



**Article: 54**

**Warrant Article Title:**

ZONING BYLAW AMENDMENT / TRAFFIC VISIBILITY

**Warrant Article Text:**

To see if the Town will vote to amend Section 5.3.12(A) of the Town's Zoning Bylaws to permit buildings, structures or vegetation across street corners if it can be shown that they will not restrict visibility in such a way as to hinder the safe transit of a vehicle through the subject intersection; or take any action related thereto.

**Requested By:**

Caitlin Monaghan and ten registered voters

**Report Excerpt:**

The Board recommends No Action (3-2 Mr. Baudoin and Mr. Revilak dissenting).

The purpose of Article 54 is to allow an exception for erecting fences along the property lines abutting a street intersection on corner lots in Residential districts. The article would allow a fence over 3 feet in height within the sight triangle by right, subject to certain provisions. The proposed fence must not materially impede a driver's visibility at the intersection, be free of vegetation along its upper portion, and have an opacity of less than 35%. Opacity is defined as the proportion of solid material to total area when viewed perpendicular to the fence line. The article also includes a revised definition of the term "sight triangle" and clarifying language on how to measure the height of a proposed fence, structure or vegetation within the sight triangle.

According to the proponent of Article 54, the exception allows for taller fences that help protect children and pets but would not restrict traffic visibility in a way that affects the safety of those traveling through the intersection. Board members expressed their appreciation for the thought, effort, and responsiveness of the proponent to their feedback on this proposal since it appeared on the 2024 warrant. Section 5.3.12.B already allows for such an exception next to driveways so long as “it can be shown that the vegetation or structure will not restrict visibility as to hinder the safe entry of a vehicle from any driveway to the street,” and the proposed change would apply a similar standard on corner lots in Section 5.3.12.A. Some Board members stated that they could not support a change that was not supported by the Director of the Inspectional Services Department, who would be responsible for enforcing it. Members also cited aesthetic concerns about the types of fencing allowed under this article and general concerns about adding more complexity to the bylaw. Furthermore, a property owner is able to request a variance from restrictions on the height and placement of structures including fences, vegetation and buildings within sight triangles on corner lots from the Zoning Board of Appeals.

**Vote Language:**

That no action be taken on Article 54.

[Redevelopment Board Report](#)