

Ralph F. Turner

ZONING BY-LAWS

OF THE

TOWN OF SEEKONK, MASSACHUSETTS

APPROVED OCTOBER 2, 1958

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 amendments.

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

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

6.1 Uses Permitted

6.2 Uses Permitted After Approval by the Board of Appeals

6.3 Minimum Lot Area

6.4 Minimum Lot Width, Measured at the Rear of the Required Front Yard

and
Minimum Lot Width,
Measured at the Street
Line

6.5 Minimum Depth of Front Yard and of Corner Side Yard (See Section 13 for Front Yard Exception Provi- sions)

Residence AAA

Residence AA

Residence A

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.

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 sanitarium; 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.

62,500 sq. ft.

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

Dwellings 10,000 sq. ft., other uses 45,000 sq. ft.

250 ft.

150 ft.

Dwellings 100 ft., other uses 150 ft.

200 ft.

and

120 ft.

and

Dwellings 80 ft., other uses 120 ft.

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 line
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 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.

SECTION 7. LOCAL AND HIGH- WAY BUSINESS DISTRICTS

7.1 Uses Permitted

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

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

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 oper-

Local Business

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

ations 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.

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.

7.3 Screening

All outdoor storage areas or facilities for fuel, 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 feet high is erected and maintained between such use and any adjoining residence district.

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.

**SECTION 8.
PLANNED
DISTRICTS**

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.

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 Planning Board.

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.

The following provisions shall apply to industry districts:

SECTION 9. 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 per cent 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 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.

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

10.1 Applicability

No land shall be used or occupied and no structure shall be erected or used unless the off-street parking spaces required herein are provided.

Such parking spaces are not required for any structure or use existing at the time of adoption of this by-law, provided, however, that parking spaces as herein specified shall be constructed upon the occasion of any enlargement or extension to any existing structure or use.

10.2 Location

The off-street parking spaces required by this by-law shall be on the same lot as the structure or use they are intended to serve, or on other premises within 200 feet of the lot.

10.3 Continuation of Facilities

Required off-street parking spaces constructed in accordance with this by-law shall not hereafter be reduced, provided, however, that the Board of Appeals may determine that such reduction is warranted by a change of use.

10.4 Minimum Size of Parking Spaces

Each parking space shall contain a minimum of 200 square feet of area for each vehicle, exclusive of necessary drives and other access ways. A driveway may be considered a required parking space for a dwelling.

10.5 Street Access

Each parking space shall have adequate vehicular access to a street.

10.6 Parking Spaces Reserved for Associated Structure or Use

No part of an off-street parking area required for any building or use shall be included as a part of an off-street parking area required for another building or use unless the types of structures or uses indicate that the period of usage of such structures or uses will not be simultaneous, as determined by the Board of Appeals.

10.7 Construction Requirements

All off-street parking space other than those required for dwellings shall be constructed as follows:

- 10.7.1 Such area shall be paved with bituminous or other dustless surfacing material.
- 10.7.2 Where such area adjoins a lot in a residence district a wall of solid appearance or tight evergreen hedge having a height of not less than 6 feet shall be erected and maintained between such area and the property in the residence district.
- 10.7.3 Any light used to illuminate said parking area shall be so arranged as to reflect the light away from adjoining premises and streets.

10.8 Off-street Parking Space Requirements

The following off-street parking spaces shall be required for the following uses:

- 10.8.1 Dwellings—One space for each dwelling unit.
- 10.8.2 Places of Assembly, Including Churches—One space for each three seats.
- 10.8.3 Schools—One space for each class room plus one space for each two employees or staff members other than teachers; and, where an auditorium is provided, one space for each three seats therein.
- 10.8.4 Offices—One space for each two employees plus space for customer vehicles as appropriate. Parking spaces for separate office establishments in business or other type of buildings shall be provided in accordance with the provisions of this subsection 10.8.4 and shall be in addition to the parking requirements for the uses of the other portions of the building.
- 10.8.5 Tourist Homes, Rooming Houses, Hotels, Motels—One space for each unit to rent plus one space for each dwelling unit for permanent occupancy.

10.8.6 Retail businesses and service establishments except eating and drinking establishments.

Gross floor area of building designed for retail business or service establishment use and excluding basement storage area.

Minimum required parking area (including driveways) in proportion to gross floor area.

0-5,000 sq. ft.

An area at least equal to the gross floor area.

5,001-10,000 sq. ft.

An area at least equal to twice the gross floor area.

Over 10,000 sq. ft.

An area at least equal to four times the gross floor area.

10.8.7 Eating and Drinking Establishments—One space for each four seats provided for patron use.

10.8.8 Wholesale Establishments, Establishments Processing for Direct Consumption and Industry District Uses—One space for each two persons employed plus one space for each company owned and operated vehicles plus spaces for customers' vehicles as appropriate.

10.8.9 Other Uses Requiring Off-street Parking Space—Spaces in accordance with anticipated needs as determined by the Board of Appeals after consultation with the Planning Board.

**SECTION 11.
OFF-STREET
LOADING**

11.1 Applicability

No land shall be used or occupied and no structures shall be erected or used for business or industrial purposes unless the off-street loading spaces required herein are provided. Such loading spaces are not required for any business or industrial structure or use existing at the time of the adoption of this by-law, provided, however, that off-street loading spaces as herein specified shall be constructed upon the occasion of any enlargement or extension to any existing structure or use.

11.2 Location

The off-street loading spaces required by the by-law shall be in all cases on the same lot or parcel of land as the use or structure they are intended to serve. In no case shall any required off-street loading space be part of an area used to satisfy the off-street parking requirements of this by-law.

11.3 Requirements

11.3.1 For each business and industrial use one off-street loading space of at least 200 square feet shall be provided for structures of up to 7500 square feet of gross floor area. For each business use of over 7500 square feet of gross floor area an additional off-street loading space of at least 450 square feet in an area and having a minimum overhead clearance of at least 14 feet shall be provided.

11.3.2 Additional off-street loading spaces may be required when necessary to provide adequate area for off-street loading. Detailed plans for off-street loading space provision and use shall be required before the issuance of any building permit.

**SECTION 12.
SIGNS**

12.1 Signs in Residence Districts

Signs in all residence districts shall be:

12.1.1 Non-flashing, non-animated and illuminated only by incandescent light;

- 12.1.2 Not larger than 3 square feet for professional and home occupation purposes;
- 12.1.3 Not larger than 12 square feet for real estate purposes, except that larger signs for such purposes may be permitted by the Board of Appeals for a period of one year, renewable;
- 12.1.4 Set back from any lot line at least 25 feet;
- 12.1.5 Pertinent only to the premises on which located.

12.2 Signs in Business and Industrial Districts

Signs in business and industry districts shall be:

- 12.2.1 Non-flashing and non-animated;
- 12.2.2 Set back from any residential lot line at least the side yard distance required in the adjoining residence district;
- 12.2.3 Pertinent only to the sale, rental or use of the premises on which located.

12.3 Overhang

No part of any sign shall extend beyond any property line.

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 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. 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.

