*VT WETLANDS PROGRAM*

ADJOINING PROPERTY OWNERS: WHO YOU NEED TO NOTIFY

## Adjoining Property Owner Notification Under Act 150 and the Vermont Wetland Rules

As of January 1, 2018, certain types of permits, certifications and registrations are required to be noticed publicly on the new Environmental Notice Bulletin (ENB) and must follow new procedural rules under Act 150 (10 V.S.A. Chapter 170), a law that standardized and consolidated DEC public notice and comment processes.

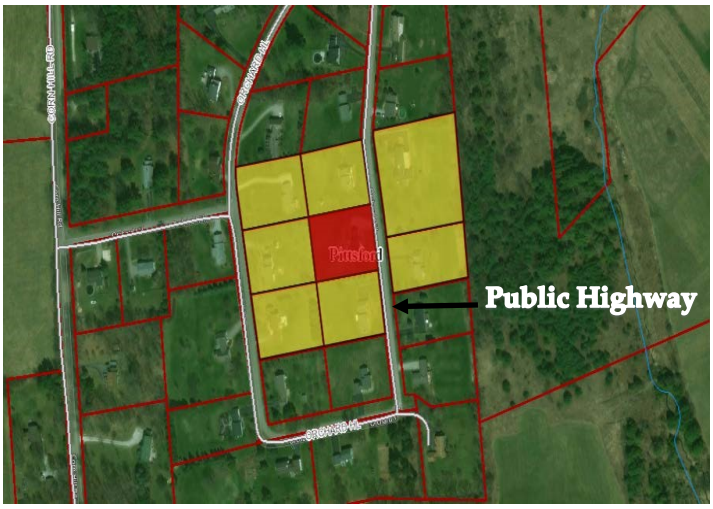
Individual Wetland Permit applications and Wetland Determination applications are considered Type 2 permits under the Act. These types of permits require notification of adjoining property owners of their application. The notification must be done prior to the submittal of the application to the Department. **The Department has created and official notice which applicants are required to use to make this notification. The notice is available as a form template.**

The form is included with the Individual Wetland Permit and Wetland Determination applications. The applicant must include a certification to the Department that they have sent notification to the adjoining property owners via US mail. This certification is requested within the applications.

As stated in Act 150 and the Vermont Wetland Rules, an adjoining property owner ***means a person who owns land in fee simple, if that land:***

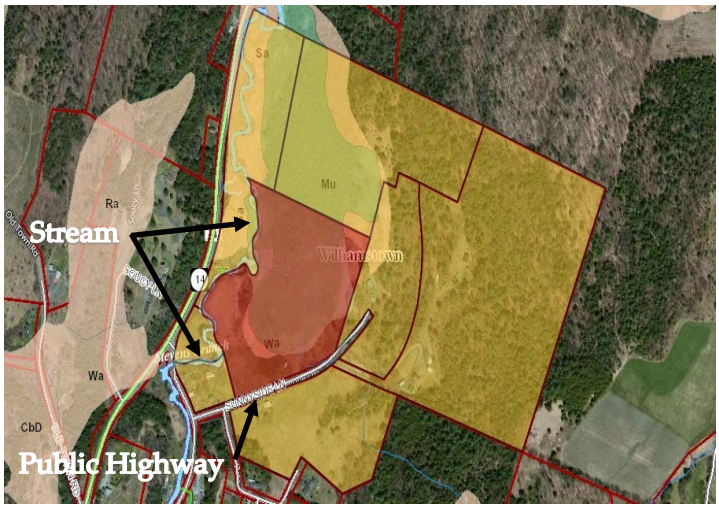
- ***Shares a property boundary with a tract of land where the proposed or actual activity regulated by the department is located or;***
- ***Is adjacent to a tract of land where such activity is located and the two properties are separated only by a river, stream, or public highway.***

## Below are visual examples of who you need to notify of your permit application




Project Property  Adjoining Property Owner to Notify

In this example, the project property (**red**) has adjoining properties (**yellow**) which are separated by a public highway. All other adjoining properties of those who need to be notified share a property boundary with the tract of land where the actual activity is taking place.




Project Property  Adjoining Property Owner to Notify

In this example, the project property (**red**) has adjoining properties (**yellow**) which are separated by a public highway and a stream. All other adjoining properties of those who need to be notified share a property boundary with the tract of land where the actual activity is taking place.