



ZONING BY-LAWS
OF THE
TOWN OF SEEKONK,
MASSACHUSETTS

APPROVED OCTOBER 2, 1958

INCORPORATING SUBSEQUENT REVISIONS THRU TOWN MEETING
CONCLUDED JUNE 25, 1979



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The following by-laws having been adopted by the town on April 28, 1958, and approved by the Attorney General of the Commonwealth of Massachusetts October 2, 1958, supercede the original Zoning Laws approved November 14, 1942, and its amendments.

SEEKONK PLANNING BOARD

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SECTION 1.
PURPOSE

The zoning districts and regulations pertaining thereto as herein set forth are made in accordance with a comprehensive plan to regulate the use of land, buildings, and structures for the purpose of promoting and protecting the health, safety and general welfare of the community and the present and future inhabitants of the Town of Seekonk. They are designed to lessen congestion in the streets; to conserve health; to secure safety from fire, flood, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water supply, drainage, sewerage, schools, parks, open space and other public requirements; to conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment; to encourage the most appropriate use of land throughout the Town, including consideration of the Master Plan, if any, adopted by the Planning Board and the Comprehensive Plan, if any, of the Southeastern Regional Planning and Economic Development District; and to preserve and increase amenities. They are made with reasonable consideration given to the character of each district and its peculiar suitability for particular uses.

Since the purpose of these by-laws is to promote and protect the quality of life in Seekonk by regulating property uses, whenever there appear to be multiple interpretations of points within these by-laws, the more restricting or more controlling interpretation is intended and will prevail unless ruled otherwise by due course of law.

Sub-sections of this by-law will not be interpreted out of the context of the next superior section within which it appears.

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.

BASE FLOOD LEVEL:

The elevation of flood waters having a one percent chance of being equalled or exceeded in any given year. This is also referred to as the "100 year flood level".

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.

DEVELOPMENT:

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DWELLING:

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

FARM:

A parcel of land used for the cultivation of the soil for the purpose of producing crops and/or for the raising of livestock with exception of the following noxious uses: piggeries, turkey farms and guinea hen farms.

FLOOD INSURANCE RATE MAP:

This is an official map prepared by the Federal Insurance Administration delineating both special flood hazard areas and risk premium zones.

FLOODPROOFING:

Any combination of structural and non-structural alterations to property which minimize or eliminate flood damage.

HABITABLE FLOOR:

Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof, or containing utility or service equipment. A floor used only for storage purposes is not a "habitable floor".

LOT:

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

MEAN SEA LEVEL:

The average height of the sea for all stages of the tide (ref. to National Geodetic Vertical Datum of 1929).

REGULATORY FLOODWAY:

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

SPECIAL FLOOD HAZARD AREA:

Land subject to a one percent or greater chance of flooding in any given year.

SPECIAL PERMIT:

A special permit allows a use that would not be appropriate generally or without restriction throughout the zone, but which if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, morals, or general welfare. Such uses may be permitted in such zone by special permit, if specific provision for such special permit uses is made in these zoning by-laws. Special permits are to be issued only for uses which are in harmony with the general purpose and intent of these by-laws, and are subject to general or specific provisions set forth therein. Special permits may also impose conditions, safeguards and limitations on time or use.

SPECIAL PERMIT GRANTING AUTHORITY:

The Town board or boards designated by the zoning by-laws to issue special permits under authority of Section 1 of Chapter 40A of the Massachusetts General Laws.

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.

For floodplain management purposes, a structure is a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.

SUBSTANTIAL IMPROVEMENT:

Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either, (a) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (b) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

TRAILER:

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

VARIANCE:

A variance is a relaxation of the terms of the zoning by-laws where such variance will not be contrary to the public interest or nullify or substantially derogate from the intent of these by-laws and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of these by-laws would involve substantial hardship, financial or otherwise. As used in these by-laws, a variance is authorized for circumstances relating to soil conditions, shape, size, or topography of land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located. Establishment or expansion of a use or activity otherwise prohibited shall not be allowed by variance. Conditions, safeguards and limitations of both time and use may be applied.

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 CLASSIFI- CATION OF DIS- TRICTS

3.1 DISTRICTS

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

- Residence "R-1" Districts
- Residence "R-2" Districts
- Residence "R-3" Districts
- Residence "R-4" Districts
- Local Business Districts
- Highway Business Districts
- Industry Districts
- Special Districts
 1. Planned Unit Development
 2. Wetlands and Floodplain Protection
 3. Mixed Use

- 3.1.2 The Special Districts entitled "Wetlands and Floodplain Protection" and "Mixed Use" are to be superimposed over the other districts in the affected areas on the Zoning Map. See Sections 9.2 and 9.3 for the applicable regulations.

3.2 DISTRICT BOUNDARIES

- 3.2.1 The boundaries of 9 of the 10 districts are hereby established as shown on the Seekonk, Massachusetts, Zoning Map dated 1979, which is hereby made a part of this By-Law and which is on file in the offices of the Inspector of Buildings and the Town Clerk.

The boundaries of the Wetlands and Floodplain Protection District are shown on the Flood Insurance Rate Maps and Flood Boundary and Floodway Maps as prepared by the Federal Insurance Administration in the Flood Insurance Study for the Town of Seekonk, Bristol County, Massachusetts, AND on the map entitled Superimposed Zoning District, October 1975 by Metcalf & Eddy. Both maps are on file in the offices of the Town Clerk and Inspector of Buildings.

- 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.
- 3.2.5 The boundary limits of the Wetlands and Floodplain Protection District are not described by dimensions; however, the floodplain is generally described by elevation above mean sea level. Distance shall be determined by the use of the scale shown on the zoning map. If simple scaling cannot ascertain whether or not the parcel of land in question falls within the boundaries of the District, the Inspector of Buildings will determine by field inspection the location of the parcel with respect to the District. In such a determination, the Inspector of Buildings shall seek the advice of the Conservation Commission, Planning Board and/or the Massachusetts Division of Environmental Management, and where such advice is given, it shall become part of the record.

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 60 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.

SECTION 6.
RESIDENCE
DISTRICTS

6.1 USES PERMITTED

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

6.2 USES PERMITTED AFTER APPROVAL BY THE ZONING BOARD OF APPEALS

1. Trailer or mobile home, as a temporary office incidental to continuous construction on the site on which the trailer or mobile home is located.
2. Conversion of a single-family structure to contain no more than two dwellings provided that each resulting dwelling shall contain a minimum floor area of 800 square feet and provided further that the lot area is at least double the lot area required in the district.
3. Farms under five acres devoted principally to the raising of livestock. 1/
4. Stables.
5. Kennels.
6. Philanthropic and religious purposes.
7. Public, private and parochial schools.
8. Colleges.
9. Municipal recreation areas.
10. Libraries.
11. Museums.
12. Hospitals or sanitarium.
13. Municipal uses.
14. Public or private utilities.
15. Golf Courses.
16. Fraternal or civic buildings.
17. Landscape nursery.
18. Cemeteries.

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

		<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>
6.3	MINIMUM LOT AREA	14,400 sq. ft.	22,500 sq. ft.	40,000 sq. ft.	62,500 sq. ft.
6.4	MINIMUM LOT WIDTH, MEASURED AT THE REAR OF THE REQUIRED FRONT YARD	120'	150'	200'	250'
	AND				
	MINIMUM LOT WIDTH, MEASURED AT THE STREET LINE	100'	120'	150'	200'
6.5	MINIMUM DEPTH OF FRONT YARD AND OF CORNER SIDE YARD (See Section 13 for Front Yard Exception Provision)	35'	35'	50'	50'
6.6	MINIMUM DEPTH OF REAR YARDS	25'	50'	70'	80'
6.7	MINIMUM DEPTH OF BOTH FRONT AND REAR YARDS	50% of longest side	--	--	--
6.8	MINIMUM WIDTH OF EACH INTERIOR SIDE YARD	15' + 5' for each story over one	20' + 5' for each story over one	35' + 5' for each story over one	35' + 5' for each story over one
6.9	MAXIMUM HEIGHT	3 stories or 40', which- ever is less	3 stories or 40', which- ever is less	3 stories or 40', which- ever is less	3 stories or 40', which- ever is less

6.10 ALTERNATE TO STANDARD MINIMUMS

This alternate is offered to encourage more normally acceptable lot configurations, increased open space, decreased density, reduced lengths of roads, utilities and drains, and to legalize potential non-conforming uses.

- 6.10.1 The minimum lot area must be increased by 250 square feet for each foot, or fraction thereof, of reduction of the minimum required lot width measured at the street line.
- 6.10.2 The minimum lot area must be increased by 250 square feet for each foot, or fraction thereof, of reduction of the minimum required lot width measured at the rear of the required front yard.
- 6.10.3 The minimum required lot width at the street line may be reduced to not less than 75% of the standard minimum of the affected zone, but not to less than 100 feet.
- 6.10.4 The minimum required lot width at the rear of the required front yard may be reduced to not less than 75% of the standard minimum of the affected zone, but not to less than 100 feet.
- 6.10.5 Any lots designed under Section 6.10 must be prominently identified on plans submitted for approval and/or endorsement.

6.11 HOME OCCUPATIONS

Home occupations customarily conducted entirely within a dwelling such as custom dress-making, 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 square feet;
- 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 SINGLE LOT DEVELOPMENT

The creation of or development of single lots which are not included in an approved subdivision (as per Chapter 41, Sections 81K-81GG of the Mass. General Laws) shall conform with the following requirements. These requirements are in addition to those in effect under other local Boards, the Inspector of Buildings, and other sections of these By-Laws.

- 6.14.1 A site plan at a scale of 1" = 40' shall be submitted to the Inspector of Buildings and it shall:
 - 6.14.1.1 List Assessors Plat and Lot No.;
 - 6.14.1.2 Identify abutting street(s) and property owner(s);
 - 6.14.1.3 Locate proposed building(s) on the site and indicate the proposed lowest floor elevation of said building(s);
 - 6.14.1.4 Indicate existing and proposed grades on the lot at 1 foot contour intervals;
 - 6.14.1.5 Locate existing water bodies, wetlands, drainage swales and/or drainage structures that are on or abut the site;
 - 6.14.1.6 Locate the test hole(s) and indicate soil types found and the percolation rate;
 - 6.14.1.7 Locate proposed drainage swales, structures and/or retention areas and indicate the means of disposing of stormwater runoff.
- 6.14.2 The Inspector of Buildings shall review this plan to ensure that the following conditions are met on the site.
 - 6.14.2.1 Stormwater runoff is disposed of so as not to cause additional runoff onto abutting lots nor to cause roadway flooding;

- 6.14.2.2 The lot is graded so as to shed stormwater runoff away from the proposed building(s);
- 6.14.2.3 The groundwater level is not raised so as to cause groundwater infiltration of basements or the malfunctioning of sewerage disposal systems in the proposed building(s) and on abutting properties;
- 6.14.2.4 The Conservation Commission has reviewed and approved the plans whenever such action was required by State Statute or local By-Laws;
- 6.14.2.5 The lot is graded and landscaped so that the driveway entrance area provides an unobstructed view for exiting vehicles and roadway traffic.

SECTION 7.

LOCAL AND HIGH-
WAY BUSINESS
DISTRICTS

7.1 USES PERMITTED

Residence district uses permitted in
Section 6.1 except dwellings.

LOCAL BUSINESS

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

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

LOCAL BUSINESS

HIGHWAY BUSINESS

Automotive 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.

7.2 USES PERMITTED AFTER APPROVAL OF THE ZONING BOARD OF APPEALS includes those residence district uses permitted in Section 6.2, plus dwelling units that are an accessory use within a structure utilized primarily for uses listed in Sections 7.1 and 6.2.

7.3 SCREENING

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.

LOCAL BUSINESS

HIGHWAY BUSINESS

7.4 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

40 percent

30 percent

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.

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.

7.9 MAXIMUM HEIGHT REQUIREMENT

The maximum building height shall be three stories or 40 feet, whichever is less.

SECTION 8.
INDUSTRY
DISTRICTS

The following provisions shall apply to industry districts;

8.1 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 8.3.

8.2 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.

8.3 USES PERMITTED AFTER APPROVAL BY THE BOARD OF APPEALS

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

8.4 CONSTRUCTION AND OPERATION STANDARDS AND LIMITATIONS

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

8.4.2 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.

- 8.4.3 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.
- 8.4.4 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.
- 8.4.5 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.
- 8.4.6 Glare--Any operation producing heat or glare shall be shielded so that the operation is not visible beyond the property line.
- 8.4.7 Exterior lighting--Exterior lighting shall not shine directly on properties and streets beyond the property line.
- 8.4.8 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.
- 8.4.9 Waste Disposal--Approval of the Board of Health of all waste disposal plans shall be required before the issuance of any building permit.
- 8.4.10 Vibration--No industrial operation shall cause inherent and recurrently generated vibration perceptible at the property line.
- 8.4.11 Radiation--No industrial operation shall cause dangerous radiation at the property line.

8.5 YARD, SPACE AND HEIGHT REQUIREMENTS

- 8.5.1 Minimum lot area 20,000 s.f.
- 8.5.2 Maximum building coverage.. 50% of area
of lot
- 8.5.3 Minimum front yard 50 feet
- 8.5.4 Minimum side and rear
yards except along
boundaries abutting
railroad tracks 20 feet
- Minimum side and rear
yards when adjacent
to a residence district.. 50 feet

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 evergreen 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.

- 8.5.5 Maximum building height shall be three stories or 40 feet, whichever is less.

8.6 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:

- 8.6.1 Garage for storage or repairs of appurtenant motor vehicles.
- 8.6.2 Offices pertaining to the industrial operation.
- 8.6.3 Employee restaurant and athletic facilities.
- 8.6.4 Laboratories.

SECTION 9.
SPECIAL
DISTRICTS

9.1 PLANNED UNIT DEVELOPMENT DISTRICTS

9.1.1 DEFINITION AND INTENT

A planned unit development district means a non-residential mixed use development on a plot of land containing a minimum of the greater of sixty thousand square feet or five times the minimum lot size of the zoning district in which a mixture of commercial uses or a mixture of industrial uses and a variety of building types are determined to be sufficiently advantageous to render it appropriate to grant special permission to depart from the normal requirements of the district to the extent authorized by these by-laws.

Planned unit development districts may be for commercial use--PLANNED UNIT DEVELOPMENT DISTRICT COMMERCIAL--or industrial use--PLANNED UNIT DEVELOPMENT 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 these by-laws and to constitute a harmonious, efficient, and convenient commercial or industrial center.

Planned unit development districts shall be established by process of amendment.

9.1.2 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.

9.1.3 CONTENT OF SITE PLAN

A site plan for a planned district shall be certified by a Registered Land Surveyor, Professional Engineer, Landscape Architect or Architect, and it 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.

9.1.4 A site plan for a planned district commercial shall provide:

9.1.4.1 Front, side, and rear yards of depth at least as great as those required in highway business districts.

9.1.4.2 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.

9.1.4.3 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.

9.1.5 A site plan for a planned district industrial shall provide:

9.1.5.1 Front, side, and rear yards of depths at least as great as those required in industry districts.

9.1.5.2 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 8.5.4.

9.1.5.3 Parking areas constructed in conformance with the provisions of Section 10.

9.1.6 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.

9.1.7 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.

9.2 WETLANDS AND FLOODPLAIN PROTECTION DISTRICT

9.2.1 PURPOSE AND INTENT

The purposes of the Wetlands and Floodplain Protection District are as follows:

- 9.2.1.1 To provide that lands in the Town of Seekonk subject to seasonal or periodic flooding as described hereinafter shall not be used for residence or other purposes in such a manner as to endanger the health, safety or welfare of the occupants thereof, or of the public generally, or so as to burden the public with costs resulting from unwise individual choices of land use.
- 9.2.1.2 To protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public health and safety of the Town.
- 9.2.1.3 To assure the continuation of the natural flow pattern of the water courses within the Town, in order to provide adequate and safe flood-water storage capacity to protect persons and property against the hazards of flood inundation.

9.2.2 DEFINITION OF THE DISTRICT

The Wetlands and Floodplain Protection District is superimposed over any other district established by this Zoning By-Law.

- 9.2.2.1 The Wetlands portion of this District shall be defined as all lands in the Town as shown on the map entitled "Superimposed Zoning District" and which have been identified as follows:

- shallow fresh water marsh (FM)
- deep fresh water marsh (DM)
- salt marsh (SM)
- shrub swamp (SS)
- wooded swamp (WS)
- cranberry bog (CB)
- pond (P)
- river (R)
- drainage ditches and other water courses

9.2.2.2 The Floodplain portion of this District includes all lands in Seekonk which have been identified as areas of special flood hazard, including regulatory floodways, by the Federal Insurance Administration in the Flood Insurance Study for the Town of Seekonk, Bristol County, Massachusetts, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps. Said study and maps are hereby adopted by reference and declared to be a part of this Zoning By-Law.

9.2.3 USES PERMITTED

Municipal use, such as waterworks, pumping stations, essential services and parks, is permitted under this section. Land in the Wetlands and Floodplain Protection District may be used for any purpose otherwise permitted in the underlying residential, business or industrial district subject to all the provisions of this section, as well as all provisions of the underlying district.

9.2.3.1 No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs or the like) intended for permanent use shall be erected, constructed, altered, enlarged or otherwise created or moved for any purpose unless a Special Permit is granted by the Zoning Board of Appeals.

However, a structure existing at the time this By-Law becomes effective may be reconstructed or repaired to the original proportions after a fire or other casualty provided that no other provisions of these By-laws are violated.

9.2.3.2 Dumping, filling, mining, dredging, grading, drilling, paving or transferring of any earth material within the district is prohibited unless the Zoning Board of Appeals grants a Special Permit.

However, this does not prohibit ordinary gardening or farming activities in lawn, garden or farm areas which are used for such purposes at the time this By-Law becomes effective.

9.2.3.3 No ponds or pools shall be created nor shall there be other changes in water courses for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses without a Special Permit being issued by the Zoning Board of Appeals.

9.2.3.4 Within the regulatory floodway, no development or encroachment, including fill or change of grade, shall be allowed.

9.2.4 SPECIAL PERMITS AND PROCEDURE

Any person(s) desiring a Special Permit shall submit an application to the Zoning Board of Appeals which shall comply with the conditions and submittal requirements as listed in the following subsections. Such conditions shall include, where applicable, approval by the Conservation Commission, the Massachusetts Department of Public Works, and the Massachusetts Division of Environmental Management under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.

9.2.4.1 SUBMITTAL REQUIREMENTS

An application for a Special Permit shall be accompanied by the following information:

9.2.4.1.1 LOCUS PLAN

A location plan at a scale of 1" = 600' shall be submitted showing the lot(s) to be developed, lot lines within which the development is proposed and tie-in to the nearest road intersection.

9.2.4.1.2 SITE PLAN

A site plan at a scale of 1" = 40' shall be prepared by a registered land surveyor, professional engineer, landscape architect or architect. The site plan shall show the following information:

9.2.4.1.2.1: The location, boundaries and dimension of each lot in question.

9.2.4.1.2.2: One foot contours of the existing and proposed land surface.

9.2.4.1.2.3: Delineation of the wetlands and/or base flood level on the lot(s).

9.2.4.1.2.4: The location of existing and proposed structures, water courses, drainage easements, and means of access and the location of drainage and sewage disposal facilities.

9.2.4.1.2.5: The elevation of the basement and first floor.

9.2.2.1.2.6: The area and location of leaching fields.

9.2.4.2 DEVELOPMENT CONDITIONS

For the development of land within the Wetlands and Floodplain Protection District, the following conditions shall apply:

9.2.4.2.1: All new construction and substantial improvements, including the placement of prefabricated and mobile buildings, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure, and be constructed with materials and utility equipment resistant to flood damage, and by methods and practices that minimize flood damage.

9.2.4.2.2: All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage and shall provide adequate drainage to reduce exposure to flood hazards.

9.2.4.2.3: All public utilities and facilities, such as sewer, gas, electrical and water systems shall be located and constructed to minimize or eliminate flood damage.

9.2.4.2.4: All new and replacement water supply systems and sanitary sewerage systems shall be constructed to minimize or eliminate infiltration of flood waters into the systems. Sanitary sewer systems shall also be constructed to minimize or eliminate discharges from the systems into flood waters, and on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

9.2.4.2.5: The following minimum requirements apply in all unnumbered "A" zones and all zones numbered "A1" through "A7" designated on the Flood Insurance Rate Maps:

9.2.4.2.5.1: All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above the base flood level.

9.2.4.2.5.2: All new construction and substantial improvements of non-residential structures shall have the lowest floor, including basement, elevated to or above the base flood level or constructed so that the structure and attendant utility and sanitary facilities below the base flood level are watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

9.2.4.2.5.3: Where floodproofing is utilized for a particular structure in accordance with the above paragraphs, a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood.

9.2.4.3 Special Permit Procedure

The applicant shall file for a Special Permit in accordance with Section 11, "Special Permits", of these By-Laws.

9.2.5 ADMINISTRATION

This By-Law shall be administered by the Inspector of Buildings as follows:

- 9.2.5.1 Review proposed development within the Wetlands and Floodplain Protection District to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.
- 9.2.5.2 Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
- 9.2.5.3 Obtain, review and reasonably utilize any base flood elevation data available as criteria for requiring that all new construction or substantial improvements meet the requirements set forth in this By-Law.
- 9.2.5.4 Obtain the elevation, in relation to mean sea level, of the lowest habitable floor, including basement, of all new or substantially improved structures. Also determine whether the structure has been floodproofed, and if so, the elevation to which it was floodproofed.
- 9.2.5.5 Prior to any alteration or relocation of a watercourse, notify adjacent affected communities and the Massachusetts Division of Water Resources, and also submit copies of such notification to the Federal Insurance Administration.
- 9.2.5.6 Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

9.2.5.7 Maintain records of floodproofing certifications prepared by professional engineers and architects, and of lowest floor elevations and floodproofing elevations determined in accordance with this By-Law.

9.2.5.8 No occupancy permit shall be issued until all Boards with jurisdiction under this By-Law have given written notice to the issuing officer that they are satisfied with compliance by the applicant with this By-Law. Failure by any Board to respond within twenty-one days to a written request from the issuing officer for an opinion on compliance will constitute agreed compliance by the requested Board.

9.2.6 AREA AND YARD REGULATIONS

A lot, a portion of which is in the Wetlands and Floodplain Protection District, meets the minimum area regulations as specified under other sections of these By-Laws, provided that not more than 20% of the lot area which is required to meet the minimum area requirements is within the Wetlands and Floodplain Protection District, and provided no construction or drains are planned or executed within this protected district.

9.3 MIXED USE ZONE

9.3.1 DEFINITION AND INTENT

A mixed use zone is an overlay zone which is superimposed upon residential zones along major designated traffic routes. The purpose of this zone is to preserve the rural character along Seekonk's major roadways, to prevent strip commercial development and its associated problems, to concentrate commercial activity in clusters, to preserve and enhance the environmental assets of the Town, and to promote well-planned viable commercial development in the community.

9.3.2 USES PERMITTED

Residence district uses permitted in Section 6.1.

9.3.3 USES PERMITTED BY SPECIAL PERMIT OF THE ZONING BOARD OF APPEALS

Residence district uses permitted in Section 6.2.

The following business activities:

9.3.3.1 Businesses such as antique shops, craft shops, specialty shops, etc.

9.3.3.2 Nursing homes and funeral homes.

9.3.3.3 Professional offices, such as doctors, attorneys, real estate and insurance offices.

9.3.3.4 Businesses which do not generate traffic flows in excess of those listed in 9.3.3.1, 9.3.3.2, and 9.3.3.3.

9.3.3.5 The type and number of commercial vehicles to be parked on the property shall be appropriate to the location.

9.3.3.6 No outside display, storage or demonstration shall be allowed.

9.3.4 SITE PLAN PREREQUISITE FOR APPROVAL

9.3.4.1 Content of Site Plan

The site plan 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,

off-street parking and loading spaces, the location of open spaces and natural features on the site, the location and design of signs, the description of uses of buildings and areas, and landscaping.

9.3.4.2 Design Requirements

The site plan shall be designed in conformance with the provisions of Section 10: "Parking and Loading Regulations" of the Zoning By-Laws, as well as the following provisions. (If there is a conflict between Section 10 and the following provisions, the more restrictive shall be considered in effect.)

9.3.4.2.1 Setback

Buildings, parking areas and all associated improvements, with the exception of free-standing signs, shall be located no closer than 50 feet to the street lot line.

9.3.4.2.2 Side and Rear Yards

Buildings, parking areas and all associated structures shall be located no closer than the side and rear yard requirements of the underlying residential district of the area.

9.3.4.2.3 Building Coverage

Buildings shall cover no more than 30% of the total lot area.

9.3.4.2.4 Landscaping

All landscaping shall be of natural vegetation. A screening type of landscaping of at least six feet in height, and of solid appearance, shall be located along the property lines to the rear of the setback line.

9.3.4.2.5 Entrance/Exit

The entrance/exit shall be limited to one, but otherwise shall conform with Section 10 of these by-laws.

9.3.4.2.6 Natural Features

Any natural features of the site such as hills, ledge outcroppings, wetlands, floodplain, trees of at least 10" in diameter, etc., shall be retained in the site design to the extent feasible.

9.3.4.2.7 Building Height

The height of all buildings shall be limited to three stories, but shall not exceed 40 feet.

9.3.4.2.8 Signs

9.3.4.2.8.1: Free-standing signs shall conform with the requirements of Section 12 of these By-Laws and, in addition, shall be of a colonial or rustic design of a size not to exceed 60 square feet.

9.3.4.2.8.2: Signs affixed to the building(s) shall conform with the requirements of Section 12 of these By-Laws.

9.3.5 PERIOD OF VALIDITY

A special permit granted under this section is subject to the provisions as specified in Section 11: "Special Permits" of the Zoning By-Laws of the Town of Seekonk.

SECTION 10.

10.1 PARKING REQUIREMENTS

OFF-STREET
PARKING AND
LOADING

10.1.1 Number of Spaces. 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. Except where an employee parking space requirement is specified, all below land use activities that have employees shall provide one parking space for each two employees in addition to the minimum number of off-street parking spaces required.

10.1.2 Mixed Uses. Where mixed uses occur, the parking and loading spaces required shall be the sum of the requirements for the several individual uses, computed separately unless it can be demonstrated to the Board of Appeals under a variance application that the need for parking occurs at different times and that adequate spaces will exist to handle the requirements for each use.

10.1.3 Parking Space Schedule.

Land Use Activity

Minimum Number of Off-Street
Parking Spaces

Residential

Two per dwelling unit.

Hotel or motel

One per guest room.

Place of assembly, church,
meeting hall or room, club,
lodge and country club.

One per each four seats of total seating capacity or one per 400 square feet of gross floor area, whichever is greater.

Restaurant, stadium, gymnasium,
auditorium, arena.

One per each three seats of total seating capacity.

Theatre

One per each two seats of total seating capacity.

Land Use Activity

Minimum Number of Off-Street
Parking Spaces

Bank

One per each 150 square feet of gross floor area or fraction thereof.

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, warehouse, or storage establishment.

One per each 2 employees on the largest shift.

Medical or dental clinic or office.

Three per each doctor plus one for each employee.

Hospital

Two per bed at design capacity.

Nursing Home

One per two beds.

Business, trade or industrial school or college.

One per each 200 square feet of gross floor area in classrooms and other teaching stations.

School or college dormitory facilities.

One space per person of ultimate dormitory resident capacity.

Other schools

Two per classroom in an elementary and junior high school; four per classroom in a senior high school, plus any other "mixed use" requirements.

Office

One per 300 square feet of gross floor area, or one per each two employees, whichever is greater.

Golf Course

Two per green.

Tennis Court

One per four spectator capacity and two per court.

Swimming pool, skating rink

One per four spectator capacity plus one per each 100 square feet of gross floor area.

Sports field	One per four spectator capacity.
Amusement park	One per each 30 square feet 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.
Manufacturing or industrial establishments	Two per each 3 employees in the largest working shift.
Any use permitted by these by-laws not interpreted to be covered by this schedule.	Closest similar use as determined by the Planning Board

10.1.4 Dimensions. Each off-street parking space shall be a minimum of nine (9) feet in width by twenty (20) feet in length. Each off-street handicapped parking space shall be a minimum of twelve (12) feet in width by twenty (20) feet in length. In the case of angle parking, the measurement of the width shall be perpendicular to the parking line.

10.1.5 Aisle and Entrance Dimensions. The minimum width of aisles and entrance drives providing access to more than two spaces shall be at least 24 feet wide. On lots where one entrance and exit driveway or access is constructed, the access shall not exceed fifty-four (54) feet in width. Where two or more driveways or accesses are constructed, the accesses shall each not exceed thirty (30) feet in width. For automotive service stations, the maximum width shall be thirty-two (32) feet for each driveway or access. Refer to Figure 10.1 for design guidance.

10.2 LOADING REQUIREMENTS

10.2.1 Off-Street Loading. For every building hereafter erected and for every use hereafter established in an existing building or area, the off-street loading requirements presented in the Loading Space Schedule apply. Provided however, that for any building existing prior to October 2, 1973, but not expanded after such date, the Zoning Board of Appeals may grant a variance to allow for on or off loading on the street where conditions unique to the use reasonably justify such loading.

10.2.2 Loading Space Schedule.

Use

Minimum Number of Loading Spaces Per Unit

All uses under 5,000 square feet of gross floor area.

No minimum; 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 facilities (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.

10.2.3 Dimensions. 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 use or ownership of the premises, except residential, or in the floor area, or number of employees, or other unit of measurement specified in the foregoing Parking Space and Loading Space Schedules, off-street parking and loading facilities shall be provided on the basis of the adjusted needs as determined by the aforesaid Schedules. If there has been a change in the lawful use of the premises after October 2, 1973, of any building existing prior to October 2, 1973, the petitioner, after clearly demonstrating to the Planning Board that it is impossible due to the physical structure of the property to provide additional off-street parking and loading, shall be exempt from the provisions of this section.

10.3.2 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 in number so long as said use remains, unless a reduced number of parking or loading spaces conforms to the requirements of the parking and off-street loading schedules.

- 10.3.3 Computation of Spaces. When the computation of required parking or loading spaces results in the requirements of a fractional space, any fraction over 1/2 shall require one additional space.
- 10.3.4 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 Zoning Board of Appeals shall rule upon the acceptability of alternative plans.
- 10.3.5 Combined Facilities. Parking required for two or more buildings or uses may be provided in combined facilities on the same or contiguous lots, where it is evident that such facilities will continue to be available for the several buildings or uses, regardless of ownership, with Planning Board approval.
- 10.3.6 Rental Spaces. 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.
- 10.3.7 Location of Loading Spaces. The loading spaces required for the uses listed in the Loading Space Schedule shall in all cases be on the same lot as the structure or 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 Illumination. The following shall be the minimum illumination levels measured in footcandles for all parking spaces serving the designated uses:

Industrial	1.0
Commercial	2.0
Shopping Centers	3.0

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, and the source of the light shall not be visible therefrom. The maximum spillover illumination to adjacent property shall be 1.0 footcandle.

10.3.9 Permits Required. Prior to the issuance of a building permit, a plan for parking areas and loading areas shall be submitted to the Planning Board for review of compliance with these by-laws. A building 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.

10.4 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, a grassed earth berm, a fence, masonry wall or some combination of these screening devices, on each side which adjoins or faces the side or rear lot line of a parcel in residential use or in a residence 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 in a manner harmless to abutting properties.

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 concrete, steel, or heavy timber, or a concrete curb or berm curb which is backed, or a natural berm, 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 No parking or loading area shall be used for the sale, repair, display, storage, dismantling or servicing of any vehicle, equipment, merchandise, material or supplies except as specifically permitted by these by-laws in conjunction with uses directly involving sale, servicing, storage or repair of vehicles in districts where such uses are permitted.

10.4.1.6 A minimum 10 foot deep landscaped area shall be provided along the street lot line(s) when parking or driveways are planned in the required front yard area, exempting access and egress, and in conformance with sections 10.5.3.3 and 10.5.3.4.

10.4.1.7 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 onto any public street.

10.4.1.8 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.

10.5 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 islands containing landscape plantings of trees and shrubs, curbing and intersecting lanes at angles designed to guide turning vehicles 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 An area equivalent to a minimum of twenty (20) percent of the paved area shall be provided in addition to said paved area for landscaped parking unit dividers, landscaped islands, pedestrian walkways and perimeter landscaping. Landscaping shall be arranged on the lot so that a landscaped area shall be within 100 feet from any point on the lot.

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

10.5.3.5 Pedestrian walkways may be paved, but shall not exceed fifty (50) percent of areas required by 10.5.3.1. When pedestrian walkways need cross traffic lanes, crosswalks shall be clearly marked and identified.

10.5.4 Curbing and walkways wherever developed shall meet all standards for curbing and walkways specified in the effective Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk.

10.5.5 All parking spaces shall be accessible from the driving aisles or lanes by a single turn.

10.5.6 Display lots for motor vehicle sales shall be considered parking lots but are allowed the following exemptions to layout regulations in Section 10.5 as long as there is provided, adjacent to and parallel with the street lot line, a landscaped setback area not less

than twenty (20) feet in depth except in the area covered by access drives. No vehicle shall be parked in the landscaped area or nearer than twenty (20) feet from the street lot line.

10.5.6.1 Layout regulations 10.5.1 through 10.5.3.1, and 10.5.3.5 are waived.

10.5.6.2 Regulation 10.5.6 applies only if the display lot is separated in a manner to prevent public parking in the display lot.

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

10.5.6.4 All regulations not specifically exempted apply.

12.1.5 The Building Inspector shall be the enforcing authority acting under the direction of the Board of Selectmen.

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) percent 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.

12.1.3.2 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) percent of the maximum allowable area of the first sign, nor will the area of the second sign exceed five (5) percent 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) percent 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 signboard 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.

REZONES Page III

July 26, 1976	Special Town Meeting Plat 7, portion of Lot 54 (J. & L. Ferreira)	From Highway Business to Residential A
April 11, 1977	Annual Town Meeting Plat 1, Lot 20 (Samuel Hilton)	From Residential A & Highway Business to Industrial
June 25, 1979	Special Town Meeting Townwide Rezone In Conjunction With Mas- ter Plan	
October 22, 1979 <i>Pending approval of Attorney General</i>	Special Town Meeting Plat 1, Lot 125 (Rho-Phi, Inc.)	From Residence R-3 to Mixed Use/R-3