

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 24-3345-PET

Limited Size and Scope Application)
of Bell Atlantic Mobile Systems, LLC)
d/b/a Verizon Wireless and Vertex Towers, LLC,)
for a Certificate of Public Good,)
pursuant to 30 V.S.A. § 248a, authorizing)
the construction of a telecommunications facility)
in Manchester, Vermont)

Response to Town of Manchester’s Statement of Undisputed Material Fact

NOW COMES Petitioner Vertex Towers, LLC (“Vertex”), Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless (“Verizon;” collectively, “Petitioner”) and hereby files this response to The Town of Manchester’s Statement of Undisputed Material Facts.

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. Admitted that said “recommendation” was provided, denied as to its conclusion.
10. Admitted that the proposed Tower is proposed for the MU 2 District and that the Manchester Land Use Ordinance does not list new communication towers as a permitted or conditionally permitted use within the MU 2 District. Denied to the extent this controls the outcome of this Petition. Denied that this project is “prohibited.”
11. Admitted that this section is in the Town Plan as quoted.
12. Admitted that this quote appears in the Town Plan.
13. Admitted that this quote appears in the Town Plan.
14. Admitted that some form of recreation path or paths run through Hunter Park in Manchester.

15. Admitted that this quote appears in the Town Plan.
16. Admitted that this quote appears in the Town Plan. Denied that this is controlling as a matter of law as written or as applied.
17. Admitted that this quote appears in the Town Plan. Denied that this is controlling as a matter of law as written or as applied.
18. Admitted that this quote appears in the Town Plan. Denied that this is controlling as a matter of law as written or as applied.
19. Admitted that the proposed Monopine would be “visible” from some portions of Main Street in Manchester Vermont. Denied that being “visible” is a threshold limitation or determinative factor.
20. Admitted that the proposed Monopine would be “visible” from some portions of Bonnett Street in Manchester Vermont. Denied that being “visible” is a threshold limitation or determinative factor.
21. Denied.
22. Admitted. Denied that being “visible” is a threshold limitation or determinative factor.
23. Admitted. Denied that being “visible” is a threshold limitation or determinative factor.
24. Admitted. Denied that being “visible” is a threshold limitation or determinative factor.

Dated in Burlington, Vermont this 13th day of February, 2026

MSK ATTORNEYS

By: /s/ Alexander LaRosa

MSK Attorneys

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