

Section 10. Site Plan Review

10.1 Purpose:

The purpose of this section is to protect the safety, public health, convenience and general welfare of the inhabitants of the Town of Seekonk by providing detailed review of the design and layout of certain developments which may have a substantial impact upon the character of the Town and upon traffic, utilities and services therein.

10.2 Powers and Administrative Procedures:

All site plans are subject to the review and approval by the Planning Board (Board). The Board shall impose any conditions they find reasonably appropriate to improve the site design as based on the design standards below. The Board may adopt and periodically amend rules and regulations to effectuate the purposes of this by-law. Failure by them to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

10.3 Applicability:

Any construction or alteration of a non-residential structure or change of use of a building or property to a non-residential use that would necessitate an on-site change to any of the design standards of 10.6 shall be subject to Site Plan Review. Residential uses are exempt from this section.

10.4 Pre-Application Review:

The applicant is strongly encouraged to request a pre-application review with the Town Planner, Conservation Agent, Building Official, Health Agent, Fire Chief, Water Superintendent and Public Works Superintendent. The applicant's consultants are strongly encouraged to attend. The purpose of this review is to outline the applicant's preliminary plan and receive comments from the members of the town staff listed above so as to minimize the applicant's costs for engineering and other technical experts that may arise throughout the development process.

10.5 Procedure:

Applicants shall submit an application for Site Plan Review in accordance with the rules and regulations effectuating the purposes of this bylaw adopted and periodically amended by the Board. Said application shall be deemed complete by the Town Planner in accordance with the required items for a completed application as outlined in the rules and regulations. An application will be deemed either complete or incomplete within one week of its receipt. Applicants who have submitted incomplete applications will then be notified of which required items are missing.

When reviewing an application for approval, the Board may determine that the assistance of outside consultants is warranted due to a project's potential impacts. The cost of such outside consultants shall be borne by the applicant. Review fees shall be in the form of a check made out to the Board's reviewing engineer. Said review fee should be forwarded to the Board for payment to the Board's reviewing engineer.

Prior to the issuance of a building permit, a site plan 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 Board that is compliant with any conditions put forth as part of the approval by the Board or by indicated approval as follows. If the Planning Board does not act to reject such plan within sixty (60) consecutive days after receipt of a completed application, it shall be deemed to be acceptable and the plan shall be signed "Approved by Default" by the Town Clerk.

Site Plan approvals are valid for one year following the date of approval. Construction shall commence within this timeframe. A one-year extension can be granted by Board upon receipt of correspondence by the applicant seeking said extension. Prior to construction erosion and sedimentation control measures shall be in place in accordance with any bylaws regulating said measures.

10.6 Design Standards:

The following elements, in addition to any standards prescribed elsewhere in this by-law, shall be utilized by the Board in considering all site plans.

10.6.1. Parking Requirements

10.6.1.1 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.

10.6.1.2 Shared Parking: Where mixed primary uses occur, applicants may propose a reduction in parking requirements based on an analysis using data from the Institute of Traffic Engineers (ITE). For peak demands of non-competing uses, a reduction up to 25% of the parking requirements in 10.6.1.3 may be approved by the Planning Board. For peak demands of competing uses, a reduction up to 10% of the parking requirements in 10.6.1.3 may be approved by the Planning Board.

10.6.1.3 Parking Space Schedule

Land Use	Minimum	Maximum
Hotel or Motel	1 per guest room	1.2 per guest room
Place of assembly, church, meeting hall or room, club,	1 per five seats	1 per three seats

lodge and country club		
Restaurant, stadium, gymnasium, auditorium, arena	1 per five seats	1 per three seats
Theater	1 per four seats	1 per two seats
Bank	1 per 400 square feet of gross floor area	1 per 150 square feet of gross floor area
Commercial establishments at least 20,000 square feet	1 per 500 square feet of gross floor area	1 per 250 square feet of gross floor area
Commercial establishments less than 20,000 square feet	1 per 400 square feet of gross floor area	1 per 200 square feet of gross floor area
Automotive retail and service	1 per 2000 square feet of gross floor area	1 per 1000 square feet of gross floor area
Wholesale, warehouse, or storage establishment	1 per each employee on the largest shift	1.2 per each employee on the largest shift
Medical or dental office	2 per each doctor plus one for each employee	3 per each doctor plus one for each employee
Hair, Nail, Massage, Tattoo establishment	2 per each practitioner plus one for each employee	3 per each practitioner plus one for each employee
Hospital	1.5 per bed	2 per bed
Nursing Home	0.25 per bed	0.5 per bed
Business, trade or industrial school or college	1 per 400 square feet of gross floor area	1 per 200 square feet of gross floor area
School or college dormitory facilities	1 per resident	1.2 per resident
Other schools	2 per classroom	4 per classroom
Office	1 per 500 square feet of gross floor area	1 per 300 square feet of gross floor area
Golf course	1.5 per green	2 per green
Tennis court	1.5 per court	2 per court
Swimming pool or skating rink	1 per four spectator capacity	1 per four spectator capacity plus one per each 1000 square feet of gross floor area
Sports field	1 per six spectator capacity	1 per four spectator capacity
Amusement park	1 per each 600 square feet of amusement area	1 per each 300 square feet of amusement area
Ranges (golf, batting, etc.)	1 per station	1.5 per station
Campgrounds	2 per campsite	2.5 per campsite
Public utility	1 per 400 square feet of gross floor area	1 per 200 square feet of gross floor area
Manufacturing or industrial establishments	1 per each three employees of the largest working shift	2 per each three employees of the largest working shift

The Planning Board shall determine the closest similar use for any use permitted by these By-Laws not interpreted to be covered by this schedule. Only the primary land use needs to be considered in calculating the required parking spaces. The Planning Board may suggest an appropriate number of spaces for a specified land use within the range of minimum and maximum parking spaces based on historical demand. Handicapped spaces shall be in conformance with 521 CMR and an appropriate notation stating such conformance shall be placed on the prepared site plan.

10.6.1.4 Dimensions: Each off-street parking space shall be a minimum of nine (9) feet in width by twenty (20) feet in length. In the case of angle parking, the minimum dimensions for stalls and aisles shall be in compliance with the Institute of Traffic Engineers (ITE) standards.

10.6.1.5 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.

10.6.1.6 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.

10.6.1.7 Loading Space Schedule

Use	Minimum number of loading spaces per units
All uses under 5000 square feet	No minimum, sufficient provision to eliminate all on or off loading on the street pursuant to normal economic activity
Retail trade, manufacturing and hospital establishments with over 5000 square feet of gross floor area	1 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; spaced used for ambulance receiving at a hospital is not to be used to meet these loading requirements.
Business services, other	1 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

- 10.6.1.8 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.
- 10.6.1.9 Computation of Spaces: When the computation of required parking or loading spaces results in the requirements of a fractional space, any fraction over $\frac{1}{2}$ shall require one additional space.
- 10.6.1.10 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 Planning Board shall rule upon the acceptability of alternative plans.
- 10.6.1.11 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.
- 10.6.1.12 The location of spaces shall be suitably marked by painted lines or other appropriate markings.
- 10.6.1.13 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.
- 10.6.1.14 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.
- 10.6.1.15 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.
- 10.6.1.16 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.
- 10.6.1.17 All parking areas shall have clearly defined traffic flow into and out of the area and throughout the lot. Traffic moving in one direction may be required to be separated from traffic moving in an opposite direction at the entrance and exit to the parking lot by barrier, striping, rumble strip or the like, as determined to be

necessary by the Planning Board. 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. Where possible, curb-cuts shall be located on secondary roads and limited to only one on primary roads.

- 10.6.1.18 Curbing and walkways wherever developed shall meet all standards for curbing and walkways specified in the effective Rules & Regulations Governing the Subdivision of Land in the Town of Seekonk.
- 10.6.1.19 All parking spaces shall be accessible from the driving aisles or lanes by a single turn.
- 10.6.1.20 If the proposed development may generate 100 or more additional peak hour trips, based on the Institute of Traffic Engineers (ITE) Trip Generation Handbook, or if the Board determines that a safety or capacity deficiency exists, a traffic impact analysis prepared by a registered professional engineer shall be submitted by the applicant of existing conditions and future conditions with the proposed development.
- 10.6.1.21 The Planning Board may require that parking lots of adjacent properties be connected so as to prevent multiple entrances and exits on to the public streets by consumers.

10.6.2 Drainage

- 10.6.2.1 Any increase in the rate and or volume of stormwater runoff from existing conditions to the proposed conditions shall be prohibited unless said runoff can be captured onsite with drainage facilities designed to handle 100-year storm events. No drainage facilities shall dispose any runoff onto abutting properties.

10.6.3 Landscaping

- 10.6.3.1 A minimum 10 foot landscaped buffer around the perimeter of all sites shall be provided. A 25 foot buffer containing landscaping, a grassed earth berm, a fence, masonry wall or some combination of these screening devices, shall be provided on each side which adjoins or faces the side or rear lot line of a parcel in residential use or in a residence district to buffer non-residential sites from residential areas.
- 10.6.3.2 Each double row of parking spaces shall be terminated by landscaped islands which measure not less than ten feet in width and not less than 36 feet in length. The interior of parking lots shall have at a minimum landscaped center islands at every other double row. Pedestrian paths may be incorporated within the landscaped area provided a minimum of four feet, exclusive of paved areas, is maintained for all landscaped areas. Said double rows of parking spaces shall not exceed twenty (20) adjacent spaces or ten (10) spaces in each row.

10.6.3.3 The interior of parking areas shall be shaded by deciduous trees, which at maturity, each tree shall be presumed to shade a circular area having a radius of 15 feet with the trunk as the center. There must be sufficient trees so that, using this standard, 30 percent of the parking will be shaded.

10.6.3.4 Landscaping shall be so designed as to prevent parking or driving on any portion of a landscaped area except grassed areas to be used as overflow parking areas.

10.6.3.5 Landscaping, which shall all be live, 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.

10.6.3.6 Garbage collection, recycling areas, utility areas and other outside storage areas shall be screened by a planted buffer strip along three sides of such a facility. Planting material should include a mixture of evergreen trees and shrubs.

10.6.3.7 Display lots for motor vehicle sales shall be exempt from section 10.6.3.2 and 10.6.3.3 as long as a landscaped setback area not less than twenty (20) feet in depth except the area covered by access drives is provided. No vehicle shall be parked in the landscaped area or nearer than twenty (20) feet from the street lot line.

10.6.4. Lighting: 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

The maximum spillover illumination to adjacent property shall be 1.0 footcandle. No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed. A lighting plan showing the location and type of lighting fixtures as well as a photometric plan conforming to this section shall be submitted.

10.6.5. Drive-thrus

10.6.5.1 Drive-through facilities shall provide a minimum of 10 stacking spaces for donut shops, fast-food restaurants and banks and a minimum of 4 stacking spaces for pharmacies. If an order board and a transaction window are proposed, a minimum of 4 spaces between the two shall be provided. If more than one board and/or window are proposed, the stacking spaces may be divided between said boards and/or windows. A minimum of 3 stacking spaces to exit the facility shall also be provided.

10.6.5.2 Each stacking space shall be a minimum of 20 feet in length and 10 feet in width along straight portions and 12 feet in width along curved segments of the stacking lanes.

10.6.5.3 Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping, alternative paving materials, or raised medians. Said lanes shall be designed to prevent circulation congestion and shall not impede access into or out of parking spaces, pedestrian traffic, refuse/recycling areas and loading areas. An emergency by-pass lane shall be provided with all drive-through facilities.

10.6.6. Architectural Guidelines

The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, arrangement of openings, color, exterior materials, proportion and scale of existing buildings in the vicinity.

10.6.7. Sustainable design incentives

The Board may waive any standards within the Site Plan Review section if any LEED certified standards or LID techniques are provided on the subject property.

10.7 Compliance:

Before the issuance of a permanent occupancy permit, the Town Planner shall verify compliance with the approved site plan and an as-built, certified by a registered professional land surveyor or engineer shall be submitted to the Planning Board and Building Inspector. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

Any changes in the approved site plan or in the activity to be conducted on the site that would cause a change to any of the design standards of section 10.6 shall be submitted to the Planning Board for review and approval. The Town Planner may administratively approve any changes to the approved site plan that do not cause a change in any of the design standards of section 10.6.

10.8 Appeals:

Any person aggrieved by a decision of the Board under this section, shall first appeal to the Zoning Board of Appeals. Subsequent appeals shall be brought forth to Superior Court, the Land Court or the District Court pursuant to Chapter 40A, section 17 of the Massachusetts General Laws.