

Who should receive written notification for development review applications when the adjoining property owner is a common interest community or mobile home park?

In most instances the local municipal officer need not make an inquiry into the form of ownership of an adjoining property. Notice is simply sent to the property owner on record, listed on either the property tax map or in the grand list book.

However, in the case of a common ownership community, notice should be sent to all adjoining apartment, site, or unit owners as well as the association of owners. In the case of a mobile home park, notice should be sent to the owner of the lot and/or the owner of the park.

The public notice requirements for all development review hearings before an appropriate municipal panel (AMP) require providing written notification to the applicant and to *“owners of all properties adjoining the property subject to development, without regard to any public right-of-way.”* 24 V.S.A. §§ 4464(a)(1)(C),(2)(B).

Such notice must:

- include a description of the proposed project;
- direct the recipient where additional information may be obtained;
- and inform the recipient that participation in the local proceeding is a prerequisite to the right to appeal.

AMPs are given considerable latitude when it comes to fulfilling their notice requirements. Courts will not invalidate an AMP's actions so long as reasonable efforts were made to provide adequate posting and notice and the content is not materially misleading. 24 V.S.A. § 4464(a)(5).

Garrett Baxter, Senior Associate, VLCT Municipal Assistance Center

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