proposed crematorium. Legal actions have been taken against townships that have made poor decisions regarding crematoriums.

One stop funeral home/cremation benefit should not outweigh even a rare potential community health risk. The financial benefit of one mortician should not trump community health or the negative effects it may have on the entire community's property value.

Thank you for your consideration on this matter,



Nicholas Bellicini, D.O.  
Board Certified in Internal Medicine and Gastroenterology

March 14, 2011

Mr. Ed Zuk, Planning Administrator  
Peters Township  
610 East McMurray Road  
McMurray, PA 15317

Dear Ed:

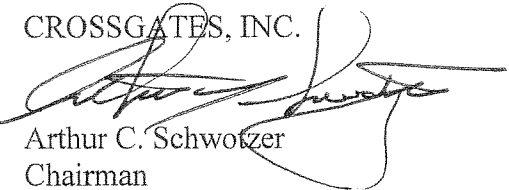
It has come to my attention that the purchaser of the building known as Lazy Boy Furniture on Route 19 in Peters Twp. intends to install a crematorium within the confines of the building.

I own the Sears building that is adjacent to the north of the Lazy Boy building and strongly object to the planned crematorium. From my information gathered over the last week, the objections to this development centers around the emissions that have been brought to my attention and these emissions, specifically heat, odors and mercury from the crematory furnace could have a severe adverse impact on my property and future tenants, especially those that deal in the preparation and sale of foods. These emissions could also dramatically affect our residential housing development behind the Lazy Boy property.

I urge you, council and other township entities to resist and vote against any approval for a crematorium on the Lazy Boy property.

Sincerely,

CROSSGATES, INC.



Arthur C. Schwotzer  
Chairman

/cd

c: Brian Peck, Esquire

NED and CAROLE GENSLER

March 12, 2011

Peters Township Planning Commission  
610 East McMurray Road  
McMurray, PA 15317-3496

Gentlemen,

RE: Request to Oppose the Crematory Variance

We received the attached legal notice and would like to put on record that we strongly oppose the request for a variance to allow a crematory in C-1, C-2 zoning along the route 19 corridor.

We understand that our home is close to the commercial properties on route 19. We knew that the property might be developed differently from what it was when we built our home. But, we never expected a business that has factory like emissions to want locate in our area.

Shops and Offices are one thing, but crematory emissions will be damaging to our health. Our home sits above the proposed location and the air flows toward us. The emissions will literally be in our face. It will also destroy the value of our home, our nest egg. We thought that zoning is established to prevent such things. The Peters Commercial Zone should not allow a crematory. This is a highly concentrated residential area, not a mill town.

We can't believe people could be so selfish and self centered that they would endanger the health of the neighborhood and lower the property values of so many residents.

We are proud to live in this community and we have been satisfied with the way our elected officials guide it. Please don't let these bullies win. There must be other, more appropriate, places Peters can offer, so they have no come back.

Please say no to their request for a zoning variance.

Yours truly,



Ned A. and Carole R. Gensler

200 Sussex Way

McMurray, PA 15317

Phone: 724-942-1162

Fax: 412-922-1108

Email: ned@caldwellsw.com

Zuk, Edward J.

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**From:** Samuel Hazo [samuelhazo@gmail.com]  
**Sent:** Monday, March 07, 2011 3:06 PM  
**To:** Zuk, Edward J.  
**Cc:** j.kouts@verizon.net; edwinwright89@yahoo.com  
**Subject:** Request regarding March 10th Planning meeting

**Importance:** High

Dear Mr. Zuk,

Thank you for taking the time to meet with me for the better part of an hour this afternoon. You are so busy, that to give me such a large part of your day did not go unnoticed or unappreciated.

Most of all, I certainly hope that you realize the enormity and scope of the residents and business owners who have condemned the slander directed toward you, Chairman Mills and Manager Silvestri. Please get some sleep and share these sentiments with your wife and son.

The purpose of this email is to **formally request that the Hidden Valley Homeowners' Association be placed ON THE AGENDA for the March 10<sup>th</sup> Planning Commission Meeting to present our stance in the crematorium debate. You have my word and promise that, in doing so, we will commence the discussion in a civil, factual and intellectual tone. We need to present in a segment separate from the open mic segment, so that attendees and officials make NO PERCEIVED ASSOCIATION between us and those who might use unethical tactics during their open mic time.**

If you would be so kind as to honor our request, it would mean a great deal to our HOA and, personally, to me. Please apprise me of your, and Mr. Mills', decision on this once you have made it.

Gratefully, for your years of quality service to the Peters community...

Samuel Hazo, President  
Estates of Hidden Valley Homeowners' Association

*...we unequivocally do not condone the most recent personal attacks on Peters Township's elected and appointed officials that PTRACO has posted on its website.*

Dear Peters Township Residents,

This email speaks on behalf of myself (Samuel Hazo, President of the Hidden Valley Homeowners' Association) and the Beinhauer family of Beinhauer Family Funeral Homes. If you attended, or viewed on television, the fall meeting at which we spoke against the crematory, then you are already familiar with us.

If you are on this e-mail list, you have been receiving emails from me for the past 5 months updating you on the status of the proposed crematory in Peters Township. Recently, the cause opposing the crematory has taken a strong upsurge due to those who have organized under the pseudonym PTRACO. (Peters Township Residents Against Crematory Ordinance) Perhaps you have received a flyer from them or been directed to their website as they have been very proactive in their efforts.

While we (The Beinhauers and I) share their goal of blocking the crematorium, I must state that **we unequivocally do not condone the most recent personal attacks on Peters Township's elected and appointed officials that PTRACO has posted on its website.** In fact, we feel that personally attacking the very people we must persuade is an *ad hominem* strategy, and one which is usually the last resort of a weakened cause.

While PTRACO most likely believes such a tactic to be aggressive and intimidating, we (who are no less serious than anyone in this fight) believe it to be maligning, capable of stirring superfluous emotion and clouding the intellect behind an extremely strong argument the Beinhauers and I have worked tirelessly in formulating, and will unveil at the March 10<sup>th</sup> Planning Commission meeting.

Hence, this has now caused a philosophical split in the approach. As ever, you have the absolute right to follow either of the two factions that oppose the crematory ordinance. At the end of the day, we both hope for the same outcome. However, with this recent and most polar difference in tactics, I felt the need to communicate the Beinhauer's and my personal ethics in this effort.

Gratefully,  
Samuel Hazo, President, Hidden Valley Homeowners' Association  
&  
The Beinhauer Family Funeral Homes

Zuk, Edward J.

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**From:** McLaughlin Builders [joemclaughlin1956@comcast.net]  
**Sent:** Sunday, March 06, 2011 11:20 AM  
**To:** Zuk, Edward J.  
**Subject:** Crematory

Mr. Ed Zuk

I am writing this to you because I am concerned about the very vocal minority that is in opposition to the proposed crematory on rt.19.

As a property owner on that corridor I am thrilled to see another business open up, and also being a lifelong resident of this township

it will be nice to have a choice between two establishments, A little competition is great for all of us.

I also am aware of the very personal attacks this group has made on just about every board member and the entire pt staff.

Totally uncalled for and i want to thank everyone at the twp for dealing with this, I am for this new business and will hope you will pass this on to

the planning commission and zoning hearing board before they meet on this topic.

Thanks

Joe McLaughlin

Zuk, Edward J.

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**From:** Kimberly Brenneman [kbrenneman83@gmail.com]  
**Sent:** Saturday, March 05, 2011 8:39 PM  
**To:** Zuk, Edward J.  
**Subject:** Crematory at 3287 Washington Rd.

Mr. Zuk,

I am deeply concerned about the request by Audia Group Investments LLC for a Special Exception on a "Use Not Provided For" for a funeral home with crematory at 3287 Washington Rd. With all the documented evidence of the emanate danger to the children of Peters Township with an active crematory, I am adamantly against this request being granted. I ask that you vote against this request at March 10th meeting.

Our young family will move away from Peters Township immediately, if this request is granted. My children's health and safety is too important to me to stay here with an active crematory.

Sincerely,

Kimberly Brenneman

105 Julrich Dr.

McMurray, PA 15317

March 4, 2011

Planning Commission Members:

Thank you for this opportunity to share my beliefs on the proposed changes to accommodate a crematorium facility at the old Lazy Boy store location. By now you will have undoubtedly heard from impassioned residents opposed to the idea of granting this request. I simply ask that you fulfill your fiduciary duty and act in the best interest of this community and represent us in a fair manner. It is my belief that a decision to make an accommodation for such a facility will have negative health consequence on the local residents, decrease the home values in the surrounding areas, and tarnish your hardworking legacy that you have worked to achieve during your tenure on the council.

With respect to health concerns, there is documented proof that airborne mercury poses a health hazard to those it comes in contact with. The breaking of a single energy efficient light bulb in your home is actually harmful if not disposed of in a proper manner due to its contained mercury. The proponents of this facility will argue that there is no definitive proof that the mercury emissions spewed from a crematorium has been linked to negative health consequences. This reminds me of the cigarette industry claiming over 40 years ago that there is no link between smoking and cancer. Sadly, that false assumption cost countless lives and tarnished an entire industry. It is murky at best to suggest there is no link between crematorium emissions and health hazards. Given that this is an unregulated industry we have no assurance that even basic health considerations will be made for safety. A well respected crematorium operator testified at the last hearing meeting that if power is cut off from the burner, an incinerated body continues to burn for several hours even without air filtration. A committee member of this council has been quoted as saying that putting a crematorium at the proposed location is no different than granting an accommodation for a Burger King restaurant. That statement is both misguided and negligent. Restaurants have health and safety codes to be adhered to and in most cases accommodations have not been made to re-zone for such construction. I put as much solace in that statement of comparison as I do if a man in a dark suit came to my front door and said, "I'm from the government, and I'm here to help." A strict air quality permit to construct (PTC) should be created and enforced in this township to maintain the health of the environment for the residences.

One point that is beyond dispute is that the property values of homes surrounding the proposed facility will plummet. The home value of nearly 1000 homes in a .5 mile radius will be forever devalued (as much as 35%); not from a natural disaster or act of God, but from the negligent accommodation for an unregulated industry. If this proposal passes, I will be the first of hundreds of homeowners demanding a reassessment of property because of my home's immediate devaluations. The ripple effect of this devaluation will translate to reduction in property tax revenue for the township. Home values have already been reduced as a result of a poor economy. A crematorium facility at this location will only compound the problem. Long ago, Pittsburgh initiated a renaissance to change its perception and leave behind the conjured image of smoke stacks and ash. Any affirmative decision in this zoning request would be a step backwards.

Finally, I ask that you consider your own legacy in the context of this matter. My mother taught me as a youth that when you leave something behind (toys, job or community) leave it the same or better. Years from now when you walk with your grandchildren on the Montour Trail will you tell them that you did your best to preserve its serenity and beauty, or that you were a voting member of the council that began the proverbial 'slippery slope' of zoning accommodations. Realistically speaking, where one accommodation is made another will follow. This community stands on the precipice of accommodating several other crematoriums and worse yet, other even less desirable businesses (like adult book stores, waste facilities and strip clubs). Other communities like Upper Saint Clair have been faced with making similar accommodations for crematoriums. They met this task head on and enforced strict regulations, which to my knowledge has resulted in not a single crematorium being erected in our adjacent township. Were they worried of a lawsuit, perhaps, as no township wants to bogged down in litigation. But, sometimes doing the right thing is hard, and those council members did just that.

There is a simple answer to this dilemma. Do unto others, as you would have others do unto you. Not one member of this council will be affected by a decision made at his or her own hand in this matter. Why then should my community and others pay this unfair burden? While I understand that you may not restrict building permits for any legitimate business, you may dictate location, health regulations, and consider impact on the surrounding communities. You certainly are under no legal obligation to change zoning

for such a request. I ask that you employ common sense, fairness, and yes, bravery in your decision process. Every decision this council makes should be made under the guise of preserving the integrity of Peters Township. Will you honor that code, or will your legacy be one of ashes?

Thank you for your time and consideration.

Respectfully,

Rob Ambrosini  
234 Molly Drive  
McMurray, PA 15317



Dear Members of the Planning Commission,

What has happened to Peters Township lately?

How can it be that a crematorium is being considered in a heavily populated area of Peters Township when the economic and health risks are so great to our community?

Why is the crematorium business pressuring our township to change the current ordinances and zoning laws to suit their needs instead of respecting the laws that are already in place for our protection?

It seems ludicrous that a single business owner can ruin the lives of thousands of people by decreasing our home values and decreasing our air quality due to the mercury vapors emitted from crematoriums.

It isn't hard to find facts on the dangers of Mercury. Mercury is the most toxic substance on the US Dept. of Health and Human Services list of hazardous substances. Even in minute amounts, Mercury is extremely toxic.

Why on earth would we welcome a business that openly emits Mercury into the air of a heavily populated area of Peters Township?

Isn't your job as members of the board to protect us and to represent us? Keep the laws in place that protect us!

I used to think of Peters Township as having all the same advantages of Upper St. Clair (beautiful neighborhoods, excellent schools, attractive nature trails, parks, convenient shopping, etc.) without the higher Allegheny County taxes! That's why we moved here. A crematorium business will ruin all of it! With toxic mercury vapors that are proven to pass into the blood brain barrier and cause life threatening illnesses, no one will want to come anywhere near a crematorium - let alone to eat, work, play, shop and live in Peters Township, a crematorium friendly neighborhood.

Obviously, other townships (like Upper St. Clair, Bethel Park, and Mt. Lebanon) have found ways to stop crematoriums from coming into their towns. Why hasn't Peters Township proposed such rules and regulations on crematoriums like the other townships?

What courses of action have you taken to protect us since Ms. Belusko first approached you with her proposal for her crematorium? I understand this is not the first time she has tried to put a crematorium in our area so you must have had time to plan for responsible course of action on our behalf. What steps have you taken?

Have you considered hiring an independent firm to conduct studies on the economical and environmental impact of a crematorium on a community such as Peters?

I assume that our taxpayer dollars over the years have been reserved for such a time as this: should the township be

sued I assume we have reserves and legal protection in place to combat this situation head on.

Many other crematory companies are watching and waiting to see what happens at the upcoming March meetings. If Belusko is allowed to build her crematory business in Peters Township, then other crematory businesses will also come – emitting more toxic mercury vapors into the air and decreasing further the beauty and desirability of Peters Township as a whole.

Please do your jobs to represent our interests and protect our community from harmful mercury vapors and decreasing home values as a result of the proposed crematorium.

Thank you so very much.

Sincerely,

Susan J. Ambrosini  
234 Molly Drive  
McMurray, PA 15317



March 3, 2011

Dear Peters Township Official,

As a concerned Peters Township (PT) resident, it is with extreme concern that I write this letter to you regarding the proposed crematory to be located in Peters Township. I have outlined concerns on the first page and have detailed information to follow. In addition I have included several scientific documents for your review. I urge you to read these documents and give them serious consideration prior to making any decision about the crematorium as a crematorium has environmental and health risks as well as a negative effect on property values. You need to represent the best interests of Peter Township as you bear the ultimate responsibility for the safety and well being of the residents of Peters Township.

Please consider the following key points:

- 1) Based on data from Cremation Association of North America (CANA), the demands for cremation are projected to rise such that nearly half of all Americans will choose cremation.
- 2) No federal, state, or local regulations or ordinances exist to effectively control the pollutants from crematories.
- 3) According to "Dust in the Wind? The Bell Tolls for Crematory Mercury" published in 2010, it is documented that cremation is a significant source of mercury emissions. According to the US EPA website, mercury is a neurotoxin known to cause serious damage to the brain, kidney, and lungs.
- 4) A Penn State study determined that property values decrease within the vicinity of crematoriums. A conservative estimate of roughly \$5 million would be lost tax revenue to the township due to declining property values of approximately 411 homes within 0.5 mile radius of the crematory.
- 5) To amend the zoning ordinance or grant a variance or special exemption to allow the proposed crematory is contrary to the premises of the current zoning ordinances.

Due to these significant risks to the community, PT should consider the following:

- 1) Independently investigate the concerns set forth in this letter by utilizing field experts.
- 2) Independently investigate the crematory's claims as well as the claims from the manufacturer of the proposed equipment.
- 3) Investigate other townships' ordinances (definitions, regulations, and other quality control measures) to control avoidable pollutants related to crematories.
- 4) Enact a moratorium if PT is actively investigating the concerns associated with crematories or enact strict ordinances (ie. Air quality, etc.) to protect its residents.

Bottom Line:

There are significant and legitimate concerns that the proposed crematory will pollute the environment, lower property values, and affect the health of nearby residents. A crematorium is incompatible land use more appropriately located in a less populated area away from homes and children (at least a mile radius). I am not willing to wait for the industry and regulations to catch up with what science has already proven as my home and family's health are at risk. When purchasing our home, we relied on the current zoning regulations and oppose any variance or rezoning to allow for a crematorium. It is a constitutional right to "enjoy and profit" from one's property as no property owner has the right to make one's land less valuable or hinder one's constitutional right to enjoy it.

It is expected that as PT council members and fellow residents you represent the best interests of PT.

Sincerely,



Cheryl Ferris, PhD

March 2, 2011

Members of the Zoning Board:

I write to provide my comments regarding the request by Audia Group Investments to permit crematories in funeral homes within the C-1 and C-2 districts. Let me indicate at the outset that the Zoning as currently written is sound land use planning by **not** allowing a crematorium in any district whether residential or commercial. The installation of a crematorium would frustrate the fundamental purpose of municipal zoning, namely, the separation of incompatible uses of land.

The notion of residing or operating a business in the vicinity of a crematorium is an unpleasant one for many people. Important as such facilities may be, they are simply distasteful to homeowners and if one is constructed nearby – even in a commercial zone—property owners experience substantial impairment in the enjoyment of their property. It leads to a loss in property values which would be detrimental to both the owner and the municipality and, without question, make it more difficult for an owner to sell or rent the property.

Moreover, the introduction of a crematorium whether in a commercial or residential zone, inserts a long term source of potentially dangerous toxins into the surrounding area. These include pollutants such as, particulates, carbon monoxide, various dioxins, nitrogen oxide, carbon dioxide, and heavy metals including mercury.

In that regard, Crematoria are a significant source of mercury emissions. Most studies estimate that the average body cremated today releases two (2) to three (3) grams of mercury mostly from silver amalgam tooth fillings. While this may decrease over the long term given the use of newer dental technology, over the next few decades at least, this type of mercury emissions are expected to **increase** since many now living still have amalgam fillings and when they die, a

higher percentage of this population are expected to choose cremation. Moreover, existing studies have not established the safety of these emissions for humans nearby. Given the nature of this toxin, and the lack of absolute proof of safety in the vicinity of an operating crematory that these emissions would pose no health risk at all to this community, it would be unwise to permit the introduction into this Township of a long term source of vaporized mercury.

In that connection, the Federal EPA states that "elemental mercury primarily causes health effects when it is breathed as a vapor where it can be absorbed through the lungs" Further, The US Center for Disease Control indicates: "Mercury vapors are more harmful than other forms because more mercury in <this> form reaches the brain. Exposure to mercury vapors can cause permanent damage to the brain, kidneys, and a developing fetus"

Regardless of a crematorium's location, whether in a commercial or residential setting, this facility will emit toxins in the air that will affect all of us. I can't help but mentioning that the nearby shopping center will house a major health facility designed to promote the health and wellbeing of the community yet, you are considering an action to introduce into this Township a facility that may generate toxic vapors that will pose a significant health threat to the Township.

In addition to toxins, there is also a problem of odor and smoke. In some locations in other states where there is a crematorium, smoke and odors have reached a point where local officials are inundated with residents who complain about smelling "foul odors" and related smoke problems. In such locations, the smoke and odors of a nearby crematorium have caused residents to move away to escape the foul smell that can quickly destroy the quality of life for residents and business owners alike.

Our residents and commercial establishments alike maintain a reasonable expectation that this Township will establish and preserve zoning that keeps the air that our residents and children breathe as clean as possible by not introducing a facility that will largely impair the enjoyment and value of their property. Do you think that property owners will want to have their children outdoors enjoying a beautiful summer day or customers having lunch outdoors by one of the luncheon

facilities in the nearby shopping center with a crematorium nearby billowing smoke, foul odors and toxic vapors? I think not ----Knowingly placing a source of toxins and other injurious vapors in this community is an imprudent and inadvisable risk to all those who live and work in Peters Township. I believe, therefore, that the existing zoning should stand as is and for all of the reasons previously described, the applicant's petition should be denied.

Sincerely,

  
Robert C. Ambrosini

  
Susan L. Ambrosini

212 Prestonwood Lane, McMurray, PA 15317



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Greensburg District Mining Office

March 1, 2011

Mr. Jeff Ross  
450 Racetrack Road  
Washington PA 15301

Dear Mr. Ross:

A review of the citizen complaint database in the Southwest Region has produced one crematory complaint in the last three years while the number of permitted crematories has risen significantly.

These facilities do require DEP permits and they are routinely inspected by Air Quality Specialists.

Respectfully,

A handwritten signature in black ink that reads "Dan Haney".

Dan Haney  
Operations Chief  
Air Quality Program