

Sec. 5.4. Fences & Retaining Walls

5.4.1. Fences

Fences are regulated in Revised Ordinances Chapter 5, Article III, Fences.

5.4.2. Retaining Walls

- A. **Defined.** A wall or terraced combination of walls, 4 feet in height or greater, to hold a mass of earth material at a higher position. For the purposes of this [Sec. 5.4](#), a berm with a slope of 1:1 or greater is to be considered a retaining wall.
- B. **Standards:**
1. The construction of a retaining wall of 4 feet or more in height or greater requires a special permit. When a combination of retaining walls are within 25 feet of each other (measured from front-face of wall to front-face of wall), height is measured from the foot of the lowest wall to the top of the highest wall.
 2. See also Revised Ordinances Chapter 29, Article VIII, as amended.
- C. **Special Permit Criteria.** In granting a special permit the City Council shall find:
1. That the lot presents challenging topography which limits the use of the property, such that it could not be improved without the implementation of retaining walls;
 2. That the requested retaining wall will not adversely impact adjacent property, neighborhood or the public; and
 3. That the proposed retaining wall is the minimum structure necessary to allow a subject property to be reasonably utilized.

(Ord. No. Z-45, 03/16/09, Ord. No. C-40, 04/16/24, Ord. No. C-42, 04/16/24)

Sec. 5.5. Landscaping

[Reserved]

Sec. 5.6. Great Ponds

In all business districts, no building, structure or alteration, enlargement or extension located within 300 feet of a great pond as defined under M.G.L. Chapter 131, Section 1 shall be permitted other than under the procedure in [Sec. 7.4](#), with particular concern to the preservation of public view, enjoyment and access to the great pond.

Sec. 5.7. Noise

Noise is not a part of this Chapter, and is regulated in Revised Ordinances Chapter 20, Article II, Noise.

Sec. 5.8. Outdoor Lighting

Outdoor lighting is not a part of this Chapter, and is regulated in Revised Ordinances Chapter 20, Article IV, Light Trespass.

Sec. 5.9. Tree Protection

Tree protection is not a part of this Chapter, and is regulated in Revised Ordinances Chapter 21, Article III, Div. 3, Tree Preservation.