

Town of New Castle Cemetery Rules and Regulations

Revised: April 4, 2024

Foreword

For the mutual protection and benefit of each cemetery as a unit, and of individual lot owners, the following rules and regulations are adopted by the New Castle Cemetery Trustees and will be reviewed annually. Lot owners and visitors are expected to comply with the rules and regulations currently in effect; however, it is up to the individual lot owners to update themselves on any changes made throughout the year. Rules may be waived on special written application and a majority vote by the Trustees.

The primary purpose is to ensure Town compliance with NH RSA 289:2 to establish a municipal cemetery. The further purposes are to ensure that the cemeteries maintain an appropriate appearance and to allow for normal maintenance. Those cemeteries covered by these rules are: Riverside, Oceanside, Frost, (Marvin), Prescott, and Tarlton. New lots are only available in Oceanside, with burials in the other cemeteries restricted to existing lot holders.

The Frost and Prescott Cemeteries are closed to new burials. The Marvin Cemetery is only open to direct descendants of Marvin/Oliver ancestors who founded it. The Tarlton Cemetery has strict limits on future burials.

The address for the Cemetery Trustees is Box 367, New Castle, NH 03854.

Definition of Terms

A vote by the Trustees requires a quorum.

The term "Qualifying Person" is defined in the "Who May Purchase" section below.

The term "Trustees" or "Cemetery Trustees" means the three elected Cemetery Trustees of the Town of New Castle.

The terms "lot," "plot," and "burial space" are interchangeable and shall apply to a cemetery space provided by deed or right to inter.

The term "lot owner" means either the holder of a deed (Riverside) or the holder of rights to inter with all other rights retained by the Town (Oceanside).

The term "interment" means the permanent disposition of the remains of a deceased person by cremation and interment, entombment or burial.

The term "memorial" includes a monument, marker, tablet, or headstone for family or individual use.

The term "decoration" refers to containers, flowers, rocks, and other objects of a temporary nature that may be associated with a lot.

Interments

Vaults are required for full burials in Oceanside Cemetery.

There will be no interments during the winter season, from November 15 to April 15 of each year. Exceptions require written application and unanimous written approval of all the Trustees and weather permitting.

No interments shall be made without the prior notification of the Trustees.

No one may individually inter human remains, including ashes, within the confines of the cemetery without the express, written consent of the majority of the Trustees.

Cremains should be buried two feet deep if possible, or enough to cover with proper loam and seed.

Families are allowed to dig the grave for the burials of cremains only at all New Castle cemeteries but the excavation shall be checked by a member of the Cemetery Trustees at least 24 hours before the burial is to take place. This is to ensure that the hole is properly dug and the turf and dirt are correctly restored. The cremains will be placed in an urn or permanent container (not cardboard, wood or any other biodegradable container unless the ashes are placed in a cremation vault) and buried at least two feet deep.

There will be a fee charged to probe a grave prior to burial to locate possible ledge or previous burials.

No interments shall be made until such time as the lot has been paid for in full and all documentation is received by the Cemetery Trustees "i.e." death certificate, cremation certificate if applicable.

After an interment, mourners may leave flowers on gravesite for two weeks or until they become unsightly, after which they will be removed by cemetery trustees or management.

Requests to be named on a monument, but not interred, require written application and will be considered on a case by case basis by Cemetery Trustees.

WHO May Purchase Lots and be Buried

1. Current full-time residents of New Castle.
2. Any person who lived in New Castle for at least 5 years and has moved away.
3. Public service people who have served at least 5 consecutive years for the Town of New Castle "i.e." Public Works employees, Volunteer Fire/Rescue, Police (full and part time).
4. Town employees who have served at least 5 consecutive years.
5. Immediate families of residents and direct descendants of residents to include: spouses, sisters, brothers, children, parents, grandchildren, nieces, nephews, etc. that may or may not live in New Castle but want to be buried with the family here who does/did live in New Castle and is buried here.

The original purchaser (or POA if original purchaser deceased) or named family members control who is buried in the lot. If not named on the purchase form, they may not be buried in the plot. Family may be buried on a first come first serve basis as long as there is space allotted in the lot purchased, also determined by the type of burial and/or probing to find out if there is room. Proof of family relationship must be furnished to Trustees if not named on original purchase form and family member who has control must agree.

A "Deed" or "Right to Inter" shall be shown to the Cemetery Trustees to assure it is a family lot, if possible.

Ownership and Transfer of Lots

Only residents or individuals who meet the criteria above may purchase the right to inter. Riverside lots are conveyed by deeds. Oceanside lots are not deeded but conveyed by the right to inter only. Purchaser must fill out and sign a "Lot purchase with Right to Inter" form for Oceanside Cemetery.

Normally one lot shall be sold per individual or family, with a second lot sold on written application and approval of the trustees. Due to the limited cemetery space in Oceanside Cemetery and also due to the large amount of ledge in this cemetery, the maximum number of lots allowed to be purchased by each qualifying person is two lots.

No lot may be transferred or assigned to another individual by the lot holder. Any owner wishing to sell their unused lot must sell the lot back to the Cemetery Trustees for the original purchase price.

Sales or lots are not to be made by mail only. A Cemetery Trustee must speak with the family prior to the sale being finalized.

Size of Plots and Number of Burials Allowed

There are three (3) sizes of lots available in Oceanside. See the accompanying map, which shows the general distribution of lot sizes and those already taken (current map) - Confirm with the most current map before making any decisions.

1. Small cremation lot.....4x5 feet.....\$600

These lots are limited to certain rows and allow for up to four cremations. Monuments may be slightly raised above the ground level or an upright stone (not to exceed 24" W x 36 " H including base)

2. Traditional half-lot..... 5x10 feet.....\$1,000

These allow for one traditional casket and up to four cremations (possibly on top of casket). OR if all burials are cremations, it allows for up to 8 cremations. One upright monument may be placed, not to exceed 36 inches wide (including base) x 42 inches high x 15 inches deep. One footstone is allowed, Approx. 1 ft x 2 ft.

3. Traditional full lot.....10x10 feet..... \$2,000

These allow for two traditional caskets and up to eight cremations (possibly on top of caskets). Or if all burials are cremations, it allows for up to 12 cremations – three rows of four, one deep. One upright monument may be placed, not to exceed 60 inches wide (including base) x 42 inches high x 15 inches deep. One footstone is allowed, approx. 1 ft x 2 ft.

The possibility of double stacking cremains and the stacking of cremains over the casket burials will be determined by the size of the urn, soil conditions, and the available depth.

Lots are examined and probed by the Cemetery Trustees, to the best of their ability at time of sale or any time prior to burial, as a suitable location for the burial. Burials but are subject to limitations found after probing or digging such as ledge, rock or other things impeding proper depth of digging.

Planting and Decoration of Lots

The goal of the Cemetery Trustees is to maintain a traditional cemetery atmosphere and appearance. All improvements or alterations of individual lots within the cemetery shall be under the direction of and subject to the consent, satisfaction, and approval of the Cemetery Trustees. That includes approval of any gravestones or markers, even if they meet the dimensional limits. No perennial trees or shrubs are to be planted on any lots. Perennial flowers are allowed if lot owner has obtained prior approval by Trustees. Perennials and all flowers/plantings must be properly maintained by the lot owner. The Cemetery Trustees reserve the right to remove any plantings if they become overgrown or unsightly or create a nuisance for mowers. All plantings/flowers shall be planted at the lot owners risk. Cemetery Trustees are not responsible for any plantings.

The Trustees shall have the authority to remove all flowers, weeds, plants or herbage of any kind from the cemetery as soon as, in the judgment of the Trustees, they become unsightly, dangerous, detrimental, or diseased. The Trustees shall not be responsible for floral pieces, baskets, pots, or frames to which floral pieces are attached, nor for any flower vases or urns.

Seasonal or Holiday flowers, plants, or decorations shall be removed by the lot owners and or family within 30 days after the holiday OR at the discretion of the Trustees, and weather permitting, they shall be removed and discarded. If the arrangements/ decorations/plantings are removed by the lot owner or representative, then they shall not be disposed of on cemetery grounds or around the cemetery border.

No curbing, fencing, hedging, grave mound borders, or enclosures of any kind shall be allowed around any lot.

No walks of brick, cinders, tile, stone, marble, sand, cement, gravel, or wood shall be allowed on any lot.

No artificial lights, battery operated lights, solar lights or lighting of any kind shall be allowed in any cemetery.

No mowing hazards or trip hazards of any kind are allowed ie. cords, string, ropes, that may be an issue.

No bark mulch, or other similar material, shall be spread over the lot in place of grass or other ground cover such as moss.

Flowers or plantings, whether real or artificial, must be placed in a break resistant container such as ceramic, wood, metal or plastic.

No glass of any kind shall be allowed in the cemetery. No glass containers, vases, figurines, bottles, etc. allowed in the cemetery or they will be removed and discarded.

Visitor placed stones, pebbles, or similar items must fit on the gravestone or be placed in a container.

Shepherd's hooks not to exceed 3 ft in height are permitted in the cemetery directly next to the stone so as not to be a hazard. Wind chimes are not permitted.

The trustees attempt to provide veteran's flag holders and small flags for veterans, and families are allowed to provide small replacement or additional flags if they wish. Only veterans may have a veteran's marker placed by their grave. Flags will be placed in the Spring and picked up at the end of the season. If a flag is ripped, tattered, damaged or faded, it shall be taken down upon notice by the trustees and replaced as needed. The Trustees will do this to the best of their ability.

No power washing of gravestones is permitted.

Pruning of all bushes, shrubs, trees in a New Castle cemetery shall be the sole responsibility of the Cemetery Trustees or their contractors. No cutting of any trees, clear cutting, brush removal or pruning

of any bushes or trees shall be allowed by any unauthorized person. If a member of the public has a concern about cutting trees or bushes within a cemetery, then they need to present it in writing to the Trustees or present their request in person at a Cemetery Trustee meeting. The trustees will make a decision regarding their request.

Metal Detecting is prohibited in all New Castle Cemeteries.

RSA 289:3 Prohibits excavation within 25 feet of or within a cemetery/cemetery boundary. This includes digging or earth disturbance. Therefore, metal detecting is forbidden.

Monuments and Markers Allowed

Only one central or family memorial shall be allowed on a lot and that shall be set on the space designated by the Trustees. One footstone is allowed or VA marker. Any individual markers must be slightly raised above the ground and the lettering must be incised not raised. Stone corner markers are allowed. No lot owner shall erect or place, or cause to be erected or placed, on any lot in the cemetery any memorial without the prior approval of the Trustees.

All monument designs shall be preapproved by the Trustees prior to ordering it and installation.

All monuments must be installed by a professional installer normally engaged in the business.

Monument repairs: Limited funds are budgets annually for monument repairs and will be spent on a priority basis per the Trustees.

Hours of Access

The cemetery grounds are open, year-round, for visiting from sunrise to sunset. Access by vehicle is further restricted according to the season (closed from November 15 until April 15) and time of day (access to Oceanside via the Common gate).

Any entry onto cemetery grounds at other times, without the prior consent of the Trustees or its agent, shall constitute trespass.

Stone rubbings requires the written permission of the Town Select Board. (RSA: 289:22).

No dogs are allowed at any time in New Castle Cemeteries.

Rules and Regulations Updated periodically and subject to change.

It is the responsibility of the plot owner and family to familiarize themselves with updated rules and regulations as posted in the Newcastlenh.org Town website under Cemetery Trustees.