

CHESTERFIELD CEMETERY COMMISSION

Chesterfield, MA 01012

Rules and Regulations for the Administration of the Cemeteries of Chesterfield

Hours

All Chesterfield Town-owned Cemeteries are open to the public during daylight hours only [but as consistent with the specifications and exceptions of Chapter 114, Section 42A of the Massachusetts General Laws (M.G.L.)]. Unofficial access to other cemeteries on State and private lands is subject to the landowners' requirements.

Seasonal Limitations on Interments

Interments are generally not feasible during late fall, winter, and early spring months, because of frozen and/or thawing ground, snow and related access constraints. The Superintendent of Cemeteries determines whether and when interments can be feasibly arranged during these months (usually between late November and mid-to-late April most years). [Most Funeral Homes are able to provide for care of remains until interment in Chesterfield's cemeteries is feasible.]

Prices and Fees

A plot in a Town-owned cemetery is 4 ft. x 10 ft. (a grave is conventionally 4 ft. x 8 ft., with the additional 2 ft. for emplacement of a headstone/monument). A purchaser or other holder of a right-to-burial in a Chesterfield cemetery does not gain nor hold title to the land (which remains the property of the Town), but only to a licensed right to burial. The current charges are as follows:

Sale of Right to Burial

1. Town Resident- Total = \$450 including:
 1. \$200 Right to burial license
 2. \$250 Cemetery Stewardship charge*(non-refundable)
2. Non-Resident- Total = \$850 including:
 1. \$600 Right to burial license
 2. \$250 Cemetery Stewardship charge*(non-refundable)

*The \$250 "Cemetery Stewardship" charge is a contribution to the long-term stewardship of the cemetery grounds and the graves. This charge is non-refundable. Care of installed monuments and memorial stones remains the responsibility of the respective families so long as they can be found and held accountable.

Grave Opening/Closing Fee (payable at time of interment)

- | | | | |
|----------------------|-------|-----------|-------|
| a. Full body burial: | \$800 | Weekends: | \$850 |
| b. Cremains only: | \$125 | Weekends | \$175 |

We allow one hour for a graveside service. Beyond 1 hour a \$50/hour fee applies.

Re-sale and other Transfer of Right-to-Burial in Town-owned Cemeteries

Legal context: Per M.G.L.:

1. a “Burial right to the entire lot or individual grave or rights may be granted or transferred by the licensee and **with the approval of the governing body of the cemetery**” [emphasis added]. [Ch. 114, Section 1].
2. a municipality may take over ownership of an unoccupied grave after a minimum of seventy-five years has elapsed after issuance of a license for the grave by a municipality or its predecessor in interest, if after making a diligent search it cannot locate the license holder or the holder’s successor in interest. If such ownership of the license is ascertained after such a taking occurs, the municipality shall then pay to the owner, the fair market value of the license at the time of its taking. [Ch. 114, Section 10A]
3. lots and tombs in public cemeteries in towns are to be held indivisible; on the death of the proprietor of such a lot the title passes to the heirs or devisees (subject to certain limitations and conditions concerning spouses and children of the deceased proprietor of said lot).

Therefore, whenever a legal holder of a license to a plot in a Chesterfield public cemetery wishes to relinquish that licensed right of burial by transfer to another at **no cost**, the Commission will not object, so long as its approval has been properly sought as provided in Ch. 114, Section 1, M.G.L. Otherwise, the license holder shall transfer that right of burial back to the Chesterfield Cemetery Commission which will pay the owner up to the current Chesterfield value of that license at the time of its relinquishment, as may be mutually agreed. Transfers of right to burial licenses purchased before April 2012 require that the new license holder pay the \$150 Stewardship fee to the Cemetery Commission at the time of transfer.

Vaults/grave liners; caskets; “Green” burials

Under current Massachusetts laws neither vaults/grave liners, caskets, nor embalming are required. Unless in the future required otherwise by State law, it shall be the right of the family of a deceased to decide which practices it wishes to observe. However, in the case of a “green” burial [foregoing use of a vault/grave liner and even of a casket], where ground subsidence issues and relevance to equipment access and use may be of special concern, the Cemetery Commission reserves its prerogative to restrict such burials to certain plots or a designated area of a Town cemetery as it and/or the Cemetery Superintendent may determine.

Monuments/Memorial Stones and Plot Markers

Installation

All monuments/headstones, and flush-to-the-ground brass, granite or similar material memorials with the exception of tablet stones are to have concrete foundations built to the specifications of the Cemetery Commission to assure they are of dimensions, materials, finish and depth to support the item and resist frost heaving. The family and any monument company involved must coordinate construction of the base and installation of the monument/marker with the Cemetery Commission and the base must be inspected before the marker is installed.

Any person proposing to install erect, alter, inscribe, clean or repair a memorial monument or marker shall first obtain permission from the Cemetery Commission to do so and shall comply with the reasonable directions of the Commission and with these rules and regulations. The person or firm requesting such permission may be required to furnish evidence of their ability to properly perform the work proposed.

Owners of the Right-to-Burial for a plot must submit to the Cemetery Commission a “shop drawing” showing the monument/marker size, configuration, material, color, inscriptions, epitaph, symbolism, font and all other design information that make up the monument. The Commission will consider each design and either approve the proposed monument/marker or return the drawing for design revisions and resubmission to the Commission. An approved design will have the signatures of the cemetery commissioners and date of approval on the drawing. Return the drawing to the manufacturer. Do not authorize the manufacture of any monument without Cemetery Commission approval.

Sketches do not have to be submitted for installation of an official U.S. Veteran’s marker but the installation and base must follow specifications of the Cemetery Commission and installation must be supervised.

Size limitations of markers are as follows:

Two adjoining right-to-burial family plots may have marker placed in the center of the adjoining portion of the two plots designated as the area for markers. Maximum base length is 36”.

Maximum base length for a single plot (not a family plot) is 30”.

Maximum height from ground level for multipart markers is 32”.

Maximums for tablet stones are: width 20”, thickness 2-3”, and height 40” above ground level. Newer style tablets require an approved concrete base. Old style longer tablets must be set with a minimum of 40% of the total length below ground. In the historic sections of Ireland Street Cemetery and Center Cemetery tablet stones may be placed at each gravesite in a family plot.

All markers must be at least 3” from the boundary at the top of the plot.

Benches are acceptable as markers and also need approval.

All monuments and stone markers shall be of high quality and endurance, of granite, white marble or other highly resistant natural stone such as schist or slate. Markers may also be of bronze. Colors of granite or stone should be in the black/gray color spectrum in historical sections.

Corner stones to mark the boundaries of a lot must be set flush with the grade of the lot. Initials on corner stones must be cut in, not raised.

Markers for multiple cremains interred in the same plot must have inscriptions on the one allowed headstone or have additional markers flush with the ground. These flush markers may not exceed 24" long x 12" wide.

A memorial supplier installing a marker must follow Cemetery Commission specifications and be supervised on site by the Cemetery Superintendent. The supplier must remove or replace a marker if it is improperly set or exceeds size maximums at no cost to the Cemetery Commission or purchaser.

Should any memorial become unsightly, dilapidated, or a safety hazard, in the judgment of the Cemetery Commission, the right-to-burial holder will be notified that prompt corrective action is necessary and required. All corrective action shall be at the expense of the right-to-burial holder.

Damage done to grounds, walks, roads, trees, shrubs or other property in a cemetery by dealers, contractors or vault companies shall be repaired by the Cemetery Commission and the cost of such repairs shall be charged to the party or firm causing the damage.

Installation of "Honorary Markers"

Persons wishing to install an "honorary marker" where there is no burial must purchase a right to burial license and also pay the Cemetery Stewardship charge as detailed under "Prices and Fees". Design and size of these markers must be approved by the Cemetery Commission as detailed under "Installation", before installation to make sure they are consistent with the character of the cemetery, particularly in historic areas of cemeteries.

Cleaning

Maintenance cleaning of monuments and memorials of lichens and other debilitating growths is expected by family members of a deceased, and is generally welcomed. However, some physical cleaning materials, methods, and most chemicals can cause serious, often irremediable, damage. Cleaning of others' stones, especially those of historic status and character, as well as of one's own family, should not be done without the prior consultation with, and approval of, the Cemetery Commission or the Superintendent of Cemeteries. This is to insure that proper materials and methods are used to prevent damage to the family's stone(s) and to any others nearby.

Decorations/Adornments and Plantings

1. **Live plantings.** No trees, shrubs, myrtle, ivy, non-native species or perennials may be planted on plots, nor within entire cemetery boundaries, except and unless as

approved in advance by the Cemetery Commission. Annuals may be set out within a plot, if contiguous to an installed headstone or similar monument. Existing plants or shrubs that extend beyond plot lines or which obscure monuments may be pruned or removed by the Superintendent to maintain the appearance of the site.

2. **Non-living adornments.** No fences at, on, or around a grave are permitted. Cut flowers, sprays, wreaths, artificial flowers, or other floral decorations and their containers should be removed by those who place them before they become faded, unsightly, or detrimental. Empty containers, or those with dead plants, as well as various decorations, will be removed by the Superintendent when unsightly and at least before snowfall each autumn.

Flags

Only U.S. flags or other Veterans insignia should be displayed. In keeping with protocol for respectful display of the American flag, any flags on the ground or otherwise sufficiently bedraggled will be removed for proper and respectful disposal.

Other

No horseback riding, pets, ATV's, bicycles or metal detectors are allowed. There shall be no food packages, beverage containers, balloons or similar memorabilia left at gravesites.

Adopted by Chesterfield Cemetery Commission: April 10, 2012

Revisions: Aug. 20, 2015, June 3, 2016, Oct. 15, 2019, April 13, 2020

Members:

Don Willard, Chair

Dee Cinner

Larry Johnson

Rick Roberts, Emeritis