



TOWN OF FOXBOROUGH
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Acceptance and Placement of Memorial Benches and Memorial Trees on Town Property

A. GENERAL

This policy directive outlines the process for submitting requests and the approval of installing memorial benches and trees on Town-owned land, excluding school property. It is applicable to both currently existing and future placements of benches and trees. This policy excludes benches and trees located within State and privately-owned parks, which are under a separate jurisdiction. (Note: For purposes of this policy, new memorial benches and memorial trees are assumed to include the installation of a memorial plaque.)

B. OBJECTIVES

The reasons for having an established procedure are to:

1. Provide a clear and uniform procedure for reviewing requests to place memorial benches and memorial trees (or plaques for existing benches or trees) on Town property;
2. Ensure that decisions involving such requests are well-considered and address the concerns and needs of the Town relative to maintenance costs, durability of materials, aesthetics, appropriateness of bench and tree location and type, and the merit of the requested memorial; and
3. Facilitate the placement of high-quality and aesthetically suitable benches and trees, ensuring a reasonable cost for the donor and an efficient, cost-effective approach for the Town.

C. STANDARDS

When evaluating a request for the installation of a memorial bench, tree or plaque on Town-owned land, the Select Board, as specified herein, shall adhere to the following criteria:

1. Approval for placing a memorial bench, tree or plaque on Town-owned property will be granted sparingly, requiring a demonstrated good cause. Individuals to be memorialized should have been residents of or made significant contributions to the Foxborough community for a period exceeding ten years, at a minimum.
2. The Select Board has authority to approve proposed locations for memorial benches, trees and plaques on Town property after input received pursuant to Section D.3. through D.5. of this Policy.
3. Following the guidelines of the Common memorial bench and tree policy, there are two distinct categories for such benches and/or trees:
 - 3.1. Category 1 - Perpetual Memorial Benches and/or Trees:
 - 3.1.1. Designated for individuals or organizations with recognized and well-documented significance in Foxborough's community history, justifying long-term approval (only removed with a majority vote from the Select Board).

3.1.2. Following memorialization in this category, there is no obligation for periodic renewal after the initial donation. The Town of Foxborough will replace these benches or trees, as necessary.

3.2. Category 2 - General Memorial Benches and/or Trees:

3.2.1. Designed for individuals who meet service standards but do not meet the criteria for the Perpetual classification.

3.2.2. General Memorial Benches and trees must undergo renewal every ten years from their initial dedication. Removal will not be undertaken unless conditions necessitate it; however, the plaque will be replaced consistent with the Terms and Conditions of this Policy.

4. Additionally, the Select Board is empowered to determine the overall number of benches and/or trees allowed on the Common, after consultation with the Department of Public Works (DPW) Director, in either Perpetual and General categories. They will also establish a selection process for identifying individuals to be memorialized, considering the existing demand and the condition of the property.
5. Unless otherwise permitted by the Select Board, in consultation with the DPW Director, all memorial benches shall fall into one of two categories: (A) Uptown Foxborough, six-foot metal benches with a black enamel finish will be utilized, with options including arms or armless designs (Attachment A). (B) Benches to be situated in other town locations shall be made of six-foot recycled plastic, featuring two-inch-thick planks composed of recycled UV-protected plastic. These benches will have a natural wood appearance that requires no sanding, sealing, painting, or staining (Attachment B). The DPW Director may modify bench specifications as conditions dictate, and bench types for the Common must be approved by the Select Board.
6. In accordance with this policy, donors may be authorized to: (1) gift/fund the installation of a new bench or tree on Town property; (2) fund the replacement of an existing bench on Town property, as determined by the DPW Director; or (3) fund the placement of a plaque on an existing Town-owned bench or tree that does not require replacement.
7. All costs associated with the installation of a new or replacement memorial bench, tree, and/or plaque are the responsibility of the private donor and shall be considered a gift to the Town. For plaques on existing Town-owned benches or trees that do not need replacement, the donor shall pay the Town an amount equal to 100% of the cost of installing a new bench or tree or replacing an existing one.
8. Memorial plaques affixed to benches must not exceed two inches (2") by eight inches (8") in size, and the text is limited to three lines, with 20 characters per line. The proposed wording on the plaque requires approval from the Select Board before installation. Plaques for trees are subject to similar specifications.

D. PROCEDURES

The procedure for requesting the placement of a memorial bench or tree on Town property shall be as follows:

1. Requests seeking approval for the installation of new or replacement memorial benches and/or trees (or to affix a memorial plaque onto an existing bench or tree) on Town-owned real property must be submitted to the DPW Department by completing the Memorial Bench/Memorial Tree Form (Attachment C)
2. All formal requests must be submitted by completing the Memorial Bench/Memorial Tree Form (Attachment C) and submitting it to the DPW along with any other required

information/documents/attachments. In addition to one original, the complete application package shall be provided in PDF format.

3. Within five business days of receiving a completed application form, the DPW shall forward the Memorial Bench/Memorial Tree filing to the Town Manager's Office, Land Use Department (Planning), Board of Recreation (for benches/trees/plaques on Recreation land), Conservation Commission (for benches/trees/plaques on Conservation land), Historical Commission (for benches/trees/plaques on the Common or historic properties) and any other department(s) responsible for maintaining or operating the Town-owned land in question. These Boards and Commissions may require a meeting to discuss proposed bench/tree location.
4. Town departments/boards/commissions shall provide their comments and/or recommendations to the DPW within 30 calendar days of receiving the package (board or commissions may request a 14-day extension of this time to allow for a meeting on the request). For Recreation, Conservation or Historic lands, the respective board/committee comments should include a recommendation on the approved location and type of bench/tree/plaque.
5. The DPW Department shall submit the completed request form to the Town Manager's Office, with a request that the Select Board act on the request, subject to its recommended location, and conditions, if any.
6. Once a memorial bench or tree request has received approval from the Select Board, the following steps shall be taken:
 - a) The donor is to submit the appropriate payment to the DPW Department. The requestor shall provide a certified bank check (or other acceptable form of payment to the Town) in the amount specified in Attachment A or B, or for trees, \$500.
 - b) Depending on the order, the DPW will either order a bench or tree, and plaque.
 - c) The Town will install the memorial bench, tree or plaque when conditions and circumstances permit.

E. TERMS & CONDITIONS:

As stated, benches, trees and plaques in the Perpetual Category shall only be removed upon majority vote of the Select Board. For those in the General Category, maintenance of the approved bench, tree and/or plaque is limited to 10 years from the date of installation. Upon expiration of the 10-year period, applicants may have the option to renew the memorial bench, tree and/or plaque at the then current gift/ donation price. In the event the Town is unable to reach the donor through the contact information on record, the right to renew the memorial is not guaranteed. Donors shall have 30 days after notification of renewal to respond otherwise the right to renew shall lapse. It is the obligation of the donor to keep their contact information up-to-date with both the DPW and Town Manager's Office to ensure service of notice regarding expiration. Upon expiration, the plaque will be removed unless so renewed. The Town does not guarantee that a plaque will be available for pick up if not renewed but every attempt will be made to preserve it when removed. If salvageable/available, a removed plaque will be kept at the DPW Office for 30 days after removal to allow pick up.

New benches must be compliant with Federal law as delineated in the Americans with Disabilities Act (ADA). This means benches must be adjacent to an existing path or walkway that provides clear access to the bench for people of varying abilities.

Upon installation, all benches, trees and plaques become the property of the Town of Foxborough. Neither the donor, nor any former or present parks donation organization, shall have any claim to ownership or other interest in either the bench, tree or the plaque.

This Memorial Bench and Memorial Tree on Town Property Policy may be reviewed annually by the Town Manager or Select Board, or as needed, which may result in policy, procedural, or fee changes deemed appropriate by the Town. Prices are not guaranteed beyond December 31st of each calendar year.

F. MAINTENANCE & REPLACEMENTS:

Once a bench, tree and plaque are installed, the DPW Department will monitor and maintain it for a period of ten years. Maintenance may include paint for metal benches or bench components, and repairs, if needed. It is understood that normal weathering and natural “wear and tear” of benches will occur and shall be acceptable to the donor. After ten years, the Town will contact the donor regarding renewal of the memorial agreement pursuant to Section E of this Policy, at which time further bench renovations and/or maintenance maybe effected, if desired, at the then current pricing. It is the obligation of the donor to keep their, or their successor’s, contact information up-to-date with both the DPW and Town Manager’s Office to ensure notice regarding memorial renewals is able to be served.

The Town shall not be responsible for loss or damage of any kind to memorial benches or trees. If a bench is stolen or damaged beyond repair, or if a tree dies or must be removed due to damage or disease after three successful growing seasons, it will be permanently removed. If possible, the donor will be notified as a courtesy that the bench or tree is no longer in place. If the donor wishes to replace a damaged or stolen bench, or dead tree, they may begin a new application process and pay for the cost of the bench or tree. The Town shall cover the installation, administration, and general maintenance fee for the remainder of the original ten-year lease.

Adopted December 5, 2023
Foxborough Select Board