



October 8, 2024

## **MEMORANDUM**

**TO:** Historic Preservation Commission

**VIA:** Thomas Gross, Supervisor, Historic Preservation Section **TWG**,  
Kacy Rohn, HPC Liaison, Historic Preservation Section, **KRR**

**FROM:** Amelia Chisholm, Archeology Planner II, Historic Preservation Section **AGC**

**SUBJECT:** **Change of Environmental Setting, Marietta & Duvall Family Cemetery (70-020)**  
5626 Bell Station Road, Glenn Dale, MD 20769

## **BACKGROUND**

The Maryland-National Capital Park and Planning Commission (M-NCPPC) Department of Parks and Recreation (DPR), the property owner, has requested a Change of Environmental Setting for the Marietta & Duvall Family Cemetery Historic Site (70-020). The application is dated September 19, 2024, and was received on September 27, 2024. The Marietta & Duvall Family Cemetery Historic Site occupies a 23.68-acre parcel located in the southwest quadrant of Bell Station Road and Glenn Dale Boulevard (MD Route 193). The current Environmental Setting consists of the entire 23.68-acre parcel and was established in 1981 at the time of the first Prince George's County *Historic Sites and Districts Plan*. The property is zoned Reserved Open Space (ROS) and comprises all of Parcel 144 (Tax Map 45, Grid E2). The applicant has requested that the Environmental Setting be increased to include the adjacent parcel, Parcel C (Tax Map 45, Grid E3), zoned Residential, Rural (RR), which contains 0.162 acres and was acquired by deed by M-NCPPC on June 17, 2009.

The applicant has submitted a Statement of Justification (attached) that provides a basis for their request.

## **FINDINGS**

1. The definition of Environmental Setting is found in Section 29-102:
  - a. *Appurtenances and Environmental Setting: The entire parcel of land, within those boundaries existing as of the date the historic resource is delineated on the master plan for historic preservation, and structures thereon, on which is located a historic resource, unless otherwise specified on such master plan, or unless reduced by the Commission, and to which it relates physically and/or visually, as determined by the Commission. Appurtenances and environmental settings shall include, but need not be limited to, walkways and driveways (whether paved or unpaved), vegetation (including trees, gardens, and lawns), rocks, pasture, cropland, and waterways.*
2. Benjamin Duval purchased 150 acres, originally part of "Darnall's Grove," in 1752. Marietta, constructed circa 1813 by Benjamin's son, Gabriel Duvall, and expanded circa 1833, is a two-and-a-half story, Federal-style brick plantation house with two extant historic outbuildings, a root cellar/harness room and a unique one-and-a-half story detached law office. The house is an important example in Prince George's County of a late Federal-style brick house. While it is

moderate in size and restrained in its decorative elements, it provides a visible example of the traditional I-house form in the Federal style.

3. Gabriel Duvall was a prominent lawyer who served as a Maryland legislator, U.S. Congressman, U.S. Comptroller, and U.S. Supreme Court Justice. As an attorney, Duvall worked on behalf of over 120 enslaved men, women, and children who sued in court for their freedom, and he successfully won nearly 75 percent of the freedom suits. Nevertheless, the Duvall family enslaved between nine and 40 people each year between 1783 and 1864 and Gabriel Duvall himself worked to fight against petitions of freedom filed by Thomas and Sarah Butler and their family, whom he enslaved at Marietta. Gabriel Duvall retired to Marietta, where he died in 1844. The property was the residence of Duvall's heirs until 1902. The site also includes the graves of several Duvall family members, which had been moved to Marietta from the nearby Duvall Family Cemetery.
4. Marietta and Duvall Family Cemetery was designated as a Historic Site by the Prince George's County Council in 1981. The current 23.68-acre Environmental Setting was established at that time. Marietta was listed on the National Register of Historic Places in 1994; under Criterion B, as the home of Gabriel Duvall, one of Prince George's County's most prominent citizens, and Criterion C, as an important example of a late Federal-style brick house in the traditional I-house form.
5. The applicant has requested that the Environmental Setting of Marietta and Duvall Family Cemetery Historic Site be revised to include Parcel C, a 10-foot-wide strip of land that runs along the southern boundary of the Marietta property (attached). The applicant's Statement of Justification requests that Parcel C be included in the Environmental Setting because the parcel abuts the existing Environmental Setting and because, pursuant to a condition of approval for a prior subdivision application affecting the adjacent property, Parcel C was conveyed to M-NCPPC in 2009 to partially fulfill the landscape buffer requirement between Marietta and the developing property.
6. Parcel C was not historically part of the Marietta property owned by Gabriel Duvall and his heirs. Instead, it was part of the 211-acre tract that was purchased by Thomas Baldwin and subsequently inherited by Baldwin's grandson, Thomas Magruder, in 1804. This property remained in Magruder family ownership until 1946, when Arthur H. S. Magruder sold 60 acres to Charles F. and Helen D. McKay. A combination of boundary stones, a fence line, and a ditch have traditionally delineated the boundary between Magruder property and Marietta and are mentioned in deeds for both properties dating back to the nineteenth century.

## CONCLUSIONS

1. An Environmental Setting is the area of land to which a historic building or site relates visually and historically, and which is essential to protect its integrity. The visual and environmental character of an Environmental Setting results from the relationship between the natural and man-made features of the property. The Historic Preservation Commission (HPC) ensures that buildings, structures, and sites of architectural, historical, archeological or cultural value are protected through the determination of an appropriate Environmental Setting.
2. The requested expansion of the Marietta and Duvall Family Cemetery Historic Site Environmental Setting would extend the protections of County Code Subtitle 29 to Parcel C. If

the parcel is made part of the Environmental Setting, the HPC would have authority to review and approve any new construction or alterations, including tree removal, within the parcel.

3. Parcel C was not historically part of the Marietta property owned by the Duvall family, but rather was part of the land owned by the Magruder family from the eighteenth century until 1946. The existing southern boundary of the Environmental Setting is coterminous with the historical boundary between these families' landholdings.

## **RECOMMENDATION**

Staff recommends that the Historic Preservation Commission consider the information presented above and any additional testimony provided by the applicant or other parties and determine whether the requested change to the Environmental Setting of the Marietta and Duvall Family Cemetery Historic Site is appropriate.

### Attachments:

1. Request for Change of Environmental Setting, Marietta and Duvall Family Cemetery Historic Site, September 19, 2024
2. Exhibit, existing Marietta and Duvall Family Cemetery Historic Site Environmental Setting, October 7, 2024
3. Exhibit, close-up of Parcel C for expansion of Marietta and Duvall Family Cemetery Historic Site Environmental Setting, October 7, 2024

copies: (w/o attachment)

Lyndsey Clouatre, Community Planner, Planning Area 70

Applicant/Property Owner:  
M-NCPPC  
c/o Sonja Ewing  
6600 Kenilworth Avenue  
Riverdale, MD 20737



# PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION

County Administration Building • 14741 Governor Oden Bowie Drive, 4th Floor, Upper Marlboro, Maryland 20772

[pgplanning.org/469/Historic-Preservation-Commission.htm](http://pgplanning.org/469/Historic-Preservation-Commission.htm) • 301-952-3680

## HOW TO APPLY FOR A CHANGE TO ENVIRONMENTAL SETTING

An Environmental Setting is defined as the entire parcel of land, within those boundaries existing as of the date the historic resource is delineated on the master plan for historic preservation, and to which it relates physically and/or visually, as determined by the Commission.

**Application Submission:** Application should be submitted to the Historic Preservation office (by e-mail to [historicpreservation@ppd.mncppc.org](mailto:historicpreservation@ppd.mncppc.org), or by mail to Historic Preservation Section, M-NCPPC, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772). The applicant must attach a written statement giving the reason for and specifications of the request.

After the application is accepted as complete, a public hearing before the Historic Preservation Commission (HPC) will be scheduled. The HPC meets on the third Tuesday of each month (except August): **An application must be received at least one month before the date of the scheduled hearing.**

1. **Staff Report:** Preservation staff will visit the property, photograph, gather information and prepare a staff report and recommendation for the property.
2. **HPC Meeting:** During the public hearing, the HPC will review staff recommendations and receive comments from the applicant and other interested parties. The applicant will be notified of the time and place the meeting two weeks in advance. At least one week in advance of the hearing, the applicant will receive a copy of the staff report and recommendation. While attendance at the hearing is not mandatory, it is strongly recommended.
3. **Decision:** A written decision from the HPC regarding the boundaries of the Environmental Setting can be expected within 15 days after the close of the record.
4. **Appeals:** Under section 29-119 of County's Historic Preservation Ordinance, a decision of the HPC may be appealed to the District Council if an appeal is filed within 30 days of service of the decision.

If you have questions regarding the evaluation process, please contact the Historic Preservation Section at the address above, by phone at 301-952-3680, or by e-mail at [historicpreservation@ppd.mncppc.org](mailto:historicpreservation@ppd.mncppc.org).



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## REQUEST FOR A CHANGE TO ENVIRONMENTAL SETTING

Property Address: Ivy Creek Lane  
Property Name: Ivy Creek adjacent to Marietta Manor Historic Site (Park ID 085)

*For M-NCPPC office use only*

Historic Site #	70-020	Tax Map	45
City/Town	Glenn Dale	Grid	E3
Property Zoning	R-O-S	Parcel	000
Subdivision	Ivy Creek	Election District	14
Block	n/a	Tax Account	4005021
Lot	n/a	Property Land Area	7,083 sf (0.16 acres)
Within Municipal Limits: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

### PROPERTY OWNER(S)

### APPLICANT/CONTACT (IF DIFFERENT THAN OWNER)

Name	M-NCPPC c/o Paul Sun			Name			
Firm	MNCPPC-DPR-PPES			Firm			
Address	6600 Kenilworth Avenue			Address			
City	Glenn Dale	State	MD	ZIP	20737	City	
Phone	301-699			Phone			
email	Paul.Sun@pgparks.com			email			

### REQUESTED CHANGE AND JUSTIFICATION:

This is a request to add Parcel C, conveyed to the M-NCPPC in 2009 as part of the Ivy Creek Subdivision, to the environmental setting for the Marietta House. Parcel C adjoins Marietta lands that serve as the environmental settings for the Marietta House. Parcel C provides 10-feet of a 40-foot historic buffer between the Ivy Creek development and the overall lands of the Marietta House that make up the environmental setting for the historic site.

  
Sonja Ewing (Sep 19, 2024 8:04 EDT)  
Signature of Applicant/Contact/Owner

09/19/2024

Date

  
Sonja Ewing (Sep 19, 2024 8:04 EDT)  
Signature of Owner

09/19/2024

Date



STATION

ROAD

RT. 450

BLVD.

MD

FAIRW

Marietta and Duvall Family  
Cemetery Environmental  
Setting

EUGENE'S PROSPECT

ROBERT'S PROSPECT

P.144

Marietta and Duvall Family  
Cemetery (70-020)  
current Environmental Setting

BOL

DALE

P.C

P.C

Parcel C



25

26

22

IVY

CREEK

LANE

17

P.D

20

ROAD