

Arlington Town Meeting — Substitute Motion

ARTICLE NO. 54

Dated: 04/18/2026

I, Caitlin Monaghan, do hereby submit the following Substitute Motion under Article 54:

Voted:

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.3.12.A Traffic Visibility, as follows:

Across Street Corners. For the purposes of this section, the sight triangle shall mean the triangular area on a corner lot enclosed by the portions of the property lines abutting intersecting streets and a straight line joining points on those property lines 20 feet distant from their point of intersection, or, in the case of a rounded corner, from the point of intersection of their tangents at the street intersection. 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. Within the sight triangle, no building or structure in any R district may be erected and no vegetation other than shade trees may be maintained between a height of three feet and seven feet above the plane through their the curb grades of the intersecting streets. Notwithstanding the foregoing, a fence exceeding three feet in height, as measured from the plane through the curb grades of the intersecting streets, may be erected within the sight triangle provided that the portion of such fence exceeding three feet in height, as so measured, does not materially impede the vision of operators of motor vehicles and has an opacity of less than 35%. Opacity shall be measured as the proportion of solid material to total area when viewed perpendicular to the fence line.

Comment:

The primary purpose of this amendment is to allow fences above three feet in height near corners if those fences do not block the view of drivers. In the current zoning bylaw, the vision of drivers is invoked to impose height restrictions on structures and vegetation in two areas in R districts: across corners (5.3.12.A) and adjacent to driveways (5.3.12.B). In the case of driveways, this restriction is not absolute: structures exceeding the height limit are permissible if they do not impair visibility. The intent of this amendment is to provide a similar, visibility-based exception to corner lots, but with additional guardrails. Specifically, the exception is limited to fences, and an objective standard ensuring visibility—opacity of less than 35%—is added to streamline enforcement and reduce the need for subjective judgment. If passed, this amendment will provide relief to a subset of property owners with safe-but-illegal fences who are at risk of being required to demolish their fences if ISD should choose to enforce the existing bylaw. It will also simplify prospective fence construction, obviating the need to choose between a costly and time-consuming variance and fencing that either excludes a large portion of the yard or is of inadequate height to safely contain children and dogs.

The secondary purpose of this amendment is administrative: to clarify the region on corner lots subject to height restrictions. The current text uses the ambiguous phrase “property lines of intersecting streets.” The Inspectional Services Department (ISD) interprets this to mean property lines bounding individual lots, rather than the curb line. In this amendment, the text is rephrased to reflect ISD’s interpretation.

Respectfully submitted,

/s/ Caitlin Monaghan

Precinct 8

Date Voted: _____

Action Taken: _____