



ACT 250 JURISDICTIONAL OPINION

JO 7-392

State of Vermont
Natural Resources Board
District 7 Environmental Commission
[phone] 802-751-0120
374 Emerson Falls Road, Suite 4
St. Johnsbury, VT 05819
<https://nrb.vermont.gov/>

This is a Jurisdictional Opinion based upon available information and a written request from the landowner/agent or other person. Any notified person or entity will be bound by this opinion unless that person or entity files a request for reconsideration with the District Coordinator or an appeal with the Superior Court, Environmental Division within 30 days of the issuance of this opinion (see below). This Opinion identifies Act 250 Jurisdiction only. Other permits may be required (e.g., <https://dec.vermont.gov/permits>). For more information, please contact the Agency of Natural Resources Environmental Assistance Office: (<https://dec.vermont.gov/assistance/permits>).

- I hereby request a jurisdictional opinion from the District Coordinator or Assistant District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below.

Vermont RSA Limited Partnership
and Cellco Partnership
each d/b/a Verizon Wireless ("Verizon")
Attn: Brian J. Sullivan
MSK Attorneys
275 College Street, PO Box 4485
Burlington, VT 05406-4485

- Landowner
 Agent
 Other

Project Description:

At the existing telecommunication facility located on the noted property, that is the subject of Act 250 permit 7C1219 as amended, replace three (3) antennas with different models, and replace the Remote Radio Heads ("RRH"), as further identified in the JO Request and Exhibits (project number JO 7-392 on the [Act 250 Database](#)). The total number of antennas



will not increase, the antennas will be mounted on the existing mounting frames at the same centerline of 165', and there will be no increase in the height or width of the tower.

Landowner: Wendall & Beverly Shepard
708 Bridgman Road
Hardwick, VT 05843

Project Location: 708 Bridgman Road, Hardwick

Existing Act 250 permit number(s) or series: 7C1219 as amended

Project Type: Commercial Subdivision Municipal/State Mixed
 Farming/Forestry Housing Other _____

Has the landowner or affiliated person subdivided before? Yes No N/A

If Yes: Location: _____ no. of lots: _____ Date _____

AN ACT 250 PERMIT IS REQUIRED: YES NO

BASIS FOR DECISION:

Project is not a "material change" pursuant to Act 250 Rule 2C(6) thus does not require permit amendment pursuant to Rule 34.



DATE: April 23, 2024

Kirsten Sultan
District Coordinator, District 7 Environmental Commission
374 Emerson Falls Road, Suite 4, St. Johnsbury, VT 05819
Telephone: 802-261-1946
Email: Kirsten.Sultan@vermont.gov

Any party may file within 30 days from the date of a decision of the District Coordinator a request for reconsideration with respect to the jurisdictional opinion, pursuant to Act 250 Rule 3(B). Any reply to a request for reconsideration shall be filed within 15 days of the service of the request, unless otherwise provided by the District Coordinator.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Natural Resources Board's copy may be sent to NRB.Legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Please note that there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding requests for reconsideration and appeals are intended for informational purposes only. They neither supplant any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

CERTIFICATE OF SERVICE

I hereby certify that I, Gina St. Sauveur, Natural Resources Board Technician, District 7 Environmental Commission, sent a copy of the foregoing **Jurisdictional Opinion JO 7-392** by U.S. Mail, postage prepaid, on this April 23, 2024 to the following individuals without email addresses, and by electronic mail, to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

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ochandler@mskvt.com

Agency of Natural Resources
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Montpelier, VT 05620-3901
anr.act250@vermont.gov

FOR INFORMATION ONLY

Wendall & Beverly Shepard
708 Bridgman Road
Hardwick, VT 05843

Natural Resources Board Chair
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Hardwick Planning Commission
c/o Kristen Leahy, Zoning Administrator
PO Box 523
Hardwick, VT 05843
zoning.administrator@hardwickvt.gov

/s/ Gina St Sauveur
Gina St. Sauveur
Natural Resources Board Technician
802-751-0120
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Northeastern Vermont Development
Association
PO Box 630
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dsnedeker@nvda.net