

## **SECTION 11. VOLUNTARY MERGER**

In accordance with RSA 674:39-a, any owner of two or more contiguous preexisting approved or subdivided lots who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the Planning Board. No public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger shall be filed with the Carroll County Registry of Deeds. Some fees shall be assigned for the necessary procedures. See Section 6.

## **SECTION 12. ADMINISTRATION AND ENFORCEMENT**

### **12.01 General**

These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested with the Selectmen.

### **12.02 Modifications**

The requirements of the foregoing regulations may be modified, in accordance with RSA 674:36, II, when by majority vote of the Board it is determined that:

- (1) Strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations, or
- (2) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

### **12.03 Penalties and Fines**

Any violation of these regulations shall be subject to a civil fine as provided in RSA 676.16 and 676.17, as amended. The Selectmen or the building inspector are designated as the local authorities to institute appropriate action under the provisions of RSA 676.17.

### **12.04 Appeals**

Any person, aggrieved by an official action of the Board, may appeal therefrom to the Zoning Board of Adjustment, if the matter relates to a provision of the Zoning Ordinance (RSA 676:5, III); or to the Superior Court, if the matter concerns only these Subdivision Regulations (RSA (677:15)).

## **SECTION 13. CONFLICTING PROVISIONS**

Where these regulations are in conflict with other local, state or federal ordinances, the more stringent shall apply.

## **SECTION 14. VALIDITY**

If any section or part of section or paragraph of these regulations shall be declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or sections or part of a section or paragraph of these regulations.

## **SECTION 15. AMENDMENTS**

15.01 These regulations may be amended by the Planning Board following a public hearing on the proposed change. Such changes shall not take effect until a copy of said change, certified by a majority of the Board, is filed with the municipal clerk.

15.02 A copy of any amendment to these regulations shall also be filed with the New Hampshire Office of Energy and Planning in Concord, New Hampshire (RSA 675:9) and North Country Council regional planning commission.

## **SECTION 16. EFFECTIVE DATE**

These regulations shall become effective upon their official adoption by the Board in accordance with the provisions of RSA (675:6-9), and shall apply thereafter to all subdivisions within the Town of Jackson, except that they shall not apply to subdivisions for which plans have been approved by the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division as of March 4, 1975, which are on file in the office of the Selectmen of the Town of Jackson.