



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

**PLANNING & DEVELOPMENT DEPARTMENT**  
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**ZONING BOARD OF ADJUSTMENT**  
**NOTICE OF DECISION**  
Case No 2013-10


June 14, 2013

**2013-10** Application by Attorney James H. Schulte, on behalf of Route 202, LLC for a motion for a rehearing under RSA 677:2 and 677:3 in relation to Article 42.14 Table 1 (B)(1),(6) & (9) of the City's Zoning Ordinance to permit construction and use of buildings with retail and/or office or restaurant uses which are not allowed in an Residential 1 zone.

**Location:** 19 & 26 Labrador Drive  
Map 130 Lots 43 & 43-1 Residential 1 Zone

The above request for rehearing was **DENIED**, at the Zoning Board of Adjustment's June 12, 2013 meeting, by a vote of at least three members of the Zoning Board of Adjustment for the following reasons:

- No new information was presented.
- The members were not influenced by any comments by the Chair.
- Ms. Rogers added that development on these sites would hamper natural resources as these wetlands are part of a larger wetland system.

  
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Ralph Torr, Chair  
Rochester Board of Adjustment

**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  
File