

OUTDOOR LIGHTING ORDINANCE TASK FORCE MEETING DECEMBER 16, 2015 – 4:00-6:15 PM

Task Force Members in Attendance:

Carol Lynn Alpert
Chris Basler
Peter Calkins
Steve Lenkauskas
Ranjit Singanayagam
Charles Teague
Bob Woodbury

City Staff in Attendance:

Lisa Hemmerle
Rona Abrahams

Consultants:

Jeffrey Berg
Paul Lutkevich

Members of Public in Attendance:

Tergun Austin
John Greenup
Glenn Heinmiller
Alexandra Lee
Marilyn Wellons

Twelfth meeting of Lighting Ordinance Task Force was held in the 4th Floor Conference Room of the City Hall Annex, 344 Broadway, Cambridge, Massachusetts.

MEETING NOTES:

Lisa Hemmerle welcomed everyone to the 12th meeting and pointed out the handouts to the Task Force Members (TFMs), including a copy of the revised outdoor lighting ordinance draft submitted by Carol Lynn Alpert on December 14, 2015 prior to the meeting, and a copy of the LEED Light Pollution Reduction Credit, v.4, and list of submittals that would be necessary to comply with the LEED Light Pollution Reduction Credit or the Performance Standard of the proposed Cambridge Outdoor Lighting Ordinance.

Comments continued to be submitted by TFMs and the public at large leading up to the meeting and not all comments were included in the draft under review at the meeting.

Points of the primary discussion with the proposed draft included:

- Delete definitions for Emergency Lighting and Fully Shielded Light Fixture.
- It was proposed to include a definition of LEED Light Pollution Reduction Credit (LPRC), v. 4, but this is not necessary since it is referenced directly in the ordinance and the reader will need to go to the US Green Building Council's website for additional information.

- Lighting Plan Definition – Carol Lynn proposed to change “lighting boundary” to “property boundary” in the definition. This was not accepted since lighting boundary is not the same as property boundary in the LEED LPRC. Also, it was pointed out that the Lighting Plan is only necessary for the Performance Standard and not the Prescriptive Standard.

Charlie Teague raised a concern that large buildings in residential neighborhoods that decide to follow the Prescriptive Standard would have a greater impact on neighbors than single-family residential buildings. He proposed that all buildings over specific gross floor area should be required to file a lighting plan. It was pointed out that the intent of the Prescriptive Standard was to be an easy process for property owners to follow that brings lumen levels to an appropriate level without hiring a lighting engineer. This proposal was not agreed upon by the Task Force Members present.

- It was agreed to changing “Lighting Pollution” to “Light Pollution”.
- Charlie would like to see the addition of a definition for “direct light”. This was not agreed upon by the Task Force Members present.
- Definition of Public Way – the Law Department will include a definition of Public Way, if necessary, after the Task Force has submitted a more finalized version.
- It was agreed to include “lighting equipment, fixtures, or parts thereof, including lamps and light bulbs” in the Replacement Lighting definition.
- The definition of Substantial Renovation was changed to, “means work area as defined in the building permit that is 50% or more of the exterior wall area or 50% or more of the Gross Floor Area of the building, as defined by the zoning ordinance.
- The wording under General Requirements, Conformance with all Applicable Codes, was reviewed and it was proposed to be changed to read, “The provisions of this Ordinance shall be interpreted and applied at all times consistently with the provisions...” This change was made in response to the concern that the wording for this section would supercede the existing zoning requirements.
- Addition of equipment, light fixtures, and replacement lamps or bulbs was added to Applicability.
- Replacement of Light Fixtures and Light Bulbs provision under General Requirements was deleted since it appears Applicability.
- Changes to Interim Modifications was approved to include deleting “within 6 months” and changing “substantially ameliorate” to “minimize”.

- It was agreed to include an exception to the Light Color Standard if the proposed lighting is “used exclusively to illuminate building façade features or other decorative elements”.
- It was agreed to use “Standards” consistently through the ordinance to refer to Prescriptive, Performance, and Color Standards.
- It was agreed to remove “greatly” from the Prescriptive Standard Table, because any modification of “minimize” could be interpreted as allowing more leniency. The word “minimize” is itself by definition an absolute.
- It was proposed to reference the LEED LPRC v. 4 as the requirements to follow under the Performance Standard.
- The exemption for Sports Lighting was discussed and it was agreed to include “All light fixture shall be aimed and directed in a way that minimizes light trespass and minimize reflective light across lighting boundaries” in addition to a curfew of 11:00 PM.
- Carol Lynn proposed the inclusion of a provision that requires ISD to outline a complaint process. There was general agreement that this was necessary but the specifics of the process need to be detailed in the permit process and not the ordinance. It was proposed that copies of the Electrical Permit Applications following the Prescriptive Standard, Administrative Exemption Application forms, and a listing of submittal requirements for the Performance Standard be provided to the Task Force for Review.

Charlie was concerned that everyone will not “get a fair shake” unless we provide detailed criteria and process with applications for Administrative Exemptions. He believes there should be a public hearing process for abutters with complaints about lighting. It was pointed out that Administrative Hearings are not a public process but neighbors can receive notification of applications for exemption and have an opportunity to provide input to ISD for consideration before a decision. Most of this process can be outlined in the application and not involve a public hearing.

Ranjit Singanayagam suggested that an application fee be included for those requesting an Administrative Exemption. Most of the TFMs agreed that this seems reasonable.

Lisa opened the meeting to Public Comment by the audience members.

PUBLIC COMMENT

Comments and concerns raised by members of the public attending include:

- 1) Marilyn Wellons, resident.

- This issue needs to be considered a Public Health concern and the forum provided by the Cambridge Public Health Department last December to address concerns over the new LED street lights did not come to the right conclusions. She was concerned that the City picked experts that only agreed with the City's position.
- Restated that color temperature has an impact on health.
- Concerned that the Administrative Exemption process will be abused and allow too much inappropriate lighting.
- Concerned that the City is only looking at this as an economic division policy.

2) John Greenup, resident and Cambridge business owner.

- Proposed that "conditioned rinks" be included in the Sports Facilities exemption.
- Would like to see an appeals process be added to the ordinance so disagreements about violations do not end up in court.
- Thanked the Task Force members for their time.

3) Alexandra Lee, Cambridge organization manager.

- Had questions about penthouse lighting and skating rink lighting in Kendall Square and how it would be impacted by this proposed ordinance.
- Asked if a cost analysis has been conducted on how much it we take for businesses to comply with this ordinance. She raised concerns that this is another requirement that is getting added to the additional costs and restrictions for property owners and developers. Glenn Heinmiller said that the cost for new fixtures should be net zero since we are only creating a specification for the fixtures that are getting installed or replaced in the future and then complaint driven after 5 years.
- Asked how we plan to get the information out to the architects and designers that are working on Cambridge projects now and in the future. Lisa mentioned that a marketing campaign will be conducted once a final proposal has been accepted.

4) Tergin Austin, resident.

- She looks forward to seeing the impact of the proposed ordinance on her neighborhood.

Lisa thanked everyone for their time and the meeting was adjourned.

The next meetings in January will be scheduled in the coming days.