Seekonk, Mass.

ZONING LAWS

OF THE

TOWN OF SEEKONK

Approved November 14, 1942

ZONING LAWS
of the
TOWN OF SEEKONK
Approved November 14, 1942.

February 9, 1942.

SECTION I

To promote the health, safety, morals, convenience and general welfare of its inhabitants, to lessen the danger from fire, congestion and confusion, and to improve and beautify the town under and pursuant to the provisions of General Laws, Chapter forty, Sections twenty-five to thirty A inclusive, and all additions and amendments thereto, the use, construction, repair, alteration and area of buildings and structures and the use of premises in the town of Seekonk are hereby protected, restricted and regulated as hereinafter provided.

SECTION II

In this By-Law, the following terms shall have the meanings here assigned to them:

(1) A FAMILY:—Any number of individuals living and cooking together on the premises as a single housekeeping unit.

(2) A ONE-FAMILY HOUSE: — A detached dwelling designated for a single family.

(3) A DWELLING:—Any building used in whole or in part for habitation.

(4) AN ACCESSORY USE OR BUILDING:—A use of land or a structure or building customarily incident to the use of land or building to which it is an accessory.

(5) HOTEL OR LODGING HOUSE:—A hotel or lodging house is a building erected for or used for paying guests, permanently or transiently, where over three (3) bedrooms are used for such purpose.

(6) A HALF-STORY:—A half story is that portion of a building under a sloping roof the cubic contents of

which are never more than two-thirds of that of the story below. If the cubic contents are greater it shall be deemed a story.

(7) A NON-CONFORMING USE OR BUILDING:—An existing use of land or a building which does not conform to the regulations for the district in which such use of land or building exists.

(8) Words used in the present tense includes the future; the singular number includes the plural, and vise-versa, and the word "lot" includes the word "plot"; the word "building" includes any structure other than a boundary fence or wall. "He", "Him" or "His" are used as both masculine or feminine.

(9) STREET LINE:—The outside legal bounds of a road or highway, commonly called the fence line.

(10) A LOT is a parcel of land occupied, or designed to be occupied by one building and the accessory buildings or uses customarily incident to it, including such open spaces as are arranged and designed to be used in connection with such building. A LOT may be or may not be the land shown as a lot on a duly recorded plat.

(11) A COMMERCIAL ROAD-SIDE STAND is a building or structure, where farm, or other products are sold, the major portion of which are not made, raised, or produced on the premises.

SECTION III

USE REGULATIONS

For the purpose of this By-Law the town of Seekonk is divided into six classes of districts, designated as:

(1) AAA residence districts
(2) AA residence districts
(3) A residence districts
(4) B residence district
(5) C business district
(6) D industrial district

AAA Residence District

In a residence AAA district, no building or structure shall be erected or altered and no building, structure or premises shall be used for any purpose except:

(1) One-family houses.

(2) Churches, Schools, Library, Community buildings.

(3) An office of a physician, surgeon or dentist may be located in the dwelling used by such physician, surgeon or dentist as his private residence. Professional signs to comply with those regulations as designated in paragraph seven (7) under "A" residence district.

(4) Private clubs not conducted for profit.

(5) Park, Play-ground, Recreation Building, Water supply, Reservoir, Well or Tower.

(6) Farm, Poultry Farm, Garden, or Nursery, selling products or plants, the major portion of which is raised on the premises and excluding any use injurious, noxious or offensive to the neighborhood.

(7) Advertising signs relating only to the sale or rental of Real Estate and its improvements, where such signs are located upon the premises advertised. Signs shall have a set back distance of not less than fifteen (15) feet upon the street upon which it faces and to have an area not greater than twelve (12) square feet.

(8) Private garages with a capacity for one or more but not over ten motor vehicles, exclusive of farm trucks, and provided further that such storage of motor vehicles shall not be carried on therein as a business.

(9) Other uses as deemed necessary such as Golf courses, Golf Driving Ranges, and Riding Schools.

AA Residence District

In a residence AA district no building or structure shall be erected or altered, and no building, structure or premises shall be used for any purpose except:

(1) All the uses permitted under AAA district, except part (8) pertaining to Garages.

(2) Private Garages with a capacity of not over three (3) motor vehicles, except on farms where additional farm trucks may be stored as required in the business and provided further that such storage of motor vehicles shall not be carried on therein as a business.

(3) Telephone exchange without a service yard or outside storage of supplies.

(4) Any person carrying on a customary industrial occupation such as hairdressing, dress making, millinery, and such other occupations as may fall in this class, may do so in a dwelling used by him as his private residence.

(5) In a dwelling occupied as a private residence, one or more rooms may be rented or table board furnished.

A Residence District

In a residence A district no building or structure shall be erected or altered, and no building, structure or premises shall be used for any purpose except:

(1) All uses permitted under residence AAA district except part (8) pertaining to Garages, and all uses permitted under AA district except part (2) pertaining to Garages.

(2) Private Garages with a capacity for not more than two (2) motor vehicles except on farms where additional farm trucks may be stored as required in the business and provided further that such storage of motor vehicles shall not be carried on therein as a business.

(3) Office of any other professional person may be located in the dwelling used by such other professional person as a private residence.

(4) A hen house, tool shed, barn, stable, kennel or piggery shall be permitted as an accessory use, except on platted land and then with a special permit granted by the Board of Health with the approval of the Planning Board, subject to such conditions as the said Board may deem essential to the public interest.

(5) Town or Government buildings, Public Museum, Stadium, Athletic Field or Polo Field.

(6) Philanthropic institution other than a penal or correctional institution, Hospital or Sanitarium other than for contagious or infectious diseases.

(7) Signs of physicians, dentists, surgeons, or other professional person doing business in this district shall

not be over eighteen inches by twenty-four inches (18″x24″) in size.

B Residence District

In a residence B district no building or structure shall be erected or altered and no building, structure, or premises shall be used for any purpose except:

(1) All uses permitted under residence AAA district except part (8) pertaining to Garages, and all the uses permitted under AA district except part (2) pertaining to Garages.

(2) All of the uses permitted in an A district.

C Business District

In a business C district no building or premises shall be used, and no building shall be erected or structurally altered, which is arranged, intended or designed to be used for other than one or more of the following uses:

(1) All the uses permitted in a residence AAA district.
All the uses permited in an AA district.
All the uses permitted under the A district.
All the uses permitted in a B district.

(2) Advertising signs or devices pertaining to the lease, sale or use of a lot or building on which placed, or advertising goods or services offered by an occupant of the premises for sale, hire or use, provided that such signs and devices may in no case exceed an aggregate area of thirty (30) sq. ft. on or behind each twenty (20) feet or fraction thereof of frontage of the lot or the building or any story thereof on which placed.

(3) Billboards of an area exceeding thirty (30) sq. ft. and not used in conjunction with business buildings of any type, are not permitted in any business C district which border on any of the streets or highways of the Town of Seekonk.

(4) A Bank, Office, Studio, Ice Delivery Station, Lodging or Boarding House, Restaurant or Hotel.

(5) Retail Store, Shop for Custom Work, Post Office or other Government Buildings, Theatres and places of

business of individuals, co-partnerships and corporations, doing a wholesale or retail business, but excluding factories and manufacturing establishments employing more than four (4) operatives, exclusive of the office workers.

(6) Gasoline or other motor fuel station, or garages, or other buildings for the repair of motor vehicles, or any uses not provided as permitted in any district, except "D" Industrial District, on special permit granted by the Zoning Board of Appeals and subject to the provisions of Section "X", provided such use is not noxious, or offensive by reason of the emission of dust, odor, smoke, gas, fumes, noise or vibration.

(7) Moving Picture House, Assembly Hall, Mortuary, Motor Vehicle Sales Room, Electric Sub-Station, Greenhouses, Newspaper or Job Printing Plant.

(8) Stone Cutting, Monument Works.

D Industrial District

In an industrial "D" district no building or premises shall be used, and no building shall be erected or structurally altered, which is arranged, intended or designed to be used for other than one or more of the following uses:

(1) All the uses permitted in AAA, AA, A, B, and C districts.

(2) Wholesale business, storage and sale in bulk of or warehouse for such material as building material, contractors' equipment and supplies, clothing, feed, food, furniture, hardware, ice machinery, cotton or drugs.

(3) Oil and petroleum, paint and paint materials in quantities as fixed by the Zoning Board of Appeals.

(4) Pipe, rubber, shop supplies.

(5) Cold Storage Plant, Ice Manufacturer, Creamery, Ice Cream manufacturer, Milk Bottling or Central Milk Distributing Station, Baking Plants, Dyeing or Dry Cleansing Plants, Laundry, Lumber Yard.

(6) Veterinary Hospital, Freight Terminal, Coal, Coke or Wood Yard.

(7) Penal or Correctional Institution, Hospital, Sanitarium for contagious or infectious diseases or for insane or feeble minded.

(8) Aviation Field, Amusement Park.

(9) Manufacturing or industrial operations of any kind not heretofore listed, except that no industrial process or other use shall be included which emits dust, odor, gas, fumes, noise or vibration comparable in character and amount in excess of that of any use listed as an "industrial use".

(10) Scrap Iron or Junk Yard, Automobile Wrecking Yard, Scrap Paper or Rag Storage.

(11) Brick, Tile or Terra Cotta Storage.

(12) Brewery or Distilling of Beverages.

(13) Disinfectant or insecticide manufacturer.

(14) Chicken Slaughter House, canning factory, carpet cleaning.

(15) Municipal Sewage Disposal or Treatment Plant, Municipal Garbage Disposal Plant, Municipal Dumps.

(16) Other uses not mentioned as deemed necessary subject to the provisions of Article (9) of this section.

SECTION IV

DISTRICT BOUNDARIES

District boundaries shall be shown on the Zoning Map.

Where a district boundary divides a lot, in single or joint ownership at the time such district is established, a use authorized on the less restricted portion of such lot may be extended into the more restricted portion, but in no case more than thirty (30) feet over the established boundary, except as to the regulation provided in business C districts under Section VII entitled "Area Regulations", and such extended use shall be subject to the approval of the Board of Appeals, and to such appropriate and reasonable safeguards as they may attach.

SECTION V

NON-CONFORMING USES

This by-law or any amendments thereto shall not apply to existing buildings or structures, nor to the existing use of any

building or structure, or of land to the extent to which it is used at the time of the adoption of this by-law. It shall apply to any change of use thereafter or to the extension of land, or alteration of building or structure for a purpose, or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent (Section 26, Chapter 40 of the General Laws).

Some of these buildings, or structures, or land use, not conforming to these by-laws, are considered as non-conforming in use as defined in the foregoing sections of this ordinance and may continue to exist and be used, provided such use has not been discontinued for a period of two (2) years. No building of non-conforming use which has been damaged by fire or other cause to the extent of more than three-fourths (¾) of its value shall be repaired or rebuilt except in conformity with these by-laws. The extent of damage (when necessary) to be determined by the Building Inspector and insurance adjusters assigned to the case.

No Board shall permit a non-conforming use to be changed, unless changed to a more restrictive use, or, changed to any specified use not substantially different in character nor more detrimental or objectionable to a neighborhood.

A non-conforming use if changed to a conforming use may not thereafter be changed back to any other non-conforming use.

SECTION VI

SUBDIVISION PLAN

The people of any district and/or the owner or owners of any tract of land three (3) acres or more in area proposing to subdivide the same into builidng lots shall submit to the Planning Board a proposal for modification of the zoning of such tract for the purpose of correlating the zoning regulations with the street, block, and lot layout, and proposed building development within such proposed subdivision. The Planning Board will proceed according to Section X under clause "Amendments".

The allotment of an area for business use shall not be approved by such Board unless the proposed platting provides adequate space for the loading and unloading of vehicles and for the parking of vehicles in connection with such business use, and, for such corner cut-offs or setbacks as will prevent traffic difficulties and safeguard adjacent residence areas.

There shall be no modification of yard, lot areas, lot widths or height of buildings as set forth in these by-laws, less than the specified regulations as called for in residence A classification, except to get a given number of lots of practically equal frontage in a fixed total length of boundary on any side of a subdivision; proposed streets to be shifted and other means employed if necessary before making any variation in the lot widths, or depths. The maximum variation to be not over five (5) per cent of the Regulation A district classification for frontage, depth or area.

The Planning Board shall designate the particular district, or zone, adaptable for such subdivision according to lot width and area of lots in question; and said subdivision will thereafter, unless changed, be known to exist in that particular division and the existing laws for that district. Such division or area to be recorded on the Zoning map of the Town by the Planning Board or its appointee.

When in any district the owner has, on the effective date of this amendment, May 3, 1950, an area of less than three (3) acres, which will divide into one or more lots of the required size, with enough left over for a lot not over (30%) thirty per cent below the required size, The Planning Board may, if it deems it wise, allow the whole area to be divided into a number of lots of equal size, which number shall not exceed (1) one more than the number of lots of required size into which the area could otherwise be sub-divided, though the size of each lot be less than the regulation for the district.

SECTION VII

AREA REGULATIONS

LOT SIZES: Residence AAA districts shall provide a lot frontage of not less than two hundred fifty (250) feet at the building line, and an area of not less than sixty-two thousand

five hundred (62,500) square feet of land for each dwelling constructed or placed thereon.

Residence AA district shall provide a lot frontage of not less than one hundred fifty (150) feet at the building line, and an area of not less than twenty-two thousand five hundred (22,500) square feet of land for each dwelling constructed or placed thereon.

Residence A districts shall provide a lot frontage of not less than one hundred (100) feet at the building line and an area of not less than ten thousand (10,000) square feet of land for each dwelling constructed or placed thereon.

Residence B districts shall provide a lot frontage of not less than seventy-five (75) feet at the building line, and an area of not less than seven thousand five hundred (7,500) square feet of land for each dwelling constructed or placed thereon.

In business C districts there shall be no restrictions as to lot frontages, and in depth shall extend to the point of ownership as shown on a deed of record, duly recorded on the date of acceptance of these zoning regulations. In business C districts there shall be no area restrictions by virtue of sale after the date of acceptance of these zoning laws.

Industrial D districts shall provide a lot frontage of not less than one hundred (100) feet at the building line, and an area of not less than fifteen thousand (15,000) square feet of land for each building constructed or placed thereon.

In a residence AAA, or B district the size of buildings other than those of accessory use must not exceed fifteen (15) percent of the entire regulation lot area.

Residence AA, or A district shall be limited to an area of twenty (20) percent of the entire regulation lot area for buildings other than for accessory use.

In an Industrial D district the size of buildings, other than those of an accessory nature, must not exceed sixty (60%) percent of the entire area, except that the size of buildings on lots of greater frontage and greater area than specified in paragraph six (6) may be determined by the Board of Appeals.

FRONT YARDS: In all residence districts, dwellings may set back from the street line of any street upon which it faces, the average distance of the corresponding residences on the same side of the street, within two hundred fifty (250) feet on

each side of the dwelling to be built, but if no such buildings exist, correspondingly located buildings across the street may be used to determine the set back distance, provided that in any residence district where no buildings exist on either side of the street within two hundred fifty (250) feet on each side of the proposed building, that, in a residence AAA district no dwelling shall be built less than fifty (50) feet from the street line of any street upon which it faces, or in a residence AA or A district no dwelling shall be built less than thirty-five (35) feet from the street line of any street upon which it faces, and in a residence B district no dwelling shall be built less than thirty (30) feet from the street line of any street upon which it faces, except that the minimum set back distance in all residence zones may be changed by the Planning Board according to Chapter X under the clause "Amendments". All accessory buildings shall have a set-back distance at least as great as the main building to which it is an accessory.

In a Business C district no building shall be built less than ten (10) feet from the street line of any street upon which it faces.

In an Industrial D district no building shall be built less than fifteen (15) feet from the street line of any street upon which it faces.

No farm building of accessory use, or poultry farm buildings or other buildings, other than a dwelling or roadside stand (on farm property) shall be built within sixty (60) feet of the main dwelling and to have a set-back distance from the rear of the main dwelling of at least thirty (30) feet.

ROAD SIDE STANDS: In any district where road side stands of a commercial nature are permitted, they shall not be erected or placed nearer than fifteen (15) feet from the street line of any street upon which it faces. Stands as permitted in residence zones shall have a set-back distance as granted by the Board of Appeals.

SIDE YARDS: In all residence districts there shall be side yards totaling not less than thirty-five (35) percent of the entire frontage. No dwelling in an AAA district shall be built closer to any side boundary line than thirty-five (35) feet; in an AA district the minimum distance on either side must be not less

than twenty (20) feet. Residence A districts require a side yard distance of at least fifteen (15) feet, and in a residence B district the minimum side yard distance shall be maintained at not less than ten (10) feet. Any building of accessory use may be built, provided it is not within ten (10) feet of a side lot line, or within twenty (20) feet of any other building. For the purpose of this paragraph, Garages used in connection with dwellings shall not be subject to the restrictions set forth in the paragraph, and may be built adjoining said dwelling.

No buildings in a residence AAA district shall be built within seventy (70) feet of any other building, not of accessory use. In a residence AA district, the buildings not of accessory use, must not be closer than forty (40) feet. Residence A districts can build not closer than thirty (30) feet to any building other than accessory use, and in Residence B districts the minimum distance between buildings other than those of accessory use, must not be less than twenty (20) feet. In all instances measurements may be to the nearest foot.

EXCEPTIONS: In any district a single family dwelling may be erected on any lot separately owned at the time of the passage of this ordinance, or if such lot was shown on a duly recorded plat at the time of the passage of this ordinance, and that a side yard distance of not less or more than ten (10) feet on each side will be required on lots of fifty (50) feet or less in width, if separately owned and/or duly recorded at the time of the passage and acceptance of this ordinance. A dwelling house or building in existence at the time of the passage and acceptance of this ordinance in any district may be converted for the use of more than one family, but not to exceed four (4) families; if such conversion shall not alter the exterior construction in any way except that windows, doors, entrance steps, chimneys and fire-escapes may be added.

In Business C districts, as a fire preventive measure, any building constructed nearer to a sideline of any lot than ten (10) feet, shall have a sidewall of fire-resistant material, and shall be at least three (3) feet from the side-line of any adjoining lot.

In an Industrial D district, the side-yards shall be at least fifteen (15) feet.

REAR YARDS: In residence districts, all buildings, except one story accessory buildings, shall have a back, or rear yard of approximately one-third (1/3) of its entire depth, namely eighty-three (83) feet for an AAA district; fifty (50) feet for an AA district and thirty-three (33) feet for both A and B districts.

No building of accessory use shall be built closer than ten (10) feet from the rear property line unless of fire-resistant construction and then shall be at least three (3) feet from such rear line.

SECTION VIII

HEIGHT REGULATIONS

In all residence districts no building shall be erected or altered to exceed two and one-half (2½) stories in height and shall not exceed thirty-five (35) feet in height, except that schools and municipal buildings may contain three (3) full stories, and may be erected as high as forty-five (45) feet.

The height of any building shall start from the average level of the ground on which the structure shall stand and to be measured in a vertical direction to the ridge of the roof.

The limit of height in feet shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, or other accessories usually carried above the roof, nor to towers or spires of churches, if such features are in no way used for living purposes.

The limit of height in Business C, or Industrial D districts shall be three stories not to exceed forty (40) feet.

Between the lines of streets intersecting at an angle of less than one hundred and thirty-five (135) degrees and a line joining points on such lines, twenty (20) feet distance from their point of intersection, no building or structure may be erected and no vegetation may be maintained above a height three and one-half (3½) feet above the plan through their curb grades.

A habitable basement or attic shall be counted as a story, except that a story in a sloping roof, the cubic contents of which does not exceed two-thirds (2/3) of the story below, shall be called a half (½) story.

ENFORCEMENT: This by-law shall be enforced by the Board of Selectmen through the Building Inspector. Any interested person may apply for relief in the Superior Court against violation of this by-law.

The Building Inspector shall issue no permit for the erection or alteration of any building, or part thereof, plans and specifications and intended use and location of which are not in all respects in conformity with the provisions of this by-law.

PROCEDURE: Petitions for permits must be written and must describe the location of the premises concerned, the nature of the permit sought, and be accompanied by a plat showing the location and dimensions of the lot and of existing or proposed buildings thereon. Conditions not inconsistent with the law may be affixed to any permit granted by the Building Inspector, or by the Board of Appeals. Before granting a permit the Inspector or the Board may require the petitioner to pay all estimated cost of public notices.

A building and use permit shall be issued by the Building Inspector within fourteen (14) days from the date of such application, provided that the Inspector is satisfied that the proposed construction and/or use conforms with the provisions of this by-law, and the building laws.

In connection with each petition, the Building Inspector shall make a report, to be filed in his office, of the reason for granting, or refusing such petition, and a copy of the permit, if granted, on file in his office and available for public inspection.

Any application that may not, in the Inspector's judgment conform to these by-laws may be submitted, by the applicant, or his agent, to the Board of Appeals for their interpretation and decision, by filing with the said Board or Inspector, a notice of Appeal, in accordance with the Rules of the Board on file with the Town Clerk and in accordance with Section 30, Chapter 40 of the General Laws.

The Superior Court, (Section 30, Chapter 40 of the General Laws) shall have jurisdiction in equity to enforce the provisions of Sections twenty-five to thirty, inclusive, and any ordinance or by-laws made thereunder, and may restrain by injunction violations thereof.

Any building existing at the time this by-law is adopted and not conforming to the provisions of Section eight (8) of these by-laws, may, if destroyed, be rebuilt on or within the same foundation lines and for the same purpose.

BOARD OF APPEALS: The Board of Appeals shall consist of three (3) members, who are citizens, living within the confines of the Town, and to be appointed by the Board of Selectmen in accordance with provisions of Section 30, Chapter 40 of the General Laws. There shall also be appointed by the Board of Selectmen, one (1) Associate Member of the Board of Appeals, also a citizen living within the confines of the town for particular cases, when needed, in accordance with the provisions of the same Section of the General Laws.

SECTION IX

BUILDING REGULATIONS

No building shall be erected for use as a residence or dwelling in any district, which shall have less than four hundred and eighty (480) square feet on the first floor area, if all finished rooms are to be on the first floor. If the proposed building is to be one and one-half (1½) stories or more, with at least one finished room on the second floor, then, the first floor area shall have not less than four hundred (400) square feet of floor space, inclusive of cupboards, hallways, and closets.

SECTION X

MISCELLANEOUS

FILLING STATIONS: No filling station or gasoline pumps shall be erected within fifty (50) feet of a dwelling or within two hundred (200) feet of an entrance or exit of a school, playground, public library, church, hospital or children's home, provided that the Board of Appeals may on application and after public notice and hearing, (and subject to such conditions and safeguards as said Board shall deem necessary in the public safety) authorize the erection of a filling station in such districts.

Plans for the erection or structural alteration of any motor fuel filling station to be erected, shall be approved by the Board of Appeals and said Board may require such changes as

it may deem necessary to minimize traffic difficulties and safeguard adjacent property.

VALIDITY: If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

AMENDMENTS: The Planning Board upon its own initiative may, and upon petition shall, hold public hearings, notice of which shall be given, for the consideration of any amendments to the zoning map or to this by-law, and report to a regular or special town meeting, its recommendations as to what action shall be taken. No hearings shall be held or appeals considered for any variation or change of district boundaries except as provided in Section 27, Chapter 40, of the General Laws, and in this section or amendments. A two-thirds (2/3) vote of any town meeting is necessary for any change of the zoning laws.

Seekonk, Mass., October 15, 1942.

Approved by the Planning Board.

REUBEN BARBER, *Chairman*
EDNA M. MARTIN, *Secretary*
PHILIP L. BROWN
CLARENCE J. CONYERS
MANUEL L. MELLO
CHARLES W. TOMPSON
CURTIS E. RINEBOLT

November 14, 1942.

The foregoing by-laws are hereby approved.

ROBERT T. BUSHNELL,
Attorney General.

Seekonk, Mass., December 1950

This is the second printing of the Zoning Laws and includes amendments and additions as voted on May 2, 1949 and approved by the Attorney General on January 18, 1950.

TOWN OF SEEKONK

SUBDIVISION REGULATIONS
ADOPTED UNDER SECTION 81-L OF CHAPTER 41
OF THE GENERAL LAWS
(For matters not covered by these regulations, reference is made to Sections 81-K to 81-U, inclusive, of the above chapters)

Adopted June 23, 1949

Verified and Printed December 1950

SECTION I.

SUBMISSION AND APPROVAL OF PLAT

A. GENERAL

No person shall make a subdivision (within the meaning of the statute) of any lot, tract or parcel of land within the town, or proceed with the platting, improvement or sale of lots in a subdivision, without first submitting to the Planning Board for approval a Record Plat of such subdivision.

B. PRELIMINARY PLAT

A Preliminary Plat may be submitted by the subdivider for tentative approval by the Board prior to the submission of his Record Plat, and it is strongly recommended that a Preliminary Plat be filed in every case.

C. CONTENTS OF PRELIMINARY PLAT

The Preliminary Plat may be drawn on paper with pencil, preferably on a scale of one inch to each one hundred feet, shall be filed in duplicate and shall show:

(1) Subdivision name, north point, date and scale.
(2) Name and address of record owner, subdivider and designer or surveyor.
(3) Names of all abuttors, as determined from the most recent local tax list.
(4) Existing and proposed lines of streets, ways, easements and public areas within the Plat.
(5) Proposed system of drainage.
(6) Lot lines with approximate dimensions.
(7) Location, names and present widths of adjacent streets.
(8) Topography with two-foot contour intervals, when required by the Board.

(9) Profiles of Proposed Streets, when required by the Board. (May be submitted separately).

D. TENTATIVE APPROVAL OF PRELIMINARY PLAT

The Preliminary Plat, if submitted, will be studied in order to determine whether it is in compliance with the requirements of design adopted by the Board (See Section 2). Within forty-five days, after receipt by the Board at an executive session, the Board shall tentatively approve, disapprove, or approve with modifications the Preliminary Plat, noting thereon any changes that should be made. One copy of the Plat will be returned to the subdivider and notice of such action sent to the Town Clerk. Tentative approval shall not become final until consideration of the Record Plat after a public hearing as required by statute and approval of such Plat. Unless a Final Plat prepared in accordance with the approved Preliminary Plat, including the modifications thereof, if any, made by the Board, is filed with the Board within six months after the approval of the Preliminary Plat, the Board's approval thereof shall be deemed cancelled.

E. RECORD OR DEFINITIVE PLAT

The subdivider shall file with the Board an original drawing of the Record Plat and two prints thereof.

The Record Plat should be accompanied by:

(1) A fee of $20.00, half of which will be returned if no hearing is advertised.
(2) A properly executed application form, dedication form, and designers, certificate, in accordance with forms on file with the Board.

F. CONTENTS OF RECORD PLAT

The Record Plat should be prepared by a competent designer or surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth in suitable overall dimensions. The drawing shall be at a scale of one inch to each fifty feet or such scale as the Board may prescribe as being adequate to show details clearly.

The Record Plat shall contain the following information:

(1) Subdivision name, north point, date and scale.
(2) Name and address of record owner, subdivider and designer or surveyor.

(3) Names of all abuttors, as determined from the most recent local tax list.

(4) Existing and proposed lines of streets, ways, lots, easements and public areas within the Plat.

(5) Sufficient data to determine readily the location, bearing and length of every street and way line, lot line and boundary line and to reproduce same on the ground; all bearings to be referred to true meridian.

(6) The location of all permanent monuments.

(7) Profiles of proposed streets, on a horizontal scale of fifty feet to an inch and vertical scale of four feet to an inch, unless otherwise authorized; all elevations to refer to U. S. Coast and Geodetic Survey bench marks. (Profiles may be on same sheet as Plat if space is suitable or may be on separate tracing cloth of same dimensions as Plat sheet).

(8) Plans and profiles shall bear the proposed names of proposed streets in pencil only until after they have been approved by the Board.

(9) When the subdivision is a replat, the area which has been vacated (the old plat) shall be shown in dotted lines, and the new plat shall be indicated in solid lines.

If no Preliminary Plat has been submitted containing such information, the Record Plat, or supplemental plats filed therewith, shall also show:

(10) Location, names and present width of adjacent streets.

(11) Proposed system of drainage.

(12) Topography with two-foot contour intervals, when required by the Board.

G. BOUNDARY MARKS AND MONUMENTS

The Board will not approve a Record Plat unless there have been installed marks or monuments of stone, concrete or iron pipe at all intersections of streets with each other, or with Plat boundary lines and at all lines where there is a change in direction of curvature.

H. FINAL APPROVAL

(1) The Board will set a time for and, after notice as prescribed by law, hold a Public Hearing within thirty

days of the receipt of the Record Plat by the Board in executive session. The Record Plat shall be studied by the Board and its compliance with the requirements adopted by the Board (Section 2), its conformity with the tentatively approved Preliminary Plat, if any, and its compliance with the provisions of these regulations shall be considered and determined. Unless a bond has been given as provided in Section 3, final approval shall be subject to improvement requirements as set forth in said section. Final approval, if granted, shall be attested on the original drawing of the Record Plat by the signatures of a majority of the members of the Board, or a duly authorized officer of the Board. Final approval of a plat by the Board shall not be deemed the laying out or acceptance by the Town of any way or other public improvements shown on such plat.

(2) The Record Plat, bearing an endorsement of approval, as aforesaid, shall be forwarded to the office of the appropriate registry of deeds by the Planning Board within thirty days of final approval, and copies at the same time shall be sent to the Town Clerk and the Town Tax Assessors.

SECTION II

REQUIREMENTS OF AN APPROVED SUBDIVISION

A. SUITABILITY OF THE LAND

No plat of a subdivision of land for residential use shall be approved unless, after adequate investigation, the Board determines that the land can be used for residential purposes without danger to health.

B. SUITABILITY OF STREET SYSTEM

No plat of a subdivision shall be approved unless the ways and streets shown on the plat comply with the following requirements:

Location and alignment

(1) The street system shall conform to the Master Plan, if any, of proposed principal streets as adopted in whole or in part by the Board.

(2) Streets shall be continuous and in alignment with existing streets, as far as practicable.

(3) Provision shall be made for the proper projection of streets, if adjoining property is not subdivided.

(4) The minimum center-line radii of streets shall be one hundred feet; greater radii may be required for principal streets. All curved streets must be designed to permit safe vehicular travel.

(5) Any permanent dead-end street shall be provided with a circular turn-around at the end having a curb radius not less than forty-five feet.

(6) In the event a subdivider desires to plat his land in sections the Board may require a proposed plan of the subdivisions as a whole so as to assure logical development of the area. When partial development of such an area involves temporary dead-end streets, the Board may require that such progressive extension shall include a temporary turn-around, or other means to avoid a dead-end public way. This temporary turn-around may be shown on the Record Plat drawing in dotted line and should be marked clearly "temporary". The aforesaid temporary turn-around is not required to be dedicated.

Width

(1) The minimum width of street rights-of-way shall be forty feet. A greater width may be required for principal streets.

(2) Street lines at intersections shall be cut back so as to provide for curb radii of not less than twenty feet.

Grade

(1) Grades of all streets shall be the reasonable minimum, but shall not be less than 0.5% nor more than 6% for principal streets, or more than 12% for minor streets.

C. PUBLIC OPEN SPACES AND PROTECTION OF NATURAL FEATURES

The Board shall require in proper cases that the Plat show a park or parks suitably located for playground or recreation purposes.

Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the property.

D. GENERAL

A variation of the requirements of this section may be permitted when, in the opinion of the Board, topography or other consideration necessitates such variation.

SECTION III

SANCTIONS TO ENFORCE CONSTRUCTION OF PROPOSED IMPROVEMENTS

A. REQUIREMENT OF BOND

Before approval of a Record Plat of a subdivision, there shall be filed by the subdivider a bond in the amount determined by the Board to be sufficient to cover the cost of the improvements specified below, and approved as to form and sureties by the Town Treasurer, conditioned on the completion of such improvements within two years of the date of the bond.

(1) Each street or portion thereof necessary to adequately serve such lot shall be brought to finish grade as indicated on the Record Plat, to a width of not less than twenty-two feet, with top six inches consisting of good binding gravel properly rolled and surface-treated with not less than one-half gallon of oil per square yard. The center of said travelled way shall coincide with the center of the full right-of-way insofar as possible, and in no event shall it vary by more than four feet in either direction.

(2) Adequate disposal of surface water shall be provided for in a manner satisfactory to the Board with respect to each street or portion thereof required to adequately serve such a lot.

(3) Water pipes and related equipment such as hydrants and main shut-off valves shall be constructed to serve such lot in said street or portion thereof in conformity with specifications of the Seekonk Water District.

B. CONDITIONAL APPROVAL

Instead of requiring a bond, the Board may approve a Plat on condition that no lot in the subdivision shall be sold until the improvements specified in the preceding paragraph are constructed and installed so as adequately to serve such lot. Upon the completion, to the satisfaction

of the Board, of the required improvements necessary to adequately serve all platted lots, or, if so requested by the subdivider, any group of such lots, their minimum number to be determined by the Board at not less than two nor more than ten such lots, the Board will execute and deliver to the subdivider a Release of Restrictions and thereafter the restrictions relating to the lots listed therein shall terminate.

Forms:

Forms for submitting plans for subdivision of land may be obtained by applying to Planning Board, Town Clerk or clerk of the Board of Selectmen.

CHAPTER 50

AN ACT TO FURTHER CLARIFY AND AMEND THE LAW PROVIDING AN IMPROVED METHOD OF MUNICIPAL PLANNING

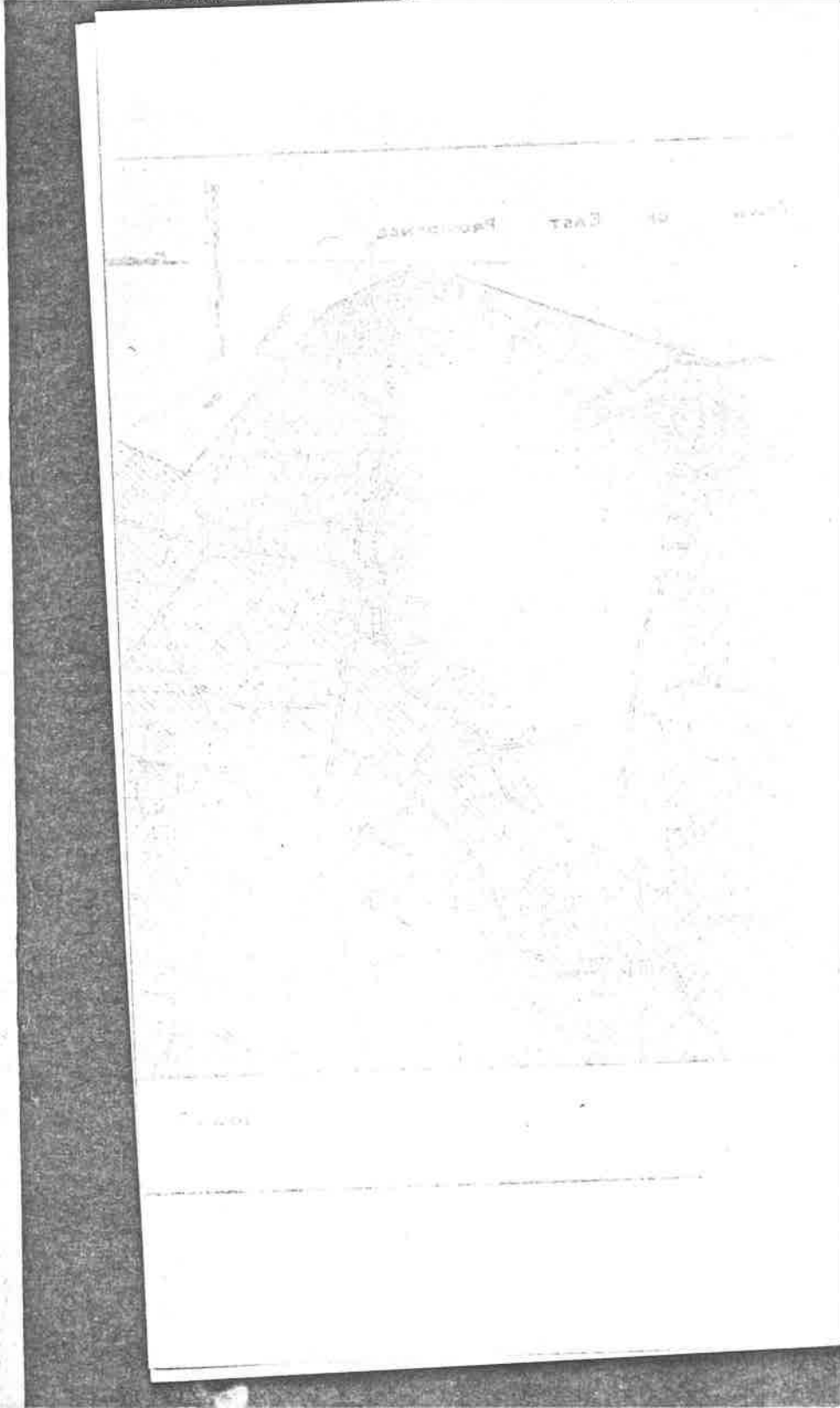
Section 81-L of chapter 41 of the General Laws, inserted by section 4 of chapter 340 of the acts of 1947, is hereby amended by inserting after the first sentence the following sentence:

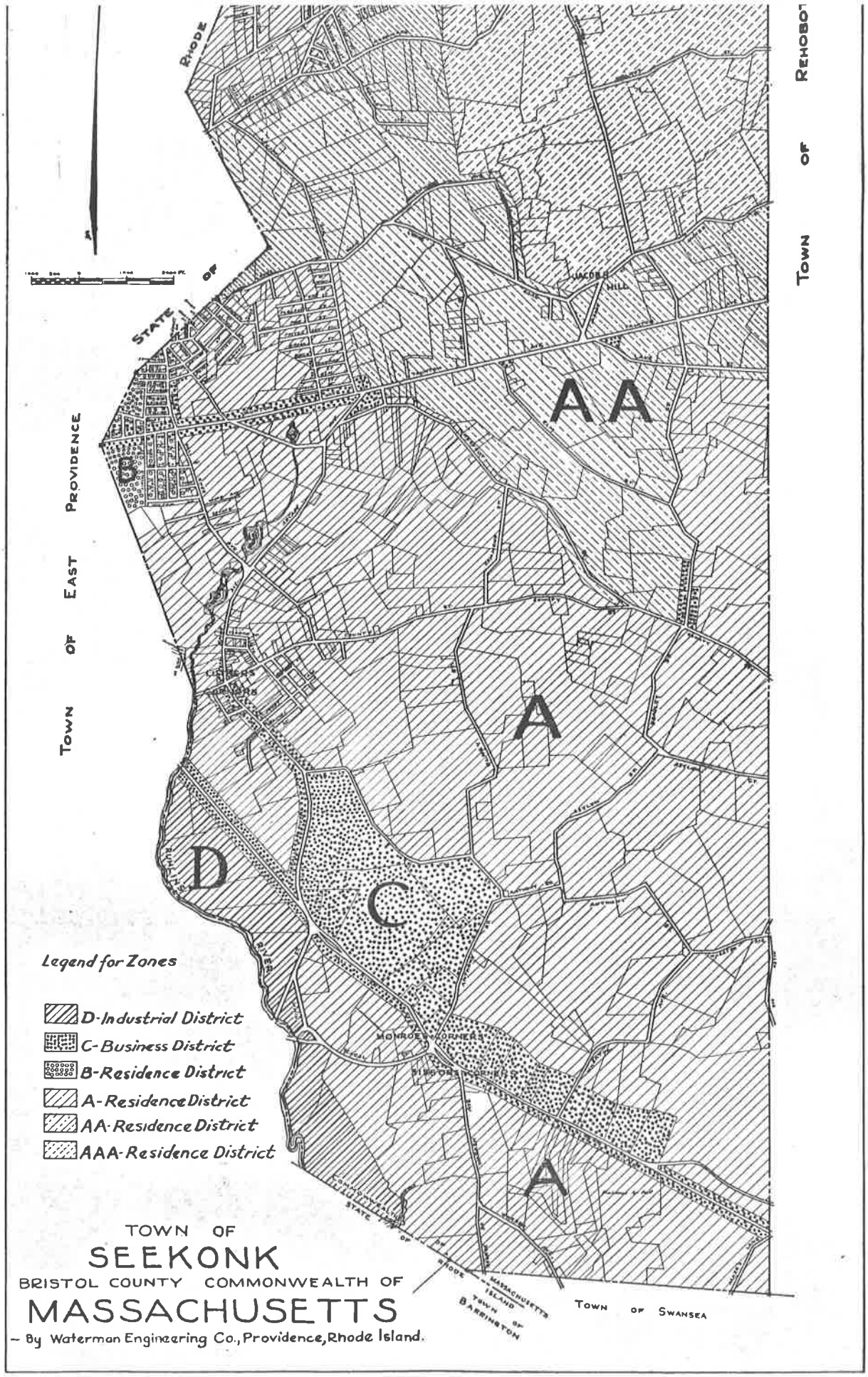
> Every such person so submitting a plat to the planning board of a city or town shall send notice to the clerk of such city or town by registered mail, postage prepaid, that he has submitted such a plat, and such notice shall describe the land to which the plat relates sufficiently for identification and shall state the date when such plat was submitted; and the facts stated in such notice shall be taken by such city or town clerk as true, unless the contrary is made to appear.

Approved February 3, 1950
Effective May 3, 1950

SEEKONK PLANNING BOARD
CHARLES W. TOMPSON, *Chairman*
NICHOLAS MONSARRAT, *Secretary*
D. EARLE YAGHJIAN
D. FRANCIS STURTEVANT
WORTH BURRELL
D. EARLE STONE
HARRY H. TILLEY

This is the second printing of the Zoning Laws and includes amendments and additions as voted on May 2, 1949 and approved by the Attorney General on January 18, 1950.





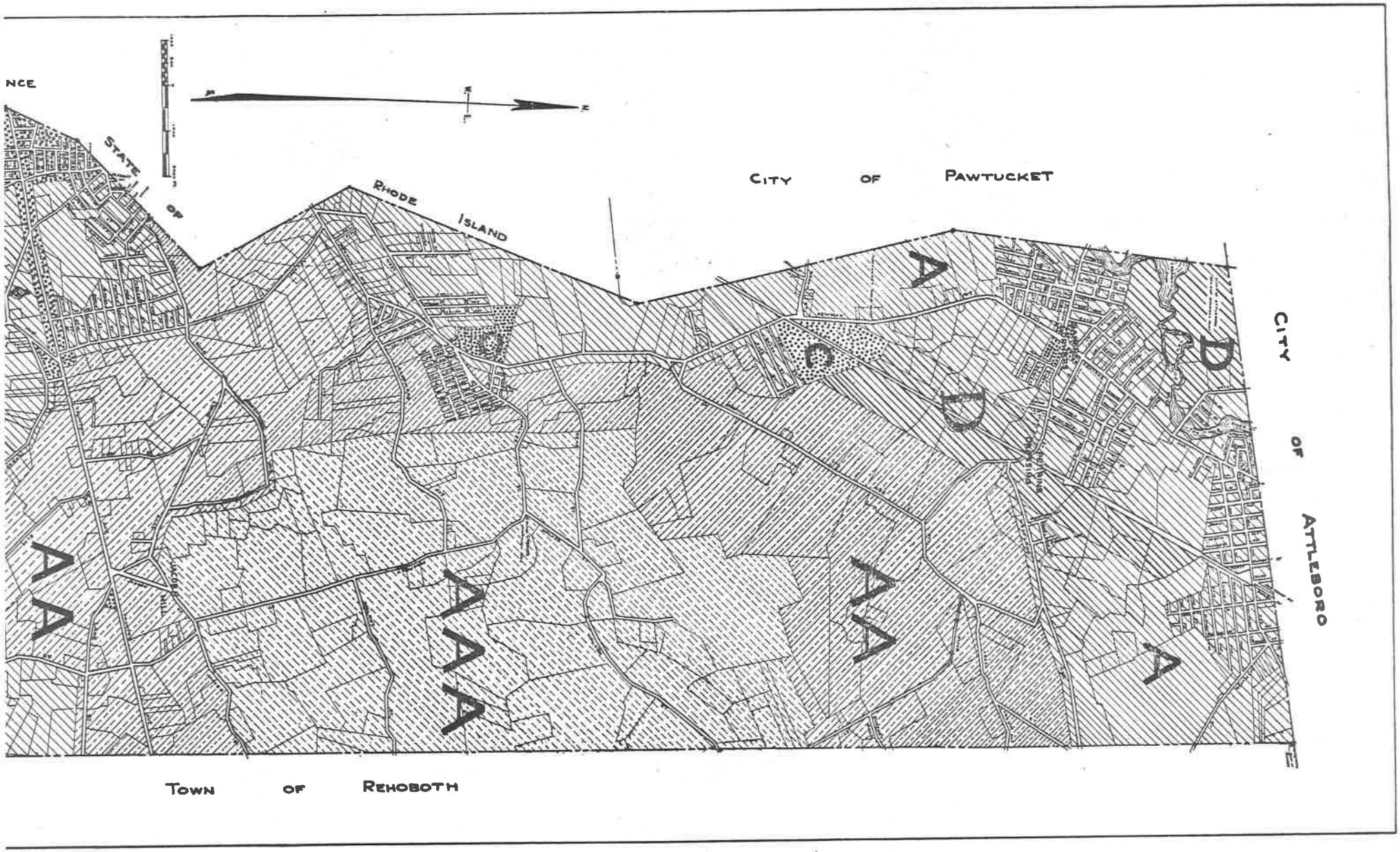
TOWN OF

SEEKONK

BRISTOL COUNTY COMMONWEALTH OF

MASSACHUSETTS

– By Waterman Engineering Co., Providence, Rhode Island.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STATE OF
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