



# TOWN OF SEEKONK

## ROUTE 44 CORRIDOR STUDY

JUNE 2011



*Southeastern Regional Planning and Economic Development District*

## ***Town of Seekonk***

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## ***INTRODUCTION***

The Town of Seekonk is a suburban community on the Rhode Island border, sharing a municipal boundary with East Providence, RI. The construction of roads linking Seekonk to other communities in the area has gradually transformed the town from an agricultural community to its current identification as an inner-ring suburb of Providence. Route 44 (Taunton Avenue) has been a critical east-west transportation route. This roadway passes through East Providence, RI and Seekonk, MA as a connection from Providence, RI to points east, at one time being *the* route to Cape Cod. In the 1950's and '60's, Taunton Avenue from approximately Hall Street in East Providence, RI to the Massachusetts border became a magnet for auto dealerships, which needed large parcels of land located on roads with a high volume of pass-by traffic and a large and growing population nearby.<sup>1</sup> This land use continued to develop across the state line and additional auto dealerships located along Route 44 in Seekonk, MA, finding large parcels of vacant land along a road having high volume of pass-by traffic.

As the financial situation of major U. S. automobile manufacturers became dire, this sector of the economy shrank leaving some auto dealerships closed. In East Providence, RI, this has left large parcels with nearly one-hundred percent (100%) of a parcel consisting of impervious surfaces vacant on a high volume roadway. In Seekonk, MA, the closures are not as noticeable, with functioning dealerships expanding into the space of those that have been closed, or in the case of one, a used car dealership reusing the property of a closed dealership. However, with the current economy, the city of East Providence and the Town of Seekonk anticipate additional dealership closures on Taunton Avenue, as well as closures of auto-oriented businesses.

Preferring to be proactive, the Town of Seekonk contracted with Southeastern Regional Planning and Economic Development District (SRPEDD) to study future development options along this corridor. The study considers regulation amendments and transportation improvements that will facilitate redevelopment along the auto-dependent stretch of Taunton Avenue from Pleasant Street west to the Rhode Island state border.

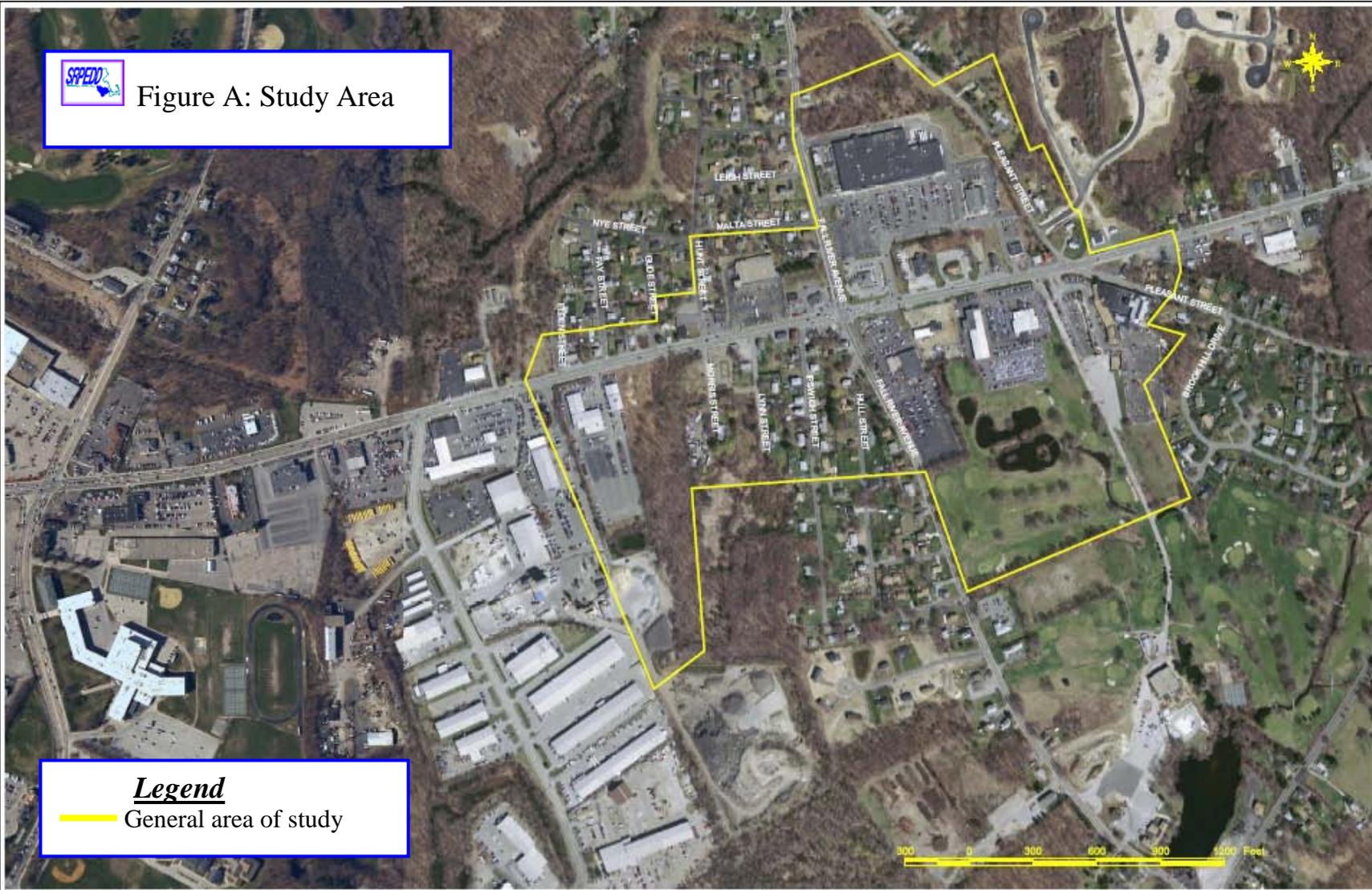
The study area as shown in Figure A. Study Area includes properties that are bounded by Taunton Avenue from the East Providence to Pleasant Street. Also included for consideration are properties surrounding various commercial uses including Benny's, the Seekonk Town Centre property on the north side of Route 44 and the Johnson & Wales hotel and meeting facility, the Firefly Golf Course, and the car dealerships on the south side of Route 44.

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<sup>1</sup> ATTACHMENT A: Planning and Land Use Feasibility Study for the "Auto Row" of Taunton Avenue. Scope of Work, Route 44 Corridor Study, East Providence, RI



Figure A: Study Area



**Legend**

— General area of study



## ***VISION***

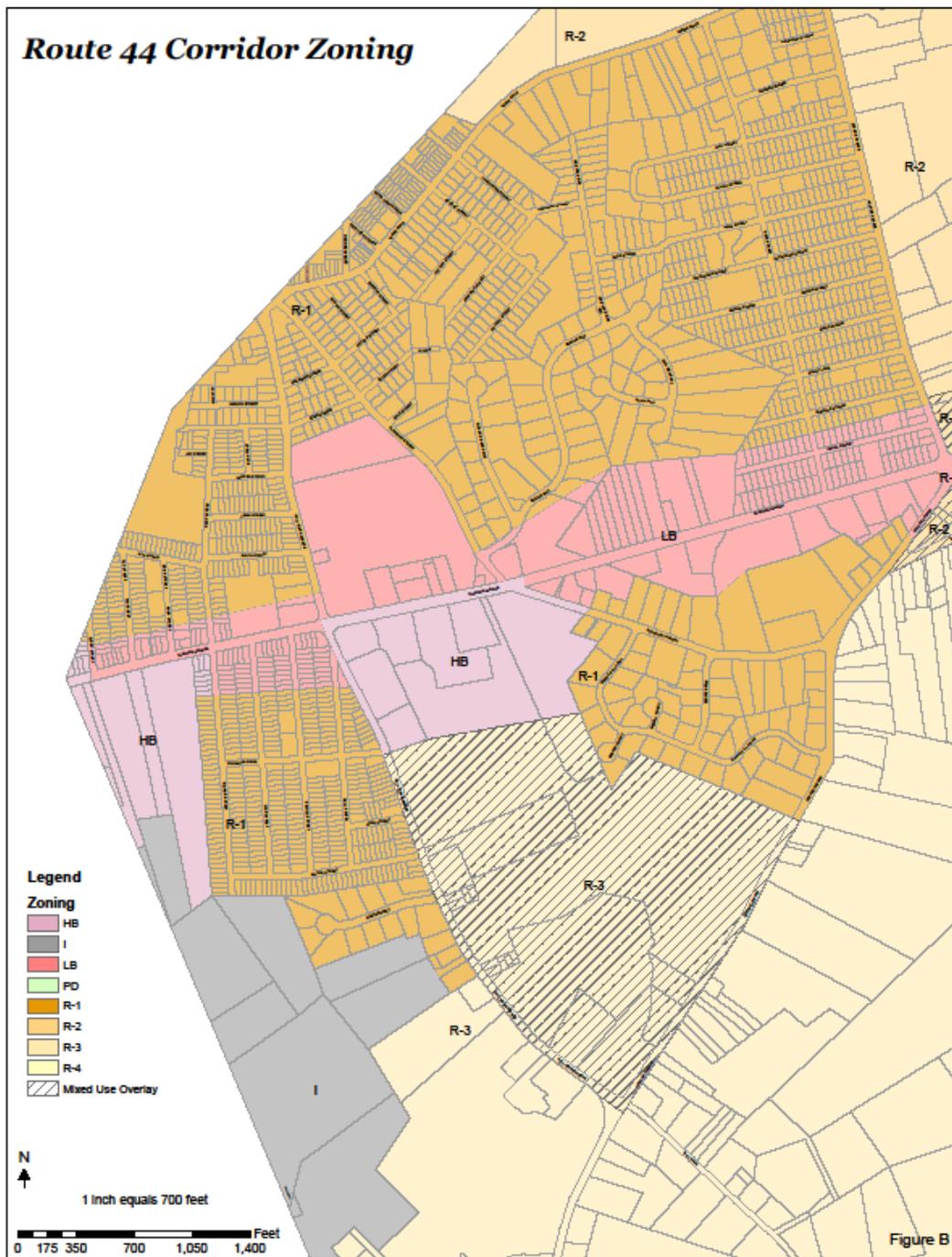
The Town of Seekonk 2000 Master Plan Update includes land use, economic development and transportation strategies pertaining to the Route 44 corridor from the Rhode Island state border east to Arcade Avenue. The town seeks to preserve the community character in areas of local business development by maintaining a street edge, requiring buffer strips, and implementing landscaping improvements. This can promote attractive gateways to Seekonk by greening landscaping and incorporating signage at the entrances to the Town. In addition, the town would like to avoid high traffic uses along Route 44, so through traffic can pass freely while facilitating bicycle and pedestrian circulation in the corridor.

## ***ZONING***

The zoning along Route 44 is a mixture of Local Business (LB) and Highway Business (HB). Other parcels off of Route 44 are zoned Residential – 1 (R-1) and another large parcel, which can be accessed from Route 44, is currently split-zoned with a portion zoned Highway Business and the remainder zoned Residential 3 with a Mixed Use Overlay. The area zoning is shown in [Figure B. Route 44 Corridor Zoning](#).

Uses allowed in the LB district include retail stores, service establishments, sit-down restaurants, and offices while the HB district allows for these uses as well as hotels, wholesale establishments, commercial recreation, and fast-food restaurants. While there is no minimum lot size in the LB and HB districts, the LB has 40% maximum lot coverage by all buildings and a 50 feet minimum front yard requirement. The HB has 30% maximum lot coverage by all buildings and a 70 feet minimum front yard requirement. The maximum height allowed in both districts is three (3) stories or 40 feet. Additional zoning information can be found in the Seekonk Zoning Bylaws while some pages of the bylaw can be seen in [Appendix A](#).

**FIGURE B. Route 44 Corridor Zoning**



## I. CHARACTERISTICS OF THE CORRIDOR

### A. Land Use

The Route 44 Corridor is predominantly commercial with a few residential uses.

As one enters Seekonk from East Providence, RI it is evident that the car dealership land uses of East Providence extended into this section of Taunton Avenue. Six car dealerships selling new vehicles are located on the south side of the roadway: Saturn (out of business, lot



absorbed as part abutting dealership), Honda, Mazda, Ford-Lincoln-Mercury, Hyundai, and Chrysler-Plymouth-Jeep and two small used car dealerships located on the north side of the roadway.

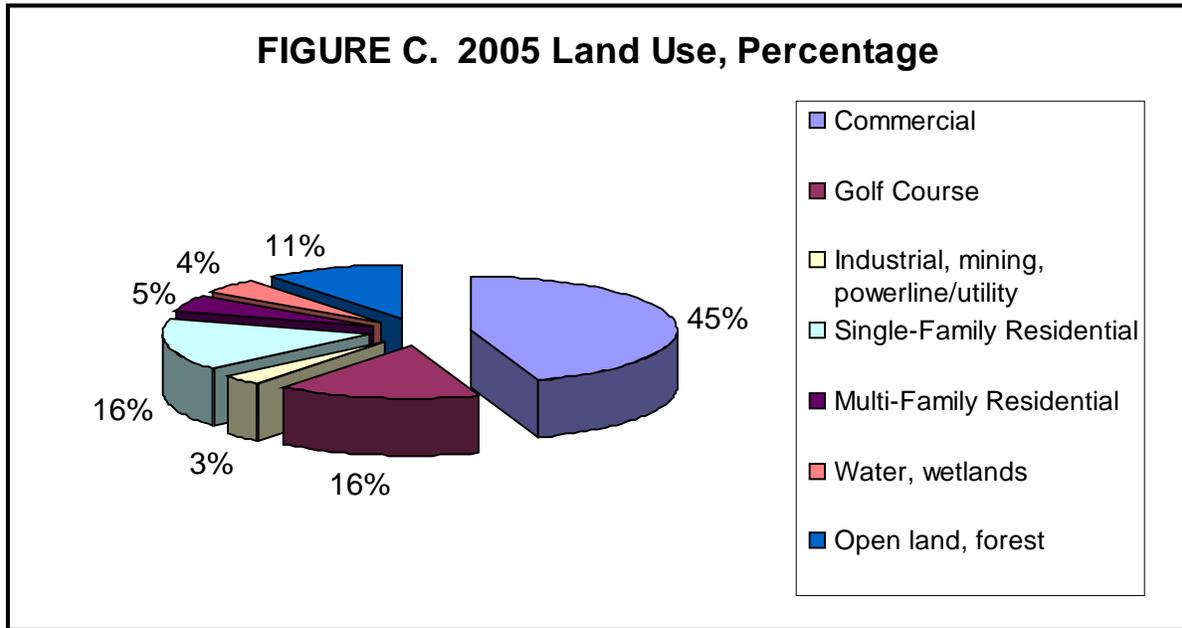
This area saw retail growth in the 1970's with the development of Benny's (1969) and Kmart (1975) stores on the north side of Route 44. The Benny's continues as a viable business while the Kmart store was subdivided and is being reused by multiple smaller retail uses. The parcel has been known as the Seekonk Towne Centre plaza. Through infill development the plaza now also has a bank, Seekonk's U. S. Post Office and a Dunkin' Donuts store.



In addition, a Johnson & Wales affiliated hotel/conference center and few smaller neighborhood retail sized stores are located on Route 44. The few residential uses along Route 44 are multi-family structures that are located west of Fall River Avenue. Residential neighborhoods surround these retail uses.

Located behind the car dealerships and the Johnson & Wales is the Firefly Golf Course. This is an executive length 18-hole course that was built in 1962 that has been discussed for redevelopment in recent years.

Below, Figure C. Land Use, Percentage displays the breakdown of the land uses in the corridor. Nearly half of the area in the study area is in commercial uses (45%) and less than one-quarter of the area is in residential uses (16% single-family and 5% multi-family). Eleven percent of the area is vacant as open land or forest and the Firefly Golf Course covers 16% of the area.



The land use data shown below in Figure D. 2005 MassGIS Land Use maps the land use of the parcels. As can be seen, all of the commercial uses and very few of the residential uses in the study area are along Route 44. Most of the residential neighborhood areas are located off of Route 44 behind the commercial uses.

In recent years, the golf course has been proposed for future redevelopment. Between the open land, forested areas and the golf course, over one-quarter of the area is available for development or redevelopment.



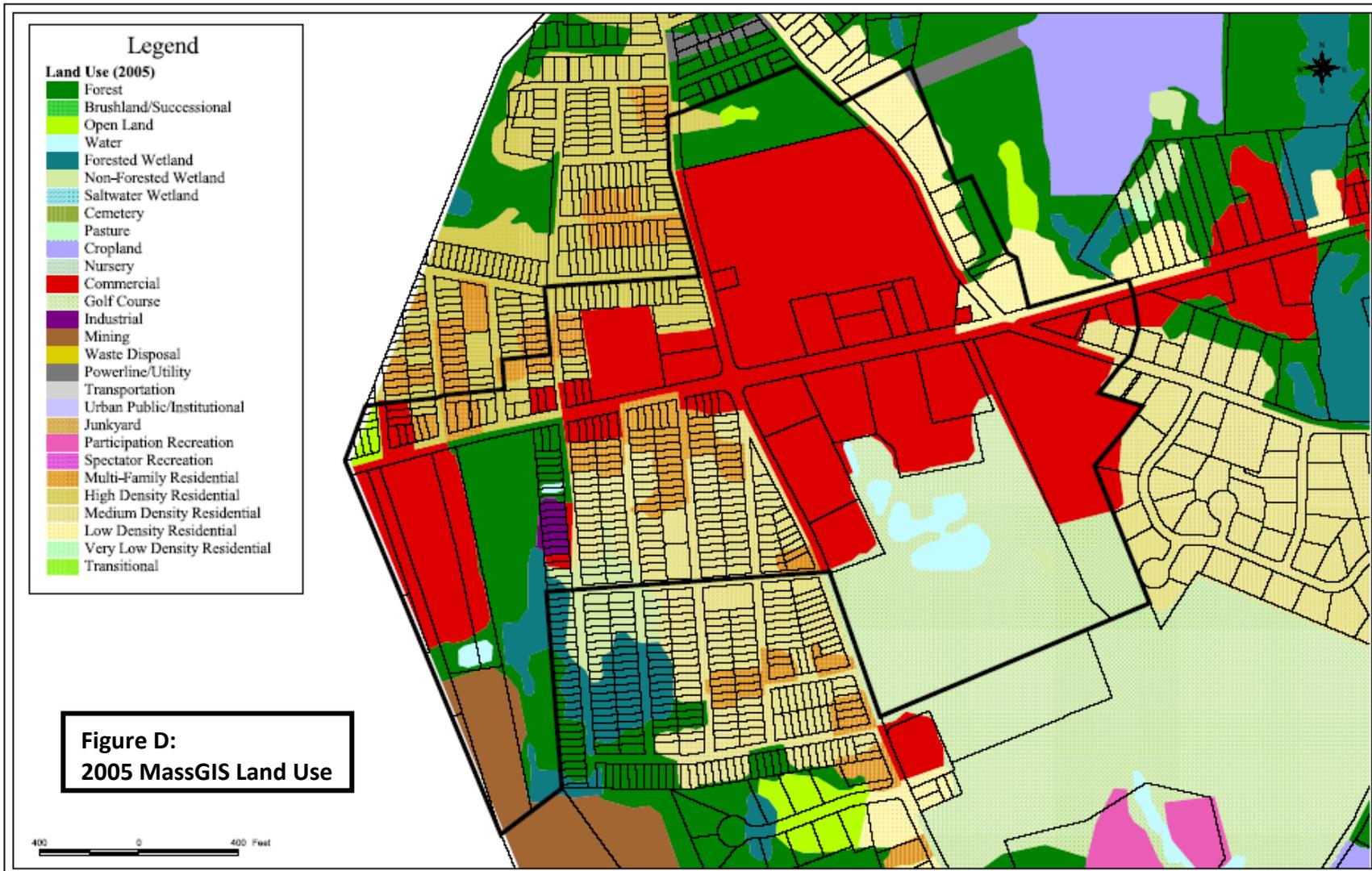




 Figure E: Business Inventory

Figure E. Business Inventory shows an inventory of businesses in the study area. There are thirty-four (34) business properties in this Route 44 Corridor, five of which are vacant at the time of this study. The Business Inventory illustrates the location of these businesses and notes the name of each. There are five (5) retail stores, two (2) antique stores, three (3) contractor’s offices, three (3) take-out restaurants (without drive-through), one (1) bakery/coffee shop, two (2) banks, three (3) recreation, one (1) hotel/conference facility and nine (9) car dealerships, new and used.

## ***B. Roadway Conditions***

### ***Characteristics***

Taunton Avenue (Route 44) is an east/west running principal arterial serving the area between Plymouth, Massachusetts and East Providence, Rhode Island. In Seekonk, Taunton Avenue provides an important connection between the community of Seekonk and two major employment centers: Taunton, Massachusetts to the east and Rhode Island to the west. Taunton Avenue is part of the National Highway System (NHS), which consists of interconnected urban and rural principal arterials and highways. Routes listed as part of the NHS fall under the jurisdiction of MassDOT Highway Division District 5 and any changes must follow federal guidelines.

This study will concentrate on the segment of Route 44 between Pleasant Street and the Rhode Island State Line, as shown in Figure F. Traffic Analysis Study Area.



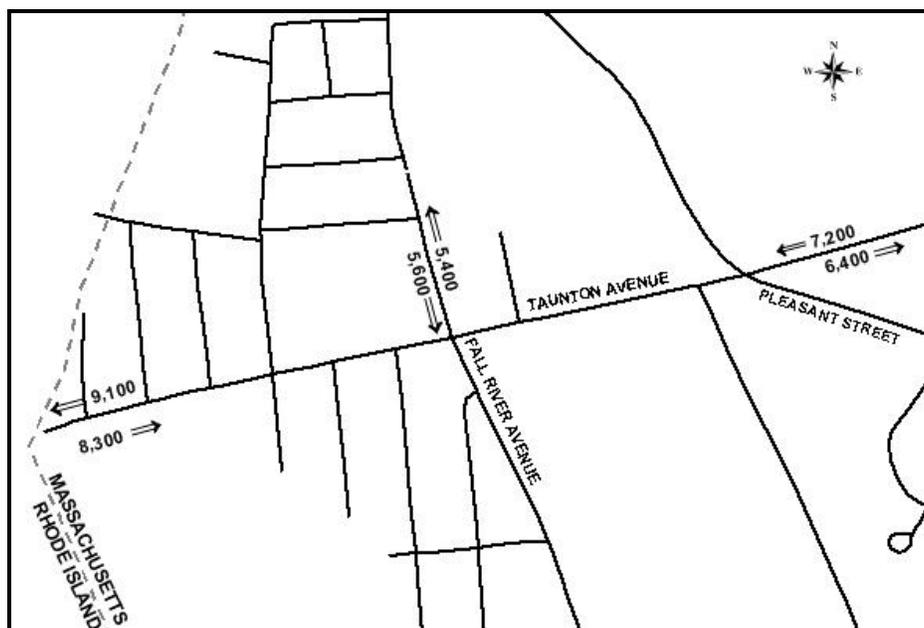
***Figure F. Traffic Analysis Study Area***

A majority of Route 44 within the study area is two travel lanes in either direction from the Rhode Island state line to a point east of the Towne Centre Driveway, where it narrows to one lane in each direction for the remainder of the study area. The posted speed limit within the study area is 50 miles per hour, but due to congested conditions, the average speed of travel is 40 mph.

## C. Traffic Analysis

### *Safety Analysis*

SRPEDD staff collected traffic and speed data from automatic traffic counters at two locations, Route 44 east of Pleasant Street and Fall River Avenue north of Route 44. This data shows an Average Daily Traffic (ADT) volume of 13,600 vehicles per day for Route 44 and 11,000 vehicles per day for Fall River Avenue. Data collected on Route 44 at the Rhode Island State Line by Rhode Island Department of Transportation (RIDOT) shows an ADT of 17,500 vehicles per day. Directional ADT volumes are shown in the [Figure G. Directional Distribution](#).



**Figure G. Directional Distribution for ADT Volumes in Vehicles / Day**

There is one signalized intersection in the study area, Taunton Avenue (Route 44) at Fall River Avenue (Route 114A) (see [Figure H. Intersection](#)). This intersection is ranked 15<sup>th</sup> on SRPEDD's "The Most Dangerous Locations in Southeastern Massachusetts 2006-2008" publication. Intersections on this list are ranked based on their Equivalent Property Damage Only (EPDO) index, which is a system of ranking based on the severity of the crashes, giving a greater significance to crashes where injuries and fatalities occur. The higher the EPDO index, the greater the severity of the crashes, an intersection with an EPDO at or above 20.0 is considered a problem in the SRPEDD region. This intersection has an EPDO of 43.7 with total crashes numbering 75 between 2006 and 2008; this coupled with a rank of 15 out of a 100 indicates a significant safety problem at this intersection. The major issue at this intersection is conflicting turn movements as shown by the crash diagram in [Figure I. Crash Diagram](#)



**Figure H.** Intersection of Taunton Avenue (Route 44) and Fall River Avenue (Route 114A)

**Figure I.** Crash Diagram for Taunton Avenue (Route 44) and Fall River Avenue (Route 114A)



In addition to intersection related issues, there are also numerous curb cuts along the corridor which interfere with traffic flow and contribute to safety issues for motorists, pedestrians and bicyclists. A crash diagram for the corridor is shown in Figure J. The entrance to the Seekonk Towne Centre saw fourteen (14) crashes, which is an especially high number of crashes. Of these, thirteen (13) crashes were right angle crashes caused by vehicles attempting to turn left out of the driveway. Exiting this driveway is highly dangerous due to the close proximity of Taunton Avenue (Route 44) and Fall River Avenue (Route 114A) intersection and difficulties with crossing two travel lanes on Route 44.



**Figure J.** Crash Diagram – Taunton Avenue (Route 44) from the Rhode Island State Line to Pleasant Street

### *Capacity Analysis*

In addition to the safety analysis, a capacity analysis was performed using the Highway Capacity Manual (HCM) to determine the operation of the intersection. A general Level of Service (LOS) is used to indicate how a facility operates under peak hour traffic conditions; the highest hourly traffic volume in a 24 hour period. The LOS is determined ranging from A (representing ideal traffic operations) to F (representing severe congestion). Under the existing traffic conditions the intersection presently operates at an acceptable LOS C during the PM peak hour.

## **II. CORRIDOR IDENTITY: CHALLENGES AND ENHANCEMENT MEASURES**

Overall, the Route 44 corridor study area is an economically viable commercial corridor. However, it does not have a visible character and there is minimal pedestrian connection from the neighborhoods to the commercial uses. The properties, while many were constructed in the 1970's and earlier, have been maintained and are in good condition.

### **A. Landscaping**

#### ***Challenge: Lack of Adequate Landscaping***

The length of Taunton Avenue within the corridor does not have a uniform standard of landscaping. There are stretches that have minimal landscaping between the structures and the street, most notably the length of roadway between Fall River Avenue and the East Providence city line. The larger car dealership sites east of Fall River Avenue have grassed areas along the roadway. These sites were developed or redeveloped under zoning bylaws that require a landscape component along a parcel's frontage. However, parcels that were developed prior to the landscaping requirement being incorporated into the zoning bylaw do not have a landscape component along the roadway and very often have frontages with open curb cuts.

#### ***Enhancement Measure: Landscape Requirements in Site Plan Review***

Town of Seekonk Zoning By-laws Section 10 Site Plan Review has landscape requirements for new development and re-development. Section 10.6.3.1 requires a ten foot (10') landscape buffer around the perimeter of a parcel being developed. Vehicle sales uses require a landscaped setback of twenty feet (20') and no vehicle may be parked less than twenty feet (20') from the street lot line (section 10.6.3.7). Section 10.6.8.6 details standards for street trees. They are to be located in a landscaped belt that is at least five feet (5') wide between the street curb and the sidewalk. These trees are to be spaced at intervals of forty feet (40').

The landscaping standards that are described in the Seekonk Zoning By-laws, Section 10 Site Plan Review, if steadfastly applied to new development and redevelopment, can create a streetscape in this corridor. To further the process, a standard for the corridor can be developed and included in this section similar to section 10.6.8 Additional Site Plan Standards for the Luther's Corners Village District.

### **B. Parking Area**

#### ***Challenge: Visibility of Parking Areas***

Parking areas adjacent to the roadway corridor, in front of buildings, impact the character of the area. There is a lack of enclosure of the roadway, which impacts the sense of a streetscape.

***Enhancement Measure: Screening of Parking Areas***

This is a design concern that can be rectified with the implementation of the design standards found in Section 10 Site Plan Review. Additionally, requiring that parking areas be located to the side or the rear of new development can enhance the character of the corridor.

***C. Pedestrian Connections***

***Challenge: Lack of Pedestrian Connections between Neighborhoods and Retail Uses***



Several of the retail uses abut residential neighborhoods; however, the pedestrian connection between the retail uses and these neighborhoods is not established. Sidewalks do exist on both sides of Route 44 (the exception is in front of the Herb Chambers car dealerships), but in some areas the sidewalk needs maintenance to make them pedestrian-friendly.

The only cross-walks that do exist in the study area are at the intersection of Fall River Avenue and Route 44. These cross-walks are not of different color or material making them less visible to on-coming vehicles.



Pedestrian connections between the residential uses and the retail uses is minimal and is limited to pedestrian-made pathways, such as the path that connects the Pleasant Street residences to the Dunkin' Donuts, Post Office, and Ann & Hope stores.



#### ***D. Roadway***

**Challenge:** There are a number of issues along this roadway that will need to be addressed in the future regardless of changes in land use. These issues include:

1. Safety concerns at the intersection of Taunton Avenue (Route 44) and Fall River Avenue (Route 114A).
2. Congestion at the intersection of Taunton Avenue (Route 44) and Fall River Avenue (Route 114A)
3. Safety issues at curb cuts, specifically at the Seekonk Towne Centre Driveway.

#### ***Enhancement : Potential Improvements to Taunton Avenue and Fall River Avenue Intersection***

**Improvement Alternative #1:** Safety Improvements - Additional storage lanes and protected left turn phases for eastbound and westbound directions on Taunton Avenue.

Positive Points from this Improvement:

- Adding protected left turn lanes would drastically improve safety at the intersection by eliminating right angle conflict points.
- Adding storage lanes for left turns would improve delay for left turns by reducing the queue length.

Negative Points from this Improvement:

- Will require land takings to widen the intersections and road.
- Widening could increase travel speeds along the roadway and could worsen safety conditions.
- Improves the intersection operation only to a LOS D

**Improvement Alternative #2:** Adding storage lanes and protected left turn phases for eastbound and westbound directions on Taunton Avenue and widening Taunton Avenue to four travel lanes from east of the Seekonk Towne Centre Driveway to east of Pleasant Street.

Positive Points from this Improvement:

- Adding protected left turn lanes would drastically improve safety at the intersection by eliminating right angle conflict points.
- Adding storage lanes for left turns would improve delay for left turns by reducing the queue length.
- Widening the roadway would improve flow and reduce congestion.

Negative Points from this Improvement:

- Will require land takings to widen the intersections and road.

- Widening could increase travel speeds along the roadway and could worsen safety conditions.
- Improves the intersection operation only to a LOS D

### **Additional General Traffic Recommendations**

Route 44 is a heavily travel principal arterial. At the minimum, storage lanes and protected left turn phases should be added to mitigate current safety problems and future congestion problems. Any future development to this corridor could significantly worsen safety conditions and increase congestion. Developers should be required to contribute to the improvement of safety and traffic flow for this corridor. Route 44 is designated as part of the National Highway System. Any improvements to this corridor will have to be reviewed, approved, and implemented through the Massachusetts Department of Transportation (MassDOT) and the Federal Highway Administration (FHWA).

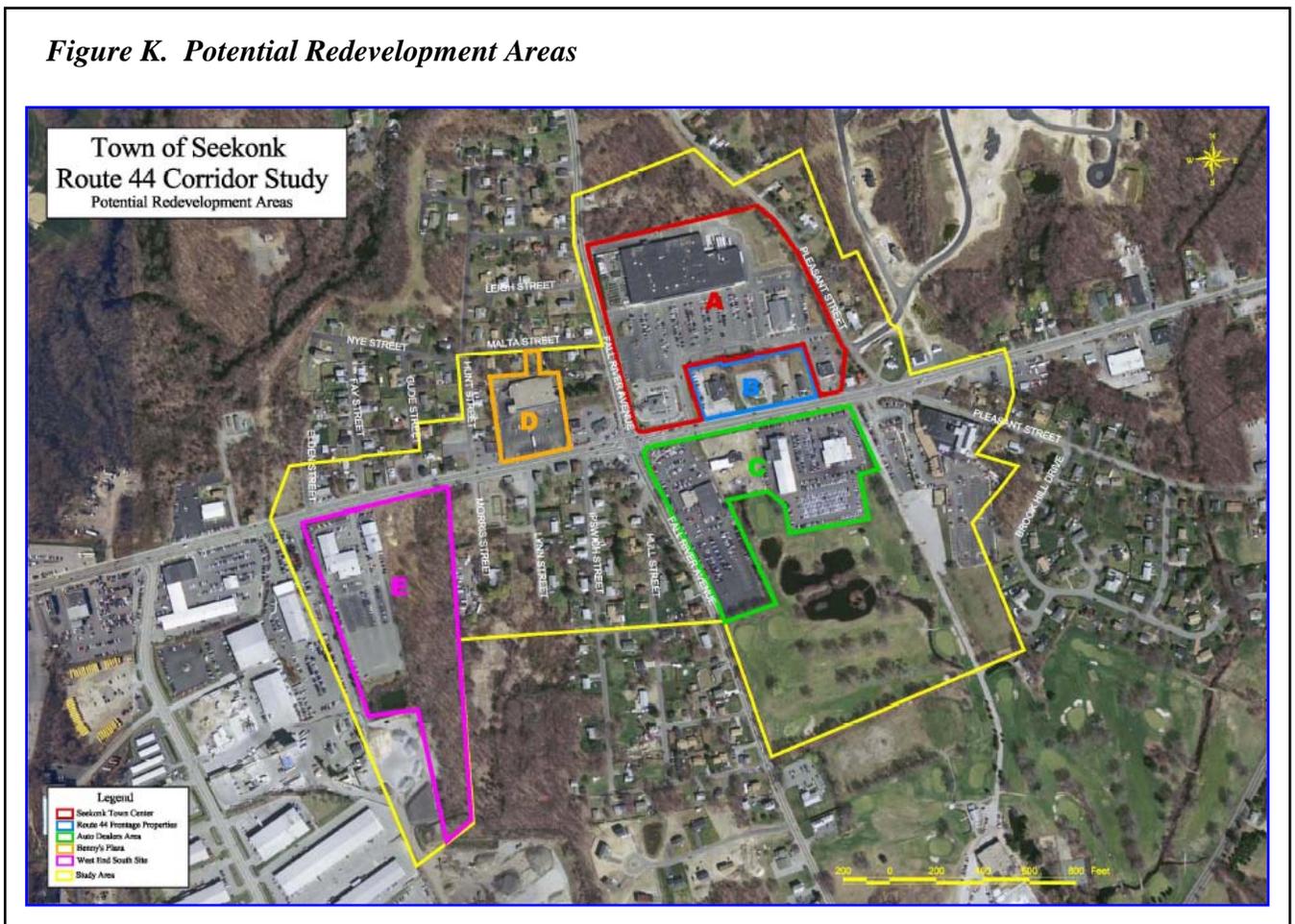
### III. REDEVELOPMENT OPPORTUNITIES: OPPORTUNITIES, OPTIONS AND ALTERNATIVES

#### A. REDEVELOPMENT OPPORTUNITY: Highway Commercial, Local Business and In-fill Redevelopment

Under this option commercial redevelopment along this segment of the Route 44 corridor (Taunton Avenue) would not significantly change. Expected redevelopment will continue to be centered on the existing retail and service related industries including small retail, auto sales and service, commercial, office and indoor/outdoor recreational uses. However, additional opportunities may emerge through redevelopment for sit-down restaurants or eating and drinking establishments as potential anchors for office, retail and service activities, as well as in-fill development options.

SRPEDD has identified several primary target areas for potential commercial redevelopment and in-fill opportunities, which are shown below in Figure K. Potential Redevelopment Areas. An analysis of each redevelopment area/site is provided in a matrix found in Appendix B and build-out calculations for these redevelopment scenarios can be found in Appendix C.

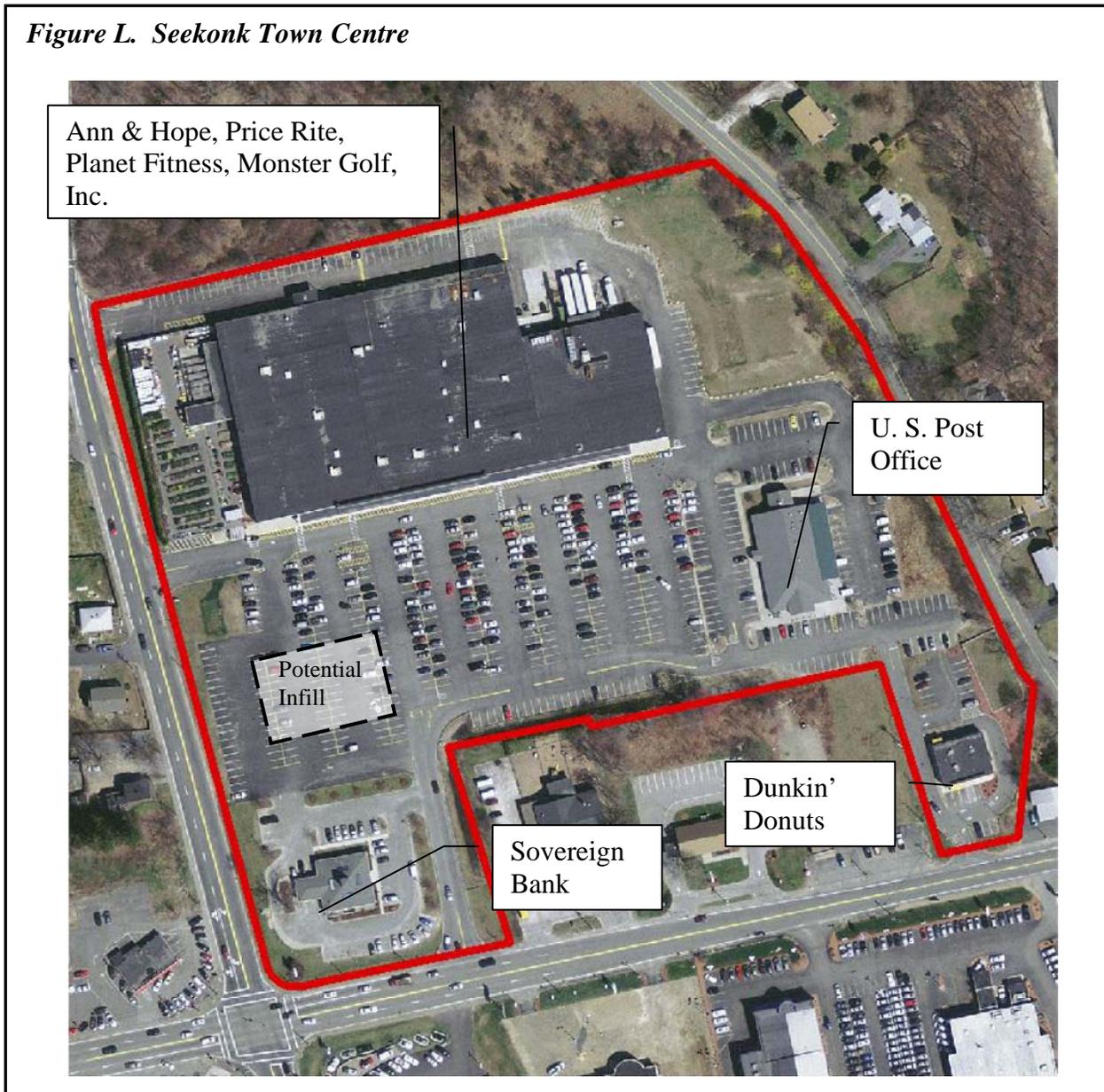
**Figure K. Potential Redevelopment Areas**



## 1. Seekonk Towne Centre

This site is located at 140 Taunton Avenue (Route 44) to the rear of the small frontage lots along the Route 44 corridor between Pleasant Street and Fall River Avenue discussed below (Route 44 North Frontage Properties). The commercial site offers direct access via two driveways to Route 44 and a third that exits to Fall River Avenue (see [Figure L. Seekonk Town Centre](#) below). To the north, at the rear of the parcel, is a 4.4 acre residential property which is largely vacant. The site consists of over 15.0 acres or 683,892 SF and contains a 121,346 SF retail-commercial building housing Ann & Hope, Price Rite, Family Dollar and additional smaller retail uses. The site has experienced some infill activity with the construction an 8,468 SF U. S. Post Office building in 2000 and a 3,048 SF Dunkin' Donuts in 2005.

*Figure L. Seekonk Town Centre*



*Redevelopment Opportunity:*



Potential in-fill on the Fall River Avenue side between the Sovereign Bank site and the Ann & Hope store may be practicable for this property. Based on existing zoning requirements, approximately 14,000-16,000 SF of additional commercial space or a restaurant of approximately 7,000 SF could be provided.

Additional opportunities exist to enhance and improve connectivity between business establishments in and around the plaza. Examples include providing patrons utilizing frontage business establishments on Route 44 with pedestrian access or linkages to destinations in the plaza, improving circulation for the parking area by defining and creating driveways, installing landscaping, lighting and interior signage (way-finding and low speed postings) to encourage more patron foot traffic and cross-shopping (See Concept Plan).

## **2. Route 44 North Frontage Properties**

These properties represent four separate locations situated along a 500 LF section of Route 44 (Taunton Avenue) in front of the Seekonk Towne Centre (aka Seekonk Plaza) and are identified east to west as 190, 184, 174 and 160 Taunton Avenue. All the properties are on small lots and offer retail and service activities; one property being a vacant 5,778 SF former daycare operation (Rumford Day Nursery). Collectively, the area totals 2.6 acres or 113,256 SF with approximately 10,660 SF of existing commercial space.



*Redevelopment Opportunity:*

Potential redevelopment options include property acquisitions and assembly into a single site consisting of one commercial mixed-use building with multiple stores, with a build-out of 70,000 g.s.f. in one- and two-stories, offering retail shops, services and other business or a single use e.g. sit-down restaurant of approximately 7,500 g.s.f. Redevelopment would consolidate the small lots and create a more cohesive development pattern that limits driveway and curb cuts, thereby improving access and visual appearance of this section of Route 44.

### 3. Auto Dealerships Area

This area is located on the southern side of Route 44 across from Seekonk Towne Centre and extends about 900 LF along the corridor from the Firefly County Club access road west to the intersection of Route 44 and Fall River Avenue (Route 114A) then runs south on Fall River Avenue about 785 LF from Route 44. The area contains approximately 10.2 acres or 444, 312 SF that is divided amongst seven lots under the ownership of two (2) auto dealership groups housing four (4) dealerships: Herb Chambers Honda and Saturn and Tasca Ford Lincoln Mercury and Tasca Mazda. The dealership location and parcel size are shown in Table 1. Auto Dealerships displays parcel information.



<b>TABLE 1. Auto Dealerships</b>		
<b>Dealership</b>	<b>Size</b>	<b>Notes</b>
Herb Chambers Saturn 189 Taunton Avenue	1.5 acres/11,750 SF	Dealership is out of business; parcel in use by Herb Chambers Honda
Herb Chambers Honda 185 Taunton Avenue	3.0 acres/18,600 SF	
Tasca Ford Lincoln Mercury 135 Taunton Avenue	1.1 acres	A building was razed and the parcel redeveloped as a vehicle display lot.
Tasca Ford Lincoln Mercury 176 Fall River Avenue	3.2 acres/14,242 SF	
Tasca Mazda 200 Fall River Avenue	1.4 acres/2,330 SF	Tasca Mazda, located on Taunton Ave. is consolidated with the Tasca Ford Lincoln Mercury property

#### *Redevelopment Opportunity:*

Since 2000 the existing area has experienced significant private investment with improvements and maintenance to onsite buildings, parking areas, landscaping and signage. SRPEDD's impression is that redevelopment of these properties is unlikely to occur in the near future, barring any unforeseen circumstances in the automotive industry or other potential area redevelopment pressures that may accelerate redevelopment of this area.

Should redevelopment be spurred, potential opportunities may include retail and service uses that are needed by the local population but, not currently available in this area.

Redevelopment options include the development of service related industries such as: business, personnel, health care & social assistance, and accommodations and food services. Potential development anchors could be 1-3 stories (as allowed under current zoning and an appropriate scale relative to the neighborhood) in business office or medical office center uses – *Seekonk Business Center or Seekonk Medical Care Center* (financial, real estate, insurance legal or medical doctors, general practitioners, pediatrics, optometrists, dentist fitness center, florist etc..) supported by a sit-down restaurant(s), pharmacy (CVS, Rite Aid, Walgreens or similar) and selective, small-scale retail and service, such as convenience/deli/market/cafe, cyber café (coffee/bakery/book store/Wi-Fi), salon, drycleaner and laundry. This could be a neighborhood destination hub with approximately 134,000 SF single-story small-scale retail and service uses up to approximately 280,000 SF two-story to three-story office center uses.

This redevelopment concept would provide two (2) to three (3) small-scale anchors (business, medical and restaurant) with the appropriate scale, design, configuration and location supported by the mix of ancillary, small-scale retail and service activities as suggested. Parking areas and internal friendly pedestrian connections, landscaping, green and recreational space, lighting, signage could be provided throughout the development. Additional pedestrian friendly linkages could be established from residential areas to destinations within the redevelopment area.

#### 4. Benny's Plaza



This site is located at 96 Taunton Avenue (Route 44) and contains the Benny's property, which has maintained a presence at this location since 1969. The property is bounded by Fall River Avenue to the east, Hunt Street to the west and a residential area with access to Malta Street to the north. The

site consists of 2.6 acres and a single-story 17,376 SF commercial building. In-fill is presumably not an option; however, there may be two (2) potential alternatives for expanding the site for commercial redevelopment.

#### *Redevelopment Opportunity*

##### Alternative D1:

Contiguous to Benny's Plaza are three (3) lots that have frontage on Fall River Avenue: 110 Taunton Avenue, the former Isuzu dealership, currently a used car dealership; 0 Fall River Avenue, a vacant parcel; and 125 Fall River Avenue, a single-family residence. The parcel at 110 Taunton Avenue is 27,367 SF with two (2) buildings totaling 4,280 SF and 183 LF of frontage on Taunton Avenue (Rte 44). The parcel at 0 Fall River Avenue is 24,900 SF that is

assessed as a potentially developable commercial property and 125 Fall River Avenue contains 16,973 SF with a 1,508 SF single family structure.

If collectively acquired and assembled, these parcels total approximately 69,240 SF or about 1.6 acres and, if merged with the Benny's Plaza, could provide for a single 4.0 acre commercial redevelopment parcel. In addition, it would improve the configuration between the zoning districts and allow for a more unified redevelopment pattern.

Alternative D2:

Contiguous to Benny's to the west are several parcels including the Subway Restaurant located at 74 Taunton Avenue, adjacent to Hunt Street. This parcel is about 10,000 SF with a 1,920 SF building. Abutting it to the north is a single family parcel, 132 Hunt Street that consists of 11,761 SF with a 1,151 SF residential structure. Acquisition of these properties could expand the footprint of the plaza by ½ acre increasing it to over 3.0 acres.



The advantages with these properties are that they improve the development pattern for commercial redevelopment and could unify and enhance the potential redevelopment of an adjacent site at 62 Taunton Avenue (vacant Hunt's Mills Tavern property), a 10,000 SF parcel with a 2,231 vacant commercial building. Adjacent to this property extending north along Hunt Street is a vacant

10,000 SF commercial property which could be acquired and assembled into a ½ acre commercial redevelopment property. This could require a zoning amendment for the rear parcels.

Both alternatives, shown below in Figure M. Benny's Plaza Redevelopment, could realize an additional 2.1 acres available for expansion to the Benny's property, which if combined, could total 4.7 acres for commercial redevelopment. This could also enhance the reuse or redevelopment of the vacant commercial properties on Hunt Street.

*Figure M. Benny's Plaza Redevelopment*



## 5. West End South Sites

This area is located on the southern side of Taunton Avenue (Route 44) at the corporate line of Seekonk and East Providence, Rhode Island. The sites include a 9.0 acre vacant commercial parcel with frontage along Taunton Avenue and Morris Street and the Pride Dealerships at 13 and 11 Taunton Avenue. The Pride Hyundai dealership is a 1.8 acre parcel with 7,134 SF building space and is adjacent to the Pride Chrysler/Plymouth/Jeep dealership located on a 3.7 acre parcel with 19,743 SF building space.

### *Redevelopment Opportunity*

Any commercial redevelopment of this area should be consistent with, and in support of, an inter-municipal redevelopment strategy between Seekonk and East Providence, RI to enable uniform zoning and the appropriate mix, scale and configuration of commercial redevelopment that provides connectivity, pedestrian linkages and green spaces.

## **B. REDEVELOPMENT OPPORTUNITY: Mixed-Use Redevelopment**

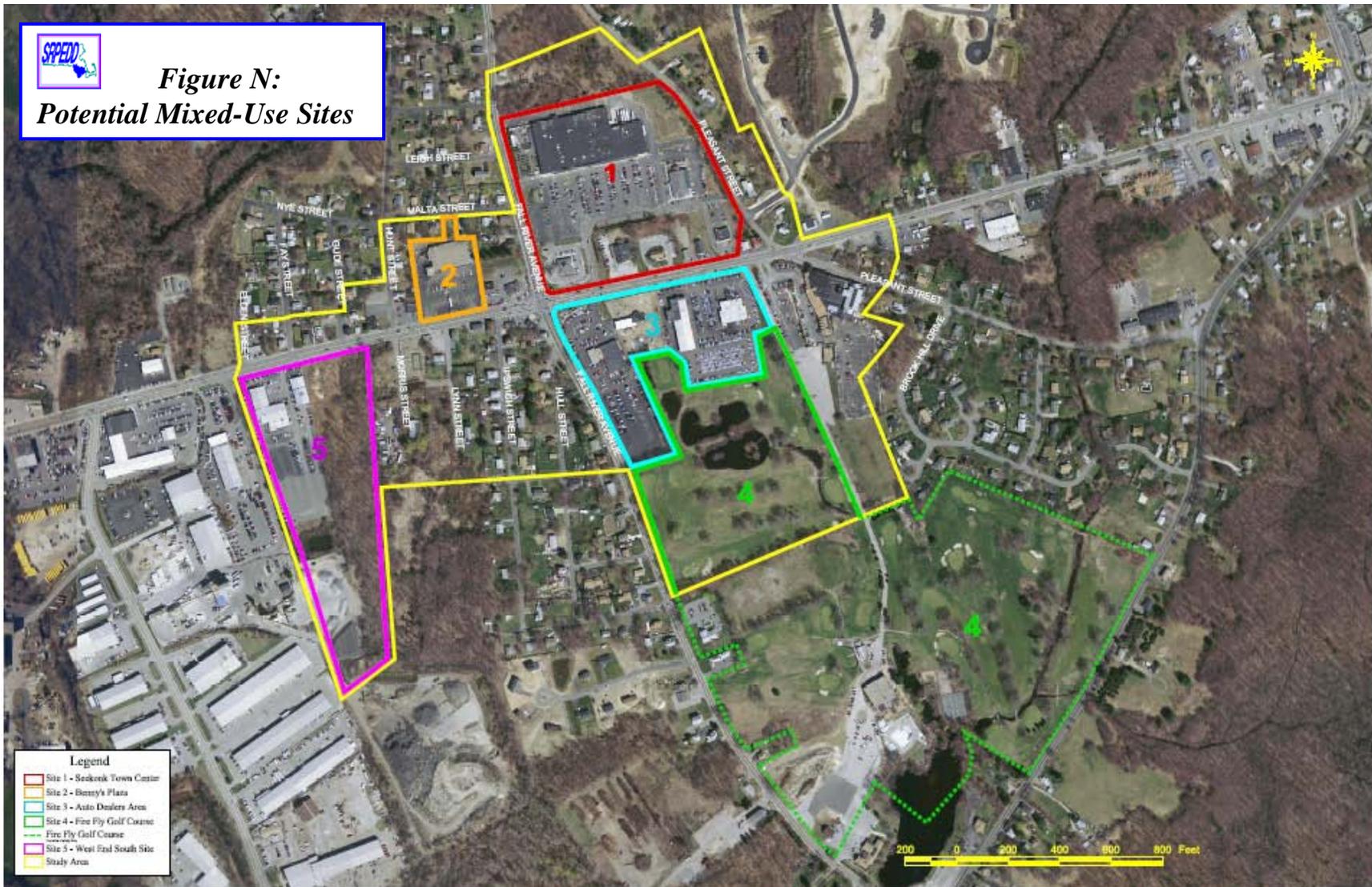
As stated earlier in this report, private investment has been made to improve and maintain commercial properties in this study area; consequently, the corridor appears to be a viable commercial area. However, should redevelopment be spurred by additional economic slowing or market pressures from redevelopment outside of the study area, potential opportunities may include mixed use redevelopment that includes retail and service uses needed by the local population and residential opportunities with housing types not currently available in Seekonk.

A mixed-use development can consist of a single structure or multiple buildings that incorporate two or more types of uses, generally residential and commercial, that are within walking distance of one another. Developments may include a variety of housing types, retail, office, restaurants, civic, institutional, and open space with pedestrian friendly linkages within and around the development area. These uses may be in Vertical Mixed-Use Buildings, Horizontal Mixed-Use Sites, or Mixed-Use Walkable Areas. In Vertical Mixed-Use Buildings, the lower story generally is available for public uses such as commercial space or street-level retail with private residential or office use above. A Horizontal Mixed-Use Site combines single-use buildings on distinct parcels with a range of uses in a planned development project. Finally, the Mixed-Use Walkable Areas combine the vertical and horizontal mixed-use types in an area that is walkable, normally defined as within a 10-minute walk. The overall goal of all three types of mixed-use development is to develop a livable, walkable, and vibrant environment that is designed to create a sense of place.

Two abutting areas, if redeveloped, that could be significant enough to have an impact on the redevelopment of parcels within the study area are the Firefly Golf Course and the length of Route 44 in East Providence closest to the Seekonk municipal boundary. It is expected that the redevelopment of these parcels with a variation of mixed-use development could then drive mixed-use redevelopment within the study area of the Seekonk Route 44 Corridor. The center of the corridor that consists of the existing Seekonk Town Centre parcel, the “Frontage Properties”, the auto dealerships, and the Benny’s with surrounding parcels would be more apt to be spurred by the redevelopment of the Firefly Golf Course. The redevelopment of the auto dealerships and undeveloped parcel near the East Providence boundary would likely be spurred by abutting redevelopment in East Providence. Figure N. Potential Mixed-Use Sites, below, identifies sub-areas within the study area that could provide opportunities for mixed-use redevelopment.



**Figure N:  
Potential Mixed-Use Sites**



Highlighted in this section are eight (8) mixed-use redevelopment options/scenarios for four (4) sub-areas in the study area's center and a fifth (5) sub-area that is represented by a vacant parcel at the west end adjacent to the Pride Dealership at the Seekonk and East Providence line. These include:

Site 1: Seekonk Towne Centre at 140 Taunton Avenue;  
Options 1, 2 and 7 can be applied.

Site 2: Benny's Plaza at 96 Taunton Avenue;  
Options 1, 2 and 7 can be applied.

Site 3: Auto dealership Area - the Herb Chambers lots, 185 and 189 Taunton Avenue and the Tasca lots at 135 Taunton Avenue and 176 and 200 Fall Avenue;  
Options 3, 5, 6 and 7 can be applied.

Site 4: Firefly Golf Course – 320 Fall River Avenue (Route 114A);  
Options 4, 5, 6 and 7 can be applied.

Site 5: West End South Area – the vacant commercial parcel along Taunton Avenue and Morris Street;  
Options 8 and 7 can be applied.

The areas identified as **Sites 1 and 2** (Seekonk Town Centre and Benny's Plaza) offer some advantages that could allow them to be more readily readapted for mixed-use development including: their proximity to one another could provide for easier pedestrian friendly connections; potential integration of existing businesses into any future redevelopment proposal; and the opportunity to attract the adjacent residential neighborhood to patronize much needed retail and service establishments which currently do not exist. These advantages represent core elements for mixed-use redevelopment and, designed appropriately, can create a sense of place with live, work and recreational opportunities.

The area shown as **Site 3** combines the auto dealerships on the south side of Taunton Avenue (Route 44) and the east side of Fall River Avenue. There are opportunities for redevelopment here as well; however, this location maybe more difficult to foster mixed-use redevelopment. Although there are some existing uses that could be integrated into a mixed-use effort such as the Johnson & Wales facility and the Firefly Golf Course, the entire area along this segment of the Route 44 corridor is controlled by automotive uses: sales, storage and service. If appropriately redeveloped for mixed-use, these parcels would require an assembly of all the auto dealership properties into a single, ten (10) acre site. The redevelopment plan would require a uniform design with linkages to the Johnson & Wales inn, restaurant, and banquet facilities; the Firefly recreational component and neighboring residential areas.

To the rear of the auto dealerships area (Site 3) is **Site 4**, the Firefly Golf Course, consisting of approximately sixty-eight (68) acres, represents the largest parcel in the study area and is controlled by a single owner. Not only does this site have mixed-use potential but, due to its

location and size, any mixed-use redevelopment has the potential to pressure or stimulate supporting or ancillary redevelopment of the auto dealerships area and completely alter the commercial fabric of this segment of Taunton Avenue, the Route 44 Corridor.

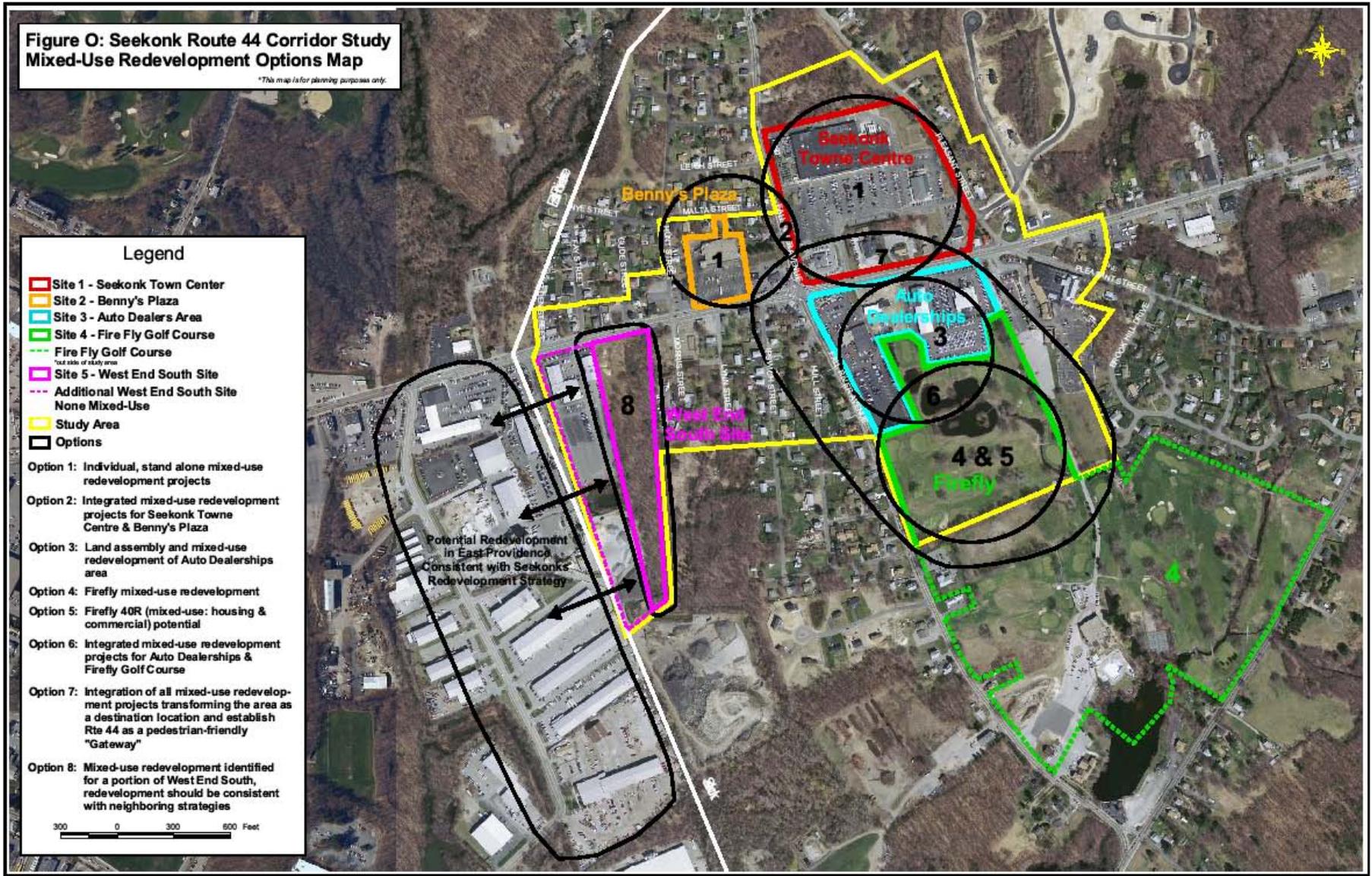
**Site 5** represents two (2) Pride dealership properties that offer about 5.5 acres and the abutting 9.0 acre vacant commercial parcel located on Taunton Avenue (Rte 44) at Morris Street. The primary issue with mixed-use redevelopment for these sites is “*what vision will the City of East Providence establish*” for the redevelopment of the abutting area along their stretch of the Route 44 Corridor (Taunton Avenue) and whether it will be consistent with Seekonk’s mixed-use redevelopment strategy.

The Pride properties are situated at the Seekonk, MA - East Providence, RI municipal/state line. The abutting Masse auto dealership and the properties to the rear are zoned industrial on both sides of the line; a scenario for potential commercial redevelopment may be more appropriate at these sites while enabling mixed-use redevelopment on the vacant Taunton Avenue commercially-zoned parcel. This strategy may be more appropriate as the parcel is adjacent to neighborhood residential area. Whatever redevelopment occurs in this area, pedestrian linkages, green space, parking, lighting and way-finding signages are elements that should be incorporated in the design to integrate future redevelopment.

### ***Redevelopment Options***

Mixed-use redevelopment of these sites would require rezoning using a Mixed-Use Overlay or the creation of a Mixed-Use district. Another approach is a planned development promoting mixed-use development. An example of a Planned Mixed-Use Development by-law used in Marshfield, MA is included in Appendix D.

Below, Figure O. Mixed-Use Redevelopment Options integrates the potential mixed-use sites discussed above into mixed-use redevelopment scenarios. Descriptions of each option outline potential commercial and residential uses. The exact amount of commercial redevelopment and the number of dwelling units will be dependent upon the requirements for lot coverage, residential dwelling types, parking, as well as other components of site development. The numbers outlined below are estimates, only.



**OPTION 1:** Individual, stand alone mixed-use redevelopment opportunities for the Seekonk Towne Centre site and the Benny’s Plaza.

**Site 1: Seekonk Towne Centre** – A single 15 acre site under single ownership with the following potential components to be developed around a “Main Street” or a civic green:

Commercial: 260,000 s.f. retail, restaurant and banking  
Housing units: 150, 1 & 2 bedroom units  
Public use: Post Office  
Expansion area: 4.4 acres for additional residential and new recreational/open space opportunities

**Site 2: Benny’s Plaza** – A 2.6 acre property in single ownership with the following potential components:

Commercial: 45,000 s.f. small retail and restaurant  
Housing units: 27 dwellings  
Expansion area: 1.6 acres for additional residential and/or commercial opportunities

**OPTION 2:** Integrated mixed-use redevelopment opportunities offering pedestrian friendly connections and linkages between both Seekonk Towne Centre (including frontage properties) and Benny’s Plaza and adjacent residential areas need to include sidewalks and crosswalks, way-finding signs, parking, lighting, green spaces and other amenities within and between mixed-use redevelopments.

Under Option 2, site integration (appropriate mix of uses, location and building scales) and connectivity are primary elements to create linkages between Sites 1 and 2 that would enhance and strengthen the potential for mixed-use redevelopment. Incorporating appropriate linkages into the design of a mixed-use project would be a consolidation of these sites into a 20.0+ acre mixed-use redevelopment area. There is the potential to also acquire and assemble an additional 6.0 acres for potential expansion.

Mixed-use redevelopment would encourage additional residential development to adjacent neighborhoods including infill residential development and the conversion of single-family units to two-family or multi-family units.

Components:

Total acres: 20.0

- Commercial space: 348,500 s.f. retail and restaurant
- Housing units: 200 dwelling units
- Pedestrian friendly connections/linkages (e.g. sidewalks and crosswalks) and way-finding signs, parking, lighting, green spaces and other amenities within and between mixed-use redevelopments and adjacent residential areas.

- Expansion area for additional residential and commercial and new recreational/open space 6.0 acres

See Figure O: Mixed-use Redevelopment Options Map – Seekonk Towne Centre/Benny’s Plaza

**Site 3: Auto Dealership Area:**

**OPTION 3:** Assembly of all auto dealership properties to create a single site for mixed-use redevelopment integrated with existing opportunities presented by the Johnson & Wales facility and the Firefly Golf Course recreational and open space elements.

Components:

Total acres: 10.0

- Commercial space: 174,000 s.f. retail, restaurant and office (medical and business).
- Pedestrian friendly connections and linkages within the redevelopment site as well as linkages and integration of the existing adjacent uses, namely, Johnson & Wales and Firefly Golf Course and surrounding residential areas.

See Figure O: Mixed-use Redevelopment Options Map - Auto Dealers Area

**Site 4: Firefly Golf Course:**

**OPTION 4:** The Firefly Golf Course is located at 320 Fall River Avenue (Route 114A), bordered by Taunton Avenue (Route 44) to the north, Arcade Avenue to the east/southeast and Fall River Avenue to the west/southwest. The golf course was established in 1962 and comprises of about 68 acres with an 18 hole, public golf course with 26,673 s.f. of space including a 2,700 SF pro shop/clubhouse (320 Fall River Ave) and a 23,673 s.f. building with a health club and eating and drinking establishment (350 Fall River Ave).

With this mixed-use redevelopment opportunity, the redevelopment of the Firefly Golf Course encourages and attracts potential complimentary redevelopment opportunities for the auto dealership properties fronting Taunton Avenue (Route 44). Walkable, pedestrian friendly linkages including sidewalks, green space and other amenities should be incorporated to connect supporting destinations (retail shops, restaurants, office, medical, residential, and associated parking areas) between these future mixed-use redevelopment projects.

Components of Firefly Mixed-Use Redevelopment:

Total acres: 60.0 +/-

- Commercial space: 522,720 s.f. retail, service, office and restaurant
- Housing units: 720
- Additional open space and neighborhood recreational opportunities
- Pedestrian friendly connections/linkages (e.g. sidewalks and crosswalks), way-

finding signage, parking, lighting, green spaces, recreational areas and other amenities within and between existing residential neighborhood and commercial redevelopment.

**OPTION 5:** During discussions with the Town for the preliminary site assessment of the study area for the Route 44 Corridor Study, the potential for development under M.G.L. Chapter 40R Smart Growth Zoning (Chapter 40R), which could allow for greater potential public benefit, provide for broader housing choices, and address housing goals identified in the Town of Seekonk Housing Production Plan, September 2010 was considered.

M.G.L. Chapters 40R and 40S serve to reimburse cities and towns for the additional costs of educating new school-age children in smart growth districts. The combination of 40R and 40S are available to communities seeking more efficient, fiscally stable growth.

#### **40R**

Cities and towns may establish special zoning districts that allow densities of 8 units/acre for single family homes, 12 units/acre for townhouses, and 20 units/acre for condominiums and apartments. The zoning must require that 20% of the district be affordable homes, and it should allow “mixed use” – the combination of residential, office and retail within close proximity. The location of these districts helps consolidate growth and cut down on dispersal: in town centers, downtowns, near a transit station, on unused industrial land or in other locations municipalities have deemed appropriate for higher density housing. Projects must be developable as-of-right under the smart growth zoning, subject only to the review of plans and the applications of design standards of a local approving authority. The proposed smart growth zoning shall be submitted to Department of Community and Economic Development (DHCD) for its preliminary approval, after which it may be adopted by the municipality.

The regulations also set forth procedures for the amendment, repeal, or revocation of an approved overlay district, and for annual reporting by municipalities to DHCD and by DHCD to the general court. Within the boundaries of an overlay district, a developer may elect either to develop a project in accordance with the requirements of the applicable smart growth zoning adopted under M.G.L. c.40R and 760 CMR 59.00, or to develop a project in accordance with requirements of the applicable underlying zone adopted under M.G.L. c.40A (See Appendix C for additional information on Chapter 40R).

Assistance is available for writing a bylaw and for planning and design. Well-designed districts create a distinctive sense of place and fulfill a significant market demand for convenience, while reducing car trips and preserving open space elsewhere in the community. In return for adopting the zoning and streamlining the development process for 40R districts, cities and towns can get between \$10,000 and \$600,000 in state funding, plus an additional \$3,000 for every new home created.

#### **40S**

Additional state funding will also be directed to cities and towns that establish a 40R district, to cover the costs of educating any school-age children who move into such districts. This legislation was in response to the common concern that new housing was costly in terms of

municipal finances, given the imbalance of tax revenues and service costs. Qualifying communities will be reimbursed for the net cost of educating students living in new housing in smart growth districts.

The reimbursement equals the cost of educating students living in new housing in smart growth districts less an amount equal to the sum of: (a) new property and excise taxes in the smart growth district multiplied by the average percent of total local spending on education across the commonwealth (about 52%), and (b) any increases in other state education funding that is directly a result of these new students. As a practical matter, foundation communities are not eligible for 40S funding.<sup>2</sup>

### Potential Development

Section 6(a) 11 of the 40 R statute states that “housing density in a proposed district shall not over burden infrastructure as it exists...” The Town of Seekonk does not have municipal sewer, so a lower density than the 20 d.u. per acre may be possible. It is recommended to pursue the proper density with the Department of Housing and Community Development.

Potential 40R Smart Growth Zoning District components (at 12 units/acre on 60 acres of developable land area and 30% building coverage for commercial):

Components:

Total acres: 60.0 +/-

- Commercial space: 784,000 s.f. retail, service, office
- Housing units: 720
- Open Space: 34%
- Additional open space and neighborhood recreational opportunities
- Pedestrian friendly connections/linkages (e.g. sidewalks and crosswalks), way-finding, signage, parking, lighting, green spaces, recreational areas and other amenities within and between existing residential neighborhood and commercial redevelopment.

**OPTION 6:** Under this option a scenario would emerge that integrates the auto dealerships area with the Firefly Golf Course. Alone, a mixed use redevelopment is unlikely to occur in the auto dealership area, however, that could change predicated on the potential redevelopment of the Firefly Golf Course property. The total area represents over 86 acres (including the J&W facility). These two (2) areas would be developed in association with and in support of one another’s potential future mixed-use redevelopment including: 1) the Auto Dealerships area mixed-use redevelopment alternative, and 2) Firefly’s potential redevelopment as a mixed-use development or as a 40R Smart Growth Zoning District.

Any future mixed-use redevelopment for the auto dealerships area should propose uses that complement and enhance the potential redevelopment for the Firefly site including retail, restaurant, medical and business office, and residential. This redevelopment should include pedestrian friendly connections to provide access to destinations between the redevelopments

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<sup>2</sup> Department of Housing and Community Development (DHCD) website: [www.mass.gov/dhcd](http://www.mass.gov/dhcd). Search “40R”

including sidewalks, lighting, way finding signage, landscaping and green spaces. In addition, any mixed-use project in this area should be consistent with and enhance the establishment of a pedestrian friendly “Gateway” as the area has direct frontage on Taunton Avenue, Route 44 (see Option 7 below).

See Figure O: Mixed-use Redevelopment Options Map – Auto Dealerships and Firefly Golf Course

**OPTION 7:** This option considers transformation of the Route 44 Corridor as a “Gateway” at the Seekonk and East Providence line in direct support for the establishment of a planned mixed-use redevelopment district. The key component would be infrastructure and other improvements to Route 44 (Taunton Avenue) from the intersection of Pleasant Street and Taunton Avenue to the Seekonk line including: roadway, sidewalks, traffic signals, streetlights, signage, crosswalks, trees, landscaping and other necessary improvements to promote mixed-use redevelopment and walkable, pedestrian friendly connections to destinations across both sides of the corridor and throughout the area.

Components:

Total acres: 31.0

- Commercial space: 540,144 s.f. retail, restaurant, office
- Housing units: 372
- “Pedestrian Friendly Gateway”: traffic calming and visual enhancements that improve walkable connections along Taunton Avenue and integrate both sides of the corridor with sidewalks, crosswalks, street lighting, way-finding signage trees and landscaping. These connections or linkages would allow pedestrian access to mixed- use destinations and existing residential neighborhoods.
- Open space and recreational opportunities
- Potential mixed-use development and redevelopment would encourage additional residential in-fill, conversions and multi-family opportunities in adjacent residential areas.

See Figure O: Mixed-use Redevelopment Options

### **Site 5: West End South Sites**

**OPTION 8:** This option reflects the mixed-use redevelopment on the 9.0 acre vacant commercial along Taunton Avenue (Rte 44). Mixed-use redevelopment here would act as a transition area or zone between the future commercial redevelopment on the Pride and Masse properties and the industrial areas to the rear and the easterly abutting residential neighborhood of Morris Street to Lynn, Ipswich and Hull Streets. Again, pedestrian friendly linkages, green space and other connections should be established between these redevelopment areas. This option could initiate the establishment of the Route 44 “Gateway” strategy identified under Option 7.

Components:

Total acres: 9.0 +/-

- Route 44 Gateway: Enhance corridor to improvement pedestrian friendly linkages, streetlights, signage and landscaping
- Commercial space: 156,816 s.f. retail, service, office and restaurant
- Housing units: 108
- Additional open space and neighborhood recreational opportunities
- Pedestrian friendly connections/linkages (e.g. sidewalks and crosswalks), way-finding signage, parking, lighting, green spaces, recreational areas and other amenities within and between existing residential neighborhood and commercial redevelopment.

See Figure O: Mixed-use Redevelopment Options Map – West End South Site

## ***IV. TRAFFIC ANALYSIS FOR REDEVELOPMENT OPPORTUNITIES***

Projected LOS for different land use scenarios were calculated and were broken down into five scenarios as described below. These land use scenarios were based on possible developments and redevelopments along the corridor as discussed above. Significant traffic impacts are projected for the development of the West End-South Sites and the Firefly Golf Course redevelopment, which are discussed below in Scenarios 2 – 4. Redevelopment options for both sites incorporate a variety of land uses including retail and housing.

### **Scenario 1: No Build 2025**

This scenario projects future traffic conditions based on an annual growth of 1% per year with no mitigation by the year 2025. Traffic projected for this scenario decreases the current operation during the PM Peak from LOS C to a LOS E. By adding storage lanes and protected left turns lanes in the eastbound and westbound directions on Taunton Avenue, the projected future LOS E is improved to LOS D for this condition.

### **Scenario 2: Development of the West End South Site**

This scenario projects future traffic conditions based on an annual growth of 1% per year with development of the West End-South Site as described by Option 8 by the year 2025. Traffic projected for this scenario decreases the current operation during the PM Peak from LOS C to a LOS F. By adding storage lanes and protected left turn lanes in the eastbound and westbound directions on Taunton Avenue, the projected future LOS F is improved to LOS E for this condition.

### **Scenario 3: Redevelopment of Firefly Golf Course**

This scenario projects future traffic conditions based on an annual growth of 1% per year with redevelopment of the Firefly Golf Course as described by Option 6 Firefly Mixed-Use by the year 2025. Traffic projected for this scenario decreases the current operation during the PM Peak from LOS C to LOS F. Adding storage lanes and protected left turn lanes in the eastbound and westbound directions on Taunton Avenue does not improve the projected future LOS F. This development would require significant mitigation to maintain adequate traffic flow. Additional mitigation at this intersection is unlikely due to the magnitude of land takings required. As an NHS road, FHWA standards require an adequate traffic flow due to the importance of this road for regional purposes.

### **Scenario 4: Partial Build – Redevelopment of the Firefly Golf Course and West End South**

This scenario projects future traffic conditions based on an annual growth of 1% per year with the redevelopment of the Firefly Golf Course as described by Option 6 Firefly Mixed-Use and the development of the West End South site as described by Option 5 West End –South by the year 2025. Traffic projected for this scenario decreases the current operation during the PM

Peak from LOS C to a LOS F. Adding storage lanes and protected left turns lanes in the eastbound and westbound directions on Taunton Avenue does not improve the projected future LOS F. Additional mitigation at this intersection is unlikely due to the magnitude of land takings required. As an NHS road, FHWA standards require an adequate traffic flow due to the importance of this road for regional purposes.

### **Scenario 5: Full Build or Worse Case Scenario**

This scenario projects future traffic conditions based on an annual growth of 1% per year with the redevelopment of the Route 44 corridor described by Options 1, 2, 4, 5 and 6 by the year 2025. Traffic projected for this scenario decreases the current operation during the PM Peak from LOS C to a LOS F. Adding storage lanes and protected left turns lanes in the eastbound and westbound directions on Taunton Avenue does not improve the projected future LOS F. Additional mitigation at this intersection is unlikely due to the magnitude of land takings required

## V. RECOMMENDED STRATEGIES AND ACTIONS

SRPEDD has identified a set of strategies which apply to four (4) separate redevelopment options targeted for the Route 44 Corridor Study Area. Many of the strategies overlap with similar approaches to build consensus and support, create necessary zoning, enable appropriate development, address critical infrastructure improvements and pedestrian friendly linkages, and create open space opportunities. The redevelopment options include Highway Commercial, Local Business and in-fill redevelopment, mixed-use redevelopment and Chapter 40R Smart Growth Development and associated strategies as follows:

### STRATEGIES

#### A. Highway Commercial, Local Business and In-fill Redevelopment

Below are a set of strategies designed to expand commercial and infill redevelopment opportunities for neighborhood retail and service related uses integrated with pedestrian-friendly connections and other infrastructure improvements.

- Initiate meetings with property owners, businesses and residents to build support and consensus;
- Facilitate meetings with key property owners, businesses and developers (may include some residential property owners located on Hunt Street) to determine opportunities and future redevelopment participation;
- Adopt zoning revisions allowing additional uses and increasing the dimensional requirements of appropriate commercial space in the Local Business District either as-of-right or under special permit;
- Encourage and support future redevelopment consistent with area's strategy; i.e. restaurants, neighborhood retail and service (personal, business and healthcare);
- Develop and improve linkages to contiguous areas (establish sidewalks and pedestrian friendly connections) between destinations in the commercial redevelopment areas and adjacent residential neighborhoods;
- Monitor and leverage new private investment and job creation to secure state and federal grants to address infrastructure improvements (sidewalks, streetlights, landscaping and signage) enhancing redevelopment;
- Re-examine transit service for the Route 44 Corridor (Taunton Ave) with a connection/transfer point for passengers going to RI or MA (Seekonk to Providence or Seekonk to Taunton) at the RIPTA park-n-ride lot just over the East Providence line on Route 44. Other considerations include extending GATRA service from Baker's Corner (Central Plaza) to Route 44, or exploring local opportunities for a limited fixed route shuttle service (e.g. similar to Wareham or Middleborough service);
- As a member of the United Chamber of Commerce in neighboring Attleboro as well as the East Providence Chamber, Seekonk has the ability to network and promote their community as a "business friendly" environment that can provide economic opportunities and benefits, and,
- Participate in the Chapter 43D Expedited Streamlined Permitting Program and designate this segment of Route 44 as a priority development site (PDS) that

would support the designations identified under the South Coast Rail Priority Development and Projection Areas report and address goals identified in Seekonk's 2000 Master Plan.

## **B. Mixed-Use Redevelopment**

Most of the strategies identified above under the Highway Commercial, Local Business and in-fill redevelopment would apply to promoting mixed-use redevelopment including housing. The following are some additional strategies for consideration:

- Initiate discussions with Planning Board and Board of Selectmen to determine support and consensus for a mixed-use redevelopment strategy and consistency with Master Plan goals;
- Adopt and establish a new mixed-use zoning district, including housing above ground floor commercial uses and/or individual buildings providing residential units (condominiums and rental units) located in the redevelopment areas;
- Include in amended zoning broader landscape requirements and streetscape element requirements in the redevelopment of frontages along Taunton Avenue/Route 44 to include items; such as, but not limited to street trees, street lights, landscaped areas, street furniture, street art.
- Initiate meetings with MassDOT and RIDOT for support to pursue improvements to transform the Route 44 corridor (Taunton Avenue) from the intersection of Pleasant Street and Taunton Avenue to the Seekonk/East Providence, RI line into a "Gateway" corridor;
- Utilize legislative representatives for support as discussions are initiated with MassDOT on Gateway improvements;
- Work with the MPO (SRPEDD) through Seekonk's Joint Transportation Planning Group representative to include infrastructure improvements for this segment of the Route 44 Corridor (Taunton Avenue), Seekonk in the Regional Transportation Improvement Plan. Transforming this highway commercial corridor into an attractive "Gateway" will support mixed-use redevelopment and walkable, friendly pedestrian connections designed to create smart growth redevelopment area;
- Pursue state and federal funding assistance beyond infrastructure improvements for residential development, public transit service and recreational opportunities; and,
- Utilize Chamber memberships for networking and marketing opportunities to promote "Gateway Mixed-use Redevelopment Area".

## **C. Chapter 40R: Smart Growth Zoning District Development**

The 40R potential redevelopment option for the Firefly Golf Course site could represent a significant opportunity for Seekonk to address the community's affordable housing options while simultaneously planning this area for mixed-use redevelopment as a Smart Growth Zoning District. There are many overlapping strategies that are identified above that can be applied to the 40R option.

Below are key strategies to consider under the Chapter 40R Development option:

- Initiate discussions with Planning Board and Board of Selectmen to determine support and consensus for a 40R development and consistency with Master Plan goals and objectives;
- Initiate discussions with owner of the Firefly Golf Course to consider optional redevelopment plans;
- Facilitate meetings with key property owners, businesses and potential developers to determine opportunities and future redevelopment participation;
- Initiate meetings with property owners, businesses and residents to build support and consensus;
- Adopt a new Smart Growth Zoning District that will allow the 40R and incorporate design guidelines that encourage a coordinated mixed-use redevelopment of area;
- Develop and improve linkages to contiguous properties/sites between destinations in the redevelopment area and adjacent neighborhoods;
- Re-examine the transit service options for this area including building a transit component in the design of the 40R development plan;
- Initiate meetings with MassDOT and RIDOT for Gateway improvements on Route 44 (Taunton Avenue);
- Pursue state and federal funding resources to address, infrastructure, transit, residential development and recreation and open space opportunities; and,
- Secure technical assistance for the 40R development through DHCD's Local Initiative Program (LIP).

### ***ACTION PLAN***

As previously stated, SRPEDD's overall impression of the general condition of the study area is good. There appears to be a viable cluster of economic activity with limited vacancies, recent private investment in properties and businesses (new construction, facades, signage and landscaping) and, regular property maintenance and up-keep. Therefore, pending any further negative impacts in the automotive industry or significant private development investment (e.g. Firefly Golf redevelopment) and/or other development pressures (in-fill and East Providence potential), which may accelerate redevelopment, it is expected that significant redevelopment in this area will occur over the long-term.

Although a transformation of this area will take time, there are several "proactive" steps the town can consider to position the area for appropriate redevelopment and other long-term neighborhood benefits. These include:

- Planning Board review and discussion of option(s) for the type of redevelopment envisioned for this area;
- Planning Board initiate discussions with BOS and other boards and committees as necessary to obtain consensus and support;

- Planning Board facilitate initial meetings with key property owners, businesses and potential developers to determine support and participation;
- Initiate meetings with property owners, businesses and residents to obtain consensus and support;
- Town Planner work and maintain a dialogue with East Providence counterparts to insure consistent and unified redevelopment strategy for the area and the “Gateway” concept;
- Initiate discussions with legislative representatives on redevelopment strategy for future support;
- Establish dialogue with MassDOT on the process and approach to future improvements to transform this segment of Route 44 into a “Gateway” (consider initiating this jointly with East Providence city planner);
- Initial discussion with the MPO/SRPEDD regarding other potential improvements;
- Initiate dialogue with owner(s) of Firefly Property to determine future plans, redevelopment options and interest; and,
- Create a bylaw and establish a new zoning district for the selected redevelopment option(s)

## *APPENDICES*



# Appendix A

## *Town of Seekonk Zoning By-laws Zoning Districts pertaining to Study Area Residence, Local Business, Highway Business*

### **SECTION 6. RESIDENCE DISTRICTS**

#### **6.1 USES PERMITTED**

1. Single-family dwellings (but not including mobile homes with the following exception):
2. Mobile home on the site of a residence which has been destroyed by fire or other natural holocaust for occupancy by the owner and occupier of the destroyed residence for a period not to exceed twelve months while the residence is being rebuilt. (Said mobile home must satisfy the provisions of the state sanitary code while being so used and must be recorded with the Inspector of Buildings upon commencement of such use.)
3. Accessory buildings and uses.
4. Commercial greenhouses on lots over 45,000 square feet in size.
5. Farms devoted principally to the raising of crops.
6. Farms on parcels of more than five acres devoted to the raising of livestock provided the following construction and operation standards and limitations are met:
  - 6.1.1 *PHYSICAL RESTRAINT*: Livestock shall be restrained from passing outside the owner's property lines unattended or uncontrolled.  
  
*ODORS*: No objectionable odors shall be observable at the property line. Detailed plans for the elimination of odors may be required before the issuance of any building permit.

#### **6.2 USES PERMITTED AFTER APPROVAL BY THE ZONING BOARD OF APPEALS**

1. Trailer or mobile home, as a temporary office incidental to continuous construction on the site on which the trailer or mobile home is located.
2. Conversion of a single-family structure to contain no more than two dwelling units provided that each resulting dwelling unit shall contain a minimum floor area of 800 square feet and provided further that the lot area is at least double the lot area required in the district.
3. Farms<sup>1</sup> under five acres devoted principally to raising of livestock.

<sup>1</sup> Owners of animals kept as pets or projects on properties not devoted principally to farming shall conform to relevant Town By-Laws.

- |  |  |
|--|--|
| 4. Stables                             | 12. Hospitals or sanatoria                             |
| 5. Kennels                             | 13. Municipal uses                                     |
| 6. Philanthropic & religious purposes  | 14. Public or private utilities                        |
| 7. Public, private & parochial schools | 15. Golf courses                                       |
| 8. Colleges                            | 16. Fraternal or civic buildings                       |
| 9. Municipal recreation areas          | 17. Landscape nursery                                  |
| 10. Libraries                          | 18. Cemeteries   |
| 11. Museums                            | 19. Bed and Breakfast establishments<br>provided that: |

- 19.1 It shall be operated by the family residing on the premises.
- 19.2 It is a property with historical significance and the building is in existence as of this date.
- 19.3 It is on one lot with a minimum of (three) 3 acres of land.
- 19.4 No more than (eight) 8 bedrooms will be approved for use by Bed and Breakfast guests.
- 19.5 Off street parking will meet the standards set in Section 10 of the Zoning By-Laws.
- 19.6 The sewage disposal system shall be approved by the Board of Health.
- 19.7 The use be appropriate and maintain the character of the neighborhood.

	R-1	R-2	R-3	R-4
<b>6.3 MINIMUM LOT AREA</b>	14,400	22,500	40,000	62,500
	sq. ft.	sq. ft.	sq. ft.	sq. ft.

6.3.1 Residential lots being subdivided in the R-2, R-3, and R-4 zones shall be designed geometrically as to show a 100' square resting at the midpoint of the setback line at its perpendicular. Residential lots being subdivided in the R-1 zone shall be designed geometrically as to show a 60' square resting at the midpoint of the setback line at its perpendicular.

	R-1	R-2	R-3	R-4
<b>6.4 MINIMUM LOT WIDTH, MEASURED AT THE REAR OF THE REQUIRED FRONT YARD</b>	120'	150'	200'	250'

AND

	R-1	R-2	R-3	R-4
<b>MINIMUM LOT WIDTH, MEASURED AT THE STREET LINE</b>	100'	120'	150'	200'

	R-1	R-2	R-3	R-4
<b>6.5 MINIMUM DEPTH OF FRONT YARD AND OF CORNER SIDE YARD (See Section 13 for Front Yard Exception Provision.)</b>	35'	35'	50'	50'

	R-1	R-2	R-3	R-4
<b>6.6 MINIMUM DEPTH OF REAR YARDS</b>	25'	50'	70'	80'

	R-1	R-2	R-3	R-4
<b>6.7 MINIMUM DEPTH OF BOTH FRONT AND REAR YARDS</b>	50% of longest side	---	---	---

	R-1	R-2	R-3	R-4
<b>6.8 MINIMUM WIDTH OF EACH INTERIOR SIDE YARD</b>	15' + 5' for each story over one	20' + 5' for each story over one	35' + 5' for each story over one	35' + 5' for each story over one

	R-1	R-2	R-3	R-4
<b>6.9 MAXIMUM HEIGHT</b>	3 stories or 40'			

However, with respect to buildings or structures used for municipal purposes, including water and sewerage, no restrictions relative to height shall apply.

**SECTION 7. LOCAL AND HIGHWAY BUSINESS DISTRICTS AND  
LUTHER'S CORNERS VILLAGE DISTRICT**

**7.1. USES PERMITTED**

Residence district uses permitted in Section 6.1 except dwellings.

**LOCAL BUSINESS**

Retail stores and service establishments other than restaurants and mini-storage facilities - the principal activities of which are the selling of merchandise at retail; the merchandise and services of which are sold for use or consumption either within a building or principally off the premises; and the customers of which are provided goods and services principally within a building.

Restaurants with the exception of those described under Highway Business.

Offices and banks - the principal activities of which are the conduct of governmental, professional, management, or financial activities.

Funeral homes.

Accessory buildings and uses.

**HIGHWAY BUSINESS**

Local business district uses. Retail stores and service establishments, excluding mini-storage facilities - the principal activities of which are the selling of services or merchandise at retail and the operations of which may be carried on outside a building as customarily as within.

Wholesale establishments, the principal activities of which are the sale of merchandise to individuals and corporations for resale to the public.

Hotels, motels.

Commercial recreation establishments.

Establishments processing for direct consumption - the principal products from which are customarily delivered to individuals or retail outlets, as for example, bakeries, cleaning and dyeing plants, carpet cleaning plants, ice plants, soft drink bottling plants, printers, provided such establishments comply with industrial district construction and operation standards and limitations.

Restaurants principally providing prepared and packaged food for customer pick-up at a counter for take-out or for self-service within the building (i.e., fast food restaurants) to be allowed only in Highway Business Zone.

Automotive service stations - provided that any building or facility within a service station site shall be at least 50' away from any residential district boundary and be at least 200' away from any entrance or exit to or from a school, playground, public library, church, hospital, or children's home, and provided further that any lubricating, washing, or repairing not conducted within a building shall be permitted only if a wall of solid appearance or a tight evergreen hedge not less than six (6) feet in height is erected and maintained between such uses and any adjoining residence district. That the minimum frontage measured at the street line shall be 150' and if a corner lot, it shall be 150' on both streets. That the minimum lot area shall be 15,000 sq. ft. or if a corner lot, 22,500 sq. ft.

**LUTHER'S CORNERS VILLAGE DISTRICT**

Single family, Residential  
Duplex, Residential  
Accessory Apartment above ground floor commercial (maximum 8 units)  
Small business or office (under 2,000 sq. ft.)  
Athletic/Physical Fitness  
Bakery/cafe (Not including Drive Thru)  
Bank (Includes walk up ATM)  
Boarding House  
Carpentry, plumbing and electrical workshops  
Engineering Professional Offices  
Entertainment or Recreation facilities (Indoor)  
Bed and breakfast establishments  
Medical or health related (under 25,000 sq. ft.)  
Newspaper or job printing establishment  
Retail (under 2,000 sq. ft., ex. Adult Uses defined in MGL Ch40A Sec. 9A)

**7.2 USES PERMITTED AFTER APPROVAL OF THE ZONING BOARD OF APPEALS**

Include those residence district uses permitted in Section 6.2, plus dwelling units that are an accessory use within a structure utilized primarily for uses listed in Sections 7.1 and 6.2.

**7.3 SCREENING**

**LOCAL BUSINESS**

All outdoor storage areas or facilities for fuels, materials and products, shall be enclosed by a wall of solid appearance or tight evergreen hedge not less than 6' high, erected and maintained where necessary to conceal such areas or facilities from adjoining residence districts and uses.

**HIGHWAY BUSINESS**

Any highway business use not conducted wholly within a building shall be permitted only if a wall of solid appearance or tight evergreen hedge not less than 6' high is erected and maintained between such use and any adjoining residence district or use.

LUTHER'S CORNERS VILLAGE DISTRICT

All outdoor storage areas or facilities shall be enclosed by a wall of solid appearance or tight evergreen hedge not less than 6 feet high, erected and maintained where necessary to conceal such areas or facilities from adjoining residence districts or uses.

**7.4 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

<u>LOCAL BUSINESS</u>	<u>HIGHWAY BUSINESS</u>
40 percent	30 percent

LUTHER'S CORNERS VILLAGE DISTRICT

75 percent

**7.5 MINIMUM DEPTH OF FRONT YARD**

<u>LOCAL BUSINESS</u>	<u>HIGHWAY BUSINESS</u>
50'	70'

LUTHER'S CORNERS VILLAGE DISTRICT

0'

**7.6 MINIMUM LOT WIDTH AT STREET LINE**

<u>LOCAL BUSINESS</u>	<u>HIGHWAY BUSINESS</u>
50'	50'

LUTHER'S CORNERS VILLAGE DISTRICT

50'

**7.7 MINIMUM WIDTH OF SIDE YARD**

<u>LOCAL BUSINESS</u>	<u>HIGHWAY BUSINESS</u>
15', except 50' from a side street	15', except 50' from a side street

LUTHER'S CORNERS VILLAGE DISTRICT

5'

When a side yard adjoins a lot in a residence district, the side yard shall be of the same width as the required side yard in the adjoining district.

The side and rear yard adjoining any district or use shall include a minimum of 15' around any buildings. This includes appurtenances extending out from any building, or other items, which in the opinion of the Planning Board unduly constitute an obstruction or which impeded safe vehicular travel by current emergency vehicles.

**7.8 MINIMUM DEPTH OF REAR YARD**

When a rear yard abuts a lot in a residence district, the rear yard shall be of the same depth as the required adjoining yard, side or rear.

When a rear yard abuts a street, the rear yard shall be of sufficient depth to provide the required off-street loading space.

**7.9 EXTERIOR LIGHTING**

Exterior lighting shall not shine directly on properties and streets beyond the property line.

**7.10 MAXIMUM HEIGHT REQUIREMENT**

<u>Local Business</u>	<u>Highway Business</u>	<u>Luther's Corners Village District</u>
3 stories or 40 feet	3 stories or 40 feet	4 stories or 45 feet

## Appendix B: Analysis of Areas and Sites for Potential Redevelopment

Site #	Address	Business	Map & Lot	Acres	Zoning	Building SF	Redevelopment Type	Comments
<b>AREA A</b>	<b>SEEKONK TOWNE CENTRE</b>		<b>20/209</b>	<b>15.0</b>	<b>LB*</b>	<b>121,346</b>	In-fill, Commercial Redevelopment, Mixed-use Redevelopment (I/CR/MXR)*	In-fill opportunity, commercial redevelopment and mixed-use potential, improve parking definition, pedestrian friendly linkages, landscaping, lighting and signage for increased cross shopping; under mixed-use establish linkages to Benny's plaza and adjacent residential areas
1A	140 Taunton Ave	Ann & Hope, Price Rite, Family Dollar			LB	106,170	CR/MXR	Included in above
2A	156 Taunton Ave	Post Office			LB	8,468	CR/MXR	Included in above
3A	198 Taunton Ave	Duncan Donuts			LB	3,240	CR/MXR	Included in above
4A	218 Taunton Ave	Sovereign Bank			LB	3,468	CR/MXR	Included in above
5A	64 Fall River Ave	SF Residential	20/208	4.4	R1	774	CR/MXR	4.4 acre expansion area to assemble a potential 20 acre mixed-use redevelopment site; design options for open space, recreation or mixed-use
<b>AREA B</b>	<b>RTE 44 FRONTAGE PROPERTIES</b>							
1B	160 Taunton Ave	Vacant	20/600	.81	LB	5,774	CR	(Former Rumford Day Nursery) assembly into single site 2.6 acre mixed commercial redevelopment
2B	174 Taunton Ave	Citizens Union Savings Bank	20/583	.57	LB	2,160	CR	Included in above
3B	184 Taunton Ave	Pita's Market	20/584	.30	LB	1,040	CR	Included in above
4B	190 Taunton Ave	Contractors Network	20/586	.43	LB	1,680	CR	Included in above
5B	Land	Vacant comm. land	20/593	.50	LB		CR	Included in above

<b>AREA C</b>	<b>AUTO DEALERSHIPS AREA</b>							
1C	135 Taunton Ave	Tasca Ford/Lincoln/Mercury	14/82	1.1	HC*		CR/MXR	Assemble properties to create single 10 acre commercial or mixed-use redevelopment site designed with appropriate linkages to J&W, Firefly Golf Course and residential areas
2C	185 Taunton Ave	Herb Chambers Honda	14/97	3.0	HC	18,600	CR/MXR	Same as above
3C	189 Taunton Ave	Herb Chambers Saturn	14/98	1.5	HC	11,750	CR/MXR	Same as above
4C	176/200 Fall River Ave	Tasca F/L/M & Tasca Mazda	14/80	4.7	HC	19,794	CR/MXR	Same as above
<b>AREA D</b>	<b>BENNY'S PLAZA</b>							
1D	96 Taunton Ave	Benny's	20/587	2.6	LB	17,376	CR/MXR	Commercial or mixed-use redevelopment with linkages to Seekonk Towne Centre redevelopment
2D	110 Taunton Ave.	Seekonk Isuzu	20/207	.63	LB	4,280	CR/MRX	Assemble with Benny's Plaza for 4.2 acre single redevelopment ,see Alternative D1
3D	Fall River Ave. vacant land	vacant comm parcel	20/585	.57	LB		CR/MXR	Included in above
4D	125 Fall River Ave	SF Residential	20/582	.39	R1	1,508	CR/MXR	Included in above
5D	74 Hunt Street	Subway	20/129	.23	LB	1,920	CR/MXR	Assemble with Benny's for 3.1 acre single redevelopment site, see Alternative D2
6D	132 Hunt Street	SF Residential	20/132,133,134	.20	R1	1,508	CR/MXR	Included in above
<b>AREA D1</b>	<b>SECONDARY REDEVOPMENT SITES</b>							
D1.1	62 Taunton Ave	Hunt's Mills Tavern (vacant)	20/153	.23	LB	2,231	CR/MXR	Commercial or mixed-use redevelopment to support potential Benny's redevelopment designed with linkages unifying the area
D1.2	Hunt Street	Vacant comm.	20/150,151,	.21	LB		CR/MXR	Same as above



		parcel	152					
<b>AREA E</b>	<b>WEST END SOUTH SITES</b>							
1E	11 Taunton Ave	Pride Chrysler/ Plymouth Jeep	12/507	3.7	HC	19,743	CR/MXR	Work with E. Providence for consistency with appropriate zoning and redevelopment
2E	13 Taunton Ave.	Pride Hyundai	12/508	1.8	HC	7,134	CR/MXR	Included in above
3E	Taunton Ave.	Vacant comm. parcel	12/498	9.0	LB		CR/MXR	Pending type of potential redevelopment on Pride properties;

\*High Commercial (HC)

\*Local Business (LB)

\*Residence 1 (R1)

\*In-fill (I)

\*Commercial Redevelopment (CR)

\*Mixed-use Redevelopment (MXR)



# APPENDIX C

## Build-Out Calculations

APPENDIX B. Build-out calculations											
Assumes commercial uses on first floor, residential above. However, there may be some uses, such as grocery stores and Post Office that may want to be stand alone uses.											
^ Using 1 space per 500 s.f. for commercial uses											
* 300 s.f. assumes 9x20' spaces, 24' drive aisle, and landscaping											
Parcel Size (Ac.)	Parcel Size (S.F.)	Building Coverage (Allowed in LB/HB)	Commercial Bldg Coverage (S.F.) [C x D]	Commercial Redev (S.F.) (allowed based on area required)	Space for D.U. (S.F.) [E-10%]	D.U. Ave. g.s.f [F/G]	#D.U [F/G]	Com Pkg Spaces [E/500^a s.f.]	Res Pkg Spaces	Parking Area (S.F.) [(H-)x 300' s.f.]	Total Area required- Bldg, Pkg (S.F.)
<b>Redevelopment</b>											
<b>Current Zoning:</b>											
Seekonk Town Centre: one story	15.0	683,892	40%	273,557	273,557	X	X	547	X	164,134	437,691
Seekonk Town Centre: one and two stories	15.0	683,892	40%	273,557	412,000	X	X	824	X	247,200	659,200
Rte 44 Northside Frontage Properties - one story	2.6	113,256	40%	45,302	45,302	X	X	91	X	27,300	72,602
Rte 44 Northside Frontage Properties: one & two stories	2.6	113,256	40%	45,302	70,000	X	X	140	X	42,000	112,000
Auto Dealerships - one story	10.2	444,312	30%	133,394	133,394	X	X	267	X	80,100	213,494
Auto Dealerships - multiple story	10.2	444,312	30%	133,394	280,000	X	X	560	X	168,000	420,000
Benny's Plaza - one story	2.6	113,256	40%	45,302	45,302	X	X	91	X	27,300	72,602
Benny's Plaza: one & two stories	2.6	113,256	40%	45,302	70,000	X	X	140	X	42,000	112,000
Benny's Plaza/D1: one story	4.0	174,240	40%	69,696	69,696	X	X	139	X	41,700	111,396
Benny's Plaza/D1: one & two stories	4.0	174,240	40%	69,696	105,000	X	X	210	X	63,000	168,000
Benny's Plaza/D1 & D2: one story	4.7	204,732	40%	81,893	81,893	X	X	164	X	49,136	131,029
Benny's Plaza/D1&D2: one & two stories	4.7	204,732	40%	81,893	125,000	X	X	250	X	75,000	200,000

Redevelopment	Parcel Size (Ac.)	Parcel Size (S.F.)	Building Coverage (Using LB)	Commercial Bldg Coverage (S.F.) [C x D]	Commercial Redevel (S.F.) [allowed based on area required]	Space for D.U. (S.F.) [F- 10%]	D.U. Ave. g.s.f	# D.U. [G/H]	Com Pkg Spaces [E/500^ s.f.]	Res Pkg Spaces (1.5 sp/d.u.)	Parking Area (S.F.) [(H+)x 300^ s.f.]	Total Area required- Bldg, Pkg (S.F.)	Extra Area available for LID, Stormwater, Open Space, Site Amenities
<b>Mixed-Use Redevelopment:</b>													
Option 1:													
Seekonk Town Centre	15.0	683,892	40%	273,557	273,557	246,201	1,500	164	547	246	237,995	511,552	172,340
Benny's Plaza	2.6	113,256	40%	45,302	45,302	40,772	1,500	27	91	41	39,413	84,715	28,541
<b>Option 2:</b>													
Integrated Seekonk Town Centre & Benny's	20.0	871,200	40%	348,480	348,480	313,632	1,500	209	697	314	303,178	651,658	219,542
Centre & Benny's @ max of 12 d.u./ac.	20.0	871,200	40%	348,480	348,480	313,632	1,500	240	697	360	317,088	665,568	205,632
<b>Option 3:</b>													
Auto Dealership Area	10.0	435,600	40%	174,240	174,240	156,816	1,500	105	348	157	151,589	325,829	109,771
Auto Dealership Area @ max of 12 d.u./ac	10.0	435,600	40%	174,240	174,240	156,816	1,500	120	348	180	158,400	332,640	102,960
<b>Option 4:</b>													
Gateway-Integration of the above	31.0	1,350,360	40%	540,144	540,144	486,130	1,500	324	1080	486	469,925	1,010,069	340,291
Gateway-Integration of the above @ max of 12 d.u./ac	31.0	1,350,360	40%	540,144	540,144	486,130	1,500	372	1080	558	491,486	1,031,630	318,730
<b>Option 5:</b>													
West End-South side	9.0	392,040	40%	156,816	156,816	141,134	1,500	94	314	141	136,430	293,246	98,794
West End-South side, max 12 d.u./a		392,040	40%	156,816	156,816	141,134	1,500	108	314	162	142,800	299,616	92,424
<b>40R Development Option</b>													
Option 5:													
Mixed-Use scenario	60.0	2,613,600	40%	1,045,440	1,045,440	470,448	1,500	314	1045	470	454,766	977,486	1,636,114
Mixed-Use scenario, at max of 12 d.u./ac.	60.0	2,613,600	40%	1,045,440	1,045,440	470,448	1,500	720	1045	1080	637,632	1,160,352	1,453,248
<b>Option 7:</b>													
40R scenario: 20 du/ac	60.0	2,613,600	20%	522,720	522,720	N/A	1,500	1,200	1045	1800	853,632	1,376,352	1,237,248
40R scenario: 12 du/ac	60.0	2,613,600	20%	522,720	522,720	N/A	1,500	720	2091	1080	951,300	1,474,020	1,139,580
40R scenario: 8 du/ac	60.0	2,613,600	20%	522,720	522,720	N/A	1,500	480	2091	720	843,300	1,366,020	1,247,580
Alternative:													
40R scenario: 20 du/ac	60.0	2,613,600	30%	784,080	784,080	N/A	1,500	1,200	1668	1800	1,010,448	1,794,528	619,072
40R scenario: 12 du/ac	60.0	2,613,600	30%	784,080	784,080	N/A	1,500	720	2091	1080	951,300	1,735,380	878,220
40R scenario: 8 du/ac	60.0	2,613,600	30%	784,080	784,080	N/A	1,500	480	2091	720	843,300	1,627,380	986,220

## APPENDIX D

### SUMMARY OF M.G.L. CHAPTER 40R SMART GROWTH ZONING DISTRICTS PASSED INTO LAW AS PART OF THE FY 2005 BUDGET *(includes a summary of related sections passed as part of the same budget)* *Prepared by the Metropolitan Area Planning Council (MAPC)* *60 Temple Place, Boston, MA 02111* *July 22, 2004*

Housing production within the Commonwealth has not kept pace with the growing number of households looking for an affordable place to live. To help meet this demand, the Commonwealth adopted Chapter 40R within the General Laws allowing municipalities to encourage housing production that is aligned with the principles of “smart growth.” Communities doing so may obtain funds through housing incentive payments. This document summarizes the new law and related sections passed as part of the FY 2005 budget. We hope you find it useful. Please remember that reading a summary of legislation is not a substitute for reading the legislation itself. The legislation is more detailed and may answer questions the summary cannot.

#### **M.G.L. Chapter 40R Smart Growth Zoning Districts**

##### **Section 1. Purpose**

It is the purpose of this chapter to encourage smart growth and increased housing production in Massachusetts. Smart growth is a principle of land development that emphasizes mixing land uses, increases the availability of affordable housing by creating a range of housing opportunities in neighborhoods, takes advantage of compact design, fosters distinctive and attractive communities, preserves open space, farmland, natural beauty and critical environmental areas, strengthens existing communities, provides a variety of transportation choices, makes development decisions predictable, fair and cost effective and encourages community and stakeholder collaboration in development decisions.

##### **Section 2. Definitions**

This section defines terms used in the new law. A summary of critical definitions includes:

- **“Affordable housing,”** housing affordable to those earning less than 80% of the median income, and subject to an affordability restriction lasting for at least 30 years;
- **“Approving Authority,”** a unit of town or city government designated by the municipality to review and approve projects.

- **“Comprehensive housing plan,”** plan prepared by a municipality assessing housing needs within the municipality and strategies to address those needs;
- **“Department,”** the department of housing and community development;
- **“Developable land area,”** that part of the smart growth zoning district that can be feasibly developed as residential or mixed-use development, excluding land already substantially developed, parks, open space, and wetlands, and including land with underutilized residential, commercial, industrial, or institutional buildings that could be recycled or converted into residential or mixed use.
- **“Eligible locations,”** (1) areas near transit stations, including rapid transit, commuter rail, and bus and ferry terminals, (2) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns, and existing rural village districts, or (3) areas that by virtue of their infrastructure, transportation access, existing underutilized facilities, and/or location make highly suitable locations for residential or mixed use smart growth zoning districts;
- **“Multi-family housing,”** apartment or condominium units in buildings with more than three units;
- **“New construction,”** construction of new housing, substantial rehabilitation of existing buildings, or conversion to residential use;
- **“Smart growth zoning district,”** a zoning district adopted by a municipality under this statute that is superimposed over one or more zoning districts in an eligible location, within which a developer may elect to either develop a project in accordance with requirements of the smart growth zoning district ordinance or develop a project in accordance with requirements of the underlying zoning district.

### **Section 3. Authority**

A municipality may adopt a “smart growth zoning district,” in accordance with the provisions of Section 5, chapter 40A, in any eligible location allowing for primary residential use as-of-right and also permitting businesses, commercial and other uses consistent with primary residential use. Smart growth zoning districts may include areas eligible for Tax Increment Financing (“TIF”) and District Improvement Financing (“DIF”).

### **Section 4. Determination of Eligibility**

Before adopting a smart growth zoning district, a municipality will apply to the department, which has 60 days to make a preliminary determination of whether the applicant would be eligible for the financial and other incentives in this chapter. The department will communicate this determination via a letter of eligibility. The department may also advise the applicant of deficiencies in the application. If the municipality adopts the district, along with any changes recommended by the department, the department has 30 days to issue a final approval.

## Section 5. Application Requirements

To be eligible for a smart growth zoning district, the municipality must submit to the department an application that:

- identifies the boundaries of the proposed district;
- describes the developable land area within the proposed district;
- identifies other residential development opportunities for infill housing and the residential reuse of existing buildings and under-utilized buildings within already developed areas;
- includes a comprehensive housing plan (see Section 8);
- includes a copy of the proposed smart growth district ordinance or by-law; and
- establishes that the proposed district satisfies the minimum requirements of a smart growth zoning district (see Section 6).

## Section 6. Minimum Requirements of Zoning District

(a) The minimum requirements of a smart growth zoning district include the following:

1. The proposed district must be determined an **“eligible location”** (see definition in Section 2).
2. The zoning ordinance must provide for residential use to **permit a mix of housing** such as for families, individuals, persons with special needs, or the elderly.
3. **Housing density** allowed in the developable land area of a proposed district must be at least:
  - 20 units per acre for multi-family housing,
  - 8 units per acre for single-family homes, and
  - 12 units per acre for 2 and 3 family buildings.
4. The zoning ordinance for each proposed district will:
  - provide that **not less than 20%** of the residential units constructed in projects of more than 12 units will be **affordable**, and
  - contain mechanisms to ensure that **not less than 20%** of the total residential units constructed in each district will be **affordable**.
5. The zoning ordinance must **permit infill housing** on existing vacant lots and additional housing units in existing buildings, consistent with neighborhood building and use patterns, and consistent with building, fire, and safety codes.
6. Development in the district will **not be subject to any limitation on the issuance of building permits for residential uses** or any local moratorium on the issuance of such permits.
7. **No restrictions on age or any other occupancy restrictions** in the district as a whole. This provision does not preclude the development of specific projects that may be exclusively for the elderly, the disabled, or for assisted living, provided that not less than 25% of the housing units in such a project will be affordable housing.
8. Full compliance with federal, state and local **fair housing laws**.

9. The proposed **district may not exceed 15% of the total land area** in the municipality, except that the department may approve a larger land area if such an approval serves the goals and objectives of the chapter.
10. The **total land area of all approved smart growth zoning districts in the municipality may not exceed 25% of the total land area** in the municipality. (Note: unlike #9, above, this provision may not be waived.)
11. Proposed housing **density will not overburden infrastructure** as it exists or may be practicably upgraded.
12. The proposed zoning ordinance must **define the manner of review for individual projects** by the approving authority in accordance with Section 11 (see below) and specify the procedure for such review, in accordance with the regulations of the department. Within the zoning ordinance the municipality may:
  - modify or eliminate dimensional standards;
  - designate a limited percentage of the developable land area as dedicated perpetual open space through the use of a conservation restriction or other means; said open space will not be considered part of the developable land area for density calculation purposes.
  - provide for mixed use development;
  - the district may encompass an existing historic district or establish an historic district within an approved district; and
  - require more affordability than required by this chapter provided that affordability thresholds do not unduly restrict opportunities for development.

(f) Municipalities with fewer than 10,000 persons, for hardship shown, may gain approval from the department for a smart growth zoning district with lower densities than provided in this chapter.

(g) Any amendment or repeal of the zoning for an approved district will not be effective without the written approval by the department.

(h) Nothing in this chapter will affect a municipality's authority to amend its zoning ordinances under chapter 40A, so long as the changes do not affect the smart growth zoning district.

## **Section 7. Certificate of Compliance**

Each year the department will send a certificate of compliance to all municipalities with approved districts where it has been verified by the city or town that the zoning district has been adopted, that no previous certificate has been revoked, that the district is being reasonably developed consistent with the density and affordability requirements of this chapter, and that projects have not been unreasonably denied by the approving authority within the municipality.

## **Section 8. Comprehensive Housing Plan**

When applying for a determination of eligibility, the municipality will submit a comprehensive housing plan that estimates the projected number of housing units of new construction (see definition in Section 2) that could be built within the proposed district. Existing comprehensive housing plans may be submitted with additions relating to the newly proposed district.

### **Section 9. Housing Incentive Payments**

Upon approval of the district, municipalities are entitled to zoning incentive payments for housing creation. Based on number of units of new construction (see definition in Section 2) projected in the smart growth zoning district, payments will range from:

- \$10,000 for up to 20 units;
- \$75,000 for 21-100 units;
- \$200,000 for 101-200 units;
- \$350,000 for 201-500 units; to
- \$600,000 for 501 or more units of housing.

Additionally, a one-time density bonus of \$3,000 for each unit of new construction will be awarded upon issuance of a building permit. When awarding discretionary funds, the department and the executive offices of environmental affairs, transportation, and administration and finance will use a methodology that favors municipalities with approved smart growth zoning district, or other zoning policies that encourage affordable housing production. (See Section 14 regarding repayment if no construction occurs.)

### **Section 10. Design Standards**

Design standards may be adopted to ensure that the physical character of development within the smart growth zoning district will complement the adjacent buildings and structures, and not conflict with the comprehensive housing plan or any master plan for the community. The design standards may not add unreasonable costs to residential or mixed-use development, or unreasonably impair economic feasibility of proposed projects.

### **Section 11. Municipal Project Review**

- The municipality may prescribe the **contents of an application** for project approval. It may require payment of reasonable consulting fees for peer review. It may refer applications for review by municipal entities in addition to the approving authority and such entities will have 60 days to comment.
- **Zoning in effect** at the time an application is submitted will govern the review of that application while it is being processed, during any appeal, and for three years after approval. If an application is denied, zoning will remain in effect with respect to any further application for two years after denial unless the applicant chooses otherwise.

- The approving authority will hold a **public hearing** consistent with the provision of Section 11 of Chapter 40A. The approving authority will make a decision within 120 days of filing or it is deemed approved.
- **Project approval is subject only to those conditions** that are necessary to ensure compliance with the smart growth zoning district ordinance and to mitigate only those impacts that are extraordinarily adverse to nearby properties.
- **A court may overrule approval of a project** only if it finds that that the approving authority abused its discretion in approving the project. A plaintiff seeking to reverse a project approval must post a bond.
- In any **court appeal of a project denial** by an approving authority, the approving authority will have the burden of justifying its decision by substantial evidence in the record.

## **Section 12. Administration of Smart Growth Zoning Program**

The department of housing and community development will serve as the administrator of the smart growth zoning district program. It will also be responsible for an annual review and report of data no later than November 15 of each year regarding the status of proposed smart growth zoning districts, the number of approved districts, development having taken place in districts to date, and monies paid to municipalities.

## **Section 13. Existing Zoning Districts**

An existing zoning district may gain approval as a smart growth zoning district and receive incentive payments if it meets the requirements of this chapter. The application process will be consistent with that of a new smart growth zoning district. If such districts are approved, the community will not be eligible for the zoning incentive payment, but will be eligible, after the date of approval, for the one-time density bonus payment, and will be eligible for favorable review in the awarding of certain state funds. (See Section 9 for further information on these incentives.)

## **Section 14. Repayment**

If no construction in the smart growth zoning district has taken place within three years of the date of the zoning incentive payment (see Section 9), the municipality must repay all monies paid to it under this chapter.

## **RELATED SECTIONS**

### **M.G.L. Chapter 10, Section 35BB Smart Growth Housing Trust Fund**

This section creates a Smart Growth Housing Trust Fund, funded by monies from the sale of surplus land, appropriations, or sanctions on communities. Without requiring further appropriation, available funds are to be disbursed by the department in accordance with the provisions of M.G.L. Chapter 40R.

**M.G.L. Chapter 26, Section 548 Funding of Smart Growth Housing Trust Fund**

The first \$25,000,000 of any proceeds realized from the sale of surplus state properties will be deposited into the General Fund. The second \$25,000,000 of any such proceeds will be deposited into the Smart Growth Housing Trust Fund. Any additional proceeds will be deposited into the Commonwealth Stabilization Fund. (Note: As a result of this section, funds from the sale of surplus state properties will enter the Smart Growth Housing Trust Fund *only* if annual sale proceeds exceed \$25 million, and the amount entering the Trust Fund cannot exceed \$25 million per year.)

**Outside Section 367 Impact Study**

The department, in consultation with the departments of education and revenue, will study the impact of the adoption of smart growth zoning districts on the educational systems of participating municipalities. The department will report to the Legislature on this study no later than July 1, 2006. The report will recommend a formula for ascertaining any actual additional net public school costs to which municipalities may become subject as a result of the adoption of smart growth zoning districts.

## APPENDIX E

### *Planned Mixed Unit Development By-law Town of Marshfield, MA*

#### **Section 11.05 Planned Mixed-Use Development**

This section of the zoning by-law is to allow a planned mixed-use development overlay district within a portion of the industrial district as shown on the Zoning Map.

1. Purpose: The purpose of this planned mixed use development section is as follows:

To provide an opportunity to comprehensively plan a large tract of land in a pedestrian friendly, campus-like setting, around a public green.

To ensure high quality site planning, architecture and landscape design to create a distinct visual character and identity for the development that provides an environment with safety, convenience and amenity.

To ensure any potential traffic impacts of the planned mixed-use development are properly mitigated and in keeping with the character of the Town of Marshfield.

To generate positive tax revenue, while providing the opportunity for new business growth and additional local jobs.

2. Process: A planned mixed-use development is a two-step process, which allows the town and an applicant greater flexibility in the development of the industrial zone. In addition to compliance with this bylaw, all applicants shall comply with the requirements set forward in the Rules and Regulations Governing Development within the Planned Mixed-Use Development Overlay District as adopted by the Marshfield Planning Board and as may be amended from time to time.

Phase I: The applicant files a Definitive Subdivision and Land Classification Plan as described in Section 5.0 for a phase or combination of phases for land within the PMUD overlay district. The plan locus for each phase must include at least thirty (30) contiguous acres within the PMUD overlay district as shown on the Town of Marshfield zoning map, as amended. Additional land can be added to or substituted within a phase, from time to time, provided the total acreage of the Phase is not less than thirty (30) acres and that a revised Definitive Subdivision Plan is filed. The Definitive Subdivision Plan and Land Classification Plan for each phase shall contain the overall road network, roadway drainage, location of the public green, bike and pedestrian ways, lots and proposed uses by phase.

Phase II: The applicant files a Special Permit Application with the Planning Board

serving as the SPGA, for an element (or combination of elements) within a phase. An element may be a single use or group of uses within a phase of the overlay district. When site plan approval is required, the granting authority shall be the Zoning Board of Appeals except in the Planned Mixed-Use District where a special permit is also required and that special permit granting authority is the Planning Board. In that case, the special permit granting authority for the site plan approval shall be the Planning Board.

3. **Applicability and Uses:** In addition to the uses allowed in the I-1 zone, the following uses may be allowed by special permit: Limited retail (including Grocery Store); Eating and drinking places excluding drive-in establishments; Bank within or as a liner to the main retail building; Membership club; Other amusement / recreation service; Housing for the elderly not to exceed 3 units per acre (subject to Section 11.08); Nursing, rest or convalescent home not to exceed 24 beds per acre.

4. **Required Performance Standards:**

A. Uses shall be grouped together to maximize pedestrian access by connecting sidewalks and pathways. Buildings shall be oriented around the public green and not Route 139 (Plain Street).

B. Access to Route 139 (Plain Street) from a Planned Mixed-Use Development shall be through a secondary street as defined in the Planning Board Subdivision Rules and Regulations at a signalized intersection.

C. Maximum percentage of land area allowed by use within the planned mixed-use overlay district.

**Table 1: Use and related lot requirements in acres**

<i>Use</i>	<i>Maximum percentage of the overlay district in acres*</i>
Retail (including Grocery Store)	15% (see 4. below)
Office/Research/Medical	35%
Residential	25%
Nursing Home/Assisted Living/Continuing Care Retirement Community	35%
Recreation	15%

\* Note that percentages do not add to 100% to allow flexibility when deciding upon mix of uses. *This table is as amended for another town.*

D. The total Limited Retail use within the Planned Mixed-Use Development overlay district shall be restricted to a maximum gross floor area of 80,000 square feet or 15%, of the overlay district, whichever is more restrictive.

E. The majority of the parking shall be located to the rear or sides of buildings. All parking and loading areas shall be completely screened from Route 1.39 (Plain Street) by a minimum 50-foot wide raised and landscaped buffer. Parking lots and loading areas shall be appropriately screened from roadways within the overlay district by a minimum 20-foot' wide raised and landscaped buffer. Appropriately designed view corridors of buildings from the roadways within the overlay district shall be allowed.

F. Reduction in parking space requirements may be permitted where by design and use it is shown to the board's satisfaction that the parking is compatibly shared by multiple uses. However, in no case shall a parking requirement reduction exceed twenty (20) percent of those parking spaces required under normal application of requirements for the non-residential uses proposed.

G. Individual retail establishments shall be limited to a maximum gross floor area of 55,000 square feet. An individual retail establishment may be increased to 65,000 square feet where the SPGA finds that individual sections of the retail establishment front the public green with access and windows or where the additional space is used as small retail uses lining the wall facing the public green of the large retail establishment.

H. The ratio of the gross floor area of the building(s) to the total lot area shall not exceed forty-five (45%) percent.

I. The mass, proportion and scale of the building, roof shape, roof pitch, and proportions and relationships between doors and windows should be harmonious among themselves.

J. Architectural details of new buildings and additions, and textures of walls and roof materials, should be harmonious with the building's overall architectural style and should preserve and enhance the historic character of Marshfield.

K. The building's location shall be oriented parallel or perpendicular to the public green(s) and/or street. Where the minimum setback cannot be maintained, the applicant shall provide adequate spatial definitions through the use of walls, fences and/or other elements, which will maintain the street line.

L. The buildings' main entrance may be placed to the side of the front facade to facilitate access to parking.

M. Building facades in excess of forty (40) feet shall incorporate recesses and projections, of a minimum of two (2) feet in depth, to break up the building's mass.

N. A minimum of 60% of the building's public green(s) and/or street side facade shall contain windows and other appropriate architectural elements, excluding the facade facing Route 139 (Plain Street) where the landscaped buffer is determined by the Planning Board to be adequate. The windows should be divided by muntins and framed with a casing trim; awnings should be designed as an integral part of the building facade metal awnings are discouraged.

O. Individual special permit applications shall file a traffic impact study as identified in Section 11.10.

P. The large retail establishment shall either provide an entrance to the public green or side facade to the public green shall be lined with uses to enhance the pedestrian activities and the use of the public green(s).

Q. A public green shall be required for each phase of development within the PMUD. The public green(s) shall be a minimum of one and one-half (1 1/2) acres in size per phase and shall be designed as a pedestrian friendly park. The public green(s) shall contain some combination of benches, tables, playground equipment, sidewalks, lighting and landscaping. Each green shall be used solely for active and passive recreation purposes and shall be open to the public. The total acreage of the green in each phase may be used toward the land area calculations to determine allowable density for one of the uses within that phase.

R. Setbacks for the overlay district shall be as follows:

**Table 2: Minimum Setbacks\***

<b>Building setbacks</b>	<b>Minimum (ft.)</b>
Public Green (where applicable)	5
Front	20
Side	10
Rear	30

\* Front setbacks for buildings facing the public green(s) may vary. All other standards for I-1 zoning districts contained in the Sec. 6.10 Table of Dimensional and Density Regulations shall apply. *Minimums amended for another town.*

S. In cases after a public hearing, where the proposed traffic mitigation is deemed by the SPGA to be out of character for the town, the applicant may propose additional open space from within the PMUD district or adjacent districts, or may donate an amount equal to the cost of the proposed mitigation to the Town for the purpose of open space acquisition. Where open space is provided in lieu of traffic mitigation, said open space shall be at least equal in area to the total acreage of land of said proposed use.

## 5. Ownership of Public Green

5.1 Subject to approval by the Planning Board, all areas designated as public greens shall be either placed under a permanent conservation restriction or deeded to the Town as a condition of special permit approval. If placed under a conservation restriction, said restriction shall be in a form approved by Town Counsel and enforceable by the Town, conforming to the standards of the Massachusetts Executive Office of Environmental Affairs, Division of Conservation Services, that shall be recorded to ensure that such land shall be kept in an open state. Such restriction shall be submitted to the Planning Board prior to approval of the project and recorded at the Registry of Deeds/Land Court with the issuance of the building permit.

5.2 Maintenance of Public Green: The Town shall be granted an easement over such public green sufficient to ensure its perpetual maintenance as recreation land. Such easement shall provide that in the event the owner fails to maintain the public green in reasonable condition, the Town may, after notice to the lot owners and public hearing, enter upon such land to maintain it in order to prevent or abate a nuisance. The cost of such maintenance by the Town shall be assessed against the properties within the development and/or to the owner of the open space. The Town may file a lien against the undeveloped lots within the corresponding phase of the PMUD to ensure payment of such maintenance expenses.

5.3 Monumentation: Where the boundaries of the public green are not readily observable in the field, the Planning Board may require placement of surveyed, bounds sufficient to identify the location of the public green.

## 6. Criteria for Review and Approval

The SPGA shall review all applications for Planned Mixed-Use Development to determine compliance of the proposal with the following criteria:

6.1 Section 11.05 (1) purpose;

6.2 Section 11.05 (4) required performance standards;

6.3 That the projected traffic increase of the proposed uses to the local road(s) and Route 139 is within the capacity of the existing road network, or that the applicant's proposed

traffic mitigation measures will adequately address traffic flow.

6.4 That the proposed development improves pedestrian and bicycle access and safety;

6.5 That suitable public green(s) and facilities have been provided;

6.6 Acceptability of building and site design;

6.7 The Marshfield Comprehensive Plan (The Townscape Plan), as amended.

## 7. Severability

If any provision or provisions of this bylaw is or are declared unconstitutional or inoperative by a final judgment, order or decree of the supreme judicial court of the commonwealth, the remaining parts of said chapter shall not be affected thereby.