

Notes from First Meeting of Outdoor Lighting Ordinance Task Force
Wednesday, December 4, 2013, 4:00 PM – 6:00 PM
4th Floor Conference Room, City Hall Annex, 344 Broadway

Task Force Members Present: Carol Lynn Alpert (on phone), Chris Basler, Andrea Boyer, Peter Calkins, David Chilinski, Gavin Kleespies, Steve Lenkauskas, Ranjit Singanayagam, Charles Teague, Bob Woodbury

City Staff Present: Rona Abrahams, Chris Basler, Andrea Boyer, Lt. Leonard DiPietro, Lisa Hemmerle, Steve Lenkauskas, Jeff Roberts, Ranjit Singanayagam

Consultant Present: Paul Lutkevich

Members of the Public Present: Marilyn Wellons, Kenneth Tayler, Glenn Heinmiller, Kelly Beatty

Welcome and Introductions:

Task Force members were introduced to the charge outlined by the City Manager to work with City staff and a lighting consultant to evaluate existing standards, offer guidance for the creation of a new ordinance, propose new regulatory approaches if needed, and develop enforcement mechanisms. The proposed task force includes representatives from City departments (Community Development, Electrical Department, Inspectional Services, and License Commission) along with Cambridge residents, property owners, and business representatives. These meetings are open to the public and other City departments will attend as necessary to provide the Task Force with additional information and technical assistance.

Charles Teague submitted a petition to the Cambridge City Council on March 13th, requesting changes to the zoning ordinance to limit inappropriate lighting conditions. The City Council and Planning Board reviewed the petition and its merits and directed the City Manager to form a committee to assess the customary characteristics of lighting and ensure the negative impacts are mitigated when possible.

The Task Force will consider existing Cambridge lighting standards, as well as concerns raised in the Teague Zoning Petition. In connection with the consultant's efforts, the Task Force will review industry standards and technology innovations that can address environmental, safety, and economic concerns. Finally, proposed enhancements to Cambridge lighting standards will be evaluated from a legislative and compliance perspective to recommend best practices for implementation in both existing and future fixtures and developments.

Recommendations may include design standards; public education initiative; enforcement officer training; change to the municipal ordinance; change to the zoning ordinance; and/or other lighting recommendations.

Schedule of Meetings

The Task Force is estimated to meet 3 or 4 times before issuing recommendations to the City Manager.

Meeting 1 – December 4th - Scope of Work for the Task Force; Existing Cambridge Outdoor Lighting Ordinances; Planning Board Recommendations; Presentation of Model Lighting Ordinance and Best Practices from other Cities; Discussion by Committee and Next Steps.

Meeting 2 – January - Site visit to review common concerns with customary lighting; discuss framework of proposed recommendations.

Meeting 3 – February - Review possible recommendations.

Meeting 4 – March - Refine draft recommendations, possibly complete.

Meeting 5 - April (if necessary) - Complete recommendations.

Recommendations by the Task Force will be presented to the City Manager.

Existing Cambridge Outdoor Lighting Ordinances, Teague Petition and Planning Board Recommendations

Jeff Roberts, Community Development Department, provided Task Force Members and the audience with information on current regulations covering illumination in the Cambridge Zoning Ordinance. The primary reference is under Article 7.00, Signs and Illumination, Section 20 Illumination along with 6.46 – Lighting of Off Street Parking Facilities, and Section 6.93 – Lighting of Off Street Loading Bays. The sections are included in the handouts distributed in binders, along with a copy of the Model Lighting Ordinance, Teague Petition, Teague Amendment & Planning Board Recommendations, and City Council Order 29 Response to Planning Board.

Paul Lutkevich, P.E. – Parsons Brinckerhoff – Paul provided a presentation on the types of lighting ordinance and best practices. (Copy of PowerPoint Presentation is included as a separate attachment.)

After presentation, Chris Basler opened up the meeting for discussion, comments and questions by the Task Force Members (TFM).

1. TFM mentioned that the public nuisance may be more easily enforceable as an ordinance rather than through zoning. The Noise Ordinance was given as an example. Recommended that PB look at a reasonable set of standards that can be enforced in a zoning or nonzoning mechanisms.
2. A TFM commented that grandfathering is not a problem if enforcement is thorough and asked if ISD can produce a report of complaints to identify existing offenders. ISD responded that right now it is complaint-based so only those that are bothering current residents are getting reviewed.

3. A TFM commented that a complaint-driven system can only enforce what is in the ordinance. If there is ambiguity in the existing ordinance then it is dependent on the interpretation of ISD. This can be difficult when other ordinance come into play like the Historical District Overlays or City promoted programs like installations by MassSave.
4. Energy efficiency will also be addressed by the consultant.
5. City staff clarified that the methods of enforcement will be addressed at another time but the Task Force needs to look at the community expectations.
6. A TFM stated that enforcement is the key issue and should not be complaint driven. There should be dedicated staff to address the lighting requirements.
7. City staff commented that the Task Force needs to take a holistic approach to the ordinance and let the staff handle the details to meet the expectations of the Task Force recommendation.
8. The Consultant stated that for any proposed ordinance to be enforceable it needs to be measurable and they will provide quantifiable standards, including maximum wattage, shielding, etc.
9. The Committee, Staff and Consultant can go over what is good and bad lighting and define the method and type of enforcement.
10. The Planning Board is concerned about grandfathering existing fixtures that were a greater concern to the public.
11. The Consultant stated that any measurable standards will require training for Inspectors and how the ordinance will be applied.
12. Ranjit went over the current permitting process through ISD for light fixtures getting installed by licensed electricians.
13. A TFM suggested that we start providing brochures that outline good lighting practices versus bad lighting practices.
14. A TFM stated that this is a Public Health issue and asked who has the right to light and who has the right to dark.
15. The Consultant stated that the ordinance should focus on light trespass rather than who has the right to light on their property and the right to dark on another.
16. A TFM stated that community members from residential areas and commercial areas should be asked for input. The Task Force is made up of a variety of community stakeholders, including residents, commercial property owners, and designers.
17. A TFM expressed frustration that light comes from many different sources, including street lights and indoor lights which have very specific needs and purposes. It is not clear what is an appropriate in a City.
18. A TFM stated that it is up to the Task Force to determine what is appropriate after input from the Consultant and City Staff to create something that can be easily understood and implemented by the public and enforced by the City.
19. A TFM pointed out that difficult areas to address include the transition areas between residential zones and commercial zones.
20. A TFM pointed out that this is a difficult problem and can be an expensive problem to address. The Task Force can create the standard but the City must dedicate the necessary resources to enforce the standard.

21. A TFM asked if the Committee would be looking at making changes to zoning. City Staff replied that it could be zoning or a municipal ordinance or a combination of the two.
22. Chris Basler asked each of the TFMs to give their perspective of what the Consultant needs to consider when coming up with an ordinance proposal.
23. A TFM pointed out that lighting can create a perception of safety and that would impact the activities in the area.
24. A TFM pointed out that Cambridge has a variety of districts, from different types of residential areas and different types of commercial areas and a combination of the two. The proposed ordinance should take that into account.
25. A TFM mentioned it needs to be clear and easily understood and enforceable.
26. A TFM agreed that it needs to be easy for homeowners to follow and take the initiative to implement good lighting. Also, it needs to be easy for businesses and developers to understand since there are already of number of rules that they have to take into consideration.
27. The next TFM mentioned it should be an incentive and include more education on less invasive fixtures but not push into restrictions that impact the vibrancy of areas.
28. The next TFM agreed that it should be a process that helps neighbors solve problems and be informative but should not impact what makes Cambridge beautiful.
29. The next TFM agreed that a brochure should be handed out now that suggests best practices to there are fewer bad lighting applications that need to be addressed in the future.
30. TFM asked the City Electrician about the new LED street lights schedule and if the fixtures can be changed. Steve commented that the fixtures are getting installed as proposed but they will be dimmable and Paul added that they have adaptive control system that will reduce the light trespass by 2/3rds of the existing lights.
31. The next TFM stated that lighting can be expensive and education is key but there must be the desire by the property owner to make necessary changes. Enforcement will be key down the road.
32. A Good Neighbor Brochure would be a great resource to point property owners to do the right thing.
33. Staff from the Police Department pointed out that lighting creates a perception of safety and every time a homeowner or business gets broken into the first complaint is about the lighting.
34. The City Electrician pointed out that his office gets complaints that there is not enough lights or if a light is out. They also get complaints about light shining into people's homes.
35. The ISD Commissioner pointed out that ISD has no standard for types of light fixtures allowed.
36. A TFM pointed out that many lights are not on motion sensors. However, an intermittent light that is turning on and off might be as concerning as one that stays on overnight.
37. A TFM returned to the question that if we are only addressing new fixtures than what do we do about the fixtures that exist? It was pointed out that is why it may be better to look at the issue through a municipal ordinance rather than zoning. However, when

do property owners need to change existing fixtures? What is the timeline? What is fair and appropriate? If it is a Public Health issue do you look at it differently? What about public safety codes? Fire sprinklers are required for existing and new buildings.

38. The ISD Commissioner pointed out that the Stretch Code impacts all new buildings to require compliance but does not impact existing buildings.

Chris Basler opened the meeting up for public comment.

1) Resident and reporter

- Pointed out that if you control light pollution it does not have to impact safety. Glare can be as big a problem for safety as low lighting.
- It does not have to cost more to follow good lighting practices.
- For homeowners and designers, it should be simple and easy to understand and enforce. For commercial, it should be much more involved and should look at LEED standards.

2) Resident

- The Task Force should include indoor sources of light pollution if it exits the building.
- Many areas of Cambridge have been designated mixed uses and both noise and light need to be addressed in these areas and those residential areas that abut commercial districts.
- The 24-hour uses that come with the life science and technology companies are quite different uses than what these districts were designed to accommodate and the noise & light pollution are impacting residents.
- The Task Force should focus on the public health impacts and not focus on the economic development aspects.

3) Resident and lighting professional

- International Dark Sky Association is very interested in the proposal that will come from this Task Force. Lighting is technical and complicated and it must be drilled down to the residential level.
- Homeowners have not been paying attention to the type of lights they have been putting up and are not neighbor friendly. Cambridge is one of the few cities trying to do something comprehensive.

Meeting was adjourned.