

Burial on Home Property in Vermont

By Lee Webster

It is legal in Vermont to bury related family members only on home property if the zoning and local laws do not prohibit it. If you live outside the village or city limits, or are zoned rural residential, you can usually create a family burial ground on your own land. It is important to understand that burying on private property constitutes establishing a private family cemetery that will need to be documented and registered with the town.

Steps regarding establishment of a family cemetery:

- Check for local ordinances with the zoning authorities or the Town attorney
- Draw a map of the land showing the location that includes a drawn easement for future access by family members, and have it recorded with your deed at the town clerk's office for a permanent record and easement on the land (there's usually a small fee to pay)
- If you need advice on where to locate the burial grounds, call your town's health officer
- After burial, sign the burial transit permit and file it with the town clerk.
- For Vermont info directly involved in burial, see [Digging Deep: A Guide to Cemetery and Burial Law in Vermont 2017](#)
- For information regarding how to dig a natural burial grave, research general home and natural burial information at the Home Burial page of [NH Funeral Resources, Education & Advocacy](#)



Restrictions and guidelines, according to [18 V.S.A. § 5319](#), include:

- (2) The burial boundaries of a new or expanded cemetery shall be located:
- (A) not less than 200 feet up gradient of a drilled bedrock well or a drilled well in a confined aquifer that is part of an exempt or permitted potable water supply or a transient non-community public water system source;
 - (B) not less than 500 feet up gradient from any other groundwater source that is part of an exempt or permitted potable water supply or a transient non-community public water system;
 - (C) not less than 150 feet cross or down gradient from any groundwater source that is part of an exempt or permitted potable water supply or transient non-community public water system;

- (D) outside zone one or two of the source protection area for an existing or permitted public community water system;
- (E) outside the source protection area for an existing or permitted non-transient, non-community public water system;
- (F) outside a river corridor as defined in [10 V.S.A. § 1422](#) and delineated by the Agency of Natural Resources; and
- (G) outside a flood hazard area as defined in [10 V.S.A. § 752](#), and delineated by the Federal Emergency Management Agency, National Flood Insurance Program.

Tips:

- If the grave is wet, dig a small trench at the foot for the water to pool
- Line the grave with lengthy sticks or branches, and cover with evergreen boughs or other organic matter to create an oxygen trap and space to remove lowering ropes or straps
- Mound all the soil above the grave to create a flat surface once settling has occurred
- Winter burials are possible if time is taken to remove snow and thaw the ground sufficiently with coal fires, heaters, solar covers, or other methods
- The casket may also be filled with sawdust or other insulating agent and held in a cold shed, barn or garage until spring burial is possible

For more information regarding care of the body and filing the appropriate paperwork prior to burial, go to **How to Have a Home Funeral and Burial in Vermont**



Ramsey Creek Preserve, Westminster, SC