

TOWN OF BERLIN
Development Review Board (DRB)
Rules of Procedure
Interested Persons Record and Service List

Adopted 10-17-06

Who are interested persons?

Interested persons are those persons who, under Vermont law, have the right to appeal an act or decision made by the Berlin zoning administrator or DRB. Interested persons include:

- The applicant, or if the applicant does not own the subject property, the person owning title to the property.
- A municipality that has a plan or bylaw at issue in an appeal or any municipality adjoining that municipality.
- A person owning or occupying property in the immediate neighborhood of a property that is the subject of any zoning decision or act who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed, and who alleges that the decision or act, if confirmed, will violate the municipal plan or bylaw.
- Any ten persons, either voters or landowners, who by signed petition to the DRB, allege that the decision or act, if confirmed, will violate the municipal plan or bylaw. The petitioners must designate one person to serve as their representative.
- Any department and administrative subdivision of the State owning property within the municipality and the Agency of Commerce and Community Development.

Why is interested person status important?

Though many members of the public may be interested in a zoning permit application, only statutorily-defined interested persons may appeal a decision of a zoning officer or DRB. Additionally, pursuant to this DRB's Rules of Procedure, only interested persons may participate in a hearing on a matter before the DRB. If an interested person fails to make a timely appeal, all interested persons are bound by the zoning officer's or DRB's decision or act.

An interested person must participate in a hearing to protect their appeal rights.

Only those interested persons who have participated in a DRB proceeding may appeal a decision rendered in that proceeding to the Environmental Court. Pursuant to State statute, participation consists of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.