

Land Acquisition Guide for Natural Burial Cemeteries

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Understanding real estate processes and requirements when acquiring land meant to host a natural burial ground, including:

- ✓ How to get started
 - ✓ What to look for
 - ✓ How to research
 - ✓ Who to work with
- ✓ Mapping systems
- ✓ Land and soil surveys
- ✓ Government resources
- ✓ Protective instruments

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Introduction

There is much written and discussed as to the benefits of natural burials; the laws and necessary procedures pertaining to natural burials; the types of entities that would oversee natural burial cemeteries; and the various related businesses in the natural burial process. There is, however, no guide as to steps researching land to be acquired for natural burial cemeteries. The purpose of this document is, therefore, to assist in determining the suitability of land that is intended for use as a natural burial cemetery.

Natural Burial Defined

Natural burial at its essence is full “body to earth” burial without impediments to the natural process of becoming soil. To achieve this goal, the following four elements are required:

- Burial at 3.5 to 4 feet to ensure aerobic microbial conditions;
 - Absence of concrete, fiberglass, or other non-biodegradable outer burial container or vault;
 - Absence of embalming or invasive chemical preservation;
 - Use of only organic materials for encasing the body, such as linen, cotton, hemp or wool shrouds, or pine, soft wood, seagrass, willow, or other plant-based coffins.
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User/Audience

In New Hampshire, only not-for-profit entities are allowed to own land for cemetery use. Although some cemeteries may accommodate both non-natural and natural burials, this document focuses on land acquisition for natural burials. The “not-for-profit” criteria therefore limits the possible user/audience of this guide to:

- Municipality (Cemetery Committee; Conservation Committee; and possibly other committees and/or municipal departments)
 - Land Trust
 - Conservation Easement Private Property Owner
 - Non-Profit Natural Cemetery Corporation or Association
 - Private Property Family Cemetery
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Land Ownership

Below is a brief description how each entity “owns” the land to be used as a cemetery. This lays the foundation as to who would be responsible for the legal, financial and on-going physical management of a cemetery to be used for natural burials.

Municipality/Municipal Cemeteries

- Each municipality in the state of New Hampshire has at least one designated municipal cemetery for its own citizens, the ownership of which is the municipality itself.¹
- Each municipality in the state of New Hampshire shall elect a board of Cemetery Trustees of 3 or 5 members; or vote the town manager (if exists) or board of selectmen to act instead of Cemetery Trustees.²
- In addition to municipal cemeteries managed by the municipal Cemetery Trustees, "Any cemetery laid out by an individual or corporation and located within the municipality, in which all lots have been sold and for the care of which trust funds are held by the municipality, may be deeded to the municipality..."³

Municipality/Municipal Conservation Commission

- Land that is encumbered by a conservation easement in perpetuity includes in the conservation easement deed a list of permitted and non-permitted uses.
- Municipalities in New Hampshire that, through their municipal Conservation Commission, own or hold grantee interest in conservation properties acquired through the Land Conservation Investment Program (LCIP).
- "78 municipalities across the State of New Hampshire participated in the Land Conservation Investment Program (LCIP). This resulted in over 250 conservation properties being protected. Most of these properties (approximately 2/3) are encumbered by conservation easements which are held in grantee interest by the Town, while the others are owned in fee by the town. Each municipality is responsible for monitoring, managing, and recordkeeping for its LCIP properties."⁴

Land Trusts

- There are roughly 27 NH Land Trust Coalition members. "Membership is limited to 501(c)3, non-profit organizations that as all or part of their mission, actively work to conserve land by undertaking or assisting in land or conservation easement acquisition, or by stewardship of such land or easements."
- "Some land trusts own conservation land that has become a conservation cemetery. They can operate and manage burial grounds themselves or they can work with external organizations, subject to state and local laws, to support and manage the burial grounds, which keeps the land trust free to stay on mission."⁵

¹ Title XXVI – Cemeteries; Burials, Dead Bodies. Chapter 289 – Cemeteries <https://gc.nh.gov/rsa/html/XXVI/289/289-2.htm>

"289:2 Municipality to Provide. – Every municipality shall provide or may enter into agreements with adjacent municipalities or nonprofit entities to provide, one or more suitable cemeteries for the interment of deceased persons, which shall be subject to such regulations as the municipality may establish. In the absence of regulations established by vote of the legislative body, the Cemetery Trustees may establish such regulations pursuant to RSA 289:7, I(a). The operation and maintenance of all cemeteries owned and maintained by the municipality shall be in the charge of the Cemetery Trustees."

² <https://gc.nh.gov/rsa/html/XXVI/289/289-6.htm>

³ <https://gc.nh.gov/rsa/html/XXVI/289/289-13.htm>

⁴ <https://www.clsp.nh.gov/lcip-municipalities>

⁵ https://www.naturalburialnh.org/uploads/1/5/2/1/152146002/conservation_burial_easement_language.pdf

Conservation Easement/Private Property Owner

- "...[C]onservation easements are perpetual legal agreements between a landowner and a conservation organization that provide assurance to the landowners that a third party will provide oversight to ensure their conservation objectives for their property will be upheld and independently monitored by an organization whose environmental values are in alignment with their own."⁶
- "Conservation easements have been proven to hold up to pressure for change in a way that even cemetery protections have not."⁷
- "Easements that include this [i.e., natural burials] low-impact, high-potential conservation strategy stand to protect the goals of both landowner and land trust alike through their ability to ensure the sustainable future of the land and its human residents. Burial and conservation are naturally compatible."⁸
- Private owner burial sample clause for inclusion in easements that allow family burials:

"The Grantor shall have the right for the conservation burial (as that term is defined below) of name of current living landowners , on the Property, including the delineation and granting of a dedicated right of access to the burial area. Said burial shall also be in accordance with all applicable Town of and State of New Hampshire laws, ordinances, statutes and regulations. The Grantor shall provide the Grantee with the proposed location of the conservation burial for the Grantee to review and approve, approve with conditions, or disapprove in writing and shall so inform the Grantor. Grantor shall notify the Grantee in writing before any such burial shall occur."⁹
- "Conservation burial is defined as the interment of human remains subject to the following requirements and prohibitions: no embalming; no installation of a burial vault; the use of a casket or shroud (if any) made exclusively from natural materials that biodegrade into non-toxic substances; minimal disturbance of the land surface; excavation of graves to the minimum depth required by law; restoration of the burial site and environs to a natural, largely unmaintained condition to provide habitat for native plants and wildlife resulting in an area indistinguishable compared to the Property surroundings; however, a grave marker may be installed."¹⁰
- It is recognized that Conservation Easements encumbering land owned by a Private Property Owner may include permitted uses that allow income producing opportunities (sale of crops grown on the land, etc.). This document only refers to that part of the land used solely for Natural Burial purposes, with, at a minimum, the area for Natural Burials being clearly defined in the Conservation Easement Deed.
- Legal counsel should be sought for proper Conservation Easement Deed language.

⁶ Ibid

⁷ Ibid

⁸ Ibid

⁹ Courtesy of Duane Hyde, Southeast Land Trust

¹⁰ Ibid

Non-Profit Natural Cemeteries

- All cemeteries in New Hampshire, other than private family cemeteries, are non-profit in the form of corporations or associations; religious or ecclesiastical societies; including those operated under the auspices of municipalities.
- IRS "Section 501(c)(13) describes nonprofit mutual cemetery companies when it provides tax exemption for organizations "owned and operated exclusively for the benefit of their members or which are not operated for profit."¹¹
- "Section 501(c)(13) exempt organizations include: a. Cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit, and b. Any corporation chartered solely for the purpose of the disposal of bodies by burial or cremation which is not permitted by its charter to engage in any business not necessarily incident to that purpose and no part of the net earnings of which inures to the benefit of any private shareholder or individual."¹²
- No licensed funeral director may own or operate cemeteries.

Private Property Family Cemeteries

- According to NH RSA 289, New Hampshire residents may bury on their own property if they meet the following rules:
 - The deceased must be a relative—you are creating a private family burial ground, not a public cemetery. ([RSA 289:1, I Definitions](#))
 - The burial must be recorded on the property deed upon transfer (*real estate disclosure when the property is sold*). ([RSA 289:3 Location](#))
 - A public right of way must be submitted to the town offices (*a handwritten map with a parking spot, walking trail, and the gravesite marked on it is sufficient*) ([RSA 289:14 Right of Way to Private Burial Ground](#)). If the property owner doesn't do this, the Select Board has authority to do it upon request by anyone who wishes to walk the property to the gravesite in the future.
 - The burial must be located 100' from any dwelling, store, school or business. ([RSA 289:3 Location](#))
 - The burial must be located 50' from known water sources and state highways. ([RSA 289:3 Location](#))
 - The cemetery must comply with any local zoning ordinances that may exist. Check with your local Zoning Board.
 - The newly established cemetery must be reported to the Municipal Cemetery Trustees to update their inventory. ([RSA 289:5 Cemetery Records](#))¹³

¹¹ https://www.naturalburialnh.org/uploads/1/5/2/1/152146002/501c13_irs_guide.pdf - IRS Exempt Organizations Technical Guide TG 13: Cemetery Companies – IRC Section 501(c)(13)

¹² Ibid

¹³ Natural Burial New Hampshire, https://www.naturalburialnh.org/natural_burial_basics.html

Researching the Property

Whether the land under consideration for a natural burial cemetery is as a result of a MLS (Multiple Listing Service) search; is to be acquired for conservation purposes; is with municipal interest; or is privately owned land, multiple factors need to be considered. Information provided in this guide is divided into two categories, with obvious overlap.

The first category will cover information on the Real Estate itself. Fortunately, there are many free publicly available sources to facilitate initial research, most of which are through the internet.

The second category will cover information concerning the Attributes of the Land itself as it relates to a natural burial cemetery. Fortunately, there has been much written and available online as well when researching land attributes.

An attempt has been made in this guide to emphasize the importance of the specific information provided as it relates to natural burial cemetery use within the section of the guide where it seems most appropriate. Because there is much overlap in the information concerning the real estate and the attributes of the land itself, it will benefit the reader to become familiar with the information provided in both categories.

The Real Estate

In its simplest form, Real Estate consists of the physical property and the legal rights associated with owning, using, and transferring land (and any buildings or structures permanently attached to it). When purchasing raw land (that which has no buildings or structures), it is important to know not only its specific location with metes and bounds defined, but also its physical, legal and economic characteristics which, at a minimum, include topography, any known easements, restrictions, encumbrances, ordinances (especially zoning ordinances), and other items of a similar nature. This Real Estate section covers necessary research regardless of the use of the land. The focus of the next section below, Attributes of the Land Itself, is focused on cemetery use, and more specifically, for natural burial cemetery use.

So, where to start? Prepare to be a detective seeking as much information as possible about your subject, the land. As mentioned, there is much free information available online. That said, a detective should never rely on any one source of information but gather all and identify the most reliable. And, where you start isn't critical, but one must start somewhere.

Internet Search of Specific Property Address

Whether the land is already owned, or is being considered as a purchase, it is worth searching on the internet using the specific address of the property (e.g., 123 Main St, Concord, NH). Please note that this particular source of information is NOT to be solely relied upon! However, it is a good place to start as it could provide the following:

- Current MLS (Multiple Listing Service) listing(s) of the property. Keep in mind that property listings are written to market the property to prospective buyers, but it can provide information to be verified elsewhere.
- Past sales of the property from sites such as Realtor.com, Zillow, Redfin, etc. This may provide not only relevant current information, but historical information worth noting.
- Articles written about the property. This could uncover not only historical information, but current or past issues, legal or otherwise, about the property (e.g., article about a house fire on the property; about contamination; about the land being conserved; etc.)
- Information on the property on its town website. This could provide links to Planning Board meeting minutes; historical relevance; noted events on property; etc.
- Conservation related information through land trust websites. This may reference the property for current or future conservation consideration.

Geographic Information System (GIS) Maps

Most municipalities (cities and towns) within New Hampshire now provide GIS mapping of all individual properties within the municipality, and the software used often provides access to a great deal of property specific information, which, for the most part is considered reliable. However, cross-referencing other sources as indicated is strongly recommended.

Finding a municipality's GIS map (if available) is easiest through an internet search that includes the municipality name + NH + GIS, such as "Concord NH GIS". The least amount of necessary information included in an internet search, the better.

Below is a list of possible information to be found through GIS mapping software. Information provided ranges from basic property information, such as general physical outline of the property, to very detailed information. An attempt has been made to identify whether the information through a municipality's GIS mapping is considered a good source or not, and, if not, where to find a *better source*, or what is considered the *best source*. Additional information on *better sources* and *best sources* is included below in this guide.

- Detailed Metes and Bounds — Good source, the latest recorded deed of transfer is a *better source*, and a recorded site-specific land survey by a licensed survey engineer is *best source*.
- Zoning District — Best source, but double check with municipality as to possible latest changes.
- Property Tax Card — Good source, but detailed property tax card on file at the municipality's assessor's office is *best source*.

- Property Tax Assessment — Good source, but best source is the municipality's assessor's office to ensure latest assessment.
- Past Transfers of Ownership — Good source, but the County Registry of Deeds is best source.
- Planning Board Decisions — Good source, but individual property file at the municipal office is best source.
- Easements — Good source, but the County Registry of Deeds is best source.
- Flood Zones — Good source, but the latest FEMA Flood Mapping is best source.
- Topographical information — Good source, but the US geological survey is better source, and a recorded site-specific land survey by a licensed survey engineer is best source.
- Soils information — Good source, but the US Dept. of Agriculture Web Soil Survey is better source, and a recorded site-specific soil survey by a licensed survey engineer is best source.
- Sewer and Water Systems — Best source, after ensuring inclusion of latest changes.
- Historic Site — Good source, with more research from various sources.

The amount of information available on municipalities' GIS maps will vary greatly.

Although better sources and best sources are identified and detailed below, it is always possible that additional information could be discovered that may override even the best sources.

GIS mapping software may be provided by the individual municipality, whereas some municipalities' GIS mapping may be available along with other municipalities' GIS mapping through, say, a regional Planning Board or commission (e.g., Southern New Hampshire Planning Commission includes GIS mapping for 14 municipalities.)¹⁴

Most GIS mapping software provides a "Search" button where, when accessed, you would enter the property address. (Again, the least amount of information, and without punctuation, the better, such as "123 Main St", avoid typing out the word "street", or don't even include "St".) If number "123" is not found, just search on "Main St" and choose from the list provided. Or you can search by owner name or parcel ID (i.e., map and lot number).

Another way to search for a property, especially when searching for raw land that may not have an actual street number, is to zoom in on the map itself until you can locate the property, which you can usually then click on to obtain the detailed information available.

Because different GIS software is being used throughout New Hampshire (with changes to GIS software occurring quite frequently), it is beyond the scope of this guide to include how each GIS software functions. General information has been provided, but

¹⁴ <https://www.snhpc.org/maps-gis/pages/tax-maps>

the user is encouraged to explore the various options provided on the GIS map to continue to drill down as much as possible. Helpful hints include:

- For “Metes and Bounds”, keep zooming in on the property until the numbers appear (if they are even available).
- Click on the “Themes” or “Legend” button for a list of other information available through the GIS mapping software.
- “Zoning Ordinance” may be a separate menu option on the GIS map page or obtained elsewhere (See *below*).
- “Property Record Cards” may be a separate menu option on the GIS map page or obtained elsewhere (See *below*).

NHGranitView

“The GRANITView web mapping application provides access to key NH GRANIT data layers, along with a suite of tools to navigate and interact with those data layers. The layers are grouped into a series of functional categories that include:

- administrative and political boundaries
- cultural society and demographic
- environment and conservation
- geological and geophysical
- inland water resources
- location and geodetic networks
- transportation networks
- utilities and communications
- elevation
- base maps/aerial imagery
- label features

Each category contains numerous data layers that can be displayed and queried by the user. A number of the layers are maintained by GRANIT, while others are developed and maintained by our state partners and provided to GRANIT for archiving and hosting.”¹⁵

Although NH GranitView provides a variety of information, most information is obtained by state partners that have been identified elsewhere in this guide.

USDA Natural Resources Conservation Service – New Hampshire

“The NRCS has been helping farm and forest landowners in the Granite State address conservation concerns under Farm Bill Programs since 1933.”¹⁶ In addition to providing a link to the USDA Web Soil Survey (see *below for more information*), this website provides New Hampshire-specific information, such as the New Hampshire Soil Data Dictionary. This is “comprised of definitions and terms used for New Hampshire soil data and is provided as a reference for soils professionals, researchers and students” and the “New Hampshire Soils Handbook” that “provides information about New Hampshire soils.

¹⁵ https://granitview.unh.edu/html5viewer/index.html?viewer=granit_view

¹⁶ <https://www.nrcs.usda.gov/NewHampshire>

Important soil properties, such as texture, structure, slope, and color are explained and clarified."¹⁷

Next Levels of Real Estate Research

Metes and Bounds

As indicated, the municipality's GIS map is a good source, the latest recorded deed of transfer is a *better source*, but a recorded site-specific land survey by a licensed survey engineer is the *best source* of a property's actual dimensions and size of the real estate. For those municipalities that do not have GIS maps, they may have copies of their tax maps online, but all will have hard copies available in the town office.

The Deed of Transfer recorded in the County Registry of Deeds often includes the exact measurements surrounding a parcel of land. However, it is not uncommon in New Hampshire for the deed to have vague descriptions (e.g., "to the oak tree"; "approximately 100 feet"; "along the stone wall"; "along the southeast boundary of the Smith property"; etc.) which are unreliable, at best.

What are the actual dimensions and size of the real estate?

A Land Survey completed by a licensed survey engineer and recorded in the County Registry of Deeds is considered the most reliable, and therefore *best source*. The process of completing such a survey requires, at a minimum, extensive research into the historical recorded deeds of any kind of this property as well as those for all abutting properties; any and all recorded surveys completed for this property as well as those of all abutting properties; zoning information; and site visits to the property where exact metes and bounds are identified, measured and mapped.

There are many types of land surveys completed for a variety of reasons, such as topographical surveys, soil surveys, wetland surveys, subdivision surveys, right-of-way and other easement surveys, lot line adjustment surveys, remediation surveys, conservation easement surveys, conceptual plan surveys, etc. It is therefore important to ensure that the survey to be used provides the information sought.

Zoning District and Zoning Ordinance

As indicated, the municipality's GIS Map is considered *best source* of this information, if, in fact, the municipality provides GIS mapping and identifies and delineates the current Zoning Districts. Whether GIS mapping is available or not, a current zoning map will be available at the town office.

Within what Zoning District does the property exist?

¹⁷ <https://www.nrcs.usda.gov/resources/data-and-reports/statewide-soil-information-new-hampshire>

In a few NH municipalities, Zoning Districts are defined by a written description as opposed to an actual map (e.g., "Agricultural District begins at the southwest corner of Main Street and Elm Street, following the south side of Main Street to the west side of the Culver Brook...")

Once the Zoning District for the property is identified, the municipality's Zoning Ordinance will include, at a minimum, the intent of the Zoning District, the permitted and non-permitted uses within the district, the required minimum lot size and setbacks, etc. In addition to information that pertains to the individual Zoning Districts, the Zoning Ordinance will also provide information as to specific uses no matter the Zoning District (e.g., cell towers, wind farms, solar panels, cemeteries, etc.) The Zoning Ordinance is a critical document in determining whether the property is suitable for cemetery use within the municipality. *Hint: Most municipal websites provide a "Search" option. Searching on the word "cemetery" may provide critical information not otherwise found.*

Property Tax Card

As indicated, GIS software often provides links to the Property's Tax Card. However, tax card information found online is often not as detailed as that which is available at the municipality's assessor's office; therefore, the hard copy of the latest Property Tax Card is considered *best source*.

How does the municipality define the property?

The Property's Tax Card will provide the information *known by the municipality*. If there are improvements (e.g., house, barn, shed, swimming pool, paved driveway, etc.), these will be included as well. The information concerning the land (this guide's primary focus) will typically include, at a minimum, size, road frontage, whether the land is in Current Use (see *below*), easements of any kind, topography, and other pertinent information such as water frontage, views, etc. For the most part, the information on the Property's Tax Card is correct, however, it is typically not considered the most reliable. As it pertains to land, recorded surveys by licensed engineers are considered the most reliable.

Property Tax Assessment

Although this information may be accessed through GIS mapping, the *best source* is the municipality's assessor's office to ensure the latest assessment. The property's assessed value is not considered the property's market value. Although the assessed value, along with what is known as the equalization ratio, attempts to reflect a number close to the property's market value, it is never to be relied upon as what the property could sell for on the open market. Without going into unnecessary explanation within this guide, property tax assessments are helpful in calculating the real estate taxes within the municipality. The tax rate for the municipality is typically posted, and always available, at the town

What is the assessed value of the property?

office. Also, although the real estate taxes for a property are typically included in a MLS real estate listing, this number may not consider the most recent assessed value and tax rate.

Recorded Documents of Any Kind

The only reliable source of recorded documents that pertain to the property is at the applicable County Registry of Deeds. Although the latest deed of transfer of the property is a good first step, ALL documents that pertain to the property are important to review.

These could include: conservation easement deeds; other easements such as pertaining to rights-of-way; Current Use assessment; mortgages and/or other liens on the property. In addition, deeds, easements, recorded plans, etc., for abutting properties that reference this property can be critical as well.

A thorough review of the recorded documents pertaining to the property is referred to as a Title Search. Although anyone can research recorded documents either online or at the County Registries of Deeds, having a professional Title Search of the property is worth the expense. In addition, obtaining Title Insurance, which ensures the accuracy of the completed Title Search, is a worthwhile expense for any property owner.

Title Search

"In real estate business and law, a title search or property title search is the process of examining public records and retrieving documents on the history of a piece of real property to determine and confirm property's legal ownership, and find out what claims or liens are on the property.

In the case of a prospective purchase, a title search is performed primarily to answer three questions regarding a property on the market:

- Does the seller have a saleable and marketable interest in the property?
- What kind of restrictions or allowances pertain to the use of the land? These would include real covenants, easements and other equitable servitudes.
- Do any liens exist on the property which need to be paid off at closing? These would be mortgages, back taxes, mechanic's liens, and other assessments."¹⁸

When was the property last sold/transferred, what are all other recorded documents, and how was the property described each time?

¹⁸ Wikipedia

“Anyone may do a title search, with the right knowledge and resources, although the preparation of an abstract of title as part of a real-estate closing is often restricted to specifically licensed professionals or attorneys.”¹⁹

Title Insurance

“In the United States, the buyer of a property will usually purchase title insurance, which protects the buyer from any title problems that may arise after sale, such as liens that were missed during the title search. The title insurance company issues a report and an insurance policy in support of its findings.”²⁰

It is important to note that when buying real estate with a mortgage, it is the financial institution issuing the mortgage that is requiring the Title Search and the entity for which the Title Insurance is issued. Both the Title Search and the Title Insurance safeguard the financial institution's interest. In order for the buyer of the real estate to safeguard their own interests (while the property is mortgaged and/or once the mortgage is paid off), the buyer needs to pay the additional fee to be named as an insured as well.

Without a mortgage, the buyer would need to have a Title Search completed and obtain their own Title Insurance.

Municipal File of the Property

Each property within the municipality will have a file. Historically, these files, at a minimum, contain the current and past Tax Card(s) for the property, although Tax Card information may now be stored digitally.

Other information in the file would include copies (and/or originals) of correspondence to the property owner, variances (requested and/or approved), deeds, easements, Planning Board decisions, surveys (both recorded and un-recorded), Current Use information, conservation deed information, etc. *The property's municipal file can uncover otherwise unknown information about the property.*

What decisions have been made by the municipality as they relate to the property? What other information about the property has been collected?

¹⁹ Ibid

²⁰ Ibid

Bundle of Rights

Traditionally, the “bundle of rights” concept encompasses “five basic rights that may be held with respect to a parcel of real property”. These include: right of possession; right of control; right of exclusion; right of enjoyment; and right of disposition.²¹

These various rights could pertain to: legal ownership; municipal regulations; trespassing; the right to use the property; or the right to transfer ownership. They could also include: “sticks” of rights given for a mortgage or a power line; due to eminent domain; granting or obtaining a right-of-way for a conservation easement; due to a homeowners association; leasing the property; air rights; mineral rights; grazing rights; or other reasons.

What easements encumber the property, and what easements are beneficial to the property? What other rights affect the property?

When researching the land, it is important to know and understand what “sticks in the bundle of rights” pertain to the property. Any and all sources of information described in this guide could provide information relating to the property’s “bundle of rights”.

Flood Zones

The FEMA Flood Maps are the *best source* to determine if the property is within a designated flood zone. “The FEMA Flood Map Service Center (MSC) is the official public source for flood hazard information produced in support of the National Flood Insurance Program (NFIP).”²²

Is the property within a designated Flood Zone?

It is important to note that the FEMA Flood Maps are used to identify: the probability of flooding within, say, 100 years; the estimated depth of the flooding; whether it is a coastal flood zone, river or stream flood zone, or other designation. This information, however, is not what is considered site specific. It is not frequently updated and is slow to take the effects of climate change into consideration.

Geotechnical surveys by licensed engineers are considered most reliable. These surveys not only take the FEMA Flood Maps into consideration and include the information in the final survey, they also delineate all water sources, wetlands, etc. (See below for more information on Geotechnical Surveys.)

²¹ Wikipedia

²² <https://msc.fema.gov/portal/home>

Topographical Information

The topographical information that might be available through a municipality's GIS mapping can be helpful, the US Geological Survey (known as TopoView) is a *better* source, and recorded site-specific land survey by a licensed survey engineer is considered the most reliable.

TopoView "...highlights one of the USGS's most important and useful products, the topographic map. In 1879, the USGS began to map the nation's topography. This mapping was done at different levels of detail, in order to support various land use and other purposes. As the years passed, the USGS produced new map versions of each area. The most current map of each area is available from *The National Map*.²³

What are the physical features of the property, including the wetlands, waterways, and elevation of the land?

TopoView shows the many and varied older maps of each area and is especially useful for historical purposes—for example, the names of some natural and cultural features have changed over time, and the historical names can be found on many of these topographic maps."²⁴

To search on TopoView, enter the address of the property (e.g., 123 Main St, Concord, NH, and remember that less information entered the better). A list of historical topographical maps will be available. For the latest topographical map, click on the map at the bottom of the list, and choose "Show".

NH Department of Environmental Services (DES)

The NH Department of Environmental Services website provides the ability to search on properties within New Hampshire. To search by location, you chose "Town/City" and then proceed with available information, such as property owner ("Name") and/or Address. *There is potentially a lot of information on a given property broken out by "Specific Areas of Interest" with documents filed for each reference.*²⁵

Is there, or has there ever been, reported information concerning contamination, water systems, or remediation, of the property?

Soils Information

The soils information that might be available through a municipality's GIS mapping can be helpful, but the US Dept. of Agriculture Web Soil Survey is a *better* source, and a recorded site-specific soil survey by a licensed survey engineer is considered the most reliable.

²³ <https://www.usgs.gov/programs/national-geospatial-program/national-map>

²⁴ <https://ngmdb.usgs.gov/topoview/viewer/#4/40.01/-100.06>

²⁵ <https://www4.des.state.nh.us/DESOnestop/BasicSearch.aspx>

USDA Web Soil Survey

The USDA (US Department of Agriculture) Natural Resources Conservation Service has created a Web Soil Survey (WSS) that provides soil data and information produced by the National Cooperative Soil Survey. "The Web Soil Survey provides agricultural producers, agencies, technical service providers, and others online access to soil and related information needed to make land-use and management decisions."

²⁶

What soils are to be found within the property?

As noted when creating an "Area of Interest" for mapping soils, the website clearly states that "[t]he maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale."²⁷

The USDA Web Soil Survey does, however, provide information as to soil and rock composition, degree of permeability, percent of slopes, etc., that can provide a starting point when considering land acquisition for cemetery use. It also provides a relatively recent aerial map (date of last aerial map varies by location). Drilling down by use of the USDA Web Soil Survey is the next level of publicly available information, followed by site-specific surveys by licensed engineers. The USDA mapping gives a general description of the soils in the area selected but is not considered detailed or site specific.

Following are instructions on how to use the USDA Web Soil Survey website:

- Click on "Start Web Soil Survey →"
- Select "Area of Interest" tab (top left tab)
- Select "Quick Navigation" – "Address" and enter street address in box – e.g., 123 Main St, Concord, NH (leave "Show location marker" checked, or uncheck box)
- Click on "View" button. The default is the "+" icon to allow you to Zoom In on map, or you can click on the "-" icon to Zoom Out on the map.
- Click on the "AOI (polygon)" (Area Of Interest) icon (righthand icon above map)
- Set cursor where you want to start defining the AOI and click ONCE at that point. Continue to outline the area by clicking ONCE each time you change direction until you are at the point to be made BEFORE your point of beginning. Click TWICE to acknowledge that AOI has been defined. Your AOI will now be defined with hatch marks.
- Note that under "AOI Information" to the left, it will show the number of acres you have selected in your AOI.
- Click on the "Clear AOI" button to start new Map (if necessary)
- Click on "Soil Map" Tab at top of window
- Info to left is for the AOI.
- Click on "Printable Version" button above Map
- Enter a Custom Subtitle, then click on "View" button. If you see a message "Cannot open external window. Do you have a popup blocker enabled?" , click

²⁶ <https://www.nrcs.usda.gov/resources/data-and-reports/web-soil-survey>

²⁷ Ibid.

on the  icon to the right of the web address at the top of your screen, and choose "Always allow..."

- Print in color and/or save to your PC.
- Click on the "Soil Data Explorer" tab at top of window for more detailed information.
- Click on "Building Site Development" under "Suitabilities and Limitations Rating".
- Click on "Dwellings with Basements" down arrow.
- Click on "View Rating" button. This rates the developability of the soils under "Rating" and provides more detailed information such as Flooding, Depth of Saturated Zone, Slope, etc. Descriptions of info in chart are included. Click on the "Printable Version" for printing.

Sewer and Water Systems

The GIS mapping software might include the mapping of municipal water and/or sewer systems, especially in large municipalities. If not available online, the municipality's Public Works department will be able to identify the location of these systems.

Does the property have access to municipal water and/or sewer systems?

Historic Sites

Although it is unusual for raw land to be designated as an historic site, it could be located within a Historic District and thus subject to certain restrictions, regulations, etc., in addition to the larger Zoning District regulations.

Is the property a registered historic site or within a Historic District?

Attributes of the Land Itself for Natural Burial Cemetery Use

When considering the attributes of the land for cemetery use, there are multiple critical factors that need to be taken into account. The [Real Estate Section](#) and [Next Levels of Real Estate Research Section](#) above cover necessary research, regardless of the use of the land. The focus of this section is for cemetery use, and more specifically, for [Natural Burial Cemetery Use](#).

Deed Restrictions

This guide has identified the possible ownership entities of a natural burial cemetery. The [Real Estate Section](#) touches on the need to identify easements, Current Use designation, etc., and emphasizes the importance of a [Title Search](#). Following is additional information specific to deed restrictions for a Natural Burial Cemetery.

Conservation Easement Deed Language

- Existing Conservation Easement - Conservation easement deeds contain information concerning “permitted uses” and “non-permitted uses” (along with a great deal more legal information). If the conservation easement deed does not include cemetery use in the “permitted uses”, it has been recognized that changing the language in a conservation easement deed is difficult, if not impossible. Legal counsel is considered necessary to pursue adding natural burial cemetery use to an existing conservation easement deed.
- Proposed Conservation Easement - The “Conservation Burial – A Primer on the Relationships with Conservation Organizations and Drafting of Conservation Easements” (2020) by Lee Webster provides the information necessary for green burial cemetery inclusion on the permitted uses of a conservation easement deed.²⁸
- Conservation Easement Components - Typical conservation easements that include either private landowner burial rights or public cemetery businesses to operate on the land include some basic elements it's wise to be prepared for, including but not limited to:
 - Documenting landowner and land trust preferences
 - Boundary monitoring requirements and schedule by the land trust
 - Legal requirements of all parties establishing all other permitted uses, such as mining, forestry, agriculture, recreational use, trail access and responsibilities, structures
 - Requirements for sustainable management programs, including water quality, wildlife protection, pest control, forest and native plant restoration, trail development and maintenance.

Current Use

- In New Hampshire, putting land into Current Use status provides the property owner a reduction in property taxes on 10 acres or more that are considered open space land (i.e. “any or all farmland, forest land, or unproductive land”). In the “*State of New Hampshire Current Use Criteria Booklet*” no reference is made to cemetery use.²⁹
- Since land used for cemetery purposes must be owned by a non-profit entity in New Hampshire, and since non-profit entities are, for the most part, not assessed a property tax, land in Current Use does not offer any financial benefit for cemetery use.
- However, if the land being considered for cemetery use is in Current Use, it appears that the land will need to be taken out of Current Use in order to be used as a cemetery. A Land Use Change Tax (LUCT) is calculated as 10% of the full and true value of the land considering its highest and best use, with cemetery use likely not considered its “highest and best use”.
- *It is unclear if land being taken out of Current Use in order to be for cemetery use would be assessed a Land Use Change Tax. It is recommended that legal counsel be sought for further information.*

²⁸ https://www.nhfuneral.org/uploads/1/1/7/5/117550115/conservation_burial_easement_language.pdf

²⁹ <https://www.revenue.nh.gov/sites/g/files/ehbemt736/files/documents/current-use-criteria-booklet.pdf>

Municipal Cemetery Deeds

- Existing municipal cemeteries are governed by the municipal's cemetery committee (or other entity assigned responsibility). As such, the cemetery either does, or does not, allow natural burials. A list of cemeteries (municipal or otherwise) is available on the NH Funeral Resources & Education website.³⁰ Efforts are being made by various entities, including Natural Burial NH to add natural burial use within municipal cemeteries.³¹

Land Surveys

Land surveys may already exist for the property being considered. It is imperative that the survey includes the stamp of a licensed engineer; that the survey has been recorded in the applicable County Registry of Deeds; and that it is the latest recorded survey of the property. Keep in mind that property surveys are completed for a multitude of reasons, such as those listed below (but not limited to those listed below).

- Exact measurement of metes and bounds
- To create subdivision(s) of the property
- To identify property as a subdivided lot
- Lot line adjustments
- Easements encumbering the property
- Easements to the benefit of the property
- Eminent domain acquisitions³²

Although a recorded survey by a licensed engineer of the property is available (and is considered the latest survey), it will likely not include all the information considered necessary for cemetery use. Information within a land survey that will likely be helpful when considering cemetery use would include:

- Lot size
- Property lines (metes and bounds)
- Location of all soil test sites
- Percentage of slope and direction
- Soils
- Contour elevations
- Drainage areas
- Well locations
- Surface water features
- Utilities
- Water lines
- Easements
- Dimensions of structures
- Any proposed wells, septic systems, drainage systems, cut or fill areas, ponds or other major changes

³⁰ <https://www.nhfuneral.org/green-burial-cemeteries-in-the-us-and-canada.html>

³¹ <https://www.naturalburialnh.org>

³² Please note: Eminent domain surveys may not be in the County Registry of Deeds, but on file at the NH Department of Transportation.

Geotechnical Engineering Surveys

The focus of a natural burial cemetery is all about the land. Prior to purchase of your property, you will need to determine general features that make this an appropriate place to form a cemetery. As indicated, a cemetery requires certain topography, soils, water tables, etc. in order to be conducive to the actual process of a burial and, in turn, multiple burials. It is, at the very least, impractical to consider the creation of a cemetery in areas where the land is steep, consists of wetlands, is mostly ledge, and/or has significant rock out cropping. The drill-down approach includes beginning with the information available as described in the Real Estate Section and Next Levels of Real Estate Research Section above, primarily those pertaining to Flood Zones, Topography, and Soils.

Also, you will be required to prove what is and is not on the land prior to obtaining approval from authorities. The Green Burial Council provides a template for necessary assessments that include:

- a general description of the property that includes abutting features and concerns;
- a detailed description of the property, including coordinates, maps and photos;
- a detailed description of the geological properties, topography;
- a detailed description and mapping of water features;
- a survey of vegetation and plant life, including native and invasive plant species;
- a detailed description of endangered and abundant wildlife, evidence of migration corridors;
- a map of areas with erosion and other specific areas of concern; and
- documentation of mineral rights, existing rights-of-way, deed restrictions.³³

Engineering surveys can provide a wealth of information concerning the land being taken into consideration for cemetery use. It is important, however, to specify what information you need and don't need from the engineer. Engineering firms often provide multiple survey types, which can be a cost savings when meeting all the survey needs for cemetery use.

After obtaining a general description of the soils using the USDA Soil Survey Map and an in-person site inspection of the land, a Geotechnical Engineer who is concerned with the engineering behavior of earth materials, and relies on knowledge of geology, hydrology, geophysics, and other related sciences will need to be engaged for detailed site specific analysis.³⁴

An internet search for "geotechnical engineering firm near me" will provide local options. An "AI Overview" indicates, "The cost of geotechnical engineering services, including surveys and reports, can vary significantly based on the project's scope and complexity. Generally, expect to pay between \$1,000 and \$5,000 for a geotechnical survey and report. More complex projects or larger sites may incur higher costs." This appears to be a reasonable estimate. It is recommended that an estimated timeframe for a completed survey be set upon engagement.

³³ <https://www.greenburialcouncil.org/>

³⁴ https://en.wikipedia.org/wiki/Geotechnical_engineering

Granting authorities will usually require you to produce soil overlay maps that show –

- contour levels at every five feet,
- where soils exist and what type they are,
- at what depth, what drainage naturally exists, and
- what water sources are evident.
- Percolation tests may also be required to determine depth of standing and seasonal water.
- Soil and groundwater characteristics may be determined by performing soil borings, typically one per acre. These may be required by the Health Department in addition to the approving entity.

A Geotechnical Engineer will be able to provide this information along with the following factors necessary for natural burial cemetery use.

Ideal Soil Conditions

Information may be identified in geotechnical surveys, natural resources inventories and ecological impact assessments, such as -

- high permeability rates;
- the ability to *adsorb*, or bond to soil particles, degrade pollutants, aiding in carbon sequestration; and
- the ability to *absorb* and utilize nutrients to maintain their own metabolism and release it in ways that plants can use.

Soils should be on the sandy to loamy spectrum to increase their filtering capacity for pathogens and leachate, with some clay. Rock fragments are important for protecting ant populations that improve soil structure and drainage, and aid in nutrient cycling. Amendments may be added to balance soil types.

Don't feel as though you need to conduct multiple surveys or studies. Most studies of this type are fluid and changing over time, and in the case of soil, can change type from feet away. All you are looking to do is establish the basic capacity of the area's soil for that moment in time.

Water Considerations

Of all the things people are most concerned about, water quality protection is top of the list. Even though there is no danger from the body itself, it's important to gather as much data as possible in case you are challenged. Here are some basic tips:

- A seasonal water table of five feet or more, or 1.5 – 2 meters, will avoid heavy saturation, keeping humidity in correct balance to support microorganisms.
- Soil protects water by filtering impurities, such as nitrates. To illustrate the safety of a naturally buried body, consider this: A family of four flushes 100 times more nitrates into the ground *in one day* than a body does over the course of its entire burial.

- Modeling nitrate loads by matching soil permeability to watershed activity will determine water safety. When there is no imminent danger of water contamination, expensive and time-consuming nitrate modeling hydrological studies are not necessary.

Ideal Burial Conditions

No one property is going to have the perfect combination of soil and circumstances. The following list has items that are non-negotiable, such as FEMA Flood Zone designation, but other items are recommendations. Graves should be situated:

- on level to moderately sloped grade;
- not located in a Flood Zone;
- have no wells within or near the cemetery area;
- have little or no surface water;
- in open spaces, margins, or ecotones;
- in clusters along the margins and meadows in higher elevations; and
- to avoid woodland burial root zones.

Factors to Consider with respect to Rate of Decomposition

- Soil moisture, sustained humidity.
- Oxygen content.
- Microorganisms, insects.
- Chemical composition of surrounding soil.
- Post-death treatment (autopsy, cause of death, pharmaceuticals, embalming).
- Density and decomposition potential of containers.
- Studies show that the type of soil, temperature, and humidity, plus BMI (the ratio of fat to muscle) all influence the richness and diversity of soil microbial communities, which in turn determines the rate of decomposition.

Size and Carrying Capacity of Land for Cemetery Use

The Green Burial Council has developed standards at the following natural burial ground levels:

Hybrid — an area within a conventional cemetery where burial occurs without a concrete vault, chemical embalming, and with a biodegradable container at 3.5 to 4 feet.

Natural — where all three elements are employed in a cemetery dedicated to natural burial.

Conservation — where a land trust entity preserves land that is partly used for burial, that is either 20 acres of total property or five acres adjacent to

other protected land that must be under conservation easement, deed restriction, or other binding and irrevocable agreement.

*The average vault cemetery has between 800 and 1,200 gravesites per acre. The Conservation Burial Alliance recommends burial density no greater than 300 per acre, although most have a much lower burial density.*³⁵

Other Considerations for Acquiring Land

Contingencies, plat maps, and setbacks

- Contingency for cemetery use - When making an offer, make closing contingent upon getting approval by the city or county to make it a cemetery within a specified period of time. Given the time it may take when working with government and other agencies and institutions, asking for a 60-90 day wait period is not unreasonable.
- Plat map for cemetery use - Green burial cemeteries do not generally follow the standard row placement of plots that are mapped out on what is called a plat map. However, you may be asked to provide a paper map of where you intend to bury. There are several cemetery plot mapping software packages available that, together with your soil overlay map, that will not only make it possible to fulfill this requirement if asked for but will make your job easier as you go along. However, if you choose to go old school, drawing it out on paper or hiring a surveyor to map it for you will work, too.
- Setback and limit compliance - Setbacks are distances from either buildings, known water sources, roadways, or other entities. They are usually state mandated but there may be locally enforced zoning as well. Be sure to check for state requirements first, then check with your city or town offices for local zoning and health regulations. Don't forget to call Dig Safe if there is any question about buried electrical conduit.³⁶
- In New Hampshire, burials:
 - Must be located 100' from any dwelling, store, school or business.
 - Must be located 50' from known water sources and state highways.
 - Must comply with local zoning ordinances.

Written Consent From Abutters

We can't stress enough the importance of alerting abutters to your plans and working as hard as it takes to educate them about safety issues and why you are building this cemetery. Having abutters and others in the community on board will make all the difference in how smoothly the initiation phase goes. One unhappy, uneducated abutter can look for ways to nix your project even after you have made the investments

³⁵ <https://www.conservationburialalliance.org>

³⁶ https://www.digsafe.com/?gad_source=1&gad_campaignid=83054987&gbraid=0AAAAADy8aS2AZMNoTMRFSGajnZpbc_ocy&gclid=Cj0KCQjw097CBhDIARIsAJ3-nxf0MV4spyFUKCGTI6IXF52I7rW6Zvp_C67dG3BXRXPo06kZ7eP1ucUaAhKWEALw_wcB

of time and money. Even though they have no say in the matter if a cemetery is ruled permissible use, good neighbors are priceless. Take the time to get them on board.

You can obtain a list of abutters from your real estate agent, county or town office, or find them by looking on the GIS/Tax map and requesting their Property Tax Card which will have full addresses. Write them, including links to the Green Burial Council and other green cemetery resources, and brochures and other written materials that lay out the issues. Follow up with a personal call and visit them if necessary. Present at a town-wide informational evening. Speak to the issue at selectmen's meetings, town meetings, in churches, civic clubs, libraries — anywhere that you can build support for the concept. If you can't persuade an abutter, having a community of support might sway the balance. A signed agreement from abutters will go a long way in gaining acceptance from granting authorities.

Identification of Other Stakeholders

If you are in partnership with others, you will be asked to identify them. Include a listing of their names, address, phone and email, and a general description of their role.

Right-of-Way to Private Burial Ground

NH Title XXVI – Cemeteries; Burials; Dead Bodies; Chapter 289 –

Cemeteries. 289:14 Right of Way to Private Burial Ground. – Any person wishing to have a temporary right of entry over private land in order to enter a private burial ground enclosure to which there is no public right of way may apply in writing to the selectmen of a town or the mayor of a city stating the reason for such request, which may include the maintenance, repair, and preservation of the burial ground, and the period of time for which such right is to be exercised. The applicant shall also notify in writing the owner or occupier of the land over which the right of way is desired and obtain the written permission of the owner. The selectmen or mayor, in the exercise of discretion and in consultation with the Cemetery Trustees, may issue a permit for such temporary right of entry designating the particular place where the land may be crossed. The owner or occupier of the land may recommend the place of crossing which, if reasonable, shall be the place designated by the selectmen or mayor. The person exercising the right of entry shall complete the work on the cemetery and restore the right of way to its original condition, if it is disturbed.³⁷

Detail of Social and Cultural Resources

While performing the soil mapping, any man-made structures, such as old cellar holes, wells, rock walls, and burial grounds must be documented. Not only is this a good

³⁷ <https://gc.nh.gov/rsa/html/xxvi/289/289-mrg.htm>

addition to your report, it helps in developing a marketing strategy and developing your trail map.

Parking and Traffic

Consideration will need to be given for parking and traffic, especially for the burial events themselves. The municipality will likely require location and parking capacity delineated on the final cemetery Site Plan. At a minimum, discussion will need to be included as to how any/all increased traffic will be handled for both the burial events and on-going cemetery visits.

Permitting Considerations

Various permits may be required by the Planning Board or other town, city, or county board. Gathering as much information prior to approaching any board is useful and will minimize spending time and money on catching up to various requirements. Most requirements for permits will be posted either in the office or online. Attending a permitting hearing may also help to prepare.

Here are some areas of interest to Planning and Zoning Boards who are attempting to assess impact on the environment, on roads, wastewater treatment plants, and other public infrastructure services, and on neighboring residents, schools, and other businesses.

- Visitor estimates by day/week/month/year
- Parking capacity
- Handicap access
- Noise levels
- Recreational activities
- Vehicular traffic estimates and flow
- Drainage and culverts
- Building and sheds
- Fire control access and egress
- Emergency evacuation plans
- Restroom facilities
- Water access
- Agricultural management
- Timber management
- Historical or archeological features impact
- Light emissions
- Scenic resources impact
- Air and ground water quality assurances
- Greenhouse gas emissions
- Use of municipal water or sewer treatment
- Protection of endangered species, riparian habitat, wetlands, other sensitive natural communities

Resources

Conservation Burial Alliance

Conservation Burial – A Primer on the Relationships with Conservation Organizations and Drafting of Conservation Easements

FEMA Flood Map Service Center

Green Burial Council

Land Conservation Investment Program

Multiple Listing Service

National Cooperative Soil Survey

National Flood Insurance Program

Natural Burial New Hampshire

New Hampshire Funeral Resources, Education & Advocacy

NH Department of Environmental Services

NH Department of Health

NHGranitView

NH Land Trust Coalition

NH Soil Data Dictionary

NH Soils Handbook

State of New Hampshire Current Use Criteria Booklet

Southeast Land Trust

TopoView

USDA Natural Resources Conservation Service – NH

USDA Soil Survey Map

USDA Web Soil Survey

US Geological Survey

Wikipedia

Glossary

Bundle of Rights — The various legal rights associated with property ownership, which are often conceptualized as a collection of individual rights or "sticks" bundled together, including the right to possess, control, exclude, enjoy, and dispose of the property.

Carrying capacity — The number or quantity of people or things that can be buried within a specific area, such as an acre.

Conservation burial ground — Where a land trust entity preserves land that is partly used for burial, on either 20 acres of total property or five acres adjacent to other protected land that must be under conservation easement, deed restriction, or other binding and irrevocable agreement.

Conservation easement — A voluntary, legally binding agreement between a landowner and a qualified organization (like a land trust or government agency) that restricts certain uses of a property to protect its conservation values.

Covenants — A legally binding promise or restriction included in a deed or other legal document that dictates how a property can be used or maintained.

Current Use — Program designed to encourage the preservation of open space, forests, and agricultural land by valuing them for property tax purposes based on their current use rather than their potential development value.

Deed of transfer — A legal document that formally transfers ownership of property from one party to another.

Deed restriction — A legally binding clause in a property deed that limits how a property can be used, developed, or maintained.

Dig Safe NH — a private, not-for-profit organization that collects information about your upcoming excavation project, then notifies the appropriate member utilities in the area of excavation.

Eminent domain — The power of a government to take private property for public use, even if the owner does not want to sell, provided that the owner receives just compensation for the property.

Equitable servitude — A non-possessory interest in land, similar to a real covenant, that restricts how land can be used.

Flood Zone – Flood hazard information (i.e. probability of flooding) produced in support of the National Flood Insurance Program.

Geographic Information System (GIS) Mapping – A computer system that analyzes and displays geographically referenced information. It uses data that is attached to a unique location.

Grantee/Grantor — A grantor is the person or entity transferring ownership or rights to an asset, while a grantee is the person or entity receiving that ownership or those rights.

Green burial — The practice of burying human bodies directly into the earth without impediments.

Hybrid burial ground — An area within a conventional cemetery where burial occurs without a concrete vault, chemical embalming, and with a biodegradable container at 3.5 to 4 feet.

Land trust — A non-profit organization dedicated to permanently protecting land for its natural, recreational, scenic, historical, or productive value.

Lien — a right to keep possession of property belonging to another person until a debt owed by that person is discharged.

Metes and bounds — A system of land surveying that uses physical features of the local geography, along with directions and distances, to define and describe the boundaries of a piece of land that provides a detailed description of the perimeter of a property using natural landmarks, man-made markers, and measurements of length and direction.

Natural burial ground — An area where all four green elements (see *hybrid burial ground*) are employed in a cemetery dedicated to natural burial.

Open space — Land or water that is undeveloped and free from significant structures or intensive uses like buildings, roads, or industrial facilities.

Private burial ground/family cemetery — Cemetery on private property for family members of the owner only.

Right-of-Way easement — A legal right that allows someone to travel across land owned by another person.

Setback — The minimum distance a building or structure must be positioned away from a property line, street, or other designated area, like a body of water.

Stakeholder — Anyone with an interest in a venture or business, or who may be affected by decisions made by others.

Sticks — The collection of rights associated with property ownership.

Title Insurance – Protects a buyer of real estate from any title problems that may arise after sale, such as liens that were missed during the title search.

Title Search – The process of examining public records and retrieving documents on the history of a piece of real property to determine and confirm property's legal ownership, and find out what claims or liens are on the property.

Zoning District – Land use category set by a municipality that defines regulations for new development along with permitted and non-permitted uses.

Zoning Ordinance – Includes the intent of the Zoning Districts, along with regulations pertaining to all land uses within the municipality.

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