



**LEBANON BOARD OF CEMETERY TRUSTEES
FEBRUARY 9, 2021 - 5:00 PM
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE**

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- 1. Call to Order**
 - 2. Approval of Minutes**
 - A. January 12, 2021
 - 3. Cemetery Sexton Report**
 - 4. Old Business**
 - A. Natural/Green Burials: Review Draft Outline of Proposed Amendments
(Trustee Caitlyn Hauke would like 5-10 minutes to speak)
 - 5. New Business**
 - 6. Future Agenda Items**
 - A. Infant Graves
 - 7. Adjournment**

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams. Members of the public are encouraged to attend by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the Microsoft Teams software or by phone. Please visit LebanonNH.gov/Live for full details.

THE AGENDA, IN ITS ENTIRETY IS AVAILABLE ON THE CITY'S WEBSITE AT [LEBANONNH.GOV](https://LebanonNH.gov)

AGENDA
BOARD OF CEMETERY TRUSTEES
FEBRUARY 9, 2021

AGENDA ITEM 2
APPROVAL OF MINUTES:

JANUARY 12, 2021

DRAFT

**CITY OF LEBANON
BOARD OF CEMETERY TRUSTEES
REGULAR MEETING MINUTES
REMOTE VIA MICROSOFT TEAMS
LebanonNH.gov/Live
TUESDAY, January 12, 2021
5:00 PM**

MEMBERS PRESENT: Chair Fran Hanchett, Vice Chair Antonio Palazzo, Caitlyn Hauke, David Muzzy, Susan Painter

MEMBERS ABSENT: None

STAFF PRESENT: Pat McCarthy – Sexton, Paula Maville – Deputy City Manager, James Donison – Director Public Works, Paul Coats – Recreation and Parks Director

GUESTS:

I. CALL TO ORDER

The meeting was called to order at 5:00 PM by Chair Fran Hanchett.
A Roll Call of Board Members who participated remotely is listed above.

Review of meeting procedures and NH RSA 91-A “Right-to-Know” requirements

Chair Hanchett delivered the Right to Know procedures to the Members and the public.

II. APPROVAL OF MINUTES

A. November 10, 2020

*Mr. Muzzy MOVED to approve the November 10, 2020 Minutes as presented with amendments.
Seconded by Vice Chair Palazzo.*

Amendments: Page 2, Line 2; Remove ‘they are’. Page 2, Line 8; Add ‘are’. Page 2, Line 30; Remove ‘is also a casket buried’ and Add ‘are also burials’. Page 2, Line 38; Remove ‘Ped Bike’ and Add ‘Pedestrian and Bicycle’. Page 2, Line 44; ‘Remove Pine Tree Cemetery Road’ and Add ‘Mascoma Street’. Page 3, Line 17; Add ‘Mascoma’ before Greenway. Page 4, Line 22; Add ‘-in-law’ after sister.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, Ms. Painter, Ms. Hauke and Chair Hanchett all voting Yea.

None voted Nay.

**The Vote on the Motion was unanimously approved (5-0).*

III. CEMETERY SEXTON REPORT

A. Monthly Report

The update from November is 4 cremations and 6 full burials. The cremations were 2 on weekdays and 2 on weekends. The burials were 5 on weekdays and 1 on a weekend. This gave staff an opportunity to demo the mini excavators, as the purchase of one was approved by the City Council in this budget year. They tried 5 different machines, and this helped to determine which ones fit between the rows and worked

1 best in the cemeteries. Perimeter clearing was also done around Glenwood Cemetery. It continued
2 through December as the weather held out. All the pine needles were cleaned up at Pine Tree Cemetery
3 because there was time with the good weather.

4
5 December was a slower month for burials. They did one cremation on a weekday and one entombment.
6 They completed the perimeter clearing, removed the low hanging branches and sucker trimming; and they
7 also replaced the fence at the Mascoma Cemetery with vinyl fencing. In the springtime all the stones will
8 be straightened and cleaned. A large tree by the entrance was also removed.

9
10 They are tearing down the mowers and preparing them for next year. In December some of the staff
11 helped New Durham with a mutual aid call. The weather was a problem for their town. They helped with
12 fallen trees, opening roadways, and helped so the power companies could restore the electric service.

13
14 Burials are year-round if possible and so far, this year there have not been any hold overs due to cold
15 weather. There may be a higher number of entombments. But there has not been a big difference due to
16 the Covid. Because of the pandemic, funeral homes say more people than usual are being cremated.

17 18 **IV. OLD BUSINESS**

19 20 **A. Discussion of potential bicycle path through Sacred Heart/Valley Cemetery connecting** 21 **Mascoma Street to the Mascoma River Greenway.**

22
23 Ms. Painter discussed the petition that was circulated by the Upper Valley Mountain Bike Community in
24 support of the bike path. Paul Coats shared his screen showing the bike path that is being proposed and
25 the renegade path where bikers and walkers have been going over gravesites. The Mountain Bike
26 Association is in support of the connector path. Over 200 signatures were collected and over 90
27 signatures were from the Lebanon area. It circulated through social media. The Lebanon Bike and
28 Pedestrian Committee passed a recommendation in favor of the pathway to connect the Mascoma
29 Greenway using this connector path and suggested a trial test to see if it is a reasonable solution.

30
31 Mr. Coats continued to say that the last discussion was informative, to understand the perspective of the
32 Lebanon crew, the Cemetery Board, and the concerned citizens who are not in support of a pathway
33 through a sacred cemetery. He recognizes that the opponents to the pathway say cemeteries are places of
34 deep respect and a pathway should not jeopardize the nature of the cemetery experience. But there needs
35 to be a solution to the renegade path. If the solution, at the end of the day, is to prohibit any traffic from
36 the Greenway, then Mr. Coats would like to assist with that solution. But again, if the proposed pathway
37 along the edge of the cemetery is a viable answer, then he would like to work together to determine the
38 feasibility. Doing nothing is the worst solution. He would like to test a pilot solution before making a
39 permanent decision. If the normal solution would be to build a higher fence, he asked if it can be
40 postponed. This would help to determine if the pathway is a reasonable answer while it is experimentally
41 tried. They would like to pilot the pathway solution to determine if it benefits everyone. Ms. Painter
42 followed up on moving forward and asked what a pilot process would look like. Mr. Coats believes some
43 kind of decision has to be made tonight.

44
45 Ms. Maville clarified what the process would be. She said the vote for tonight should be to determine
46 whether or not to make a motion to amend Chapter 46. That amendment is governed by the City Council.
47 Some language could be crafted to amend the code to either temporarily or permanently allow bicycles in
48 the cemetery. Or, the vote could be to not recommend changes to Chapter 46 to allow bicycles.

1 Mr. McCarthy said he received numerous phone calls, emails and letters that opposed adding the
2 pathway. Some of the letters and emails are in the packet. He read one from Mr. McClain, who is
3 opposed to the pathway between the Greenway and Old Pine Tree Cemetery Road. He said no bikes are
4 allowed in any cemeteries and allowing them in this cemetery would establish a precedent that users
5 would extend to other cemeteries. It is not respectful of the nature of a cemetery and the services that
6 take place in the cemetery. Recent biking activity has shown there is no regard for the deeded grave
7 sites. He cited several bike abuses that have gone over his family's graves. Fences were torn down.
8 Allowing bikers along the burial cemeteries would be disrespectful. Enforcing the closure of the pathway
9 after a pilot test would be nearly impossible. Another pathway exists within a half mile. Mr. McCarthy
10 showed pictures that document the damage that has occurred over the last summer.

11
12 The Board discussed the proposals and the letters that have come before the Board. Some solution is
13 required. There is a conflict, in that some cemeteries are part of the community. Children use their bikes
14 to get to school through the cemeteries. At one time, no one was trying to get to the Greenway by going
15 through the cemetery. Some Members said it is premature to agree to adding this pathway. There is no
16 concrete information about how this work would get completed and how it would be monitored. It is
17 possible that the bikers do not realize they are trespassing. They would likely be willing to take the
18 correct path that is already established if they were informed and it is believed they would cooperate.

19
20 Mr. Donison, Director of Public Works, confirmed there is access within less than a half mile. The
21 pictures are testimony of the type of damage that can occur and City staff should not be in a position to
22 enforce the rules in the cemetery.

23
24 Mr. McCarthy said, late in the day of this meeting he received a second petition in opposition to adding
25 the pathway. It includes 685 signatures of Lebanon residents or deeded cemetery lot owners. He will
26 provide it to the Board Members, and it will be made available in the public record.

27
28 Mr. Coats said the westerly side pathway is a reasonable solution. When it comes to enforcement, he
29 believes, by eliminating the renegade trail and not offering another pathway the problem could increase.
30 A pilot could be tried to dissuade people from using the trail.

31
32 Mr. McCarthy said anyone who is being respectful would have at least stayed on the roads, but they are
33 cutting across the grass and the graves. Even having a designated route, it is not clear why they would
34 stick to the pathway anyway.

35
36 **Hearing no other comments, Chair Painter opened the meeting to public input.**

37
38 Clayton Morlock from the Mountain Bike Association spoke noting that desecration is happening. They
39 are offering volunteer workers to help with the work of building the pathway and materials for it. If there
40 was an access way that was sanctioned, it would not just be for bikers. It would also be for other walkers,
41 and some who would be visiting the cemetery. In his reading of the regulations, it states that bikes are not
42 allowed, and vehicles should abide by the State regulations. Bikes are considered vehicles, which
43 conflicts with the statement about vehicles.

44
45 Robert Nicolson spoke. He feels that providing a bike path is bad. It would sanction a recreational path
46 through a cemetery. It is not the purpose of a cemetery and the founded sacred grounds.

47
48 Colin Smith, Chair of the Pedestrian Bicyclist Committee spoke. He is in support of the proposal and
49 believes a pilot project is a good solution. He is aware of the illegal trail that is use by walkers, kids and

1 bikers. He is not aware of damage that is occurring in other cemeteries when pedestrians walk through
2 the cemeteries.

3
4 Mr. McLain spoke. His letter to Mr. McCarthy was previously read into the minutes. He does not
5 support the pathway. The lack of awareness is a concern because it is not a recreational point. The
6 pathway would be along the west edge of the cemetery, to cross a busy road. There is a lack of respect
7 for what goes on in a cemetery. It is just begging for problems. He was also told that Renihan Meadows
8 also denied a short path through their property as well. Cemeteries plots are private property. It would
9 take a lot to shut a pilot down. He spoke of other private property in other areas that has been damaged
10 by biking.

11
12 Doug Boisvert, Ward 3, strongly opposes a pathway through the cemetery. Damage has occurred, and it
13 has been since the connector trail was developed; that's when the damage began. It was mistakenly listed
14 on the recreation website and was eventually taken off the website. He would like a chain link fence
15 across the entire back of the cemetery.

16
17 Pamela Callioras Plockman spoke in opposition to the addition of a pathway. Her family has been here
18 for generations and she has family members buried in the cemetery. There is recourse for the persons
19 breaking the cemetery rules.

20
21 Billy Saine from Ward 3 spoke in opposition to the pathway. He noted that signs do not work. People
22 and dog walkers are not picking up after themselves and there are signs prohibiting that use. The
23 evidence of the vandalism is occurring from the use of the bikers. There are nice paths already provided
24 and this pathway is not necessary.

25
26 Peter DeCato spoke in opposition to the pathway. A recreational pathway is not needed in a cemetery.
27 He urges the Board to find another solution.

28
29 ***Vice Chair Palazzo MOVED that the Board of Cemetery Trustees not recommend amendments to***
30 ***Chapter 46 to allow for the use of bicycles within the Sacred Heart Valley Cemetery.***
31 ***Seconded by Mr. Muzzy.***

32
33 Vice Chair Palazzo elaborated on his reasons for his motion. Ms. Painter believes that dedicated
34 pathways through cemeteries are not creating problems when bikers or walkers do not create a
35 disturbance. She believes there is a conflict between how uses are differing across each of the cemeteries.
36 Ms. Hauke asked for some way to resolve what users are currently doing.

37
38 ***Roll Call Vote***

39 ***Vice Chair Palazzo, Mr. Muzzy, and Chair Hanchett all voting yea.***

40 ***Ms. Painter voting no.***

41 ***Ms. Hauke abstained.***

42 ****The Vote on the Motion was approved (3-1-1)***

43
44 ***Mr. Muzzy MOVED to install a fence along the back of the cemetery and enclose off the back***
45 ***completely.***

46 ***Seconded by Vice Chair Palazzo.***

47
48 The Board discussed that the fence would be installed by Public Works. They discussed the cost, that it
49 could come out of the cemetery budget. Mr. Coats suggested approaching the Mascoma River Greenway

Coalition to contribute to the cost of the fence. They want to be a part of the solution, now that this decision has been made.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, Ms. Hauke and Chair Hanchett all voting yea.

Ms. Painter voting no.

****The Vote on the Motion was approved (4-0).***

B. Natural/Green Burials: Review Draft Outline

This topic was not discussed.

V. NEW BUSINESS

VI. FUTURE AGENDA ITEMS

A. Infant Graves

VII. ADJOURNMENT

Mr. Muzzy MOVED for adjournment.

Seconded by Vice Chair Palazzo.

Roll Call Vote

Vice Chair Palazzo, Mr. Muzzy, Ms. Painter, Ms. Hauke, and Chair Hanchett all voting Yea.

None voted Nay.

****The Vote on the Motion was unanimously approved (5-0).***

The meeting was adjourned at 6:57 PM.

Respectfully Submitted,

Linda Billings

Recording Secretary

AGENDA
BOARD OF CEMETERY TRUSTEES
FEBRUARY 9, 2021

AGENDA ITEM 4
OLD BUSINESS:

**NATURAL/GREEN BURIALS:
Review Draft Outline of Proposed
Amendments**

OUTLINE OF DRAFT PROPOSED REGULATIONS FOR NATURAL BURIALS IN THE CITY OF LEBANON

For Review: January 12, 2021

“Natural” or “Green” burial promotes the natural decomposition of the body with minimal impact to the environment. The deceased are buried without the use of embalming fluids, burial vaults or modern caskets. It is understood that people choose natural burials for a host of different reasons. The option for a natural burial within the City of Lebanon municipal cemeteries is offered to provide an opportunity to those individuals and families wishing for a more simple, natural, and environmentally sensitive option for end of life.

SUE - Second sentence: change “burial vaults” to “permanent outside container” to maintain consistency with Chapter 46 verbiage

SUE - Third sentence: I suggest that the third sentence be rewritten to the following:

“The City of Lebanon provides an option within its municipal cemeteries for people who desire a more simple, natural, and environmentally sensitive option for end of life.”

SUE - Consider adding that “ in the spirit of natural burials, gravesites are not to be maintained by the City of Lebanon”

Natural burials within municipal cemeteries are only permitted in areas that will not degrade the land. This limitation is based on what is best for ecological preservation.

CAITLYN – Change to read: “Natural burials within municipal cemeteries are allowed only in permitted areas.”

TONY - Add “This regulation is supplement to Ordinance 46 and not independent of it.”

SUE - Who is the audience for this summary?

For all “Natural Burial Grounds” the following shall apply:

All other rules and regulations for Lebanon Cemeteries shall apply to natural burial grounds unless policies and procedures are inconsistent with this section or with the purpose and intent of natural burials, in which this section will govern.

A. Natural Burial Ground Procedure:

1. Due to limited space natural burials within municipal cemeteries are reserved for Lebanon residents only.

SUE - Rewrite to: Natural burials within municipal cemeteries are restricted for City of Lebanon residents

PUBLIC COMMENT:

SARAH RILEY - I request that the City remove the condition limiting burials in its NBGs to Lebanon residents. Rather, I suggest that the City change its price structure to include a surcharge for non-residents regardless of green or conventional burial.

2. All burials and services must be conducted and or overseen by a Licensed New Hampshire Funeral Director and the Cemetery Sexton or his/her designated agent.

CAITLYN – Is this different from a traditional burial?

SUE - How does this regulation differ from current procedures?

SUE - Does this sentence need to be part of the regulations?

3. Prior to burial, all families, funeral homes or designated agents responsible must sign and submit a release of liability and waiver form to include responsibility of all attendees of services. Such signatures must be witnessed and notarized by a NH notary of public.

TONY – Since this is such a new process, I agree with this. We do not want to be open to any liability. This is probably related to injury/sickness. I think we need to develop and include a sample liability and waiver form.

SUE - These suggested regulations seem unfair and unreasonable.

SUE - What is the rationale for this requirement?

SUE - How could this be mandated or monitored by the city?

SUE - Burials are generally public events on on public grounds. How can the city, an agent, a funeral home, or a family prevent anyone from attending?

SUE - Why the notary?

SUE - Will this apply to the UVJC?

SUE - What about the misconception to the public when they hear of waivers and notaries for a burial?

PUBLIC COMMENT:

SARAH RILEY - Requiring a notarization of a waiver form seems like an extra burden to put on a grieving family. I would not add this hoop to a green burial unless the City can demonstrate a real need for this hurdle.

4. At time of scheduling burial, a filed certified copy of death must be submitted to the Department of Public Works and reviewed by Cemetery Sexton ensuring no contagious or potentially hazardous viruses or diseases contributed to the cause of death. Any cause in question will be referred to and reviewed by the NH Dept. of Health, Center for Disease Control and or the State of NH Chief Medical Examiner's office. Should it be determined by the NH Dept. of Health, Center for Disease Control and or the State of NH Chief Medical Examiner's office that the cause of death could result in the possible infection and or spread of potentially hazardous viruses or contagious diseases, a natural burial will not be permitted.

CAITLYN – Wouldn't this apply to any burial? In which case, this should not be limited to this section of the bylaws.

SUE - This is poorly written.

SUE - I assume that the intent is to obtain a copy of the *death certificate* and not a "*certified copy of death*".

SUE - There is no reference to the words Death Certificate in any ordinance or regulation within the city (search on LebanonNH site). It is not mentioned once in Chapter 46.

SUE - Death Certificates fall outside the Board's purview and should remain that way.

SUE - There is no reference to the words Death Certificate in Chapter 289.

SUE - Does EVERY burial in the city require a "filed certified death certificate?"

SUE - Is this an existing requirement within the city? If not, why is this required for natural burials?

SUE - Doesn't the funeral home provide a certified copy to client?

SUE - Isn't the funeral home in contact with the City when scheduling burials?

SUE - Whats the difference between a filed and unfiled copy?

SUE - When would there ever be a certificate of death that is unfiled?

SUE - Does the sexton have access to this type of information ?

SUE - Will this be required for burying persons in the UVJC?

SUE - The sexton is not an expert in contagious disease (nor is she/he expected to be so) and should not have any authority or responsibility to make decisions on contagious diseases.

SUE - There are a limited know number of contagious diseases, like Ebola or MERS. There will be new ones, but I expect any death around around a contagion would receive considerable local or national attention. I've read that in these cases, the danger is most often to the medical examiners or to the persons preparing the body for burial and not those providing the burial.

SUE - After being provided with a definition of the *filed certified death certificate*, the paragraph should at least be rewritten as follows after:

SUE - "Natural burials are not permitted if the cause of death is determined to be from a contagious virus or disease as defined by the NH Dept. of Health, Center for Disease Control and or the State of NH Chief Medical Examiner's office."

5. Natural burial lots are six (6) foot by eleven (11) foot (66 square foot) each. Each natural burial lot is limited to the remains of a single (1) body.

TONY – I agree with this statement, there is no reference that the grave should be a standard size.

PUBLIC COMMENT:

SARAH RILEY - According to Lee Webster, burial plots for green burial vary slightly throughout the country, but the average size of green burial plots is the same size as a conventional grave. I request that burial lots remain the same size and cost as conventional lots unless evidence can be provided justifying the change.

6. Burial plots will be sold, and natural burials will occur in sequential order based on the time of death and interment. The row and number of the site will be entered into the cemetery management software.

CAITLYN – It should be made clear that these are specific lots (it that's the case). This is no different than traditional burials, if they are purchasing a specific space. If they are occurring sequentially (deed owner does not have specific lot, but rather rights to a space), that should be made more clear.

SUE - This is confusing.

SUE - Burial plots will be sold and deeded?

SUE - Doesn't this complicate burial and access to the grave?

SUE - Remove reference to the row and site being entered into the cemetery management software. This information will be recorded the same way other traditional lots are purchased or transferred and is not specific to green burials.

7. The digging of the burial lot grave is the responsibility of a duly licensed NH funeral home and/or director and shall be supervised by the Lebanon Cemetery Sexton or his/her designated agent. Family members may not dig graves without the permission of the Lebanon Public Works Director. If permission is granted, the digging will be done under the supervision of the Cemetery Sexton or his/her designated agent. All Funeral Homes, contractors, families, or designated agents permitted to dig a burial grave will be required to sign a waiver of liability provided by the city.

CAITLYN – If power equipment AND hand digging are options, this could be explicit here. Why are these treated differently than traditional burials? I understand other towns have the funeral home take care of the digging, but why would it be different within Lebanon solely based on the type of burial?

TONY – Insert “and covering” between “The digging” and “of the burial plot.”

TONY - Is the Waiver of Liability the same as mentioned in A.3?

TONY – For burials, should we mention a time limit when the body should be buried? Something like: “Body should be completely buried within 24 hours of death.” Can bodies be refrigerated before burial to extend time before burial? If so, how would this be done?

SUE - The term digging is confusing.

SUE - Isn't this the same as preparing a grave?

SUE - How will this impact the UVJC which already allows green burials? Will the City continue to prepare those graves even if they are a green burial?

SUE - Digging graves by hand is a arduous process that could take days. I would suggest that it is “addressed on a case by case basis.”

SUE - What is the rationale for Lebanon to separate the responsibilities between natural and traditional burials.

8. Natural burials require the bottom of the outside coffin or casket to be at a depth of (5) feet below the natural surface of the ground with a minimum of three (3) feet previously excavated material on top of the coffin or casket to the natural surface of the ground. All material must be compacted and an additional eighteen (18) inches of topsoil be mounded above the natural surface of the ground to accommodate for settling. Verification of depth will be verified by the Cemetery Sexton or his/her designee.

CAITLYN – The recommended depth should be 2-3 feet. The total depth is usually closer to 4 feet, as this is the best depth for microorganisms to decompose the body effectively. There is no evidence to suggest animal disturbance will occur at these depths when done accurately and appropriately.

TONY – I would like to discuss this further. Maybe there is a reason to have a more shallow grave.

SUE - 5 feet is ridiculous. There is no evidence that supports 5’.

SUE - This has been discussed by the board many times.

SUE - The verification statement should be removed; unless we make mention that the sexton measures the depths of traditional graves.

PUBLIC COMMENT:

SARAH RILEY - To paraphrase Lee Webster, burial depth for green burial is 3.5-4 ft from the bottom of the grave to the ground surface. Anything deeper is useless for achieving the main goal of aerobic, efficient, and organic decomposition. This depth affords a good 18-24 inches of soil buffer even before mounding, which can add another foot or two. Under these conditions, there will be no animals digging, no smells, no problem. I encourage the City to do more research into this topic.

9. All lowering devices, greens, tents and chairs will be the sole responsibility of the Funeral Home and or family to provide, set up and remove following services.

CAITLYN – Since this now applies to all burials, it does not need to be here as it is not specific to green burial.

SUE - This should be removed as it applies to all burials

SUE - I find it interesting that as board we approved increases in fees. I thought it was so the city would collect those extra revenues. But the city is sub-contracting out the work.

B. Care and Maintenance:

1. Mowing, trimming and maintenance of lots will be the sole responsibility of the lot owner or ones designated agent. The City of Lebanon will not be responsible for any mowing, trimming, or leveling of graves. Pruning may be done to assist in the management of invasive species and will be performed by the department of public works. Fertilization, irrigation and pesticides are prohibited.

TONY – Consider periodic review and maintenance of the condition of the grave and landscaping fur up to five years by the lot owner.

SUE - The current SF cost of a green burial plot is the same as a traditional plot. Which I'm led to assume would have included maintenance...

2. Materials for interment: Human remains must be contained within a ridged casket, coffin or renewable container without nails, staples, glue, or any fastener that will remain in the ground.

CAITLYN – Lee Webster says the Green Burial Council would allow these items since they are a small fraction of what is buried (“we don’t remove implants either, for example”). Requiring a casket without any glue or fasteners would be somewhat prohibitive, especially if shrouds are not allowed.

TONY – Add “provided by the lot owner” between “renewable container” and “without nails” so the sentence reads: “Materials for internment: Human remains must be contained within a ridged casket, coffin or renewable container, provided by the lot owner, without nails, staples, glue, or any fastener that will remain in the ground.”

SUE - See comments under item 3

3. Exterior finishes of casket or container may not include latex, metallic or oil-based products.

CAITLYN – What if it is a plant-based oil?

SUE - Items 2 and 3 can be combined and rewritten.

SUE - What is the problem with having nails (which rust away)?

SUE - What types of containers does the UVJC use.

SUE - If the UVJC uses a “butterdish” partial vault burial, and have a nailed container, how is this different?

4. Upon ordering of grave opening and service, Funeral Home and or director will be required to sign acknowledgment and statement that the casket or coffin being used meets all-natural burial requirements outlined by the city.

SUE - If that container that doesn’t have glue, staples, or fasteners actually exists.

5. No embalming

SUE - This should be rewritten to say that bodies for green burial will not be embalmed.

SUE - What if I want a showing before being buried?

SUE - Can’t I be embalmed and then buried?

SUE - Whats the danger?

6. No vault

CAITLYN (Pertaining to numbers 5 & 6) – These aren’t really related to care and maintenance, so perhaps should be moved to a different part of the section.

SUE - This should be rewritten to say that bodies buried in designated green burial areas will not have a permanent outside container.

7. Grave markers are permitted. A flat stone may be placed at the foot of the plot as a marker. No chemicals may be used to enhance the etching. The stone must be level with the ground and may not exceed twelve (12) inches by twenty-four (24) inches in size.

SUE - Who installs?

SUE - What is the procedure?

SUE - Can chemicals be used to enhance etchings on traditional burial monumentation?

C. Fee Schedule

CAITLYN – I understand this (the lot purchase fee) is higher due to the increased square footage, but half of this would be for the Preservation Fund, which these graves would never benefit from, correct? Does this matter? (I’m not sure.)

Natural Burials	
Lot Purchase six (6) feet by eleven (11) feet or 66 cubic feet	\$900
Weekday during operating business hours	\$400

Weekday after operating business hours	\$400, plus \$100 per hour after operating business hours
Weekend or holiday	\$700

TONY – The table contains two different items: the cost of the lot and the cost of burial. Should be split with two subtitles.

TONY – This table does not list all of the costs. I think we should mention perpetuity costs and anything else.

PUBLIC COMMENT:

MARY CHILDERS - For Natural Burial the plot costs \$900 for a probably unnecessary 66 cubic feet as opposed to a Standard Burial plot costing \$600 for 44 cubic feet and covering more services. I do not understand why it is proposed that Natural Burial be excluded from the Cemetery Maintenance Special Revenue Fund. It is expected to pay more to the city and get much less.

Burial costs are in addition and equivalent, but it appears that Natural Burial is expected to pay a funeral home to dig the grave rather than Public Works doing it, as it does for Standard Burial. And then it has to buy more maintenance services from a funeral home in an ongoing, unpredictable way. A financial disincentive is being created. I would be happy to be told I've misread something and to stand corrected.

I quote the relevant sections below:

STANDARD BURIAL

The \$600 for a Standard Burial plot includes \$300 for the Cemetery Maintenance Special Revenue Fund. It includes the following services.

From ordinance 2020-03:

46.8 B -- "The City shall be responsible for maintenance of individual lots to the extent of mowing and trimming of grass at reasonable intervals, the raking and cleaning of lots, and grading and seeding, all at levels to be determined in the discretion of the Cemetery Trustees, in light of available funds from pre-existing perpetual care funds, and use of the Cemetery Maintenance and Preservation Trust Fund."

The \$450 and up full burial charges include the following:

46.7 B -- "The preparation of graves and laying out of grave side ceremonial material shall be the responsibility of the Department Public Works."

IN CONTRAST . . .

NATURAL BURIAL draft proposal

(The use of bullet points rather than numbers in the draft document makes it difficult for the reader to track what I'm pointing to, alas).

The \$900 lot charge leaves the owner responsible for maintenance, compared to 46.8 B above.

p. 14 of 15; *A. Care and Maintenance*: " Mowing, trimming and maintenance of lots will be the sole responsibility of the lot owner or ones designated agent."

Given this proviso, how do we handle adjacent lot owners wanting different thing?

The \$400 and up burial charge provides very limited service, compared to 46.7 B above.

p. 14 of 15; *A. Care and Maintenance*: "The City of Lebanon will not be responsible for any mowing, trimming, or leveling of graves. Pruning may be done to assist in the management of invasive species and will be performed by the department of public works."

p. 15 of 15; *B. Natural Burial Ground Procedure*: "The digging of the burial lot grave is the responsibility of a duly licensed NH funeral home and/or director and shall be supervised by the Lebanon Cemetery Sexton or his/her designated agent. Family members may not dig graves without the permission of the Lebanon Public Works Director. If permission is granted, the digging will be done under the supervision of the Cemetery Sexton or his/her designated agent. All Funeral Homes, contractors, families, or designated agents permitted to dig a burial grave will be required to sign a waiver of liability provided by the city."

To repeat an earlier question so that it does not get lost, am I to understand from the above that in addition to paying the Lebanon burial rate, those who choose Natural Burial must pay a funeral home directly for a service that is included in the burial rate for Standard Burial? (Mary Childers)

GENERAL COMMENTS/QUESTIONS:

TONY:

1. We should do a further review of the Green Burial Council (GBC) recommendations.
2. The GBC lists two types of green burials...Natural, Hybrid, and Conservation. Which one are we doing? If the location is separate than it has to be Natural or Conservation?
3. I am very concerned about liability. I think we should protect ourselves and the city because, after all, we are the Trustees.
4. Will we need approvals from other boards/committees to establish the area? How about medical approval? Who else should review this regulation outside of the City?

PUBLIC COMMENT:

SARAH RILEY - As stated in the draft, all other rules and regulations for Lebanon Cemeteries apply to Natural Burial Grounds (NBGs), unless inconsistent with the new NBG section. Thus, I hope that the final version of this document will not state anything that would be a universal condition of all burial in our cemeteries. Currently the draft has a few sections that I think should be removed because of this condition, including the discussions of disease and the Department of Public Health, the responsibility for lower devices, tents, etc.

SARAH RILEY - The reduction of services provided by the City for green burials. It is unrealistic and unfair to cede grave digging and lot maintenance responsibilities to lot owners, their families, Funeral Homes, or designated agents.

MARY CHILDERS - Lebanon's sustainability efforts acknowledge that the effects of climate change are already being felt locally. We witness catastrophic events in the US and the world. Some of us yearn to make one of our final acts – choice of what to do with our bodily remains – an environmentally friendly act. The safety of Public Works employees must be taken into account as well as liability concerns of course, but based on reading of previous documents generated within this Board it seems to me that unfounded fears are being catered to. I urge the Board to make sure that the research process and legal advice begins with "How can we do this safely" rather than "How can we justify not doing this because of safety and liability concerns?" The questions we ask tilt the answers we receive. The answers an advocate for Natural Burial and the environment provides may open up the Board's perspective on what is desirable for the common good and possible. I urge you to consult with a variety of experts, including problem-solvers as well as problem-emphasizers.

RAINIE KELLY - As the Board moves from a rough draft to a finalized version of the regulations, I strongly encourage the inclusion of a statement about how an option for NB moves Lebanon closer to its stated goal of being a regional leader in working towards less reliance on fossil-fuel consumption. (City of Lebanon Master Plan: 13/8)

My overall impression is that as written, the proposed regulations, rather than presenting NB as a potential option, instead would deter residents and their families from choosing NB.

Here are just a couple of examples of why I feel this way: Overall the proposed regulations make NB much more costly and complicated than conventional burial in Lebanon, but provide fewer services for those choosing this option. Most off-putting to me is the proposed requirement that families/agents maintain the burial plot. We all know that not everyone can count on family to assume this responsibility, nor does every resident have the means to secure an agent. Including this requirement raises the question of the very purpose of a municipal cemetery.

A second example: When I read about the requirements for containers, I asked Lyme-based coffin-maker, Michael Whitman for his reaction. His response:

"I cannot imagine how to build a box without any fasteners or glue...."

Lee Webster, a member of the Green Burial Council, said this about prohibiting the use of glue or fasteners: ".....it is completely unnecessary. The GBC recommends reducing but does not require eliminating."

Of course there are coffin-makers with exceptional joinery skills who could meet Lebanon's proposed standards but at quite an additional expense. My point is that the last thing I want in our community is to make NB an option reserved for residents who don't have to worry about cost. You have already received comments about other regulations which would have a similar effect, so I won't repeat them.

In closing, I want to share resources available to the Board as it considers revisions to the rough draft:

www.greenburialcouncil.org/our_standards.html

www.nhfuneral.org