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**ICCFA Magazine
author spotlight**

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Editor's note: The Cemetery Impossible column is written by the staff of The Foresight Companies. **If you have a question you want to be featured in this column, please send it to danisard@f4sight.com.** Dan Isard or a member of his staff will call you to get more information and a recommendation will be provided via this column, helping not only you but also others who are facing similar challenges.

MANAGEMENT/MAUSOLEUMS

Having a family who wants to build a private mausoleum can be a daunting prospect if you don't already have a section for private family estates. There are a lot of things to consider before you give the go-ahead.

Cemetery Impossible

How should I handle a family who wants what would be our first private mausoleum?

Dear Cemetery Impossible,

I have a family who wants to build a private mausoleum on our cemetery property. Currently, we do not have a section within my cemetery that is set aside for a private family mausoleum. The footprint of their desired design would cover eight gravesites.

I thought I could sell the rights to build the six-person mausoleum using the eight plots at the current price per plot. Can I also charge a fee for our consulting work in meeting, designing and building of the structure? I have so many questions about doing this. Can you help me?

Dear Cemeteryian,

Yes, this is a big issue. As a matter of fact, it is bigger than you imagine. This project can end up being either an icon or an eyesore. Allow me to answer the questions you asked, as well as those you did not ask but need to understand.

There are issues that must be addressed in a logical way. First of all, your rules and regulations (R&R) should be reviewed. Can someone construct a private family mausoleum or an aboveground structure in the area where this family wants to build?

I know that many cemetery sections have restrictions on what can be done. Some are as simple as single-depth or double-depth; some restrictions deal with the marker being flat versus upright; some limit the size of the upright marker.

Your R&R may need to be amended to allow this structure. This can be a simple matter or a very complex one, depending on the nature of your cemetery. In some cases it may take a board of director's vote.

You might not want this structure to be where the family wants to build it. There



is a famous case of a flamboyant New York businessperson who built a large family mausoleum that caused an uproar from others with family buried within the immediate area because it changed the views in the section.

The footprint you refer to as eight grave sites can be sold to create a six-crypt private mausoleum. However, this might not be the best plan. You might want to have more space around the building, for structural integrity and planning.

Ask yourself this: Will the space next to the private mausoleum be of normal value or impaired value? Within a master plan, you typically see about 10 feet between buildings in a private mausoleum section. I realize that in some places, such as in New Orleans' famous historic cemeteries, we see these private mausoleums close together, but those design plans date back 100 years—or more.

You get to dictate the minimum purchase and design for the entire cemetery. You own it.

Families who buy an interment right are not buying the land. They are buying the right to use the land for a specific purpose. They have the right to inter a body, not possession of the land. The role of the cemetery owner is not only to run the business but also to enforce the R&R and protect the rights of the interment right holders. So, how close or how high something can be built should be considered before completing this sale.

It should be noted that the family

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should not be supervising or paying for the construction directly. The family should go through you, the cemetery owner. The family can work with you on the design. How much you charge them for the construction is yours to negotiate.

There are well known mausoleum builders you can talk to at the ICCFA Convention (some are advertising in this issue and are listed on the ICCFA website). They can show you construction plans which may appeal to this family.

If this project requires custom work, you are free to quote the construction cost, including your profit for supervision. Avoid using phrasing such as “the building you construct” as it is not their building, it is the building that holds their interment rights.

We see many families who want customized solutions in the modern age of interment. Personalization of the memorial is as important as anything we do in a lifetime. As one person said, “a mid-town apartment costs \$1.4 million, so that is what I expect my cemetery mausoleum to cost!”

That might sound like a solid marketing statement to some, but in reality it is a paradigm. It is no more ludicrous than the other extreme of cremation with a scattering. Everyone gets to choose his or her own final plans.

Keep in mind that the upkeep of this mausoleum will be the responsibility of the cemetery. Therefore, you need to know what the design is and make sure it won't be a maintenance nightmare. One cemeterian I know oversaw a mausoleum with a great deal of glass. Between the effect of heat and brutal winters, this private mausoleum was a nightmare. It cost thousands of dollars to repair and replace the glass.

Assuming you are a perpetual care cemetery, this new construction will require a perpetual care or endowment care contribution. The interest from that contribution is of course used to maintain the park's needs, including the needs of this one building, so hiring the cheapest builder—who might use inferior parts—is not wise.

You build it, you maintain it and you make sure it is structurally sound, because dealing with any problems this structure

develops comes out of your overhead.

You probably have a blanket general insurance policy. If you add a building valued at \$1 million or more, you need to tell your insurers, because they may want to review the plans. They may amend your insurance premium, as the risk of their coverage is increasing.

Again, it is important that the contribution into your perpetual care fund is addressed, as this property may have more expenses. Yes, you will save the cost of mowing eight grave spaces, but that is a very low expense compared to what happens if this building has structural failings.

Make certain that this property does not sit atop any utility lines. It is not a matter of “if” the utility lines need to be replaced; it is a matter of “when” they need replacing. You do not want to tunnel under a private mausoleum to fix a simple water line.

I advise you to speak to the family

about creating this family mausoleum at another spot on your property. Consider choosing an area that you can consider using for other family estates and private mausoleums.

We see areas around water features or on hillsides as perfect for these facilities. I had one client with a lake who was able to construct an island reached by a pedestrian bridge, creating an amazing location for a well-heeled matriarch to provide for her family interment needs.

In summary, this is your property. Develop it with an overall plan in mind. Keep similar interment types (in this case, family mausoleums) together. Allow for this type of high-end development in a special high-end area.

Remember, you are responsible for the upkeep, so you better be satisfied with the quality of the construction. That is why the design and construction should go through you. □