

**From:** Michael Ciampa <[mciampa@town.arlington.ma.us](mailto:mciampa@town.arlington.ma.us)>  
**Sent:** Friday, March 08, 2024 11:52 AM  
**To:** Eugene Benson <[EBenson@town.arlington.ma.us](mailto:EBenson@town.arlington.ma.us)>  
**Subject:** Re: Question re Zoning Bylaw 5.3.12.A.

Good morning Gene,

#1 Inspectional Services interprets the measurements in 5.3.12 A to be taken along the property line. The Zoning Bylaw provides: ***Between the property lines of intersecting streets and a line joining points on the property lines 20 feet distant from their point of intersection or in the case of a rounded corner, the point of intersection of their tangents.*** Previous versions of the Zoning Bylaw provided an illustration that showed the measurements being taken along the curb; however, that diagram is not included in the current Zoning Bylaw and was only used for illustrative purposes in previous versions. The current regulation only speaks to property lines, and except for a few rare situations, the curb is not the property line.

#2 Inspectional Services would not support an amendment lessening the restrictions on traffic visibility. Fences and vegetation may not hinder visibility when installed, but conditions can change over time. Shrubs continue to grow, and translucent fencing may become dirty or have vegetative growth that hinders visibility.

While Inspectional Services would not support this amendment, we would ask that if it moves forward, the following wording be added:

*unless it can be shown that the building, structure, or vegetation will not **now or in the future** restrict visibility in such a way as to hinder the safe transit of a vehicle through the intersection.*

Thanks  
Mike

Michael Ciampa  
Director of Inspectional Services  
Town of Arlington  
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**From:** Eugene Benson <[EBenson@town.arlington.ma.us](mailto:EBenson@town.arlington.ma.us)>  
**Sent:** Tuesday, March 5, 2024 6:06 PM  
**To:** Michael Ciampa <[mciampa@town.arlington.ma.us](mailto:mciampa@town.arlington.ma.us)>  
**Subject:** Question re Zoning Bylaw 5.3.12.A.

Hi Mike.

At yesterday's ARB meeting re warrant articles regarding zoning, one citizen warrant article proposes to amend ZBL 5.3.12.A. There were questions about how Inspectional Services interprets that section of the ZBL as well as how the section might be amended. I volunteered to ask you about that.

The person filing the warrant article, Article 32, lives on a corner lot and wants to have a fence of more than 3 feet in height along her property line. She believes that would violate 5.3.12.A. I have attached the presentation she made yesterday to the ARB.

First question:

How does ISD currently interpret where the fence on a corner lot is implicated by 5.3.12.A.? If you look at the third and fourth slides on the attached presentation, there is a yellow triangle where the person understands she cannot construct the fence higher than three feet. During the public comment period, Chris Loretta said yellow triangle is in the wrong place on the photo. He later emailed a diagram from the 2008 ZBL to support his contention that the triangle should not follow the property line but instead should follow the curb. Please see the attachment. Chris wrote, "the 20' sides of the triangle where the height limitation applies are measured based on the intersection of the curb line, that is, where the curb meets the street ("property lines of intersecting streets") not the corner of the homeowner's lot as the proponent indicated.

Does ISD interpret 5.3.12.A. as Chris Loretta contends, as the person filing the warrant article believes, or in some other way?

Second question:

If you look at the presentation, you will see that the person would like to add this clause to the end of 5.3.12.A.: unless it can be shown that the building, structure, or vegetation will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the intersection.

Can ISD work with that? Or would you prefer the amendment to be: except for a fence that is transparent enough so that it does not restrict visibility in such a way as to hinder the safe transit of a vehicle through the intersection.

Thanks!  
Best,  
Gene

Eugene B. Benson  
Arlington Redevelopment Board Member