



LIGHT AIR NOISE (LAN) Bylaw Committee

Remote Meeting Minutes

February 16, 2022

8:00 - 9:00 PM

The meeting came to order at 8:09 PM.

Attending: Renee D'Argento, April Healey, Mark Little, Ron Karr, Sherrill Rosoff

Absent: Harvey Serreze, Michael Veit

The meeting began by reviewing Tim Brother's comments for the current bylaw draft.

1. Exempt floodlights entry from shielding because they don't make them without shielding anymore. As long as we specify pointing downward then we can avoid light trespass issues.

2. 2000 lumens is comparable to two floodlights. 1,000 lumens is comparable to a 60-75 watt lightbulb.

Discussion then ensued about 1,000 v 2,000 lumen allowance in the bylaw. The committee decided that 1,000 unshielded lumens is too restrictive; 2,000 unshielded lumens was better. Parcels in rural and town residential are zoned two acres; the committee did not want to allow 4,000 lumens of unshielded lighting or 2,000 unshielded lumens per acre (Tim Brother's suggestion).

The committee determined, after discussion, that "pointing downward" needed to be qualified and agreed upon "at least 45 degrees" as a qualifier. Motion: "Floodlights are exempt from shielding requirements but must be pointed at least 45 degrees downward so as to eliminate light pollution on an adjacent property." Passed unanimously.

Mark Little asked what we would be providing residents at town meeting regarding equivalencies between incandescent and LED wattage and luminance. Sherrill Rosoff said that she had begun drafting a presentation to Spring Town meeting and had invited comments and edits through a Google Slides Invitation. She will resend when she gets back from vacation.

Mark Little: regarding 3.3: skyglow. Commented that this needed a qualifier because, in the context of 161 Nashua Road or some similar project, the local neighborhoods may be severely impacted but there would be little if any impact in the aggregate for the rest of the town. It would not change the state of the town but it would for adjacent properties. Renee pointed out that town counsel has looked at this

document; Sherrill Rosoff pointed out that Town counsel will be looking at many documents in preparation for town meeting and we should find someone on our own to look at the language. Committee decided to include Mark's suggestion but note need for legal comment.

Mark Little: Regarding after hours operation, his opinion is that there should be a time bracket between closing and opening; suggested 11 PM to half hour before sunrise. Also suggested that we shouldn't include the word "licensed." Discussion ensued; agreement that the bylaw should read: "For all non-residential uses, all exterior lighting shall be extinguished between 11 PM and one half hour before sunrise."

Committee continued to review Tim Brothers' comments. Renee D'Argento brought up light trespass definitions section and the committee reviewed the original language:

Ken Hartlage and Paula Terassi had made recommendations to the Committee via email dated June 9, 2021. Both had suggested language in the restrictions section of the bylaw:

Sensitive uses include all residential uses, protected open space and all sections of the Nashua and Nissitissit Rivers and their tributaries and headwaters within the town of Pepperell.

Per email:

Here are our reasons for the wording in 4.2.1:

- Ensures all protected open space of conservation concern is covered.
- Ensures all of the Nashua River within Pepperell is included (the W&S designation excludes a portion).
- Ensures all of the Nissitissit River is covered, even when it abuts private property.
- Ensures the Nissitissit's tributaries and headwaters are covered, even when they abut private property.

They then suggested definition language for Protected Open Spaces.

"Protected Open Space - In Pepperell, land owned by the Town of Pepperell and managed by the Conservation Commission or the Water Department within the Water Protection Zone; land owned by the Massachusetts Division of Fish & Wildlife; land owned by the Massachusetts Department of Conservation and Recreation; private land on which a conservation restriction is held, and land owned by land trusts."

The committee set its next meeting for 2/28/22.

Meeting adjourned at 8:15 PM.