



**State of Vermont  
Natural Resources Board  
Act 250 Jurisdictional Opinion  
JO-7-302**

This is a Jurisdictional Opinion based upon available information and a written request from the Landowner/Agent or Other Person identified below. This Jurisdictional Opinion will become final and any person or entity who is individually notified will be bound by this Opinion unless that person or entity files a timely request for reconsideration (see bottom of page). This Jurisdictional Opinion addresses Act 250 Jurisdiction only. Other permits may be required (see <http://www.anr.state.vt.us/dec/permits.htm>). For additional information, please contact the Agency of Natural Resources permit specialist (see <http://www.anr.state.vt.us/dec/ead/pa/index.htm>).

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

Landowner     Agent     Other: 275 College Street P.O. Box 4485  
Burlington, VT 05406-4485

**PROJECT DESCRIPTION:**

At the telecommunication facility on Fairbanks Mountain, Higgins Hill Road, Waterford, that is the subject of Act 250 permit 7C1217 and amendments, replace two (2) Verizon antennas with two (2) new Verizon antennas (mounted at approximately 95’ above ground level on the tower) and add two (2) “Diplexers” to be mounted between a Verizon antenna and an RRH, as further identified in a letter dated June 10, 2020 from Brian J. Sullivan to Kirsten Sultan.

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

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

**AN ACT 250 PERMIT IS REQUIRED:**             YES             NO

**BASIS FOR DECISION:**

Project is not a “material change” (Rule 2C(6)) to the permitted development thus does not require a permit amendment pursuant to Rule 34.

SIGNATURE: \_\_\_\_\_ DATE: June 19, 2020  
Kirsten Sultan, Coordinator, District #7 Environmental Commission  
Telephone: (802) 751-0126 Email: [kirsten.sultan@vermont.gov](mailto:kirsten.sultan@vermont.gov)  
374 Emerson Falls Road, Suite 4, St. Johnsbury, VT 05819

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(B). Reconsideration requests are governed by Act 250 Rule 3(B) and should be directed to the district coordinator at the above address. As of May 31, 2016, with the passage of Act 150, Act 250 Rule 3(C) (Reconsideration by the Board) is no longer in effect. Instead, any appeal of this decision must be filed with the Superior Court, Environmental Division (32 Cherry Street, 2nd Floor, Ste. 303, Burlington, VT 05401) within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the entry fee required by 32 V.S.A. § 1431 which is \$295.00. The appellant also must serve a copy of the Notice of Appeal on the Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.