

From: Frank Benesh frank.h.benesh@icloud.com

Subject: Appeal of Site Disturbance Zoning Ordinance Violation by Katherine and David McNeil re 59 Middle Mountain Trail

Date: September 25, 2025 at 12:45 PM

To: Burr Phillips burr@c-solutions-llc.com, Kevin Bennett (jacksonbuildinginspector@gmail.com) jacksonbuildinginspector@gmail.com, Barbara Campbell bcampbell@jackson-nh.org

Cc: Julie Atwell townadmin@jackson-nh.org



Burr Phillips
Kevin Bennett
cc: Barbara Campbell
cc Julie Atwell

This is to advise you that the ZBA has received an appeal concerning the above referenced violation notice. Copies of the appeal are available at <https://www.jackson-nh.gov/board-adjustment/pages/submitted-applications>. I anticipate this matter will be discussed at a meeting in a mid October which is likely to include a public hearing.

With the filing of the appeal, RSA 676:5 requires that “the officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.”

I am writing to request this information from the SelectBoard, Kevin Bennett and Burr Philips. Without limiting this scope of this obligation, of particular interest is the report or emails from Burr Philips mentioned in the 8/12 SelectBoard discussion which reportedly include a notification to the McNeil’s of their violation of the site disturbance ordinance with attached "site disturbance notes", correspondence or memos concerning the requirements by Burr not to change the plan which the contractor disregarded, and related documentation. It includes any emails or correspondence that may not have been forwarded to the SelectBoard.

This request also includes any information or documentation on the assertion that the McNeil’s actions or inaction were subject to the 2025 version of the Site Disturbance section of the zoning ordinance, a copy of the Building Permit application, and a copy

of the Building Permit.

Please send the above to my personal email to facilitate distribution to the ZBA with a hard copy added to the ZBA file maintained by Julie.

Frank