



## PLANNING & DEVELOPMENT DEPARTMENT

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Planning & Zoning  
Community Development  
Conservation Commission  
Historic District Commission  
Arts & Culture Commission

### ZONING BOARD OF ADJUSTMENT

#### NOTICE OF DECISION

Case No 2012-12

July 12, 2012

**2012-12** Application by Monarch School of New England for a variance under Article 42.19 Section (h) of the City's Zoning Ordinance to permit an addition to an existing non-residential building and additional parking within the required 50 foot wetland buffer.

**Location:** 61 Eastern Avenue  
Map 112 Lot 20 Residential 1 & Residential 2 Zones

Regarding the additional parking as stated above, the Zoning Board of Adjustment voted unanimously that this expansion of parking lot does not rise to the threshold of requiring a variance.

The above request for a variance to permit an addition to an existing non-residential building within the required 50 foot wetland buffer was **GRANTED** at the at the Zoning Board of Adjustment's July 11, 2012 meeting, by an affirmative vote of at least three members of the Zoning Board of Adjustment for the following reasons:

- The variance will not be contrary to the public interest because it will not negatively impact health and the general welfare.
- The spirit of the ordinance is observed because it will not negatively impact health and the general welfare.
- If granted, the benefit to this individual applicant outweighs any harm to the community as a whole.
- The value of surrounding properties will not be diminished because it will not generate levels of noise, light, activity or traffic that are significantly different from that which currently exists.

  
Ralph Torr, Chair

Rochester Board of AdjustmentIt is the applicant's responsibility to obtain any applicable permits from local, state, and federal agencies. Contact the City of Rochester Code Enforcement Department at 332-3508 to apply for any necessary permits and certificates. Any work completed within the thirty (30) day appeal period, explained below, is at your risk

**Note:** Any person affected has a right to appeal this decision. A request for a rehearing is the first step of an appeal. The request must be submitted to the Planning Department within **thirty (30) days** (calendar days starting the day after the decision is made). If a rehearing is not granted, the next step is to appeal to Superior Court within thirty (30) days. If a rehearing IS granted, it is the responsibility of the original applicant to present the case to the Zoning Board, with the same obligations and following the same procedure used when the case was first heard

cc: Building Safety Department  
Assessing Department  
Economic Development  
Norway Plains Associates  
File