

Hi Fritz,

Had some free time this am and checked out your question. I believe the change to the RSA in 2010 was to allow a merger w/o a public hearing. See text below. This RSA does not address whether or not a town can still regulate non-conforming lots to restrict development if it does not meet minimum lot size. So communities have the flexibility to address on their own through zoning standards. Some communities do not allow development at all, others allow with certain conditions, primarily whether or not an owner can get a DES septic permit.

This issue might be worth PB discussion, but at present I believe Section 1 of General Provisions is ok. I think Section B of Article VIII should be eliminated to avoid confusion.

Hope this helps. Please call if you have further questions.

*Jack*

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