



Town of New Lebanon
PO Box 328
New Lebanon, New York 12125
Phone: 518.794.8884
Email: BuildingDept@townofnewlebanon.com

ZONING REVIEW/VERIFICATION APPLICATION (Step 1 of 2)

Application (office use only) No: _____

SITE INFORMATION

Site Location (911 Address): 224 Chairfactory Rd. Nearest Crossroad: _____
Tax Map No.: 29.-1-68.12 Zoning District: RA-2&5

APPLICANT INFORMATION

Applicant Name: Melissa Trainor
Mailing Address: 443 Westminster Road; Putney, VT 05346
Email: Meldtra@yahoo.com Phone: 802-353-5034
Applicant's Agent/Professional: _____

Agent Phone: _____ Agent Email: _____

PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: John & Brenda Trainer
Mailing Address: 224 Chairfactory Rd
Email: _____ Phone: 518.794.8953
Owner's Agent/Professional: _____ Phone: _____

NATURE OF PROPOSED WORK (check all that apply)

- New Structure Additions/Decks/Accessory Structures Interior/Exterior Remodel Change of Tenant Change of Use Other

Project Use/Description: Private Family Green Burial (see attached reference material)
Example: Request to establish (fill in the blank – such as Office Space Use, Retail Use, Restaurant Use, Auto Repair Use) use at unit #123 (at Mall Name if applicable) or Request for Modification of Space for (fill in the blank)

1) Please attach a detailed narrative explaining the details of the proposed use, including proposed tenant, any anticipated changes to the space or floor plans, accommodations necessary for water, sewer, parking, etc.

2) If your proposal changes the exterior footprint in any way, please include a sketch of the property including existing structures, approximate well and septic locations and the proposed new structure/addition. Dimensions must be provided from the proposed change in the building to the front, rear and side property lines. The front setback should be measured from the center of the traveled portion of the road.

AREA & BULK REGULATIONS SCHEDULE 1

Height: _____ Width: _____ Length: _____ Lot Size: _____ # of Stories: _____

RA1, 2 & 5 Districts: For Principle Buildings, what is the building coverage (Footprint) in sq. ft. _____

Comm/C-rec/C-R Districts: For Principle Buildings, what is the percent of Lot Coverage : _____

I certify that the statements herein contained are true to the best of my knowledge and belief and I have prepared and submitted all pages of this application

Signature of Property Owner John M Trainer Date: 3/19/24
Signature of Applicant [Signature] Date: 3/19/24

Fees: Zoning Permit Fee please refer to Town Fee Schedule:

<https://secureservercdn.net/198.71.233.235/482.ab5.myftpload.com/wp-content/uploads/2021/03/Updated-fee-Schedule-12.8.20.pdf>



Town of New Lebanon
 PO Box 328
 New Lebanon, New York 12125
 Phone: 518.794.8884 | Fax: 518.794.9694
 Email: BuildingDept@townofnewlebanon.com

35.00
 25.00

 60.00

ZONING BOARD OF APPEALS APPLICATION

Application No. (office use only): _____

SITE INFORMATION

Site Location (911 Address): 224 Chairfactory Rd Nearest Crossroad: _____
 Tax Map No.: 29.-1-68.12 Zoning District: RA-2&5

PROPERTY OWNER & APPLICANT INFORMATION

Property Owner Name: John & Brenda Trainer Phone: _____
 Mailing Address: 224 Chairfactory Rd
 Email: _____
 Applicant Name (if different from Property Owner): Melissa Trainor Phone: 518.794.8953
 Mailing Address: _____
 Email: Meldtra@yahoo.com

SURVEYOR INFORMATION (if applicable)

Surveyor Name: _____ License No.: _____
 Mailing Address: _____
 Email: _____ Phone: _____

ENGINEER / ARCHITECT INFORMATION (if applicable)

Name: _____ License No.: _____
 Company Name & Address: _____
 Email: _____ Phone: _____

PURPOSE OF APPLICATION (check ONE; a separate application is required for each request)

- Appeal Zoning Enforcement Officer (ZEO) Permit Denial (complete Section A - Appeal / Interpretation)
- Appeal: Interpretation of Zoning Ordinance or Zoning Classification Boundary (complete Section A - Appeal / Interpretation)
- Area Variance (complete Section B - Area Variance and attach SEQR forms)
- Use Variance (complete Section C - Use Variance and attach SEQR forms)
- Special Permit for _____ (identify use) (attach SEQR forms and drawings and provide a detailed narrative showing compliance with relevant requirements of Zoning Ordinance 205-13 B and E; also see General Instructions.)

For an appeal or variance request, only complete and submit the section (A, B or C) pertaining to the relief you are requesting.

SECTION A - APPEAL / INTERPRETATION

Applicant Name: Melissa Trainor

Date: 03.18.24

Determination from which you are appealing:

- Appeal: Zoning Permit Denial (attach copy of the Permit Application and ZEO's written determination)
- Appeal: Interpretation of Zoning Code or Zoning Classification Boundary

In the space below:

1. Identify the section of the Zoning Ordinance for which you are seeking an interpretation or appeal.
2. Describe your interpretation of the section of the Zoning Ordinance and any errors you believe may exist in the determination appealed from.

Attach additional pages as required

The New Lebanon Zoning Code does not provide an accurate definition for a private family green burial.

100 ft. radius Abutton List for 29.-1-68.12(Melissa Trainor)

| | | | |
|----------------|----------------|--|----------|
| SWIS: | 104800 | Tax ID: | 30.-1-14 |
| Name | Secondary Name | Address | |
| Donald Johnson | | 212 Chair Factory Rd New Lebanon NY 12125 | |

| | | | |
|--------------------------|----------------|------------------------------------|---------------------------|
| SWIS: | 104800 | Tax ID: | 30.-1-15 and 30.-1-10.111 |
| Name | Secondary Name | Address | |
| Of The Message Inc Abode | | 5 Abode Rd New Lebanon NY 12125 | |

| | | | |
|----------------|----------------|---------------------------------|--------------|
| SWIS: | 104800 | Tax ID: | 29.-1-68.110 |
| nf Name | Secondary Name | Address | |
| Brian Trainor | | Box 91 East Chatham NY 12060 | |

| | | | |
|---------------------|----------------|-------------------------------------|----------|
| SWIS: | 104800 | Tax ID: | 29.-1-52 |
| Name | Secondary Name | Address | |
| Brenda Archer Adams | | 33 Harryswood Ln Canaan NY 12029 | |

| | | | |
|-------------------|----------------|--------------------------------|------------|
| WIS: | 104800 | Tax ID: | 29.-1-20.5 |
| Name | Secondary Name | Address | |
| West Family Land | | 32 Main St Chatham NY 12037 | |
| Benjamin Ratcliff | | 32 Main St Chatham NY 12037 | |

Trainor Family
224 Chairfactory Road
New Lebanon, NY 12125

March 18, 2024

Donald Johnson 212
Chair Factory Rd
New Lebanon NY 12125
30.-1-14

Abode Of The Message Inc
5 Abode Rd
New Lebanon NY 12125
30.-1-15 and 30.-1-10.111

Brian Trainor
Box 91
East Chatham NY 12060
29.-1-68.110

Brenda Archer Adams
33 Harryswood Ln
Canaan NY 12029
29.-1-52

West Family Land, and
Benjamin Ratcliff
32 Main St
Chatham NY 12037
29.-1-20.5

RE: Subject Property 224 Chairfactory Road; New Lebanon NY 12125
29.-1-68.12

Dear Abutters:

This letter is to notify you that the New Lebanon Zoning Board of Appeals will be holding a Public Hearing on behalf of Melissa Trainor for the purpose of Appealing the Zoning Officers Determination regarding a Private Family Green Burial. The property is located at 224 Chairfactory Road in the Town of New Lebanon. The Public Hearing will take place on Tuesday, April 2, 2024 at 7:00 pm. at the Town of New Lebanon Meeting Hall; 14755 State Route 22N. Anyone wishing to speak will be given an opportunity to be heard. More information is available by contacting the Planning/Zoning Clerk during her normal business at 518.794.8884 or email at pzclerk@townofnewlebanon.com.

In ending, thank you and be well.

Sincerely,

Melissa Trainor

A handwritten signature in cursive script that reads "Melissa Trainor". The signature is written in black ink and is positioned below the typed name.



 Translate ▼

Department of State
(/)

Cemetery Frequently Asked Questions

- **Are all cemeteries regulated by the State of New York?**

No, the Division of Cemeteries and the New York State Cemetery Board regulate only those cemeteries that are incorporated under the Not-for-Profit Corporation Law.

Cemeteries that do not fall under our jurisdiction include religious, municipal, private, national and family cemeteries.

See Opinion of Counsel on [Cemetery Regulation in New York State](#)

(<https://dos.nysits.acsitefactory.com/cemetery-regulation-new-york-state>)

- **Can a cemetery refuse burial?**

Yes, but only under three conditions--all involving nonpayment. They are the following:

Nonpayment of the total purchase price of the grave or lot

Nonpayment of the burial (interment) charges

Nonpayment of an authorized lot tax

These three conditions apply only to those cemeteries under the jurisdiction of the Cemetery Board.

- **Can someone be buried on private property?**

While some communities may have local regulations on this matter, there are no state regulations concerning burial on private property. However, the New York State Sanitary Code (10 NYCRR, Parts 100-158) does define the distances required between cemeteries and water sources (which vary from district to district) Anyone wishing to make burial arrangements on private property should check with his or her local government officials.

- **What is the New York State Cemetery Board, and what are its functions?**

The Cemetery Board oversees the Division of Cemeteries' operations and administers the New York State Cemetery Law. The Cemetery Law sets standards for the establishment, maintenance, and preservation of burial grounds in New York State.

The Cemetery Board is made up of the New York State Secretary of State, the New York State Attorney General and the New York State Commissioner of Health.

- **Can I choose how my remains will be disposed of?**

Yes, you have a choice of how your remains will be disposed, including cremation, burial, and entombment. Written instructions explaining your wishes are recommended.

- **Are there any rules on heirship regarding unused graves or family plots?**

Burial rights obtained through inheritance should be recorded with the cemetery. Section 1515(b) of the Not-for-Profit Corporation Law regarding ownership of lots states that, unless specifically devised by will, (including reference to the specific lot number, section number, cemetery name), a cemetery lot is inherited by the descendants of the lot owner.

- **What are trust monies, and how can they be invested?**

Trust monies are funds set aside, and the income is used to preserve cemetery grounds.

Trust investments are regulated by the Estates, Powers, and Trust Law of the State of New York. The law requires that cemeteries entrusted with trust monies ensure that the principal shall not be lost. Securities may take the form of interest-bearing bank accounts, certificates of deposit, stocks, and/or bonds.

- **Can monies be set aside for the eternal care of the cemetery?**

In those cemeteries under the jurisdiction of the Cemetery Board, two principal trust funds exist: the perpetual care fund and the permanent maintenance fund. The perpetual care fund

consists of individual and varied amounts of contributions by lot owners. The permanent maintenance fund is funded with a portion of current lot sale receipts and \$35 from every interment.

The important distinction between these two funds is that perpetual care funds are used for the care of individual graves, plots, mausoleums, or columbarium spaces; while permanent maintenance funds are for cemetery care overall. Only the interest from these funds can be used for maintenance; the principal must remain intact.

- **What are service charges and how are they regulated in cemeteries?**

Service charges are fees charged by cemeteries for performing any service after the purchase of the grave or lot. The Cemetery Board must approve any service charge increases proposed by incorporated cemeteries. Requests for increases must be fully documented to be considered by the Cemetery Board.

- **Is there any state requirement on the depth of graves?**

There is no state requirement specifying the depth of a grave, although there may be local regulations that apply. For example, the City of New York requires that "when human remains are buried in the ground, without a concrete vault, the top of the coffin or casket shall be at least 3' below the level of the ground." (two feet in the case of a concrete vault)

- **Is a concrete vault or grave liner a requirement for burial?**

A cemetery corporation may not compel the use of any particular outer enclosure, except that a cemetery may require the use of a concrete burial vault, or, at the option of the customer, a concrete grave liner under the following conditions and restrictions:the customer must have purchased the lot after January 1, 1985;

the requirement must be stated prominently in writing and a written statement must be given to the customer in advance of the signing of the agreement to lot purchase a grave or lot;

A lot owner may purchase the grave liner from any source including the cemetery.

A cemetery may not sell burial vaults.Should a lot owner object to the use of the required concrete vault or grave liner at the time of interment based upon religious belief, the cemetery must, without question, cancel the requirement; provided, however, that the cemetery may impose at the time of interment a reasonable fee for the periodic refilling of the grave;

- **Is there any time limit for filling a grave after burial?**

While there is no legal requirement on the specific time period for backfilling a grave, the Cemetery Board does require that it be completed with reasonable dispatch.

Department of State

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The Natural Burial Section Woods of Rosendale's Plains Cemetery

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Green Burial A Growing Option in the HV

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The Natural Burial Section Woods of Rosendale's Plains Cemetery

Joel Kovel was laid to rest directly in the Hudson Valley ground, his body in a wicker casket pulled on a hand-drawn cart led by a jazz band. His funeral wasn't the usual. But everything about what happened to Kovel's body after his death was different: it was a return to the earth. "In harmony with the cosmos, with rights to clean water, for the renewal of life," his cart read. Kovel was among an influential band of area residents who have recently chosen green burial.

Before the Civil War, American burial rituals were age-old and necessarily all-natural: a hole was dug in the ground, and a body placed in it. Embalming began during wartime so soldiers' remains could be brought home from battlefields. The "American Way of Death" (described in a [1960s bestseller by the same name](#)) gradually took on the professional morticians, elaborate caskets, chemical embalming and makeup, and green-carpeted vaults we associate with modern funerals.

It all makes a big environmental impact. Each year, American burials together use more than 827,000 gallons of toxic chemicals and 1.6 million tons of concrete. Every conventional burial contributes to the production of about 230 pounds of CO₂ equivalent, according to the California-based [nonprofit Green Burial Council](#). Even cremation is equivalent to driving 600 miles, producing about 150 pounds of CO₂ per body burned.

Natural Burial at Rosendale Plains Cemetery 5 4 2018



Now that people want to lighten their carbon footprint, the old ways are mounting a comeback. Modern green burials swear off concrete vaults, non-biodegradable caskets and toxic embalming. More than 200 natural burial grounds have opened around the country over the last couple decades, more than half of those in the past 5 years alone.

In the Hudson Valley, cemeteries with natural burial sections now include [Sleepy Hollow's in Westchester County](#), and Rhinebeck's and Rosendale's in the mid-Hudson. Both the Rhinebeck and Rosendale grounds were established in 2014, with similar standards, if not starts.

“How do we want to use and live with and care for the land? It would make sense that those things might be tied together.”

Suzanne Kelly

Rhinebeck's was led in part by Suzanne Kelly, a former academic, [author of “Greening Death”](#) and leading national expert on natural burial. Kelly spent years examining the green burials' “dust to dust” ideals. She has studied everything from the movement's emergence in the U.K. in the early 1990s to the more recent American development of [“conservation burial grounds” that agree to preserve natural lands in perpetuity](#). “How do we want to use and live with and care for the land? It would make sense that those things might be tied together,” Kelly says.

[Rosendale's natural burial ground](#) was established by Richard Hermance, a former police officer turned accident reconstructor who had long served on the local cemetery board. He saw the idea on the History Channel and thought it made practical sense. “There are a lot of environmentally-minded people here,” he says. “I figured natural burial would be really popular.”

Both mid-Hudson green burial grounds have taken off. New York City residents regularly call each, willing to trek the couple hours up to bury their loved ones this way. They have attracted prominent local names as well. Joel Kovel, laid to rest with the jazz funeral in Rosendale 2 years ago, was a well-known professor at Bard College. Scenic Hudson's late general counsel, Warren Reiss, chose to be buried in the [Rhinebeck Natural Burial Ground](#) at his death in 2016.

Rosendale's natural burial ground includes a meadow section, but both Kovel and Reiss lie in the wooded sections of their respective grounds—peaceful forests where sunlight dapples through cherry and locust branches. Reiss' daughter, Taylor Reiss Gouge, has said [no resting place could be more fitting for someone who loved nature as much](#) as her dad: “He found peace being among the trees.”

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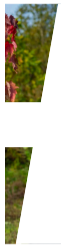


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New York Home Funeral Laws

Find out what you need to know before having a funeral in New York.

Updated by [Valerie Keene](#), Attorney · University of Arkansas School of Law

New York is one of only a handful of states that restrict home funerals by requiring the involvement of a licensed funeral director in many aspects of final arrangements. Here is an overview of the rules that govern home funerals in New York.

You Must Use a Funeral Director in New York

By law, a licensed funeral director must oversee the final disposition of a body in New York. For example, local registrars will only issue a burial or removal permit to a "funeral director or undertaker." (See [New York Public Health Law § 4140](#) (2018).)

Who Has the Right to Make Funeral Arrangements in New York?

Although a funeral director must carry out disposition arrangements, New York law determines who has the right to make final decisions about a person's body and [funeral services](#). This right and responsibility goes to the following people, in order:

- a person you appoint in a written document that meets the requirements of New York law
- your spouse or domestic partner
- any of your adult children
- either of your parents
- any of your adult siblings
- your court-appointed guardian
- any adult person who would be entitled to a share of your estate by law, with the closest relative having the highest priority
- an appointed representative of your estate, or
- a close friend or relative who is reasonably familiar with your wishes and who is willing and able to take on the job
- a county official, or
- any other person acting on your behalf.

[\(N.Y. Public Health Law § 4201\(2\).\)](#)

If members of the same class disagree about the disposition of your body, a court must resolve the dispute. [\(N.Y. Public Health Law § 4201\(8\).\)](#) To avoid such an outcome, it's wise to name a decision maker in advance.

Appointing your decision maker. To name someone to carry out your final wishes, you need only write down what you want, then date and sign the document in front of two adult witnesses. To do this, you may use the form provided in [N.Y. Public Health Law § 4201\(3\)](#), or you may create your own form.

Making a health care proxy. One smart way to name a representative to handle your funeral plans is to make a New York health care proxy. In your document, you can give your health care agent explicit power to carry out your final arrangements. This saves the trouble of making separate documents for health care decisions and final wishes.

For information about making a health care proxy, see [Living Wills & Medical Powers of Attorney](#).

To make a New York health care proxy that appoints your health care agent to carry out your final plans, you can use Nolo's [Quicken WillMaker](#).

Note that, if you are in the military, you may name the person who will carry out your final wishes in the [Record of Emergency Data](#) provided by the Department of Defense.

[Who pays for your funeral arrangements?](#) You can either pay for your plans before you die, or you can set aside money for your survivors to use for this purpose. If you don't do either of these things, and there's not enough money in your estate to pay for funeral goods and services, your survivors must cover the costs.

Must the Body Be Embalmed?

New York has no embalming requirements, but bodies must be buried or cremated "within a reasonable time after death." ([New York Public Health Law § 4200](#) (2018).)

Getting a Death Certificate in New York

The funeral director must file the [death certificate](#) with the local registrar within 72 hours of the death and prior to burial or cremation. (See New York Public Health Law §§ [4140](#) and [4142](#) (2018).)

You will need certified copies of the death certificate to carry out certain tasks after the death, such as transferring the deceased person's property to inheritors. The funeral director who files the death certificate should be able to order copies for you.

Getting a Permit to Transport the Body

After filing the death certificate, the funeral director will obtain the necessary permits for transporting the body, and for burial or cremation. In New York, the transport permit is called a "burial or removal permit." ([New York Public Health Law § 4140](#) (2018).)

Can You Bury a Body at Home?

Burial on private property in New York may be possible. In New York, all burials must be supervised by a licensed funeral director, so make sure you find a funeral director who is willing to help with your burial plans. Before conducting a home burial, be sure to check with the county or town clerk for any zoning laws or other ordinances you must follow.

New York law permits any person to dedicate land for use as a family cemetery, as long as it does not exceed three acres in size and is not located within 300 feet of a dwelling. This land must be registered with the county clerk. (See [New York Not-for-Profit Corporation Law § 1401](#) (2018).)

For more information about cemeteries in New York, see the New York State Division of Cemeteries FAQ.

What About Cremation?

You must arrange cremation through a funeral director, who will obtain the required permits. If the crematory does not have a licensed funeral director on its staff, you must arrange for a funeral director to be present to receive the body when it is delivered. ([New York Public Health Law § 4145](#) (2018).)

For more information about cremation, including information on scattering ashes, see [Burial and Cremation Laws in New York](#).

Learn More About Home Funerals

If you want to find out more about home funerals, you can begin by visiting the [National Home Funeral Alliance](#) website. The book Final Rights, by Joshua Slocum and Lisa Carlson, also offers extensive information on the subject.

For more information about final arrangements and documenting your final wishes in advance, see Nolo's section on [Getting Your Affairs in Order](#).

Ready to create your will?

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SECTION 1401

Private and family cemetery





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(a) Private cemetery corporation. Seven or more persons may become a private cemetery corporation by setting off for a private cemetery enclosed real property, to the extent of not more than three acres, and by electing at a meeting of the owners of the property so set off, at which not less than seven shall be present, three of their number to be directors, to hold office for five years. The chairman and secretary of such meeting shall make, sign and acknowledge, and file in the office of the clerk of the county in which such real property is situated, a certificate containing the name of the corporation, a description of the lands so purchased or set apart, and the names of the directors. No such cemetery shall be located within any





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hundred feet of any dwelling
without the written consent of the owner
thereof.

(b) Removal of remains from private
cemeteries to other cemeteries.
The supervisor of any town containing a
private cemetery may remove any
body interred in such cemetery to any
other cemetery within the town, if
the owners of such cemeteries and the
next of kin of the deceased
consent to such removal. The owners of a
private cemetery may remove the
bodies interred therein to any other
cemetery within such town, or to
any cemetery designated by the next of kin
of the deceased. Notice of
such removal shall be given within twenty
days before such removal
personally or by certified mail to the next





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veterans' services. In the absence of the next of kin, the county clerk, county historian or the department of veterans' services may act as a guardian to ensure proper reburial.

(c) Family cemetery corporations. Any person, by deed or devise, may dedicate land to be used exclusively for a family cemetery. The executors, administrators or trustees of a deceased person, with the written authority of all of his surviving heirs, next of kin, devisees and legatees, executed in person or by an attorney, or if infants, by legal guardian, may dedicate lands of such deceased person exclusively for a family cemetery, or may purchase with the funds of the estate, suitable lands therefor. The land so



such land, at the time of



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same, may appoint directors to manage such cemetery, prescribe, or provide for making rules, directions or by-laws for such management, direct the manner of choosing successors to the directors, specify their qualifications, and grant to them and their successors money or personal property as a fund for maintaining, improving and embellishing the cemetery, in accordance with the deed or will, or the written authority of the heirs, next of kin, devisees and legatees. The instrument dedicating land for a family cemetery, together with the authority, if any, of the heirs, next of kin, devisees and legatees of the deceased person, shall be filed in the office of the county clerk of each county in which the cemetery is to be situated.



appointment, and thereupon



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maintaining, improving and embellishing such a cemetery shall not exceed ten per centum of the net value of the estate of the testator. Such corporation before receiving any property, money or funds for improving, maintaining and embellishing the cemetery, shall execute to the surrogate of the county in which such real property is situated, a bond with sureties, or the bond of a surety company, approved by him, in a penalty of twice the principal sum of the fund placed in charge of the corporation, conditioned for the faithful preservation and application thereof according to the rules, directions or by-laws prescribed in the instrument under which the appointment of such directors was made, and renew such bond or execute a new bond





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may bequeath or transfer to, and any such corporation may take, money or personal property by will, deed or other transfer, upon trust, to hold and apply to dispose of the same for the purpose of maintaining, improving and embellishing any lot, plot or portion of such cemetery, either according to the discretion of the directors, or for such time and upon such terms and conditions, if any, as to the application, investment and reinvestment of the principal and income and otherwise as shall be stated in the instrument creating the trust as agreed upon, but no such trust fund created by will shall exceed ten per centum of the net value of the estate of the testator. The corporation shall give security and account for such money or



Company bond, the reasonable



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cemetery corporation is a charitable corporation under this chapter.

(e) Private and family cemetery corporations; prohibitions. (1) No private or family cemetery corporation shall, directly or indirectly:

(i) sell, or have, enter into or perform a lease of any of its real property to a funeral entity, or use any of its property for location of a funeral entity;

(ii) commingle its funds with a funeral entity;

(iii) direct or carry on its business or affairs with a funeral entity;



goods or services with a



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cemetery operations with a funeral entity;
or

(vii) have, enter into or perform a management contract with any entity, other than a not-for-profit cemetery corporation.

(2) Only the provisions of subparagraphs (i) and (ii) of subdivision one of this paragraph shall apply to cemetery corporations with thirty acres or less of real property dedicated to cemetery purposes, and only to the extent the sale or lease is of real property dedicated to cemetery purposes, and such cemeteries shall not engage in the sale of funeral home goods or services, except if such goods and services are otherwise permitted to be sold by cemeteries.

(3) For the purposes of this paragraph, "funeral entity" means a person, partnership, corporation, limited



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affiliated with a funeral home, any subsidiary thereof or an officer, director or stockholder having a ten per centum or greater proprietary, beneficial, equitable or credit interest in a funeral home.



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