

From: Chris Loreti

Sent: Tuesday, March 5, 2024 12:27 PM

To: Rachel Zsembery; Kin Lau; Stephen Revilak; Eugene Benson; Shaina Korman-Houston

Cc: Claire Ricker; Michael Ciampa; Christian Klein

Subject: Article 32: Traffic Visibility Around Corners Interpretation

Dear ARB Chair Zsembery and ARB Members:

At last night's public hearing on Article 32 to amend the Zoning Bylaw provision related to traffic visibility around corners, I expressed the opinion that the article's proponent was misrepresenting how the bylaw has been applied in practice. To support my comments, I am providing the attached documents.

Attached to this email is a page from the 2008 printing of the Zoning Bylaw that illustrates what was then Section 6.22. The same language is now Section 5.3.12(A). Unfortunately, the town did not bother to include this illustration in the recodified zoning bylaw.

This illustration clearly shows that 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. I believe the bylaw has been interpreted that way since at least 1975, as the 2008 edition indicates no amendments were made since then (also unfortunately, the annotations showing amendments have also been dropped from the bylaw). I do not believe any amendments have been made to this provision since 2008.

The figures below show how this section of the bylaw has been applied in practice. During the public hearing for ZBA Special Permit 3601, I asked that a hedge/chain link fence that violated this bylaw provision be remedied as part of the renovation of 210-212 Broadway--the white house in the figures. A new plastic fence approved by the Building Inspector was installed.

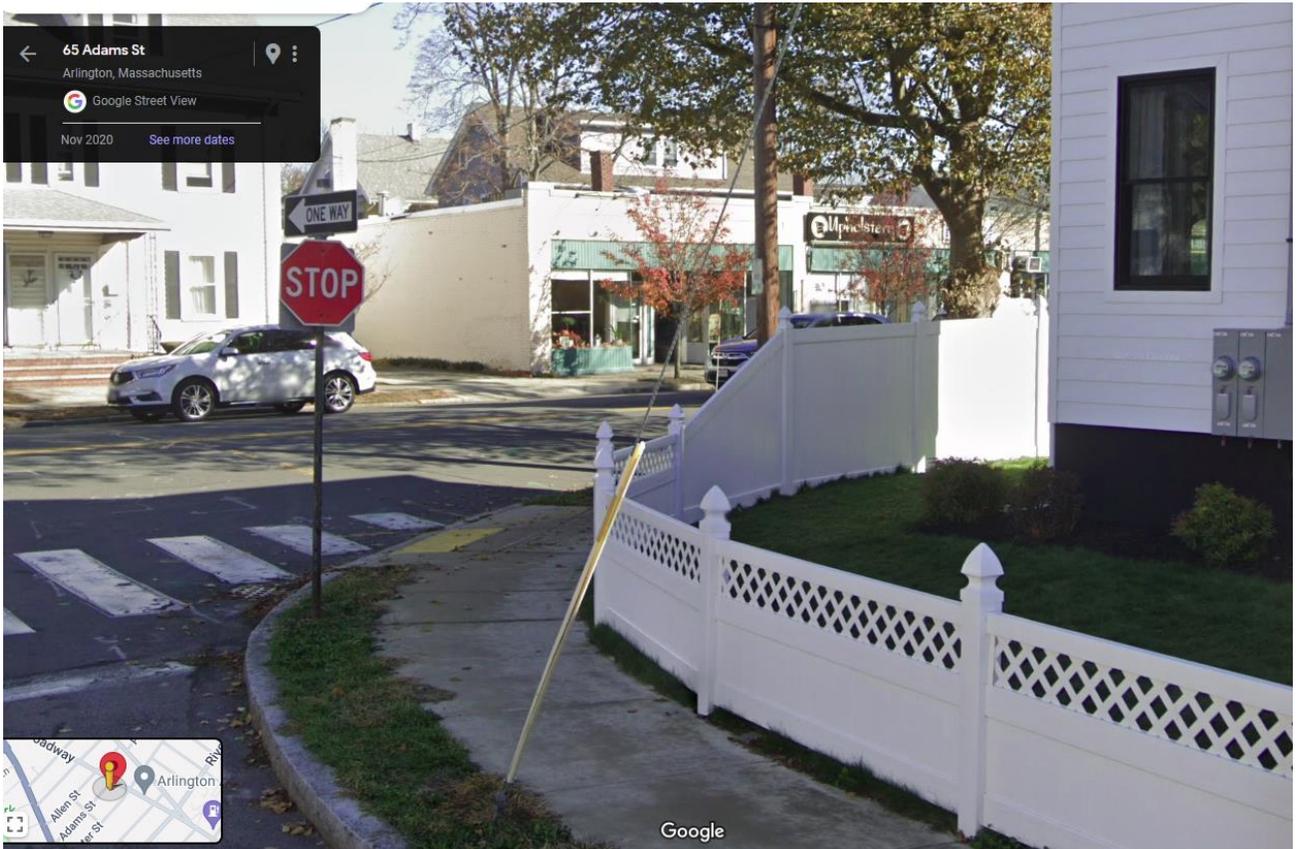
The front, right corner of this house is within 15 feet of the property line along Adams St. It is clear from the first photo that the higher portion of the fence (that above 3 feet) is well within 20' of the projection of this lot line. That is because it was the projected curb line, not the projection of the home's front lot lines that was used to determine compliance, just as the bylaw formerly illustrated.

Since there is typically about 8 feet between the curb line and the lot line, that means the size of the triangle shown by the proponent is much smaller--only about 72 square feet vs. 200 square feet. In short, this bylaw provision imposes a very modest burden on property owners to protect pedestrian safety.

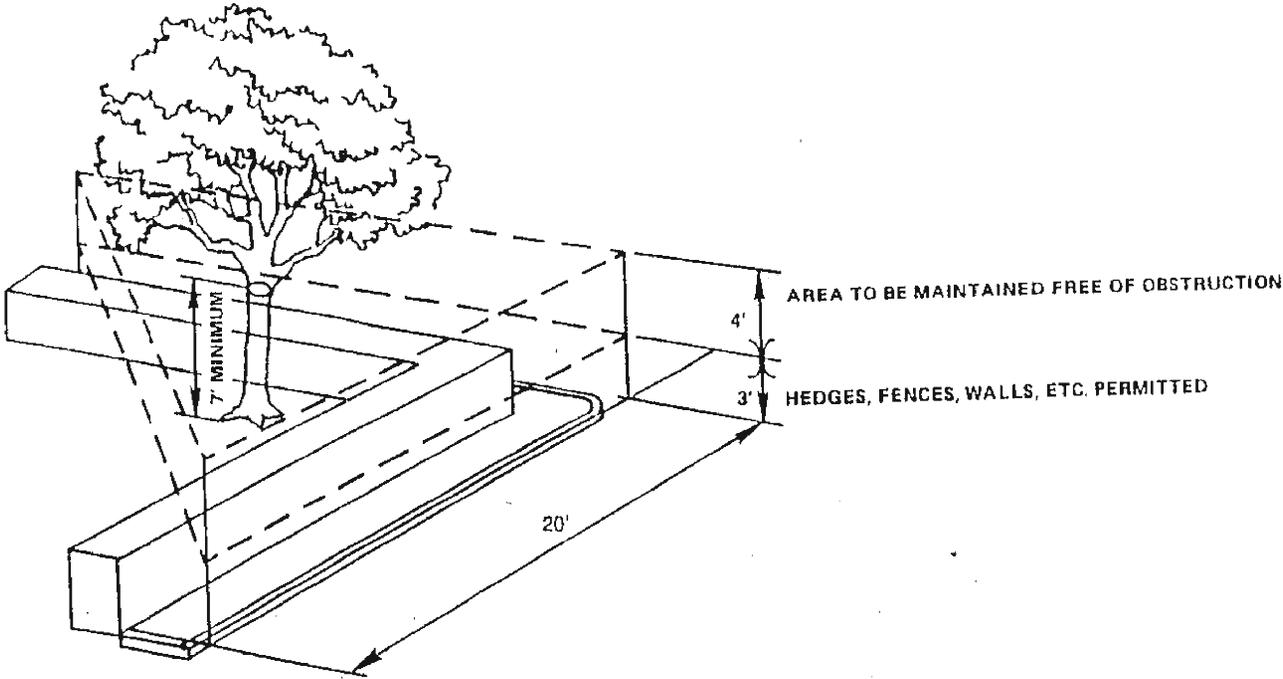
Finally, I wanted to comment on the statements made about requiring some level of transparency for applicable fences taller than 3 feet. Transparency is usually considered when viewed at a right angle. But those approaching an intersection will be looking through the fence at an acute angle. And they may be looking through two fences, one along each property line. As the second photo shows, the transparency of the lattice decreases significantly at more acute angles. Should the proposed amendment be changed in this way, far greater than 50% transparency is needed.

Thank you for considering these comments.

Chris Loreti
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TRAFFIC VISIBILITY ACROSS CORNERS, SECTION 6.22



"This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw."