

1069

ZONING BY-LAWS
OF THE
TOWN OF SEEKONK,
MASSACHUSETTS

APPROVED OCTOBER 2, 1958

INCORPORATING SUBSEQUENT REVISIONS THRU TOWN MEETING
CONCLUDED OCTOBER 2, 1973

The following by-laws having been adopted by the town on April 28th, 1958, and approved by the Attorney General of the Commonwealth of Massachusetts October 2nd, 1958, supersede the original Zoning Law approved November 14, 1942, and its ammendments.

SEEKONK PLANNING BOARD

Raymond C. Stebenne, Chairman
Francis B. Carpenter, Clerk
Raymond F. Sturtevant
Howard L. Snow, Jr.
Edward C. Pray
Thomas Dixon
Harrison Heurberger

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**SECTION 1.
PURPOSE**

The districts and regulations pertaining thereto as herein set forth are made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals, and general welfare of the community. They are designed to lessen congestion in streets, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, and to facilitate adequate provisions of transportation, water, sewerage, schools, parks and other public requirements. They are made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town.

**SECTION 2.
DEFINITIONS**

In this by-law words used in the present tense include the future, the singular includes the plural and the plural the singular, The word "used" includes "designed, intended or arranged to be used." The following terms for the purposes of this by-law are defined as follows:

ACCESSORY BUILDING:

A subordinate building customarily incident to and located on the same lot with the principal building or use.

BUILDING HEIGHT:

The vertical distance measured from the average elevation of the finished lot grade at the front of the building to the highest point of the top story in the case of a flat roof or to the mean height between the plate and the ridge in the case of a pitched roof. In determining building height, belfries, steeples, chimneys, outdoor theatre screens, and similar projections shall be excluded.

CORNER LOT:

A lot at the junction of and fronting on two or more public ways intersecting at an angle of less than 135 degrees.

DWELLING:

Any building used in whole or in part for habitation as approved in accordance with the town building code.

LOT:

A parcel of land defined by metes, bounds, or boundary lines in a recorded deed or shown on a recorded plan or plat.

STORY:

That portion of a building between the upper surface of any floor and the upper surface of the floor next above, having more than one-half of its height above the average elevation of the finished lot grade adjoining the building and any portion of a building, used for human occupancy between the topmost floor and the roof.

STREET:

A public way established by or maintained under public authority.

STREET LINE:

The dividing line between a public way and an adjacent lot.

STRUCTURE:

Anything erected requiring location on the ground or attachment to something having location on the ground.

TRAILER:

Any vehicle basically designed for human habitation and for occasional or frequent mobile use whether on wheels or rigid support.

YARD:

A required space on a lot, open, and unoccupied and unobstructed by structures, except as otherwise provided in this by-law.

YARD, FRONT:

A required yard extending across the full width of the lot adjacent to the front street line.

YARD, REAR:

A required yard extending across the full width of the lot adjacent to the rear lot line.

YARD, SIDE:

A required yard extending from the rear of the required front yard, or from the street line where no front yard is required, to the front of the required rear yard, or to the rear lot line where no rear yard is required.

YARD, INTERIOR SIDE:

A required side yard not adjacent to a public way.

YARD, CORNER SIDE:

A required side yard adjacent to a public way.

SECTION 3.

**ESTABLISHMENT
AND CLASSIFICA
TION OF DISTRICTS**

3.1 DISTRICTS

For the purpose of this ordinance, the Town of Seekonk is hereby divided into seven classes of districts, designated as follows:

Residence AAA Districts
Residence AA Districts
Residence A Districts
Local Business Districts
Highway Business Districts
Planned Districts
Industry Districts

3.2 DISTRICT BOUNDARIES

- 3.2.1 The boundaries of said districts are hereby established as shown on the Seekonk, Massachusetts, Zoning Map, dated 1958, which is hereby made part of this by-law and which is on file in the offices of the Building Inspector and of the Town Clerk.
- 3.2.2 Unless otherwise shown on the Seekonk Massachusetts, Zoning Map, the boundary lines of districts are lot lines, center lines of streets or alleys, or such lines extended, railroad right-of-way lines, or the center lines of water courses.
- 3.2.3 A district boundary otherwise shown and approximately parallel to a street, railroad, or water course line shall be deemed to be parallel to such line, and the figure placed on the zoning map between the boundary and such line shall be the distance in feet between them, as measured at a right angle from such line unless otherwise indicated.
- 3.2.4 Questions concerning the exact location of district boundary lines as shown on the zoning map shall be decided by the Board of Appeals after consultation with the Planning Board.

3.3 LOTS IN MORE THAN ONE DISTRICT

Where a district boundary line divides a lot, the regulations applicable to the less restricted portion of such lot may extend not more than 30 feet into the more restricted portion.

SECTION 4.

**GENERAL
PROVISIONS**

4.1 ZONING AFFECTS EVERY STRUCTURE AND USE

No structure or land shall be hereafter used and no structure or part thereof shall be erected, altered, or moved unless in conformity with the

regulations herein specified for the district in which it is located, except as otherwise provided.

4.2 RECORDED LOTS OF LESS THAN MINIMUM SIZE

4.2.1 A nonconforming lot is a lot of less than minimum size as defined in Section 6 of this by-law and recorded prior to November 14, 1942.

4.2.2 If two or more adjacent nonconforming lots are in the same ownership on the date of adoption of this by-law, and such combination of nonconforming lots, or a portion thereof, constitutes a lot of minimum size as defined in Section 6 of this by-law, such combinations or portions shall be considered as conforming to the requirements of this by-law and no structure may be constructed thereon unless it meets the requirements of this by-law. If such combination or portion does not contain sufficient area to permit conformance with Section 6, a structure may be constructed thereon, subject to the approval by the Board of Appeals.

4.3 ONLY ONE DWELLING ON ANY LOT

In no case shall there be more than one main residential building and its accessory buildings on one lot.

4.4 CORNER VISIBILITY

Within any required front or corner side yard on any corner lot, no wall, fence, sign post, structure, hedge, shrub, or other obstruction to visibility shall be permitted between the heights of 2½ feet and 10 feet above the existing grade within 70 feet of the intersection of any street right-of-way lines or their extension.

4.5 REDUCTION OF LOT AND YARD AREAS PROHIBITED

No lot, yard, frontage, required open space, or parking area shall be so reduced, diminished, or maintained that yards, other open spaces, total lot area or parking area shall be smaller than prescribed by this by-law. After the date of adoption of this by-law, land in all residence districts shall be sub-divided so that every lot conforms to this by-law.

4.6 REQUIRED YARDS CANNOT BE USED BY ANOTHER BUILDING

No part of a yard, parking space, or other open space required for any building or use for the

purpose of complying with the provisions of this by-law shall be included as part of a yard, parking space, or other open space required under this by-law for another building except as provided in Section 10.6.

SECTION 5.
NON-CONFORMING
USES

5.1 DEFINITION

Any lawful building or structure or any lawful use of land, building, or structure which is not an authorized use in the district in which it is located by virtue of the adoption or subsequent amendment of this by-law is a nonconforming use and may be continued subject to the following provisions:

5.2 EXTENSION

5.2.1 A nonconforming structure or use of land may be extended provided such extension is shown on plans or designs in existence on the date of adoption of this by-law and provided further that such nonconforming structure or use of land shall after extension conform to the requirements of Sections 10 and 11.

5.2.2 Land being used for the commercial dumping of rubbish, refuse, or other waste material at the time of passage of this by-law may be extended throughout the area in the same ownership designated for such dumping upon authorization by the Board of Appeals and the Board of Health.

5.3 MOVING

A nonconforming building or structure may be moved in whole or in part if such building or structure is made to conform to all the regulations of the district in which it is to be located.

5.4 DISCONTINUANCE OF NONCONFORMING USES

5.4.1 No building, structure, or premises where a nonconforming use, other than an agriculture, horticulture, or floriculture use, has ceased for more than two years shall again be devoted to a nonconforming use. No nonconforming agriculture, horticulture, or floriculture use which has ceased for more than five years shall be devoted to a nonconforming use.

5.4.2 No building or nonconforming use which has been damaged by fire or other cause to the extent of more than three-fourths of its value, as determined by the Building Inspector and insurance adjustors assigned to the case, shall be repaired

or rebuilt except in conformity with this by-law.

**SECTION 6.
RESIDENCE
DISTRICTS**

RESIDENCE AAA RESIDENCE AA RESIDENCE A

6.1 USES PERMITTED

Single-family dwellings (but not including mobile trailers as herein defined); philanthropic and religious purposes; public, private, or parochial schools; colleges; municipal recreation areas; libraries; museums; farms devoted principally to the raising of crops; accessory building and uses; commercial greenhouses on lots of over 45,000 square feet in size.

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

Trailers, as a temporary office or dwelling incidental to continuous construction on the site on which the trailer or mobile home is located; hospitals or sanitariums; municipal, state or federal uses; public utilities; golf courses; fraternal or civic buildings; farms devoted principally to the raising of livestock; cemeteries other than those associated with religious institutions; conversion of a single-family structure to contain no more than two dwellings provided that each resulting dwelling shall contain a minimum floor area of 800 sq. feet and provided further that the lot area is at least double the lot area required in the district; hen houses; stables; kennels; in all cases subject to the regulations of the Board of Health.

**6.3 MINIMUM LOT
AREA**

62,500 sq. ft.

Dwellings 22,500 sq. ft., other uses 45,000 sq. ft.
Dwellings 14,400 sq. ft., other uses 45,000 sq. ft.

**6.4 MINIMUM LOT
WIDTH, MEASURED
AT THE REAR OF
THE REQUIRED
FRONT YARD
and
MINIMUM LOT
WIDTH, MEASURED
AT THE STREET LINE**

250 ft.
and
200 ft.

150 ft. and 120 ft.
Dwellings 120 ft., other uses 150 ft.
and
Dwellings 100 ft., other uses 120 ft.

**6.5 MINIMUM DEPTH
OF FRONT YARD
AND OF CORNER
SIDE YARD (SEE
SECTION 13 FOR
FRONT YARD EXCEP-
TION PROVISIONS)**

50 ft.

Dwellings 35 ft., other uses 50 ft.
Dwellings 35 ft., other uses 50 ft.

	RESIDENCE AAA	RESIDENCE AA	RESIDENCE A
6.6 MINIMUM DEPTH OF REAR YARDS	80 ft.	50 ft.	25 ft.
6.7 MINIMUM DEPTH OF BOTH FRONT AND REAR YARDS			50 per cent of longest side lot
6.8 MINIMUM WIDTH OF BOTH INTERIOR SIDE YARDS	35 per cent of lot frontage	35 per cent of lot frontage	35 per cent of lot frontage
6.9 MINIMUM WIDTH OF EITHER INTERIOR SIDE YARD	35 ft. plus 5 ft. for each story over one	Dwellings 20 ft.; accessory uses; see Section 6.12; uses other than dwellings and accessory uses 50 ft.	Dwellings 15 ft.; uses other than dwellings and accessory uses 50 ft.
6.10 MAXIMUM HEIGHT	3 stories	3 stories	3 stories

6.11 HOME OCCUPATIONS

Home occupations customarily conducted entirely within a dwelling such as custom dressmaking, millinery, tailoring, and fabric sewing; foster family care of not more than four children; office in which goods, wares or merchandise are not commercially created or handled; and rooming and boarding of not more than two persons are permitted in all Residence Districts provided that any such home occupation:

- 6.11.1 shall be operated entirely within a dwelling unit and shall have no exterior displays or storage;
- 6.11.2 shall be operated only by the person or persons residing within the dwelling unit;
- 6.11.3 may display only one sign of not more than 3 square feet lighted only by non-flashing and non-animated incandescent illumination;
- 6.11.4 shall utilize not more than 20 percent of the gross area in the dwelling unit but in any event not more than 300 sq. ft.
- 6.11.5 shall have not more than one employee or regular assistant not residing in the dwelling unit.

6.12 LOCATION OF DETACHED PRIVATE GARAGES AND OTHER DETACHED ACCESSORY BUILDINGS

A detached garage or other accessory buildings other than roadside stands shall not be located in

any required front or side yard, within ten feet of any rear lot line and less than ten feet from any other building.

Accessory farm buildings, except roadside stands, shall be located at least 60 feet from any dwelling. Roadside stands shall be located at least 25 feet from any street line.

6.13 LOCATION OF ATTACHED GARAGES OR CARPORTS

An attached garage or carport shall not be located nearer to the front and side lot lines than the minimum distance provided herein for the main building.

6.14

No single story or unfinished one and one-half dwelling with less than 763 square feet of living area shall be allowed; living area shall be defined as that area measured at outside dimensions of foundation and shall exclude porches, breezeways, attached garages or utility rooms used for central heating.

7.1 USES PERMITTED

Residence district uses permitted in Section 6.1 and 6.2 except dwellings, farms, hen-houses, stables and kennels.

SECTION 7 LOCAL AND HIGH- WAY BUSINESS DISTRICTS

LOCAL BUSINESS

Retail stores and service establishments--the principal activities of which are the selling of services or 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.

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--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 recreational 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

LOCAL BUSINESS

HIGHWAY BUSINESS

cleaning plants, ice plants, soft drink bottling plants, printers, provided such establishments comply with industrial district construction and operation standards and limitations.

Automobile service stations-- provided that any building or facility within a service station site shall be at least 50 feet away from any residential district boundary and be at least 200 feet 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 6 feet high is erected and maintained between such uses and any adjoining residence district. That the minimum frontage measured at the street line shall be 150 feet and if a corner lot, it shall be 150 feet on both streets. That the minimum lot area shall be 15,000 sq. ft. or if a corner lot, 22,500 sq. ft.

7.3 SCREENING

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 ft. high erected and maintained where necessary to conceal such areas or facilities from adjoining residence districts.	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 ft. high is erected and maintained between such use and any adjoining residence district.
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7.4 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

40 per cent

30 per cent

7.5 MINIMUM DEPTH OF FRONT YARD

50 feet

70 feet

7.6 MINIMUM WIDTH OF SIDE YARD

None except 50 feet from a side street provided that on lots of less than 90 feet in width, the

Building Inspector may reduce the side street side yard requirement but in no case shall he reduce the side street side yard to less than the depth of the required front yard of adjacent lots on the side street.

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.

7.7 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.

7.8 EXTERIOR LIGHTING

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

SECTION 8 PLANNED DISTRICTS

8.1 DEFINITION AND INTENT

A planned district is a district requiring a change in the boundaries of districts established by this by-law for the construction of two or more commercial or industrial uses. Planned districts may be for commercial use--PLANNED DISTRICT COMMERCIAL--or industrial use--PLANNED DISTRICT INDUSTRIAL. Such districts may be established from time to time in such a manner as best to fit the general pattern of land use established by this by-law and to constitute a harmonious, efficient, and convenient commercial or industrial center.

8.2 SITE PLAN PREREQUISITE FOR APPROVAL

Any amendment to this zoning by-law by which a planned district may be established shall be adopted in accordance with the provisions of Section 17 of this by-law and only after a site plan for said district shall have been reviewed and given final approval by the Seekonk Planning Board. Any such adoption shall become effective only after the site plan has been recorded with the Planning Board and Bristol County Registry of Deeds. Site plans as recorded may be revised provided such revisions are approved by the Town authority having appropriate jurisdiction, after a public hearing and after such revisions shall have been recorded with the Planning Board and the Bristol County Registry of Deeds.

8.3 CONTENT OF SITE PLAN

8.3.1 A site plan for a planned district shall indicate the location of main and accessory buildings on the site and the relation of one to another, the traffic circulation features within and without the site, the height and bulk of buildings, the provision of off-street parking and loading spaces, the location of other open spaces

on the site, the location and design of signs, and the description of uses of buildings and areas, provided, however, that the uses of buildings and areas which by virtue of the design of the building or area may be occupied by more than one type of enterprise need not be designated.

- 8.3.2 A site plan for a planned district commercial shall provide:
 - 8.3.2.1 Front, side, and rear yards of depth at least as great as those required in highway business districts.
 - 8.3.2.2 A wall of solid appearance or tight evergreen hedge at least 6 feet high to be erected and maintained in any side or rear yard adjacent to a residence district.
 - 8.3.2.3 Paved parking areas in a ratio of at least four square feet of parking area (including driveways) for each one square foot of gross floor area designed for retail business or service establishment use and excluding basement storage area.

- 8.3.3 A site plan for a planned district industrial shall provide:
 - 8.3.3.1 Front, side, and rear yards of depths at least as great as those required in industry districts.
 - 8.3.3.2 A wall of solid appearance or tight evergreen hedge at least 6 feet high to be erected and maintained, said wall or hedge to be required in accordance with the provisions of Section 9.5.4.
 - 8.3.3.3 Parking areas constructed in conformance with the provisions of Section 10.7

- 8.3.4 In considering any site plan for a planned district the Planning Board shall assure safety and convenience of traffic movement, both within the area covered by the plan and in relation to access streets, and harmonious and beneficial relations between the planned district and contiguous and adjacent neighborhoods.

8.4 DURATION OF APPROVAL

Any amendment to this by-law by which a planned district is established shall cease to be in effect

three years from the date of its adoption unless a building permit for construction in the planned district shall have been taken out. The zoning classification of any planned district which has ceased to be in effect shall revert to the classification in effect before the adoption of the appropriate planned district amendment.

**SECTION 9.
INDUSTRY
DISTRICTS**

The following provisions shall apply to industry districts:

9.1 PROHIBITED USES

Within any industry district the following are declared to be non-industrial uses and no building may hereafter be constructed and no land hereafter may be used in whole or in part therefor: Dwellings; business district uses, except as provided in Section 9.3.

9.2 PERMITTED USES

Within an industry district industrial uses are declared to be the uses of land and buildings for administration, research, manufacturing, processing, fabrication, assembly, associated storage, freight handling or similar operation, but excluding junk and used material storage or salvage operations, which are not pertinent to a manufacturing or fabrication use on the premises. Any land or buildings in an industry district may hereafter be used or constructed to be used for any industrial use, provided the construction and operation of such use complies with all the provisions of this section.

9.3 USES PERMITTED AFTER APPROVAL BY THE BOARD OF APPEALS

Banks, restaurants, and other business district uses consistent with the requirements of an industry district.

9.4 CONSTRUCTION AND OPERATION STANDARDS AND LIMITATIONS

9.4.1 Building Construction--All buildings shall be of fireproof construction as established by the building by-laws of the Town of Seekonk.

9.4.2 Hazard to Adjacent Property--Any industrial operation shall be carried on in such a manner and with such precautions against fire and explosion hazards as to produce no such hazard to a use on adjacent property.

- 9.4.3 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. It is the intent of this paragraph that odors from any industrial use hereafter begun shall not be observable at the property line to a greater degree than those from plants for the manufacture or fabrication of books, clothing, jewelry, light metals, and other plants in which operations do not result in greater nuisances from the creation of odors.
- 9.4.4 Gases--No noxious, toxic, or corrosive fumes or gases shall be emitted. Detailed plans for the elimination of fumes or gases may be required before the issuance of any building permit.
- 9.4.5 Dust and Smoke--No observable dust or smoke created by any industrial operations shall be exhausted into the air. Detailed plans for the elimination of dust or smoke may be required before the issuance of any building permit.
- 9.4.6 Glare--Any operation producing heat or glare shall be shielded so that the operation is not visible beyond the property line.
- 9.4.7 Exterior lighting--Exterior lighting shall not shine directly on properties and streets beyond the property line.
- 9.4.8 Noise--At any point on the property line any noise produced by an industrial operation shall not be in excess of the average street and traffic noise at that point. Industrial noise shall be muffled so as not to become objectionable due to intermittance, beat frequency, or shrillness.
- 9.4.9 Waste Disposal--Approval of the Board of Health of all waste disposal plans shall be required before the issuance of any building permit.
- 9.4.10 Vibration--No industrial operation shall cause inherent and recurrently generated vibration perceptible at the property line.
- 9.4.11 Radiation--No industrial operation shall cause dangerous radiation at the property line.

9.5 YARD AND SPACE REQUIREMENTS

- 9.5.1 Minimum lot area.....20,000 sq. feet
- 9.5.2 Maximum building coverage...50% of area of lot
- 9.5.3 Minimum front yard.....50 feet
- 9.5.4 Minimum side and rear yards.....20 feet except along boundaries abutting railroad tracks;
Minimum side and rear yards.....50 feet
When adjacent to a residence district.
Where a lot in an industry district adjoins a residence district and wherever an industrial building, use, or associated parking space is to be within 300 feet of the residence district there shall be erected and maintained within 10 feet of and parallel to the common district a wall of solid appearance or a tight ever-green hedge not less than six feet in height which shall extend for the full length of the common zone boundary except for that portion within 25 feet of a street.

9.6 ACCESSORY BUILDINGS AND USES

Within any industry district, buildings and uses of the land customarily accessory to the principal land use are permitted. Accessory buildings shall not be located in any required front, side, or rear yard. Accessory buildings and uses include but are not limited to:

- 9.6.1 Garage for storage or repairs of appurtenant motor vehicles.
- 9.6.2 Offices pertaining to the industrial operation.
- 9.6.3 Employee restaurant and athletic facilities.
- 9.6.4 Laboratories.

SECTION 10.
OFF-STREET PARKING AND LOADING

10.1 PARKING REQUIREMENTS

10.1.1 Off-street parking shall be provided in all districts for uses where off-street parking is required, according to the standards set forth in the following schedule.

SCHEDULE C - PARKING SPACE REGULATIONS

Land Use Activity	Minimum Number of Off-Street Parking Spaces Per Unit
Single family, farms	No requirement
Multi-family and duplex	Two per each dwelling unit
Hotel or motel	One per rental or sleeping unit.* (Any

*Plus one space for each two employees

SCHEDULE C - PARKING SPACE REGULATIONS (continued)

	bedroom or group of two beds in a single room constitutes a sleeping unit.) plus one for each 400 square feet of public meeting area and restaurant area or fraction thereof.
Place of assembly (i.e. restaurants, churches, meeting halls, etc.)	One for each four seats of total seating capacity or one per 400 square feet of gross floor area, whichever is greater.
Theatres	One for each three seats of total seating capacity or one per 300 square feet of gross floor area, whichever is greater.
Commercial establishments serving the general public (except automotive service retail establishments)	One per each 250 square feet of gross floor area or fraction thereof.*
Automotive retail and service establishments	One per each 1,000 square feet of gross floor area or fraction thereof.*
Wholesale establishments, warehouse, or storage establishment	One per each 1,000 square feet of gross floor area or fraction thereof.*
Medical or Dental clinic or office building (Land Use Activity)	Three for each doctor plus one for every two employees. Minimum Number of Off-Street Parking Spaces Per Unit
Hospital	Two per bed at design capacity.*
Nursing Home	One per two beds at design capacity.*
Business, trade or Industrial school or college exclusive of dormitory facilities, country clubs	One per each 200 square feet of gross floor area in classrooms and other teaching stations, plus one for each 250 square feet of gross floor area for gymnasiums or auditorium, whichever has the larger capacity.
School or college dormitory facilities	One per each sleeping bed.
Other schools	Two per classroom in an elementary and junior high school; four per classroom in a senior high school, plus one per each 250 square feet of gross floor area for auditorium or gymnasium.

*Plus one space for each two employees

SCHEDULE C - PARKING SPACE REGULATIONS (continued)

Recreational uses:

Golf course	Two per green plus as otherwise required in this By-Law for other cohabitant facilities.
Tennis court	One per two spectator capacity and two per court.
Swimming pool, skating rink, auditorium or arena	One per each two spectator capacity and one per each 100 square feet of staging area.
Sports field	One per two spectator capacity.
Amusement park	Three square feet of parking area for each one square foot of amusement area.
Ranges (golf, batting, etc.)	One and one-half per station.
Campgrounds	Two and one-half per campsite.
Public utility	One for each 200 square feet of gross floor area.
Home occupation	One for each 50 square feet of gross floor area used for home occupation or as defined by the licensing authority, whichever is greater.
Mixed use	Sum of various uses computed separately.
Any use permitted by this By-Law not interpreted to be covered by this schedule	Closest similar use as determined by the Building Inspector.
Manufacturing or industrial establishments	One per each 600 square feet of gross floor area OR 0.75 per each employee of the combined employment of the two largest successive shifts, whichever is greater.

10.1.2 Each space for off-street parking shall be a minimum of ten (10) feet wide by twenty (20) feet deep and in the case of angle parking the measurement shall be perpendicular to the parking line.

10.2 LOADING REQUIREMENTS

10.2.1 Off-Street Loading. For every building hereafter erected and for every use hereinafter established in an existing building or area, the off-street loading and unloading requirements presented in the following schedule apply.

SCHEDULE D - LOADING SPACE REQUIREMENTS

Use	Minimum Number of Loading Spaces Per Unit
All uses under 5,000 square feet of gross floor area except as follows:	No minimum
All buildings	Sufficient provision to eliminate all on or off loading on the street pursuant to normal economic activity.
Retail trade, manufacturing and hospital establishment with over 5,000 square feet of gross floor area	One per 20,000 square feet or fraction thereof of gross floor area up to two spaces; one additional space for each 60,000 square feet or fraction thereof of gross floor area over 40,000 square feet; space used for ambulance receiving at a hospital is not to be used to meet these loading requirements.
Business services, other services, community facility (school, church, town building, recreation, etc.) or public utility establishment with over 5,000 square feet of gross floor area.	One per 75,000 square feet or fraction thereof of gross floor area up to two spaces; one additional space for each 20,000 square feet or fraction thereof of gross floor area over 150,000 square feet.

10.2.2 Each space for off-street loading shall be a minimum of five (5) feet longer than and four (4) feet wider than the largest vehicle which shall use the loading space. Each loading space shall have a vertical clearance of at least fourteen (14) feet. Each loading space shall have an additional area adequate for parking, loading, and maneuvering off any public street, sidewalk, or any portion thereof.

10.3 GENERAL REQUIREMENTS

10.3.1 Change in Use. Whenever after the date of this by-law, there is a change in the lawful use of the premises or in the number of employees or business visitors or any other unit of measurement specified in any other of the foregoing paragraphs of this section, and whenever such change creates a need for an increase of more than twenty (20) per cent of the number of off-

street automobile parking spaces as determined by the requirements of this section, more off-street parking facilities shall be provided on the basis of the adjusted needs as determined by Schedule C. Any additional loading space needed because of change of use shall be provided in conformance with Schedule D.

- 10.3.2 Mixed Uses. In the case of mixed uses, the parking facilities required shall be of the sum of the requirements for the various individual uses, computed separately in accordance with this subsection; parking facilities for one use shall not be considered as providing the required parking facilities for any other use unless it can be clearly demonstrated to the Board of Appeals that the need for parking occurs at different times.
- 10.3.3 Existing Spaces. Parking or loading spaces being maintained in any district in connection with any existing use on the effective date of this by-law, or any spaces subsequently provided in accordance with this by-law, shall not be decreased or in any way removed from service to the use originally intended to be served so long as said use remains, unless the number of parking or loading spaces conforms to the requirements of the parking and off-street loading schedules, provided: this regulation shall not require the maintenance of more parking or loading space than is required according to the schedules.
- 10.3.4. Computation of Spaces. When the computation of required parking or loading spaces results in the requirements of a fractional space, any fraction shall require one space.
- 10.3.5 Combined Facilities. Parking required for two or more buildings or uses may be provided in combined facilities on the same or adjacent lots, where it is evident that such facilities will continue to be available for the several buildings or uses.

- 10.3.6 Location of Parking Spaces. Required off-street parking spaces shall be provided on the same lot as the principal use they are required to serve or when practical difficulties prevent their establishment upon the same lot, the Board of Appeals shall rule upon the acceptability of alternative plans.
- 10.3.7 Location of Loading Spaces. The loading spaces required for the uses listed in the Loading Space Requirements, Schedule D, shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading spaces be part of the area used to satisfy the parking requirements of this by-law.
- 10.3.8 The Board of Appeals may grant a special exception to permit the reduction of the parking space requirements to not less than 80 per cent of that required in Schedule Parking Regulations, where conditions unique to the use reasonably justify such a reduction.
- 10.3.9 Any fixture used to illuminate any area shall be so arranged as to direct the light away from the street and away from adjoining premises used for residential purposes.
- 10.3.10 A separate building permit shall be obtained from the Building Inspector for all parking areas and loading areas of over five (5) total spaces.
- 10.3.10.1 Prior to the issuance of a building permit for said parking areas and said loading areas, a plan shall be submitted to the Planning Board for review of compliance with these by-laws. A permit shall not be issued without either an approved plan signed by the Clerk of the Planning Board or by indicated approval as follows. If the Planning Board does not act to reject such plan within twenty-four (24) consecutive days after receipt of the plan, it shall be deemed to be acceptable and the plan shall be signed "Approved by Default" by the Town Clerk.

- 10.3.6 Location of Parking Spaces. Required off-street parking spaces shall be provided on the same lot as the principal use they are required to serve or when practical difficulties prevent their establishment upon the same lot, the Board of Appeals shall rule upon the acceptability of alternative plans.
- 10.3.7 Location of Loading Spaces. The loading spaces required for the uses listed in the Loading Space Requirements, Schedule D, shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading spaces be part of the area used to satisfy the parking requirements of this by-law.
- 10.3.8 The Board of Appeals may grant a special exception to permit the reduction of the parking space requirements to not less than 80 per cent of that required in Schedule Parking Regulations, where conditions unique to the use reasonably justify such a reduction.
- 10.3.9 Any fixture used to illuminate any area shall be so arranged as to direct the light away from the street and away from adjoining premises used for residential purposes.
- 10.3.10 A separate building permit shall be obtained from the Building Inspector for all parking areas and loading areas of over five (5) total spaces.
- 10.3.10.1 Prior to the issuance of a building permit for said parking areas and said loading areas, a plan shall be submitted to the Planning Board for review of compliance with these by-laws. A permit shall not be issued without either an approved plan signed by the Clerk of the Planning Board or by indicated approval as follows. If the Planning Board does not act to reject such plan within twenty-four (24) consecutive days after receipt of the plan, it shall be deemed to be acceptable and the plan shall be signed "Approved by Default" by the Town Clerk.

10.3.10.2 Any application for a permit shall be accompanied by a plan of the parking areas and loading areas at a scale not smaller than 1 inch=20 feet. The diagram shall show the location of all parking spaces, maneuver areas, curbing, pedestrian walkways, driveways, plantings, direction of traffic flow, and traffic control devices.

10.3.11 No lot in common ownership shall contain more than two spaces for rental or lease except as an understood accessory to rental of a room on the same lot.

10.4 PARKING AND LOADING AREA STANDARDS

10.4.1 All parking and loading areas containing over five (5) spaces in total combination shall be either contained within structures or subject to the following.

10.4.1.1 The area shall be screened with landscaping on each side which adjoins or faces the side or rear lot line of a lot situated in any residential district.

10.4.1.2 The area and access driveways thereto shall be surfaced with bituminous or cement concrete material and shall be graded and drained so as to dispose of all surface runoff.

10.4.1.3 The location of spaces shall be suitably marked by painted lines or other appropriate markings.

10.4.1.4 A substantial bumper of masonry, steel, or heavy timber, or a concrete curb or berm curb which is backed, shall be so located at the edge of surfaced areas except driveways as to protect abutting structures, properties, sidewalks, and landscaping.

10.4.1.5 There shall not be any commercial operation for vehicle repair or gasoline or oil service facilities except on a lot occupied as permitted by these by-laws.

10.4.1.6 There shall not be any storage of materials or equipment or display of

merchandise within designated required parking and/or driveway areas.

10.4.1.7 Where parking is planned in the required front yard area, parking shall not be nearer than 10 feet to the street lot line except as otherwise allowed in this by-law. The area between the parking spaces and the street lot line shall be landscaped with other than asphalt or concrete.

10.4.1.8 Parking and loading spaces other than those for single family or two family dwellings shall be so arranged as not to require backing of vehicles on to any public street.

10.4.1.9 Parking and loading spaces shall be surfaced with substantially dust-free surface.

10.4.1.10 No portion of any entrance or exit driveway shall be closer than fifty (50) feet to the nearest edge of the legal layout of an intersecting street.

10.4.1.11 Any two driveways serving a common use, separated by more than ten (10) feet, shall be separated by at least fifty (50) feet at their intersections with the street lot line.

10.4.1.12 On lots where one entrance and exit driveway or access is constructed, the access shall not exceed thirty-two (32) feet in width. Where two or more driveways or accesses are constructed, the accesses shall each not exceed twenty (20) feet in width. For automotive service stations the widths may be increased to thirty-two (32) feet for each driveway or access, but shall not exceed two driveways.

10.5 PARKING LOT LAYOUT

10.5.1 All parking areas shall have clearly defined traffic flow into and out of the area and throughout the lot. Traffic moving in one direction shall be separated by barrier from traffic moving in an opposite direction at the entrance and exit to parking lot. The

flow pattern shall direct traffic into parking units. all driveways shall be clearly identified as to exit and/or entrance and direction of traffic flow.

10.5.2 Traffic intersections throughout parking areas shall be designed with use of devices such as plantings of trees and shrubs, curbing and intersecting lanes at angles designed to guide turning into the normal flow of traffic.

10.5.3 Parking units shall not include more than twenty-five (25) adjacent spaces. Parking units shall be defined by landscaping in conformance with other requirements of this article. Any number of units is permissible.

10.5.3.1 A minimum of forty (40) per cent of the area allocated for parking spaces, but not traffic lanes, shall be provided in addition to the area of said parking spaces and lanes. The area shall be for traffic control parking unit dividers, pedestrian, walkways and perimeter landscaping. Traffic control unit dividers and pedestrian walkways shall not be less than fifty (50) per cent of the minimum required landscaping.

10.5.3.2 Landscaping shall be so designed as to prevent parking or driving on any portion of a landscaped area. Refer to 10.4.1.4.

10.5.3.3 Landscaping shall be all live vegetation or shall be live vegetation combined with other landscaping materials excluding paved surfaces, except as in 10.5.3.5.

10.5.3.4 Landscaping shall include trees or shrubs of a potential height of at least three (3) feet sufficiently spaced to define and screen the area in the event the landscaping is inadequately maintained.

10.5.3.5 Pedestrian walkways may be paved, but shall not exceed fifty (50) per cent of the required landscaping and walkway areas.

10.5.3.6 Landscaping shall not interfere with a safe view of traffic or pedestrian flow.

10.5.4 Deleted

- 10.5.5 All parking areas shall provide for safe pedestrian movement away from and not as part of the automotive travel lanes. When pedestrian walkways need cross traffic lanes, crosswalks shall be clearly marked and identified.
- 10.5.6 Curbing and walkways wherever developed shall meet all standards for curbing and walkways specified in the effective Rules and Regulations Covering the Subdivision of Land in the Town of Seekonk.
- 10.5.7 All parking spaces shall be accessible from the driving aisles or lanes by a single turn.
- 10.5.8 Parking areas designated as "For Employees Only" are allowed the following exceptions to the foregoing layout regulations 10.5, provided the entire parking area is enclosed on all sides by a landscaped area not less than ten (10) feet in depth.
- 10.5.8.1 The regulation 10.5.3 is modified to provide no limit to the number of adjacent spaces, provided the traffic flow is directed and controlled.
- 10.5.8.2 The regulation 10.5.3.1 is modified to reduce the forty (40) per cent to only the minimum needed for traffic control.
- 10.5.8.3 Regulations 10.5.3.5, 10.5.5 are waived.
- 10.5.8.4 All regulations not specifically exempted apply.
- 10.5.9 Display lots for motor vehicle sales are allowed the following exemptions to layout regulations 10.5 provided the entire area exclusive of the street lot line and that border length adjacent the occupant's building be enclosed by a landscaped area not less than twenty (20) feet in depth.
- 10.5.9.1 Vehicles may be displayed along the street lot line for not in excess of sixty (60) per cent of the length of the street lot line. The balance of the length of the street lot line shall be landscaped for not less than twenty (20) feet in depth.
- 10.5.9.2 A barrier shall be constructed or landscaped to prevent the parking of vehicles

beyond the street lot line.

10.5.9.3 Layout regulations 10.5.1 through 10.5.3.1, and 10.5.3.6 through 10.5.7 are waived.

10.5.9.4 Regulation 10.5.9 applies only if the display lot is separated in a manner to prevent public parking in the display lot.

10.5.9.5 The public parking area is subject to all the regulations of this section.

10.5.9.6 All regulations not specifically exempted apply.

SECTION 11.

DELETED (incorporated in new Section 10)

SECTION 12.
SIGNS

12.1 SIGNS, GENERAL REGULATIONS

12.1.1 All signs not defined as permitted, exempt, or non-conforming are expressly prohibited.

12.1.2 The following signs are exempt from regulation by these by-laws: signs erected and maintained by governmental agencies or by local, state, or federal law; highway direction or traffic control signs required or allowed by law; signs exempt under Section 32 of Chapter 93 of the General Laws; flags or insignia of the United Nations, United States or any political subdivision thereof, or any other nation or country when not used for commercial promotion or display.

12.1.3 No sign is permitted if it in any way obstructs or impedes the immediate use of a fire escape, a fire or emergency exit, or an emergency escape route. No sign shall be erected where it can obstruct free passage of air or light to any door, window, or skylight or other opening of similar nature. No sign is permitted which restricts the view or is otherwise considered obstructive or hazardous to motorists or pedestrians.

12.1.3.1 Any sign which is considered by the Building Inspector, police department or fire department to be obstructive hazardous, or dangerous because of age or damage or poor construction, or a

potential danger in a severe storm must be removed immediately but in no case later than seven days following receipt of written notice from the Building Inspector.

12.1.4 Temporary exterior signs are permitted; to advertise the opening of a business at its new location; to advertise a special event at its intended location sponsored by a non-commercial organization; or to advertise political candidates, campaigns, or programs.

12.1.4.1 Such signs shall not exceed twelve (12) square feet in area.

12.1.4.2 No two or more such signs shall be closer than five hundred (500) feet apart.

12.1.4.3 Any illumination of such permitted signs shall not exceed the allowed limits in the district in which it is located.

12.1.4.4 All temporary signs as described above are permitted only after written notification to the Building Inspector indicating the initial display date.

12.1.4.5 All such temporary signs as herein described must meet the approval of the Building Inspector regards safety of construction, mounting and lighting. By written notice specifying the corrections needed, the Building Inspector shall order the immediate action of the displayer to either make the corrections or remove the sign. If the immediate action is not taken, the Building Inspector may, at his own initiative or with the enlisted aid of any other Town department, remove such sign.

12.1.4.6 All such temporary signs as permitted in this section shall be removed within sixty (60) days of their initial display, by the initiative of the company, organization, individuals, or their agents, as indicated by the displayed information.

12.1.4.7 No other exceptions shall be permitted without the written permission of the Board of Appeals.

12.1.5 The Building Inspector shall be the enforcing authority acting under the direction of the Board of Selectmen. The Planning Board may at its discretion, provided at least two-thirds (2/3) of its members concur, act directly to insure compliance with these regulations.

12.1.6 Where additional or more severe restrictions on signs are provided in other articles of this by-law, such greater restrictions shall prevail.

12.2 SIGNS, COMMERCIAL AND INDUSTRIAL DISTRICTS

12.2.1 Signs in each commercial or industrial district shall relate to the premises on which they are located and shall only identify the occupant of such premises or advertise the services available within said premises.

12.2.2 There shall be no temporary or permanent special promotion signs, banners, streamers, or placards erected, suspended, posted or affixed in any manner outdoors or on the building exterior of premises in commercial or industrial districts, except as permitted elsewhere in this by-law.

12.2.3 On each premises in a commercial or industrial district, there is permitted one sign affixed to the exterior of a building for each occupancy therein. The top edge of each such sign shall not be higher than either the roof ridge of the building or the highest point of the roof excluding ornamental portions thereof, if no ridge pole or higher than the plate of a flat roof.

12.2.3.1 One sign affixed to the exterior of a building is permitted provided it shall not exceed an area of two hundred (200) square feet or five (5) per cent of the face of the wall below the plate on the side of the building on which the sign is mounted, whichever limit is smaller.

12.2.3.2 If a building faces on more than one street, a second sign may be affixed to the building similar to the first sign but with the restriction that total area of both signs will not

exceed one hundred fifty (150) per cent of the maximum allowable area of the first sign, nor will the area of the second sign exceed five (5) per cent of the area of the wall below the plate on the side of the building on which the sign is mounted.

12.2.3.3 Exception to the area limitation is allowed for individually mounted, non-illuminated letters mounted directly on the face of the building for the simple purpose of displaying the occupying company name. Such letters shall not exceed ten (10) per cent of the height of the building face below the plate on the side of the building on which the letters are mounted.

12.2.3.4 Either the affixed signs or the individually lettered name may be used, but not both for the same building occupant.

12.2.4 Free-standing signs are limited in number to one per contiguous land ownership, not per lot, and such sign shall be located on the property advertised by such sign. Only one free-standing sign is permitted for the whole combination of any number of lots mutually adjoining in a single or common ownership on one side of a street.

12.2.4.1 An exception allowing two free-standing signs on property as previously described is permitted where the property fronts on two or more streets. One such sign is permitted on each of two streets.

12.2.5 The top edge of any free-standing sign shall not be higher than twenty-five (25) feet vertical measure above the average level of the ground between the supports of each sign exclusive of base planters.

12.2.6 For public safety, the whole of the sign-board or display elements of any free-standing sign shall be either below three (3) feet height, or above ten (10) feet height, above average ground level. No portion of such free-standing sign or its supports shall be located nearer than twelve (12) feet to a lot line.

12.2.7 No free-standing sign shall have a single face area for display or sign in excess of sixty (60) square feet in Local Business Zones or one hundred twenty (120) square feet in Highway Business or Industrial Zones measured from the tops of the topmost

display elements to the bottoms of the lowest display elements, and from exterior side to exterior side of display elements, and including in such measurements any blank spaces between display elements. These measurements apply to the overall sign size and not just to display area. The signs may be double-faced. There shall be no printing or display on the thickness dimension.

12.2.7.1 The maximum allowed thickness from face to face of a double-faced sign is twelve (12) inches, plus ten (10) per cent of either the height or width, whichever is smaller.

12.2.7.2 The support members shall not extend beyond the vertical planes of the faces and ends of free-standing signs, except single-pole cantilever-mounted signs wherein such pole shall not exceed twelve (12) inches in diameter.

12.2.7.3 All support members shall be rigidly secured in the ground at every point of contact with the ground.

12.2.7.4 Protective bumpers or bases shall not exceed eighteen (18) inches from the surface of support members or from the plane between the faces of adjacent supporting members unless such base is of a built-in-place planter type. Such planter is not limited.

12.2.8 No sign shall be animated, rotated or otherwise moving, except as permitted in Section 12.4.1.1

12.3 SIGNS, RESIDENTIAL DISTRICTS

12.3.1 No sign shall be erected, posted, or otherwise displayed external of a residence except as permitted as follows.

12.3.2 Residence identification by name or address or both is permitted for each family in a dwelling. Such signs shall not exceed one (1) square foot per face and may be double-faced.

12.3.3 One double-faced sign not in excess of one (1) square foot per face is permitted to advertise taking of boarders, earth removal or home occupation.

Such signs may be combined with the residence identification sign for a single double-face sign not in excess of two (2) square feet per face.

12.3.4 For permitted uses, other than residential, in Residential District or as limited otherwise, one double-faced sign of not over twelve (12) square feet per face is permitted.

12.3.5 Real Estate signs advertising the sale or rental of the premises on which they are located may be double-face but shall not exceed six (6) square feet per face, nor shall there be allowed more than one per premises advertised.

12.3.5.1 An exception shall be the advertising of a subdivision as defined in Chapter 41, Section 81K, G.L. Such exception shall permit a double-faced sign not to exceed forty (40) square feet per face, or ten (10) feet in any direction erected. Construction and mounting shall conform to the provisions of Section 15.2 of this by-law. One such sign is permitted near each entrance to the subdivision except that not more than one such sign shall face the same street.

12.3.6 Non-conforming legal land uses in residential districts shall be allowed signs normally permitted in the most restrictive districts in which the particular land use would conform, but only with the permission of the Board of Appeals. The Board of Appeals shall stipulate any limits or additional restrictions they deem necessary or desirable to insure compatibility with the surrounding area.

12.4 ILLUMINATION OF SIGNS: COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL

12.4.1 Any sign permitted may be steadily illuminated either from within or by some outside source, subject to the following further provisions:

12.4.1.1 No sign shall be intermittently illuminated, nor have rotating, traveling, flashing or animated lighting, except that there may be displayed to the public by changing or intermitting letters, numbers or lights, information

as to the time of day (or night), temperature, weather forecast, visibility, or pollution index or other similar information. The public information section intermittently illuminated in any sign shall not exceed forty (40) square feet in any zoning district.

12.4.1.2 Signs shall neither emit nor reflect light with an intensity greater than fifty (50) foot candles at one hundred (100) feet from the sign.

12.4.1.3 The illumination of signs for commercial or business or industrial purposes shall be permitted in Residence or Local Business Zones only between seven o'clock in the morning and eleven o'clock in the evening and, in Highway Business and Industrial Zones during the hours such business is open and/or operating.

12.4.2 The source of illumination for any sign shall be placed or hooded so that the lighting source itself is not visible at any point beyond the lot lines or leasehold lines of the premises.

12.4.2.1 Source is herein designated to mean the light emitting element and any elements designed employed for the purpose of reflecting and directing emitted light.

**SECTION 13.
YARD
EXCEPTIONS**

13.1 REQUIRED FRONT YARDS IN DEVELOPED AREAS

In any residence district, notwithstanding the provisions of Section 6, the required front yard of any residence hereafter erected shall conform to the average alignment of any existing dwellings on the same side of the street within 250 feet except that no residence shall have a front yard of less than ten feet in depth or need have a front yard of greater depth than 50 feet in an AAA District or 35 feet in an AA or 35 feet in an A District.

13.2 THROUGH LOTS

In any district a lot having frontages on two streets that do not intersect shall have two front yards each of a depth as provided in this by-law.

**SECTION 14
SEEKONK
BOARD OF
APPEALS**

14.1 ORGANIZATION

The Board of Appeals shall consist of five 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 14, Chapter 40A, of the General Laws.

There shall also be appointed by the Board of Selectmen two Associate Members of the Board of Appeals, also citizens living within the confines of the town, in accordance with the provisions of the same Section of the General Laws.

The Board of Appeals heretofore established under the zoning by-law previously in effect shall continue as the Board of Appeals under this by-law. The members and associate members thereof shall continue in office for the duration of their appointed terms.

14.2 POWERS

The Board of Appeals shall have all the powers and duties of Boards of Appeals under the applicable provisions of the General Laws of the Commonwealth of Massachusetts and of this by-law as specified herein.

The Board shall:

- 14.2.1 Hear and decide appeals taken within 14 days from any order, decision, or determination made by the Building Inspector in the execution and enforcement of this by-law.
- 14.2.2 Authorize a variance from the terms of this by-law in cases of substantial hardship, as specified in the applicable provisions of the General Laws of the Commonwealth of Massachusetts.
- 14.2.3 Hear and decide applications for approvals as specified in this by-law.
- 14.2.4 Hear and decide applications for building permits referred to the Board of Appeals in accordance with the provisions of Section 15.3. Prior to any such decision the Board may request the opinion of the Planning Board and one or more expert consultants selected by the Board as qualified to advise as to whether a proposed use will conform to the performance standards of Section 9.4. Any building permit so authorized and issued shall be conditioned on, among other things, the applicant's completed building and installations in operation being in conformity with the applicable performance standards of Section 9.4.

SECTION 15. ENFORCEMENT

15.1 BUILDING INSPECTOR

This by-law shall be enforced by the Board of Selectmen through the Building Inspector. The Building Inspector shall approve no application,

plan, or permit, or the specifications thereof except in conformity with this by-law.

15.2 BUILDING PERMITS

No structure shall hereafter be erected or structurally altered and no premises shall hereafter be changed in use until a permit authorizing the same shall be issued by the Building Inspector.

Any application for a building permit shall be accompanied by plans and specifications in duplicate showing the actual shape and dimensions of the lot to be built upon, the exact location and size of all buildings or structures already on the lot, together with the lines within which all buildings or structures are to be erected, the existing and intended use of each building or structure, and such other information as may be necessary under the provisions of this by-law to provide for its execution and enforcement.

A record of all such applications, plans and permits shall be kept on file by the Building Inspector.

15.3 CONSTRUCTION AND OPERATION STANDARDS DATA

The Building Inspector may require the submission both of plans of any proposed machinery, operations and products and of specifications for the mechanisms and techniques to be used in restricting the emission of dangerous and objectionable elements referred to in Section 9.4. He may also require an affidavit from the applicant acknowledging his understanding of the applicable performance standards of Section 9.4 and his agreement to conform with the same at all times. No applicant will be required to reveal any secret processes and any information submitted will be treated as confidential if requested.

If there is any reasonable doubt concerning the likelihood of conformance with the performance standards of Section 9.4 the Building Inspector shall refer the application to the Board of Appeals which shall take action in accordance with the provisions of Section 14.2.4.

SECTION 16. SUBDIVISION OF LAND

The subdivision of land in all districts shall conform to the subdivision regulations as approved by the Planning Board.

SECTION 17. AMENDMENT

This by-law or any portion thereof may be amended, modified, or repealed as provided by law.

**SECTION 18.
PENALTY FOR
VIOLATION**

Any person, partnership, association or corporation violating any of the provisions of this by-law shall be punished by a fine not exceeding twenty dollars for each offense; and each day that such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 19.
VALIDITY**

19.1 INVALIDITY

The invalidity of any section or provision of this by-law shall not invalidate any other section or provision.

19.2 OTHER REGULATIONS

Nothing contained herein shall be construed as repealing or invalidating any existing by-law or regulation of the town, but shall operate in addition thereto. Where this by-law imposes restrictions greater than are imposed by such by-law or regulation, the provisions of this by-law shall prevail.

CHRONOLOGICAL LIST OF REZONES SINCE JANUARY 1, 1959

February 24, 1959	Annual Town Meeting Plat 32 Lot 10 Pond Street	From Residential A to Industrial
October 19, 1959	Special Town Meeting Newman Ave. between Tower Rd. and the Railroad tracks	From Industrial to Highway Business
July 31, 1961	Special Town Meeting Central Ave. Portion of Case, Goff and Lustre Realty Co. land (Now Central Shopping Plaza)	From Residential A to Local Business
March 5, 1962	Annual Town Meeting Plat 31 Lots 150 & 151 Lull Farm (Mr. and Mrs. Lambert)	From Residential A to Local Business
October 8, 1962	Special Town Meeting Plat 16 Lot 16-Donald Pierce " Lot 18-Bruce Britton " Lot 20-Wm & Jas Whitaker " Lot 49-James Zbyszewski " Lot 50-Carl Pierce Lincoln Street	From Local Business to Residential AA
January 7, 1963	Special Town Meeting Plat 8 Lot 37 (Bell Property)	From Industrial to Highway Business
April 22, 1963	Special Town Meeting Highland Ave. - Southerly side 120,000 s.f. (Dorothy Gow property)	From Industrial to Highway Business
October 28, 1963	Special Town Meeting Arcade Ave. Plat 18 Portion of land on Lot 129 (Alfred Penacho)	From Residential AA to Local Business
August 10, 1964	Special Town Meeting Plat 20 Lots 118,119,582,589,590 and portions of 585,588,and 591 67,570 s.f. (Now the Big "G")	From Residential A to Local Business
August 10, 1964	Special Town Meeting Plat 20 Lot 596 and portion of Lot 470 Pleasant St. - Taunton Ave. (Evelyn Banna)	From Residential A to Local Business
August 10, 1964	Special Town Meeting Plat 32 portion of Lot 7 Maple Ave. (Attleboro Dyeing and Finishing Corp.)	From Residential A to Industrial

REZONES Page II

March 8, 1965	Annual Town Meeting Plat 11 portion of Lot 2 Plat 12 portion of Lot 427 (Fall Rive Ave.-S. Freeman Treacy)	From	Residential A to Industrial
March 8, 1965	Annual Town Meeting Plat 11 Portion of Lot 51 9.24 Ac. (L. Romano Realty-Now United Paper Stock)	From	Residential A to Industrial
October 18, 1965	Special Town Meeting County-Olney St. (A. Pimental) Now Briarwood Shopping Center	From	Residential AA to Local Business
May 6, 1968	Special Town Meeting Plat 32 portion of Pond St.	From	Residential A to Industrial
July 14, 1969	Special Town Meeting Plat 8 Lots 33,34,35 (Highland Avenue)	From	Industrial to Highway Business
July 14, 1969	Special Town Meeting Plat 8 Lots 36,107,108 (Highland Avenue)	From	Industrial to Highway Business
June 15, 1970	Special Town Meeting Plat 14, Lot 81 (Ford Leasing Dev. Co.)	From	Local Business to Highway Business
May 24, 1971	Special Town Meeing Plat 12, Lots 420 & Part of 498 (Supposedly for a Brodsky's Store)	From	Part Local Business and Part Industrial Busines to Highway Busines
May 24, 1971	Special Town Meeting Plat 20 Lot 208 Taunton Ave. (For K-Mart)	From	Residential A to Local Business
September 25, 1973	Special Town Meeting Plat 1, Lot 22 (Off Fall River Ave.) (Marshall)	From	Residential A to Industrial
September 25, 1973	Special Town Meeting Plat 1, Lot 31 (Off Fall River Ave.) (Marshall)	From	Residential A to Industrial

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812
MASSACHUSETTS
02771

CHANGES IN TOWN OF SEEKONK ZONING BY-LAW APPROVED BY THE VOTERS ON
JANUARY 7, 1963, APPROVED BY THE ATTORNEY GENERAL ON MARCH 26, 1963

1. Reference - Page 8 of Printed October 2, 1958 Zoning By-Law

Under Residence A, Section 6 -- Minimum Lot Area - Amended to read:

Sec. 6.3 The minimum lot area of dwellings shall be 14,400 square feet, and other uses 45,000 square feet.

Sec. 6.4 The minimum lot width shall be 120 feet at the rear of the required front yard and the minimum lot width shall be 100 feet measured at the street line.

2. Reference - Page 10, of Printed October 2, 1958 Zoning By-Law

Under Section 7 - Local and Highway Business Districts - amended to read:

Sec. 7.1 Highway and Business Districts--that the last paragraph of this Section be amended to apply to Highway Business zones only and that no additional automobile service stations be permitted in Local Business Zones. Presently established stations to become non-conforming uses-- recommend further that the following requirements be added to this paragraph -

1. That the minimum frontage measured at the street line shall be 150 feet and if a corner lot it shall be 150 feet on both streets.
2. That the minimum lot area shall be 15,000 square feet or if a corner lot, 22,500 square feet.

3. Reference - Page 12, of Printed October 2, 1958 Zoning By-Law

Under Section 8 - Planned Districts - the last sentence of paragraph 8.2 be amended to read as follows:

Site plans as recorded may be revised provided such revisions are approved by the Town authority having appropriate jurisdiction, after a public hearing and after such revisions shall have been recorded with the Planning Board and the Bristol County Registry of Deeds.

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812
MASSACHUSETTS
02771

B U L L E T I N

September 16, 1969

TO THE RESIDENTS OF THE
TOWN OF SEEKONK, MASSACHUSETTS

The following amendment to the Town Zoning-By-Law was approved by the voters of the Town of Seekonk at the Special Town Meeting held on July 14, 1969, approved by the Attorney General of the Commonwealth on September 10, 1969, and is hereby published and posted in accordance with Chapter 40, Section 32 of the General Law:

That Section 10 entitled "Off Street Parking", paragraph 10.8.6 which reads: "Over 10,000 sq. feet. An area at least equal to four times the gross floor area"; to be amended to read, "Over 10,000 sq. feet. An area at least equal to three times the gross floor area".

ATTEST, A TRUE COPY:

JAMES R. MC DONNELL
TOWN CLERK (SEAL)

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812
MASSACHUSETTS
02771

TO WHOM IT MAY CONCERN:

The following is a true extract copy of the Record of the Annual Town Meeting, Town of Seekonk, Massachusetts, held on March 2, 9 & 23, 1964:

RECORD OF THE ANNUAL TOWN MEETING

MARCH 2, 9 & 23, 1964

The inhabitants of the Town of Seekonk qualified to vote in Town affairs met at the Seekonk Junior High School, Newman Avenue, and acting on the Articles in the Warrant, which was duly posted, cast their ballots as follows:

The meeting was called to order by the Town Clerk at 8:00 o'clock P.M. who read the Warrant and then turned the meeting over to the Town Moderator.

ARTICLE 23

A motion was made and seconded that the Town amend Section 6 of the Zoning By-Laws by adding Paragraph 14, as recommended by the Planning Board and as follows:

Section 6 - Residence Districts

Section 6.14

No single story or unfinished one and one-half story dwelling with less than 763 square feet of living area shall be allowed; living area shall be defined as that area measured at outside dimensions of foundation and shall exclude porches, breezeways, attached garages or utility rooms used for central heating.

The Chairman of the Planning Board announced that this change in the Zoning By-Law has been approved by said Board after a duly advertised and conducted public hearing, and filed with the Town Clerk a copy of this recommendation. Vote: Yes: - 163; No: - 32. The motion was carried by the necessary (2/3) majority. Total votes cast: 195. Required for approval: 130. The motion thus carried by an excess of 33 votes over that required.

CERTIFIED, A TRUE EXTRACT COPY:

Respectfully submitted,

JAMES R. MC DONNELL
TOWN CLERK

JAMES R. MC DONNELL
TOWN CLERK
(SEAL)
s/s EDWARD W. BROOKE, Attorney

Boston, Massachusetts June 22, 1964
The foregoing amendment to zoning by-laws is hereby approved

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812

MASSACHUSETTS
02771

B U L L E T I N

December 3, 1968

TO THE RESIDENTS
TOWN OF SEEKONK, MASS.

The following amendment to the Town Zoning-By-Law was approved by the voters of the Town of Seekonk at the Special Town Meeting held on October 28, 1968, approved by the Attorney General of the Commonwealth on November 27, 1968, and is hereby published and posted in accordance with Chapter 40, Section 32, of the General Laws:

"That Section 14, entitled 'Seekonk Board of Appeals' subsection 14.1 entitled 'Organization', the first sentence of which reads 'The Board of Appeals shall consist of three 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 14, Chapter 40A, of the General Laws' be amended to read: 'The Board of Appeals shall consist of five members *****in accordance with the provisions of Section 14, Chapter 40A, of the General Laws.'"

Boston, Mass. November 27, 1968

The **** amendment to zoning by-laws adopted under Article 9 is approved.

/s/ Elliot Richardson
Attorney General

CERTIFIED, A TRUE COPY

JAMES R. MC DONNELL
TOWN CLERK, SEEKONK, MASS.
DECEMBER 3, 1968 (SEAL)

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812
MASSACHUSETTS
02771

EXTRACT OF RECORD OF SPECIAL TOWN MEETING, TOWN OF SEEKONK, MASSACHUSETTS
JUNE 15, 1970

Article 8

A motion was made and seconded that the Town rezone a tract of land presently designated as "Local Business" to "Highway Business" and described as follows:

Beginning at a point in the southerly side of Taunton Avenue, said point being the northeasterly corner of the Bristol County Trust Company;

Thence running southerly, bounding westerly on said Bristol County Trust Company land and on land of the Roman Catholic Bishop of Fall River, 182 feet to a point;

Thence, turning an angle and running easterly, bounding southerly on land of the Rathbone Realty Corp., 110 feet to a point;

Thence, turning an angle and running northerly, bounding easterly on said Rathbone Realty Corp., land 177.74 feet to the southerly line of said Taunton Avenue;

Thence, turning and running westerly along said Taunton Avenue, 143 feet to the point of beginning.

Said tract contains 21,970 square feet.

ACTION ON THE MOTION: Approved, by a vote of: YES - 217; NO - 61.
Votes required for approval (2/3): 186. Votes obtained in excess of requirement: 31.

ATTEST, TRUE COPY OF THE ACTION TAKEN UNDER ARTICLE 8 AT THE
SPECIAL TOWN MEETING, TOWN OF SEEKONK, MASS. HELD ON JUNE 15, 1970.

JAMES R. MC DONNELL
TOWN CLERK, SEEKONK, MASS.
JUNE 22, 1970 (SEAL)

Boston, Mass.

August 26, 1970

The foregoing amendment to zoning by-laws adopted under Article 8 is approved.

ATTEST, A TRUE COPY

JAMES R. MC DONNELL
TOWN CLERK, SEEKONK, MASS.

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812
MASSACHUSETTS
02771

EXTRACT OF RECORD OF SPECIAL TOWN MEETING, TOWN OF SEEKONK, MASSACHUSETTS,
MAY 24, 1971

Article 6

A motion was made and seconded that the Town rezone two tracts of land presently designated "Local Business" in part and "Industrial" in part to "Highway Business", said tracts being bounded and described as follows:

Beginning at a point in the southerly line of Taunton Avenue, said point being the northeasterly corner of the tracts herein described:

Thence running southerly bounding easterly on Lots One (1) and Lots Four (4) to Thirty (30) inclusive on Assessors Plat No. 12, a distance of 900 feet to a point;

Thence turning an angle and running westerly, bounding southerly on land of Jebie C. Butler and Campanella Corporation, a distance of 430 feet to a point;

Thence turning an angle and running northerly, bounding westerly on land of L. Romano Realty, a distance of 900 feet to the southerly line of Taunton Avenue;

Thence running easterly along said Taunton Avenue 637 feet to a point of beginning.

Said two tracts contain approximately 10-2/3 acres of land. Said two tracts are further described as Lot 420 and a portion of Lot 498 on Assessors Plat No. 12.

ACTION ON THE MOTION: Approved, by a vote of: YES - 320.
NO - 86. Votes required for approval (2/3) 271. Affirmative votes received in excess of the requirement: 49.

ATTEST, A TRUE COPY OF THE ACTION TAKEN UNDER ARTICLE 6 AT THE
SPECIAL TOWN MEETING, TOWN OF SEEKONK, MASSACHUSETTS HELD ON
MAY 24, 1971:

JAMES R. MC DONNELL
TOWN CLERK, SEEKONK, MASS.
JUNE 2, 1971

OFFICE OF
THE TOWN CLERK
TOWN OF SEEKONK
Incorporated February 26, 1812
MASSACHUSETTS
02771

December 12, 1973

B U L L E T I N

TO THE RESIDENTS, TOWN OF SEEKONK
BRISTOL COUNTY
MASSACHUSETTS

This is to certify that the attached by-law and/or amendments thereto, which were approved by the voters of the Town at the Special Town Meeting held on September 24, 25, 26 & October 2, 1973, as indicated below, have been duly approved by the Attorney General of the Commonwealth, and are hereby posted and effective this date:

Attachments (Five) (5)

<u>Warrant Article No.</u>	<u>Subject</u>	<u>Date Approved</u>	
		<u>By Voters</u>	<u>By Attorney General</u>
13	Rezone-Fall River Avenue	9/25/73	11/27/73
14	Rezone-Fall River Avenue	9/25/73	11/27/73
17	Parking Regulations	10/2/73	11/27/73
18	Signs, Regulations	10/2/73	11/27/73

JAMES R. MC DONNELL
TOWN CLERK

JRM/md

ARTICLE 13

A motion was made and seconded that the Town rezone a parcel of land containing approximately two (2) acres, situated off Route 6, Fall River Avenue, Plat 1, Lot 22, presently designated as "Residential A" to "Industrial" and described as follows:

Beginning at a point in the southeasterly corner of land now or formerly of John J. King, et al, said point also being the southwesterly corner of the tract herein described; thence running northerly, bounding westerly on said King land, 223.28 feet more or less, to land now or formerly of John Naughton et al; thence turning and running easterly, bounding northerly on said Naughton land 407.82 feet; thence turning and running southerly, bounding easterly on said Naughton land 219.17 feet; then turning and running westerly, bounding southerly on said Naughton land 311.86 feet to land of John R. Carey, Jr., et ux; thence running northwesterly bounding southwesterly on land of Mary S. Andrews, 80 feet more or less to the first described point. Petitioner is John Marshall.

ARTICLE 14

A motion was made and seconded that the Town rezone a parcel of land off Route 6, Fall River Avenue, Plat 1, Lot 31, presently designated as "Residential A" to "Industrial" and described as follows:

Beginning at the northwesterly corner of the parcel herein described, said point being the southwesterly corner of property now or formerly belonging to Gunnar Mortenson; thence running easterly bounding northerly in part by said Mortenson property, and in part by property, and in part by property now or formerly belonging to V. Early Yaghjian for a distance of 438.52 feet more or less to an angle and property now or formerly belonging to Samuel C. and Phyllis S. Hilton; thence continuing easterly bounding northerly by said Hilton property for a distance of 216.99 feet more or less to a corner and Industrial Zoned property of this owner; thence turning and running southerly bounding easterly by Industrial Zoned property of this owner for a distance of 1,862 feet more or less to a corner and property now or formerly belonging to Herbert E. and Helen M. Krohn; thence turning and running northwesterly bounding southwesterly by said Krohn property for a distance of 62.3 feet more or less to an angle; thence continuing northwesterly bounding southwesterly by property now or formerly belonging to J. Jr., and Mary Carey for a distance of 282.81 feet more or less to an angle; thence continuing northwesterly bounding southwesterly by said Carey property for a distance of 296.35 feet more or less to a corner and property now or formerly belonging to Mary S. Andrews; thence turn-

ing and running easterly bounding northerly by said Andrews property for a distance of 311.86 feet more or less to a corner; thence turning and running northerly bounding westerly by said Andrews property for a distance of 219.17 feet more or less to a corner; thence turning and running westerly bounding southerly by said Andrews property for a distance of 407.82 feet more or less to a corner and property now or formerly belonging to John J. King and Margaret C. Walker; thence turning and running northerly bounding westerly by said King and Walker property for a distance of 755.72 feet more or less to an angle; thence continuing northerly bounding westerly by said King and Walker property for a distance of 521.82 feet more or less to the point and place of beginning. Meaning and intending to describe the westerly portion of Lot #31 on Assessors; Plat #1. Petitioner is John Marshall.

ARTICLE 17

A motion was made and seconded that the Town amend the Zoning By-Laws of the Town of Seekonk, as approved by the Attorney General of the Commonwealth of Massachusetts on October 2, 1958, by deleting Section 10 and Section 11 as they now appear and replacing them with the following proposed Section 10, Off-Street Parking and Loading, as described below:

Section 10 -Off-Street Parking and Loading.

Refer to Section 10 of this By-Law, Page 16.

ARTICLE 18

A motion was amde and seconded that the Town amend the Zoning By-Laws of the Town of Seekonk, as approved by the Attorney General of the Commonwealth of Massachusetts October 2, 1958, by deleting Section 12 as it now appears and replacing it with the following proposed Section 12 Signs, as described below:

Section 12 - Signs

Refer to Section 12 of the By-Law, Page 26.