

Bulldozers next to a gravesite? Kansas lawmakers should nix construction near cemeteries

BY THE KANSAS CITY STAR EDITORIAL BOARD

FEBRUARY 16, 2020 05:00 AM

- **Historic cemetery uses high-tech to restore the past**

Workers using ground penetrating radar began the tedious task of mapping the cemetery, which at first sight looks sparse from the limited number of headstones, but actuality contains 92 known burial sights and possibly more. BY TIFFANY TOMPKINS

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What if your loved one's final resting place wasn't as restful as promised? What if a bulldozer nearby gave way to new building construction?

That could be the case for families all across Kansas if a bill before the Legislature uproots decades, indeed centuries, of thought on what a cemetery is about.

Senate Bill 389 would amend Kansas law to define "sepulture" — which, in common usage means a final resting place — to include "facilities for visitation, committal or funeral services; mortuary and embalming facilities; and other such purposes and uses necessary or incidental thereto."

What does that mean, exactly? It sure sounds like funeral homes and other buildings popping up alongside gravesites.

"The proposals in SB 389 potentially open a door that could allow corporations to ignore the recorded plat and construct buildings where they please," Mary Sabatini, legislative and communications director for Senate Majority Leader Jim Denning told The Star. "To put it plainly, this new definition might allow a building to go up two feet from your plot, which you bought to lie-in-rest next to your parents."

“The word Sepulture dates back as far as the 14th century and was used in the Bible to describe Jacob’s grave,” Christopher Holland, managing funeral director for Penwell-Gabel Cremations, Funerals & Receptions in Olathe, wrote to Denning. “In no way does the term refer to facilities of commercial enterprise, such as facilities for visitation and funeral services, or mortuary and embalming facilities.”

Holland, whose company dates to 1893 and owns two cemeteries, says he doesn’t know what entity may be behind the bill.

Who can speak up for the deceased in this case, except their relatives and descendants, and those who protect them?

“I stand before you as the voice for those that no longer have their own voice,” Holland wrote Denning. “I stand before you to represent the countless people buried in cemeteries all across Kansas who purchased property in these cemeteries with the intention of having a peaceful final resting place without interference from commercial enterprise.”

No one should ever be put in the position of having to protect the family plot from corporate ambition, whatever the intent. Of all folks, funeral home directors should understand the value of maintaining a respectful distance.

As Sabatini notes, “Kansans have purchased plots with the intention of having a meaningful resting place and shouldn’t have to worry about interference from commercial facilities.”

Look, we all understand this is the age of convenience. Drive-throughs, smartphones, gourmet food by mail. And while that kind of ease and efficiency might be inspiring the idea of building funeral homes and “other such purposes and uses necessary or incidental thereto” right on cemetery sites, it’s a fairly repulsive notion.

Bury it, to rest for all time.
