

A GUIDE TO THE CEMETERIES OF WESTWOOD

WESTWOOD, that part of the Dedham Plantation “Lying beyond the Rocks Westward”, has had a town cemetery for the consolation and convenience of its residents since 1752 when members of the Clapboard Trees Parish purchased the first half- acre of land from Nathan Kingsbury.

What we now call the “Old Westwood Cemetery” is located on Nahatan Street at the intersections of High and Pond Streets. Among those buried here are members of early Westwood families as well as the drummer boy of the “Battle of Bunker Hill”, Robert Steele.

The Old Westwood Cemetery has been sold out for quite some time so the only burial lots available there may be through re-sale.

The “New Westwood Cemetery” located on the opposite side of High Street with its main entrance adjacent to the parking lot of St. Margaret Mary Church was opened in 1979. The area in which the new cemetery is located was owned earlier by the Baker family. Later it was purchased by the town and just prior to becoming a town cemetery, it was the Baker Conservation Area.

Since the new cemetery was almost sold out, a new section was opened in 1993. The original section of the new cemetery located at ground level is known as Phase I while the expansion area on the upper level is called Phase II.

The following information will tell you, in brief, how to purchase a burial lot as well as other details which hopefully answers some of your questions. For more specific details, see the included Westwood Cemetery Rules and Regulations. Also see the latest list of the Cemetery Fees and Charges which can be obtained at the Town Hall or the DPW office on Carby Street. Your local funeral director will be happy to provide you with this information also.

*SOME ANSWERS TO QUESTIONS THAT YOU MAY
HAVE CONCERNING THE PURCHASE OF BURIAL
LOTS
IN THE WESTWOOD CEMETERIES.*

Who can purchase a burial lot?

Any resident or former resident of the Town of Westwood.

How to arrange for a lot.

Since cemetery plans and *records* are kept at the DPW headquarters on Carby Street you may call 326-8661 and arrange to obtain a lot. They will show you the layout of the graves and tell you which lots are available. If you wish you will be shown the location of the lot at the cemetery. Your local undertaker will be happy to assist you in making the arrangements if you so desire.

How to pay for the lot?

You will make your check payable to the Town of Westwood which will include the price of the lot plus Perpetual Care in accordance with the latest list of Westwood Cemetery Fees and Charges. You will also pay a small filing fee for which the DPW office will give you a copy of the deed to your lot.

The size of the burial lots?

All lots in the new cemetery are "double depth". There is room for two caskets, one over the other. While the lots are all ten feet long, in Phase I they are four feet wide and in Phase II they are three and a half feet wide. In the Phase I area there are small lots in a separate location for cremation and stillborn burials.

How to arrange for an interment?

The interment will be arranged by your funeral director and to whom you will pay the Town's interment charge. You will find the interment costs in the list of Cemetery Fees and Charges.

Please note that Saturday morning burials are at extra cost and that there are no burials on Saturday afternoon or Sunday.

How to arrange for a monument?

You can select a memorial gravestone from any of the local monument companies. The stone should be no more than 3' high by 3' wide and 1' thick. You may want only a 2 wide stone for a single width grave lot which would be more appropriate in size and less costly. The 3 wide stone is especially fitting for a double width lot where the stone is placed at the head of and centrally between the lots. For those with more than two adjoining lots a monument with a width of 4 may be erected but with the approval of the Cemetery Superintendent. In any case the overall height of the stone should not be more than 3. Inscriptions on stones for the Phase I area should be on the grave side only, but those in Phase H can be on both sides. In the Phase II area, it is important that you order a monument base of the proper height for the particular row in which your grave is located. This information is available from the Cemetery Superintendent. Monument

plans should be approved by the Cemetery Superintendent before fabrication to avoid any possible problems.

How to pay for a monument?

For monuments in the old cemetery and Phase I of the new cemetery you will pay the monument company for both the memorial and the town installed foundation upon which the base of the monument will rest. In Phase II, concrete strip foundations were installed as part of construction and which cost is included in the price of the lot.

Who cares for the grave site?

When you pay for the burial lot there is included a charge for Perpetual Care which includes the cutting of the grass and the application of loam, seed, and fertilizer or as required to care for your burial lot as well as the general area of the cemetery grounds. This does not include plantings on your grave.

How to plant on your lot.

In the Phase I section of the new Cemetery, you may plant a dwarf evergreen bush on each side of your monument if you have a double lot a normal width stone, and you do not encroach upon the lot of your neighbor. Due to the strip foundations in Phase II upon which your monument sits, there will be no plantings at the sides of the stone. Rower plantings should not extend more than 18" in front of the stone and are the responsibility of the owner of the grave. Please see the Cemetery Rules and Regulations for details.

What is provided for an interred war veteran?

You should contact the Veterans' Services Office at the Westwood Town Hall if a veteran has been buried so that the proper markers and flag can be supplied. If you notify your funeral director when you arrange the burial, he can help you on this.

Who is responsible for the cemeteries?

The Cemetery Commission oversees the maintenance and operation of the cemeteries. Since the town does not have a separate cemetery department the work is performed by the Department of Public Works and the Highway Superintendent performs the duties of the Cemetery Superintendent. He can be reached by phoning 326-8661. The Cemetery Commission which is appointed by the Selectmen does not have an office but you can phone the Town Hall at 326-6450 and ask that the Chairman call you if the Cemetery Superintendent cannot answer your question

Our thanks to the Reverend Theodore Fritsch for his original thoughts that were the basis for this brochure.

Also our thanks to Phyllis Moloney for her original sketch of the new front entrance shown on the cover of this brochure.

Respectfully submitted,

Westwood Cemetery Commission

Leonard W. Smith, Chairman

Donald A. Cole,

Barry I-I. Friedman

(Preliminary issue – Dec. 92)

(Initial Issue – Apr. 93)

(First combined issue 9/93)

TOWN OF WESTWOOD CEMETERY RULES AND REGULATIONS

The Westwood Cemetery Commission, created in accordance with M.G.L. CH 41 Sec.21, and M.G.L. CH.114 Sec27, hereby established the following Rules and Regulations which will govern the cemetery located at the corner of Nahatan Street and Pond Street, known as the “Old Westwood Cemetery” and for the section located on the opposite side of High Street, known as the “*New Westwood Cemetery*,” including the Baker Grove Section.

The Board of Commissioners (in these Rules and Regulations called the Commissioners) may from time to time amend any of the following Rules and Regulations. These Rules and Regulations adopted at a meeting of the Commissioners held December 17, 1990 supersede all previous regulations.

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1. ENFORCEMENT OF RULES

The Commission is hereby empowered to enforce all Rules and Regulations and to exclude from the Cemetery any person violating the same. The Commission shall have charge of the grounds and buildings including the authorization of funerals and the conduct of traffic, employees, plot owners and visitors and at all times shall have supervision and control of all persons in the cemetery.

2. MANAGEMENT AND OPERATIONS

- 2.1 The Commissioners will appoint a Cemetery Superintendent who will be responsible to them and carry out policies set by them. He shall at all times and in all respects be subject to the direction of the Commissioners.
- 2.2 The Superintendent shall have full responsibility for the cemetery grounds, buildings and equipment, including operation and maintenance thereof. He shall have full authority through his subordinates to arrange burials, removals and any other necessary arrangements in connection therewith for the benefit of proprietors of lots and other issues of the Westwood Cemeteries. He shall enforce all laws, rules or regulations affecting the rights of proprietors of the conduct of visitors.

3. GENERAL REGULATIONS

- 3.1 The cemeteries shall be open from 7:30 A.M. to sunset, and after sunset all unauthorized persons must leave the grounds.
- 3.2 Visitors shall respect the solemnity of the cemeteries and strictly observe the rules which have been established for the purpose of securing quiet and good order within the grounds.
- 3.3 No lot or portion of a lot *may* be sold except by or through the hands of the Commissioners, and no division of lot may be made unless expressly authorized by them, and on the death of the person having charge of a lot the survivor shall arrange with the Commissioners as to who shall succeed to the charge of the lot.
- 3.4 If a lot owner wishes to assure burial privileges to an individual outside of the family in said lot, he may do so by notifying the Cemetery Commission in writing. This must be signed, dated and notarized.
- 3.5 The Commission shall make reasonable efforts to protect flowers, trees, shrubs, and other property, but the Cemetery Commission shall accept no responsibility for their protection nor replacement.
- 3.6 Picnics, parties, and those persons with refreshments are not allowed in the cemeteries. No alcoholic beverages are allowed.
- 3.7 Walking of dogs and especially dogs running at large is prohibited in the cemeteries. No firearms are allowed except at military funerals or at Town organized celebrations on Memorial Day, Veterans Day, and/or similar Town organized events.
- 3.8 Entering the cemeteries, except through the regularly established entrances, is prohibited.
- 3.9 Plucking flowers, plants, or shrubs, whether cultivated or wild, breaking or injuring any property whatsoever, including wildlife is prohibited. Driving on lawns is also absolutely prohibited.
- 3.10 Loitering or intruding upon a funeral service is strictly prohibited
- 3.11 Driving or riding in any vehicle in any cemetery, with the intent to pass through,

is prohibited

- 3.12 The following are forbidden in the cemeteries: Roller-skating and skateboarding; the use of mini-bikes, recreational vehicles, and go-carts; horseback riding.; a display and /or sale of goods, wares, or merchandise; instructing persons in the use and operation of a motor vehicle; the use of cemetery roadways for pleasure driving.
- 3.13 No tomb, mausoleum, crypt, or other structure (intended for above ground interment) may be constructed within the bounds of the cemetery without specific approval of the Commissioners.
- 3.14 Lots shall not be used for any other purpose than as a place of burial for the human dead; no trees within the lot or border shall be cut down, destroyed, or altered, neither shall any change be made in a lot except with the approval and under the direction of the said Commissioners, who may make such change when in their opinion it becomes necessary for the safety and/or improvement of the cemetery.
- 3.15 No lot owner shall allow the remains of any person to be deposited within the bounds of his lot for profit.
- 3.16 The Superintendent may expel from the grounds or cause to have arrested any person violating any of these rules and regulations.
- 3.17 Charges for lots and services shall be fixed by the Commissioners from time to time. All charges shall be payable in advance. All payments shall be made to the Town.

4. SALE OF LOTS

- 4.1 Only residents or former residents of Westwood, Massachusetts, shall be entitled to purchase a lot.
- 4.2 Reservation of lot without purchase for future use by prospective purchasers will not be permitted.
- 4.3 Upon payment in full of the purchase price and Perpetual Care, one deed only will be executed (issued) and delivered to the purchaser. All such deeds shall be recorded in the office of the Town Clerk in a book kept for that purpose, which shall be open to the public at all reasonable times.
- 4.4 The Town will maintain books, cards, records, and plans necessary for recording the original grants and subsequent transfers of burial rights. All instruments of donation in trust for perpetual care of lots shall be kept in the office of the Treasurer of the Town of Westwood. All funds for perpetual care will be placed by the Treasurer in interest bearing accounts separate from the town funds.
- 4.5 Where a lot is sold to two or more persons, they shall take title as tenants in common.
- 4.6 Perpetual care of a lot specifically, does not include care of any kind to the monument markers, or the like, or to bushes, shrubs, plants, flowers, or the responsibility thereto.
- 4.7 When a deed is issued for a lot it conveys only the right of burial therein and access thereto, and it shall be the duty of the Commissioner or agent to enter

thereon and prohibit remove or modify any object or adornment or work done in violation of the rules, which may be judged objectionable or injurious to the lot or an adjoining lot.

- 4.8 The commission or its agent may impose specific restrictions on a given lot for sale, or withhold said lot or grave from sale, if in their discretion such action is for the benefit of the Town of Westwood.
- 4.9 The Cemetery Commission or their agent may reacquire lots or graves from owners who wish to relinquish ownership of said lot or graves. Purchase will be at the discretion of the Commission, but will not include reimbursement for Perpetual Care. Payment will not be more than the original price for the lot.

5. TRAFFIC

- 5.1 All deeded lots give access to the cemetery and convey rights to use of the cemetery roadways where consistent with the other rules contained herein.
- 5.2 The speed limit in the cemeteries shall be ten (10) miles per hour.
- 5.3 Any person causing damage with a motor vehicle in the cemetery shall be held liable for the cost of the damage.
- 5.4 Horses are specifically prohibited from the cemetery unless they are part of a funeral cortege or authorized activity.

6. INTERMENTS

- 6.1 Only human remains may be interred in the cemeteries.
- 6.2 Interments or disinterments will be allowed only with the proper legal authorization and the consent of the Commission and supervised by the Superintendent or his agent. The Town of Westwood shall disinter and deliver any body interred in the cemetery to friends or relatives applying for it in the legal manner for removal at their own expenses from the cemetery.
- 6.3 Interments and disinterments will be made only by the designated employees of the Town, or by others authorized by the Commission or their agents.
- 6.4 Funeral processions, upon entering the cemetery, shall be entirely under the control of the Superintendent or his agent.
- 6.5 When funerals arrive or leave the cemetery too late to complete the interment before the close of the regular working day, an extra charge shall be levied for the time necessary to complete the interment. (See charges and fees section).
- 6.6 Twenty four hours minimum notice shall be required for opening a grave.
- 6.7 No interment or disinterment will take place Saturday afternoons, Sundays, or legal holidays, unless required for public health, or at the discretion of the Superintendent.
- 6.8 Funeral Directors must have all Orders of Internment signed by the lot owner or legal representative of said lot prior to burial, and this must be accompanied by the necessary burial permit and fees at the time of interment.
- 6.9 While a funeral or interment is being conducted nearby, all work of any

description shall be suspended until the departure of the funeral party.

- 6.10 The Commission may designate certain areas as suitable for cremated human remains only. Deeds to lots in such areas will carry this restriction which may not be waived.
- 6.11 Initial interments will be double depth. Single depth interments will be allowed only under unusual conditions and extenuating circumstances.
- 6.12 Interment of eight (8) cremated remains are permitted in a single grave.
- 6.13 Workmen engaged in the installation of vaults and interments shall be subject to the control of the Superintendent or his agent.

7. MEMORIALS

- 7.1 Workmen engaged in the erection of memorials, monuments and markers of any description shall be subject to the control of the Superintendent or his agent and any workmen failing to conform to this rule will not be allowed to continue his work.
- 7.2 No monument or other memorial may be brought into the cemeteries until an order showing a sketch of the design, material, finish, size, and inscription thereon, signed by the owner or representative, is first submitted to the Superintendent for approval.
- 7.3 The building of a foundation shall be performed only by the regular employees of the cemeteries.
- 7.4 After monument work has been installed anyone wishing to remove same from the lot must first obtain permission from the Superintendent or his agent.
- 7.5 The lower base of all monuments must be dressed to a true level on the bottom, so as to bear evenly at all points upon the foundation.
- 7.6 No monument can be erected on a lot until the lot, and perpetual care is paid in full.
- 7.7 Only one upright monument will be allowed on a lot, unless where not permitted, all other memorials to be markers, and installed with the top at ground level.
- 7.8 The lot owners of said lot shall have the right to erect monuments, cenotaphs, or stones commemorative of the dead, but the foundations of all monuments and boulders must have the approval of said Commissioners, or their agents.
- 7.9 The Commission or their agent has the right to remove any improper monument, cenotaph, effigy or other structure not in conformity with paragraph 7.2.
- 7.10 Temporary grave markers shall be removed within six (6) months following interment, or at the time of installation of a permanent memorial, if before six months.
- 7.11 In the Baker Grove section, no monument shall exceed the dimensions of 3' x 3' x 1'; however, the Cemetery Superintendent has the authority to permit larger dimensions in instances where contiguous lots are held in common ownership.
- 7.12 All flat grass (flush) markers of granite or marble should be 4 inches thick with sawed bottoms.
- 7.13 Size of upright portion of monument is not to exceed length or width or base

7.14 Foundations must be constructed to full size of the base of the monument, and to the depth of 3 feet, except for Colonial Tablets or Monoliths, which will be determined on an individual basis.

7.14 Upright monuments, slant face and level top shall be installed in the center portion of a lot at the head end of said lot in the area provided for same.

7.16 In the Phase II area of the New Cemetery where continuous foundations are installed and the top surface is approximately 4"-6" below grade, the monument company must check with the Cemetery Superintendent as to the base height for that particular section and row. In most rows the base should be 10" high and the maximum monument dimensions are as follows:

For a single lot:

Base: 30" long x 12" wide x 10" high Die: 26" long x 8" wide x 32" high

() For a double or triple lot:*

Base: 56' long x 12' wide x 10" high

Die: 48" long x 8" wide x 32' high (*)

(*) Maximum height above grade is 36" (includes base plus die where base may extend 4" above grade). Single lot width is 42".

The monument must be located on the foundation and at the center of the lot or lots. The Cemetery Superintendent must approve the size and design of your monument before it is fabricated.

8. LOT PLANTING AND TREATMENT

8.1 Owners of lots may plant, subject to rules set forth, shrubs, plants, and flower beds.

8.2 The Superintendent or his agent has the right to remove plants, flowers, and shrubs, if in his judgement they become unsightly, or in any way detrimental to the adjacent lots, avenues, or paths.

8.3 The mowing of grass in any lot is prohibited except by cemetery personnel.

8.4 The placing of potted plants on lots is permitted, but after they have ceased to bloom they shall be removed by the owner and disposed of. No glass or crockery containers for cut flowers allowed.

8.5 The planting or removal of trees shall not be allowed.

8.6 The planting of shrubs of any description on single grave lots shall not be allowed.

8.7 No person shall erect any mound within any lot or border or change the grade of any lot.

8.8 The spreading of fertilizer, lime or other material on lots to stimulate the growth of grass will not be allowed.

8.9 The planting of rose bushes, rhododendrons, azaleas, twiggy bushes, vines, or spreading perennials, etc. is not permitted.

8.10 One small evergreen shrub on each side of an upright monument is permitted. Planting of evergreen shrubs must have the approval of the Superintendent or his agent. Shrubs shall not exceed half the height of the monument.

- 8.11 To make possible the mowing and the care of the lot, it is required that the planting of flowers and plants be restricted to a space eighteen inches in front of the monument or gravestone only.
- 8.12 Flush markers are **not** allowed planting privileges of any type, unless the said marker is installed in the area for upright monuments.
- 8.13 Winter covering of any nature (wreaths, etc.) must be removed from the gravesite by April 1.
- 8.14 If a monument is to be installed no permanent planting or shrub is allowed until installation of monument.
- 8.15 Planting desired on lots with no markers of any type may only be done with prior approval of the Superintendent or his agent.
- 8.16 Nothing other than the aforementioned plantings shall be permitted to cover the gravesite except for permitted markers.
- 8.17 In the Phase II area plantings are not allowed beside the monuments due to the underlying concrete foundations.

9. CORRECTIONS OF ERRORS

The commission, its agents or servants reserves, and shall have the right to correct any errors that may be made by it either in making interments, disinterments or removals, or the description, transfer or conveyance and substituting any conveyance in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Commission, or in the sole discretion of the Commission, by refunding the amount of money paid on account of said purchase. In the event such error shall involve the interment of the remains of any person in such property, the Commission reserves, and shall have the right to remove or transfer such remains so interred to such property of equal value and similar location as may be substituted and conveyed in lieu thereof.

10. DEFINITIONS

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| 10.1 LOT | A numbered division as shown in the cemetery record file. |
| 10.2 GRAVE | A space of sufficient size to accommodate one full-size interment and/or up to eight cremated remains. |
| 10.3 INTERMENT | The permanent disposition of the remains of a deceased person by burial. |
| 10.4 DOUBLE –DEPTH | A lot containing two graves where one is located on top of the other and in which the first interment is made in the lower one. |
| 10.5 CREMATION | the processes by which human remains are reduced to ashes. |
| 10.6 DEED | The original conveyance document given by the Cemetery Department to the original purchaser. |
| 10.7 MEMROIAL | A monument or marker used for identification on a cemetery lot. |
| 10.8 MONUMENT | The monument is a headstone usually of granite or marble which shall extend above the surface of the |

- ground.
10.9 MARKER A memorial flush with the ground usually located at a particular grave.

11. STATUTES GOVERNING CEMETERY USE

11.1 *Passing through Cemeteries*

Whoever uses as a means of passage from one point to another, not being thereupon at the time for any other purposes, the premises of a cemetery or burial place, in any other parts thereof than the defined ways, paths and walks, shall be punished by a fine of not more than twenty dollars. Mass. General Laws (Chapter 114, Section 42) as amended.

11.2 *Injuring or Defacing Tombs, Etc.*

Whoever willfully destroys, mutilates, defaces, injures or removes a tomb, monument gravestone, veteran's grave marker or metal plaque or flag, or other structure or thing which is placed or designed for a memorial of the dead, or a fence railing, curb or other thing which is intended for the protection or ornament of a structure or thing before mentioned or of an enclosure for the burial of the dead, or willfully removes, destroys, mutilates, cuts, breaks or injures a tree, shrub, or plant placed or being within such enclosure, or want only or maliciously disturbs the contents of a tomb or a grave, shall be punished by imprisonment in the state prison for not more than five years or by imprisonment in the jail or house of correction for not more than two and one-half years and by a fine of not more than five thousand dollars. Mass. General Laws (Chapter 272, Section 73) as amended.

11.3 *Desecration of Burial Ground*

Whoever wrongfully destroys, injures or removes a building, fence, railing, or other thing lawfully erected in or around a place of burial or cemetery, or a tree, shrub, or plant within its limits, or wrongfully injures a walk or path or places rubbish or offensive matter or commits a nuisance therein, or in any way desecrates or disfigures the same, shall forfeit not more than three hundred dollars. Upon the trial of a complaint hereunder, use and occupation for the purposes of burial shall be sufficient evidence of title Mass. General Laws (Chapter 272, Section 74.) as amended.

11.4 *Removal of Flowers, Etc. From Graves.*

Whoever, without the authority, removes flowers, flags or memorial tokens from any grave, tomb, monument or burial lot in any cemetery or other place of burial shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months. Mass. General Laws (Chapter 272, Section 75) as amended.

Original Issue adopted by Westwood Cemetery Commission 12/17/90.

First combined issue 9/93