

VERMONT **GENERAL ASSEMBLY**

The Vermont Statutes Online

Title 19 : Highways

Chapter 009 : Repairs, Maintenance, And Improvements

Subchapter 005 : Appeals And Minor Alterations

§ 923. Quasi-judicial process

In order to protect the rights of property owners and the public, the process described in this section shall be used whenever so provided by other provisions of this title. As used in this section, "interested person" means a person who has a legal interest of record in the property affected.

(1) Notice-Written notice by certified mail shall be given to the property owner or any interested person describing the proposed activity affecting the property. The notice shall include a date and time when the selectboard shall inspect the premises. The notice shall precede the inspection by 30 days or more except in the case of an emergency.

(2) Inspection of premises-The selectmen shall view the area and receive any testimony pertinent to the problem including suggested awards for damages, if any.

(3) Necessity-The selectmen shall decide on the necessity for the activity or work proposed and establish any conditions for accomplishing it. This includes the award of damages, if applicable. The decision and the reason for it shall be announced within 10 days of the inspection unless formally delayed by the selectboard in order to receive more testimony.

(4) Notifying parties-The selectmen shall notify the property owner and other interested parties of their decision. They shall file a copy of their decision with the town clerk within 10 days of its announcement.

(5) Appeal-If an owner is dissatisfied with the award for damages he or she may appeal using any of the procedures listed in chapter 5 of this title. Notice or petition for appeal shall not delay the proposed work or activity. (Added 1985, No. 269 (Adj. Sess.), § 1.)

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Title 19 : Highways

Chapter 009 : Repairs, Maintenance, And Improvements

Subchapter 006 : Laying Out Winter Roads And Lumber Roads

§ 958. Laying out roads for removal of lumber

If it becomes necessary for the practical removal of lumber, wood, or other material, to pass through the lands of a person other than those of the owner of the land from which the lumber, wood, or other material is to be removed, the selectmen may lay out a right-of-way through the land of any person for these purposes. The selectmen shall follow the procedures established by section 923 of this title. (Added 1985, No. 269 (Adj. Sess.), § 1.)