



COOPER
CARGILL
CHANT
ATTORNEYS AT LAW

August 18, 2025

Via Hand Delivery

TOWN OF JACKSON
54 Main Street
PO Box 268
Jackson, NH 03846

Re: **Appeal from Administrative Decision – Supplemental Documents**
Our Client: Black Mountain Community Corporation
CCC File No: 23242.003

To Whom It May Concern:

Enclosed please find a copy of the Sign Ordinance Violation dated July 9, 2025, Jackson Select Board Meeting minutes for July 8, 2025, abutter's list along with three sets of mailing labels to be included with the Appeal from an Administrative Decision hand filed with your office on August 7, 2025. Please add these items to the August 7, 2025 filing.

Thank you for your attention to this matter. If you should have any questions, please do not hesitate to call.

Very truly yours,

COOPER CARGILL CHANT, P.A.

Christopher T. Meier
cmeier@coopercargillchant.com

CTM/kjt
Enclosure
cc: Client

Y:\CLIENT FILES\23242 - Black Mountain\003 - General Matters\Sign Ordinance Violation\2025.08.18 Town of Jackson.docx



TOWN OF JACKSON

OFFICE OF THE SELECTMEN

7/9/2025

VIA CERTIFIED MAIL, RRR, AND REGULAR U.S. MAIL

Black Mountain Community Corporation
DBA: Black Mountain Ski Area
c/o Archipelago
One Dana Street
Portland, ME 04101

RE: SIGN ORDINANCE VIOLATION

On July 8, 2025, the Jackson Select Board authorized the issuance of this **Zoning Violation Notice** pursuant to **Section 13** of the Jackson Zoning Ordinance.

This action follows a review of the **June 5, 2025** letter submitted by Building Inspector Kevin Bennett concerning a violation of the Town's Sign Ordinance, as well as related police reports 2515-44-OF and 2515-45-OF. The violation was found to be in conflict with **Sections 13.1 and 13.3.3** of the Town of Jackson Zoning Ordinance:

13.1. All signs shall be located so as not to create a hazard or danger to the public.

13.3 **Off-premises signs** shall be limited to:


13.3.3 Off premises directional signs for ski areas and the ski touring foundation located in the Town of Jackson shall be permitted. The total area of the sign, exclusive of supports, shall not exceed 64 square feet. The height of the sign shall not exceed 12 feet above natural ground level or the center of the traveled way. The locations will be recommended by the Planning Board and approved by the Board of Selectmen.

As a result of this violation, a **fine in the amount of \$275** has been assessed in accordance with the ordinance Section 18.3. Please remit a payment of \$275 to the Town of Jackson within 30 days of the date of this notice to pay your fine.

APPEAL TO ZONING BOARD OF ADJUSTMENT: If this Violation Notice involves the construction, interpretation or application of the terms of the Town's Zoning Ordinance, then you have the right to appeal this decision to the Jackson ZBA within thirty (30) calendar days from the day of the decision (August 7, 2025), pursuant to the Jackson ZBA Bylaws, RSA 676:5 and 674:33, I(a). For a ZBA appeal application, contact Julie Hoyt at townadmin@jackson-nh.gov or 6503-383-4223 x 101.

By: JACKSON SELECT BOARD


Barbara Campbell


Bob Thompson

Frank DiFruscio



Barbara Campbell _____

Robert Thompson _____

Frank DiFruscio _____

**Select Board Meeting Minutes
Tuesday, July 8, 2025
Unofficial Until Approved**

Select Board Members Present: Barbara Campbell Chair, Bob Thompson, Frank DiFruscio

Attendees: Julie Hoyt Town Administrator, Betsy Eaton Administrative Assistant, David Campbell Planning board Secretary, Bill Terry Planning Board Chair, Tom Eastman Conway Daily Sun, Kevin Bennett Building Inspector, Chief Perley, Sgt. Mosher, Officer Eaton, Jay Henry Fire Chief, Emily Porath, Sasha Davis, Peter Benson, Erik Mogensen, Mark Hodgdon, Marilyn Rodes, Stephen Weeder, Joyce Allan, Huntley Allan, Alex Lahood, Mark Lahood, Doug Fichera, Chris Meier, Burr Phillips

- 1. The Meeting was called to order at 3:30 pm**
- 2. Pledge of Allegiance was recited**
- 3. Approval of Minutes:**
 - a. June 24, 2025 – Regular Meeting Minutes
Frank DiFruscio made a motion to approve the June 24, 2025 meeting minutes, seconded by Barbara Campbell. All Approved.
- 4. Discussion and/or Motions:**
 - a. Capital Improvement Plan – presented by David Campbell
Bill Terry explained the purpose of the Capital Improvement plan and then turned over the presentation to David Campbell the Planning Board Secretary. David talked about each section with a brief explanation.
(see attached Addendum A)
Bob Thompson made a motion to accept the Capital Improvement Plan, seconded by Barbara Campbell. All approved.
 - b. Tin Mine Conservation Solar Signs – Allen Brooks
Bob Thompson made a motion to table to next meeting, seconded by Frank DiFruscio. All approved.

c. Black Mtn Ski Area – Erik Mogensen

Erik asked Select Board for clarification on the invoice Black Mountain received for New Years eve fireworks and why Chamber of Commerce was not invoiced. Barbara explained the Fire Department invoiced Black Mtn because it was a private event and the fee covers the trucks and personnel. The Chamber is not invoiced due to the fireworks being town sponsored.

Chris Meier, attorney for Black Mountain commented town should update policies and consider waiving the fee since they did not charge the non-profit.

Barbara Campbell confirmed Black Mountain is still responsible for fireworks invoice.

d. Black Mtn Ski Area Signage

Select Board was made aware Black Mtn placed 2 signs in the triangle at intersection of routes 16-A and B (Black Mountain Road) on July 5. Chief Perley asked Erik Mogensen to remove the signs because of a safety hazard and that they were illegally placed on town property. After removing them from triangle were placed on school property without permission. Chief Perley confirmed with Code Enforcement Officer Kevin Bennett, Jess DellaValla, School Board President and Principal Erin Messer which all confirmed signs need to be removed. Chief Perley contacted Erik Mogensen to remove signs and later found signs still on town/school property so the signs were taken to station.

Barbara Campbell read ordinance regarding signs:

SECTION 13: SIGNS (added 3/13/1979, amended 3/12/1996)

The following provisions shall apply to the location, erection and maintenance of signs on any property within the Town of Jackson.

13.1. *All signs shall be located so as not to create a hazard or danger to the public.*

13.2 On-premises sign

Any new or replacement signs shall meet the following conditions:

13.2.1. *Be no larger than 32 square feet exclusive of supports and shall not exceed 12 feet above natural ground level or center of the traveled way.*

13.2.2 *Not be neon lighted or have flashing lights, and*

13.2.3 *Be substantially of wood construction, except for its support.*

13.3 Off-premises signs shall be limited to:

13.3.1 *Directory type signs that may include a map and listing of businesses in the Town of Jackson. Not more than two directory type signs will be permitted. The total area of the sign, exclusive of supports, shall not exceed 64 square feet. The height of the sign shall not exceed 12 feet above the natural ground level or the center of the traveled way. The locations will be recommended by the Planning Board and approved by the Board of Selectmen.*

13.3.2 *Directional signs for local businesses will be permitted attached to town-owned Street or road signs and they shall not exceed 8 inches high by 48 inches long and must be approved by the Board of Selectmen.*

13.3.3 *Off premises directional signs for ski areas and the ski touring foundation located in the Town of Jackson shall be permitted. The total area of the sign, exclusive of supports, shall not exceed 64 square feet. The height of the sign shall not exceed 12 feet above natural ground level or the center of the traveled way. The locations will be recommended by the Planning Board and approved by the Board of Selectmen.*

13.3.4 Signs not conforming with these conditions shall be removed within three (3) years from the date of enactment of this Section, save that nothing herein shall be deemed to prohibit Town or State Highway signs.

Frank DiFruscio asked Planning Board chair Bill Terry to clarify town signage approval process which requires applicant to go before planning board and then goes before the select board.

Bob Thompson made a motion to fine Black Mountain Ski Area \$275.00 for the sign violation, seconded by Barbara Campbell. Barbara Campbell and Bob Thompson in favor, Frank DiFruscio opposed.

e. Whitney's Pond

Barbara Campbell read letter addressed to Mark Lahood, WIF Holdings, LLC and Erik Mogensen, Entabeni (see Addendum B attached)

Barbara Campbell made motion, seconded by Bob Thompson. All approved.

f. Transfer Station

i. Fees Schedule update – Construction Fees will increase as of August 1, 2025 (see Addendum C attached for new rates)

ii. Stickers – researching new stickers that won't fade and possible different placement on car

g. Jackson 10K Road Race permit approval

Run The Whites will be hosting the annual Jackson Covered Bridge 10K road race on August 8th.

Barbara Campbell made a motion to approve the race permit, seconded by Frank DiFruscio. All approved.

Pending / Ongoing Discussions and/or Motions:

h. Fire Station Construction Updates

Bob Thompson reported grass coming in on new leach field, almost ready for concrete to be poured next week and the project is under budget

i. Town Hall Building Move Updates

Town Hall will be connecting to the meter at the gazebo so that there will only be one meter.

5. Short Term Rentals: N/A

6. Approved Building & Driveway Permits (FYI): N/A

NUMBER	OWNER	MAP/LOT	ADDRESS	PROJECT DESCRIPTION
2025-64	REID	V7/117	81 N. HAMPSHIRE RIDGE	REPLACE ENTRY DOOR, WINDOW AND GLIDERS
2025-65	KANE	V2/10-3B	29B WENTWORTH HALL	REPLACE 2 WINDOWS
2025-66	PROCACCIANTI	V2/10-1A	9A WENTWORTH HALL	REPLACE BAY WINDOW
2025-67	CAMPBELL	V2/10-25D	84D WENTWORTH HALL	REPLACE 2 WINDOWS
2025-68	BROWN	V2/10-14D	10D JOSHUA LOOP	REPLACE WINDOWS AND DOORS

2025-69	PETERS	V7/66	87 TIN MINE RD	DEMOLITION PERMIT 2 CAR GARAGE 24X24
2025-70	MCNEIL	V10/106	271 TIN MINE RD	ADD DECK TO GARAGE/CONNECT GARAGE TO HOME
2025-71	CHRISTMAS FARM	V8/23	3 BLITZEN WAY	ELECTRICAL – REPLACE EXISTING WATER HEATER
2025-72	CHRISTMAS FARM	V8/23	3 BLITZEN WAY	PLIMBING – REPLACE CAT IRON PIPE FOR DRAINS
2025-73	COUGHLIN	V2/10-9A	180A MAIN STREET	ELECTRICAL – RUN POWER FOR MINI SPLIT
2025-74	COUGHLIN	V2/10-9B	180A MAIN STREET	ELECTRICAL – RUN POWER FOR MINI SPLIT

7. Public Comment:

Joyce Allan inquired when the public hearing will be scheduled – Barbara replied that the Select Board would be setting a date for some time in September

Kevin Bennett commented no money available for EMT training

Huntley Allan commented on the increase in cars speeding down Black Mtn road and the possibility putting up a solar speed limit sign

Mark Hodgdon commented dump closes about 10 minutes early and they should stay open till posted times. Mark also commented tempers on all parties (police, select board and Black Mtn) getting out of control.

Chris Meier attorney for Black Mountain commented complaints have not been received per the request in May.

Erik Mogensen commented that he is moving to Jackson and will be a full-time resident.

8. Upcoming Meetings/Notices:

- Tuesday, July 8th – 4:30pm Bartlett Jackson Ambulance Committee Meeting
- Tuesday, July 22nd – 3:30pm Regular Select Board meeting
- Tuesday, August 12th – 3:00pm Regular Select Board meeting
- Tuesday, August 26th – 3:30pm Regular Select Board meeting

9. Adjourn meeting

Barbara Campbell made a motion to adjourn the meeting at 4:40pm, seconded by Frank DiFruscio. All approved.

Respectfully Submitted by:
Betsy Eaton

STATE OF NEW HAMPSHIRE

CARROLL, SS

TOWN OF JACKSON

APPEAL OF ADMINISTRATIVE DECISION)
IN RE: BLACK MOUNTAIN COMMUNITY CORPORATION)
JULY 9, 2025 ALLEGED SIGN ORDINANCE VIOLATION)

APPEAL OF ADMINISTRATIVE DECISION – ABUTTERS LIST

<u>MAP/PARCEL</u>	<u>OWNER</u>	<u>MAILING ADDRESS</u>
V01/39	Noel Renee, Inc.	PO Box 814, Jackson, NH 03846
V02/40	Town of Jackson	PO Box 268, Jackson, NH 03846
V02/46	Jackson School District	PO Box 809, Jackson, NH 03846
V02/47-A	Jackson School District	PO Box 809, Jackson, NH 03846

Noel Renee, Inc.
PO Box 814
Jackson, NH 03846

Town of Jackson
PO Box 268
Jackson, NH 03846

Jackson School District
PO Box 809
Jackson, NH 03846

Noel Renee, Inc.
PO Box 814
Jackson, NH 03846

Town of Jackson
PO Box 268
Jackson, NH 03846

Jackson School District
PO Box 809
Jackson, NH 03846

Noel Renee, Inc.
PO Box 814
Jackson, NH 03846

Town of Jackson
PO Box 268
Jackson, NH 03846

Jackson School District
PO Box 809
Jackson, NH 03846

Jackson School District
PO Box 809
Jackson, NH 03846

Jackson School District
PO Box 809
Jackson, NH 03846

Jackson School District
PO Box 809
Jackson, NH 03846