

SECTION VI

BOND REQUIRED

- 6.01** The sub-divider shall file with the Board at the time of submission of the Final Plan a performance guarantee in an amount sufficient to defray all expenses. This may be tendered in the form of a certified check payable to the municipality or a faithful performance bond running to the municipality and issued by a Surety Company acceptable to the municipality. The conditions and amount of such certified check or performance bond shall be at least equal to the total cost of furnishing, installing, connecting, and completing all of the street grading, paving, storm drainage, and utilities, or other improvements within two years of the date of the certified check of performance bond.
- 6.02** The Board may recommend a maximum extension of twelve months to the guaranteed performance period when the sub-divider can demonstrate, to the satisfaction of the Board and other interested officials or agencies, good cause for such extension. Such recommendation for extension shall be referred to the governing body of the municipality for official action.
- 6.03** Before a sub-divider may be released from any obligation required by his guarantee of performance, the Board will require certification from the various departments and agencies concerned to the effect that all improvements have been satisfactorily completed in accordance with all applicable standards, state and local codes and ordinances.

SECTION VII

VARIATION

A variation in the strict application of the Subdivision Ordinance may be permitted when, in the opinion of the Board, topography or other considerations warrant such variation provided that public convenience, safety, health and welfare will not be affected adversely.

SECTION VIII

CONFLICT WITH OTHER ORDINANCES

In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the municipality existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of health and safety shall prevail.

SECTION IX

SEVERABILITY

The invalidity of any section, subsection, paragraph, sentence, clause, or word of this ordinance shall not be held to invalidate any other section, subsection, paragraph, sentence, clause, phrase or word of this ordinance; and to this end the provisions of this ordinance are hereby declared severable.

SECTION X

APPEALS

An appeal may be taken from the decision of the Planning Board to the Superior Court as provided in Chapter 36, Section 34, New Hampshire Revised Statutes Annotated.

SECTION XI

AMENDMENTS

These regulations may be amended or rescinded by the Board but only following public hearing on the proposed change. The chairman or secretary of the Board shall transmit a record of any changes to the Register of Deeds of Grafton County.