



**BUILDING, ZONING & LICENSING SERVICES**  
31 Wakefield Street,  
Rochester, New Hampshire 03867-1917  
(603) 332-3976- Fax (603) 509-1912  
Web Site: [www.rochesternh.net](http://www.rochesternh.net)

**ZONING BOARD OF ADJUSTMENT  
NOTICE OF DECISION  
Case No 2014-17**

September 11, 2014

**2014-17** Application by Cumberland Farms Inc./ Paul Navelski requests a variance to the terms of Article 42.29, (c) (3) and (f) (6) , of the City's Zoning Ordinance to permit four (4) signs on the building and canopy, including the one (1) sign that is already permitted.

**Location:** 79 Milton Rd./ 2 Flatrock Bridge Rd.  
Map 210 Lot(s) 55, & 56, Highway Commercial Zone

Variance was **Approved** as presented, by the five voting members by each criteria:

- The variance will not be contrary to the public interest because: it will not exacerbate the overcrowding of land.
- The spirit of the ordinance is observed because, it will not exacerbate the overcrowding of land.
- Substantial justice is done because, if granted, the benefit to the individual applicant, outweighs any harm to the community as a whole.
- The value of surrounding properties will or will not be diminished because, The hours of operation are such that impacts from increased levels of noise, light, activity or traffic are not problematic.

---

Ralph Torr, Chair  
Rochester Board of Adjustment

**It is the applicant's responsibility to obtain any applicable permits from local, state, and federal agencies. Contact the Department of Building, Zoning and Licensing Services at 332-3508 ext. 1, 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 Department of Building, Zoning and Licensing 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: Cumberland Farms  
Paul J Navelski  
FX Bruton, Attorney  
Assessing