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LIGHT AIR NOISE (LAN) Bylaw Committee

Remote Meeting, 7:00 - 8:30 PM

April 29, 2020

Attending: Sherrill Rosoff, Renee D'Argento, Michael Veit, Pat Kenneally, Rob Karr, Tim Brothers, Vince Premus, Margaret Scarsdale, Tony Beattie

Absent: Casey Campetti, Mark Little

Approval of Minutes:

March 5: Motion made by Tim, seconded by Margaret. Unanimous (Pat and Michael abstained).

Ron: Per Robert's Rule of Order, people who abstain still count towards quorum.

March 31: Motion to accept by Ron, seconded by Tony. Unanimous. (Renee, Pat, and Michael abstained).

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Review of BOS presentation:

Sherrill: Questions were raised at the LAN presentation to the Board of Selectmen which she outlined to the committee along with responses that she and Tim worked on. Sherrill would like these questions and responses appended to the presentation and read into the record at a future BOS meeting. As with the Noise Bylaw draft, the aim is to request Board of Selectmen support of the LAN Bylaw prior to presentation and vote at Town Meeting.

Renee pointed out an inconsistency between document on website “light pollution increased 4-6% in Pepperell” but in the drafted letter of response to the Board of Selectmen, we say “6%”. We should be consistent. Tim and Sherrill agreed. Towns in this area are 4-6%; Pepperell is 6%. Tim will consider which is the most appropriate number, but is OK with saying 6% for now. Renee: What is the cumulative effect of this 6% increase? Tim will figure this out. Vince pointed out excess of 50% (cumulative effect). Tim feels more comfortable using average. Vince: let’s go with Tim’s 6%: we should use the number he’s most comfortable with/feels comfortable discussing. Using something over a timescale gets complicated and is hard to explain without getting into the weeds. Tim already compares to population growth, national average and using other normalizers, so 6% is still very compelling and statistically compelling. **All documents LAN produces will use 6%.**

All: Sherrill asked if LAN was comfortable with the cover letter to the Board of Selectmen and responses to questions from the presentation to the Board? Is the committee comfortable with final LAN draft, going to Town Meeting? **One change to final draft: Section 4.3, header changed to “After Hours Use” which is a better descriptor of what the section is. Renee: Proposes “After Hours Operation”. No objections to that change.** Tim will make the change and re-send to Sherrill. The final draft will be sent to Andrew tomorrow morning. Renee: Made motion: Change word from “Use” to “Operation” in 4.3. Seconded by Tony. Passed unanimously.

Regarding Sherrill’s written responses to questions at the Selectmen presentation, Renee suggested adding American Medical Association comments regarding the combined impact of LED lights and car headlights. Renee will send link/wording to Sherrill. Also, Renee recommended streamlining wording (which seemed redundant).

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Regarding the Goals of the Bylaw, Renee recommended adding “Groton is a good example ..’ And information about blue light’s impact on elderly’s eyes (showing the science of the aging eye). Renee: Overall, response seems wordy. Vince: The 3 page response is already an extraordinary amount of work. But if it’s being read into the record, perhaps bold the most salient points. And whoever’s reading It should emphasize the bolding. The letter is a great, finely tuned document that addresses each of the concerns expressed on the LAN/BOS call. Tim: Letter matches tone and conversation of LAN/BOS (more general/high-level vs. uber-technical). We do have the uber-technical info on the website also. Vince: written in a very accessible way, where people can digest it; it’s relatable.

Regarding the issue of zoning vs. general bylaw addressed in this response letter. Ron was extremely helpful in drafting this section.

Committee: OK with cover letter and response.

Public Outreach: Presentation. Tim: Acton has a nice landing page for their bylaw, which continues to exist after the bylaw passed. Pertinent questions: Why did we embark on this? Why did we structure it this way? Why is it a general bylaw? How does this affect people? We’re hoping to roll this presentation out over the next couple of weeks. Could also use FB pages to disseminate information posting 5-minute video of Tim’s explanation. **Also, if folks have questions, we could give Sherrill’s email and respond via that.**

Renee: Could we have it (5-minute video) on library website as well? **Tim: we can ask them.** Sherrill: **Tim could do something similar on Pepperell Community Media.** Then we could approach Senior Center. Sherrill hasn’t heard anything back from PBA (after their Board of Directors’ discussion of our bylaw). Not sure how to circle back to them in the virtual environment, but Sherrill could forward the new video presentation to Mark Vasapolli (PBA Chair) and ask him to share with Board of Directors. LAN could also use “Civic Engagement Night” to inform people about Light Bylaw.

RealTerm Energy presentation:

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Tim had a number of questions regarding RealTerm's ability to manage the change-out of the town's streetlights. For example: Is RealTerm Energy capable of doing 2700 Kelvin or below? Answer: Yes. Can they do a pilot study? Answer: yes.

Real Term's proposal is a "cold call" proposal. National Grid has a 25-watt bucket, so even if we choose 10 watt bulbs, we would still get charged 25-watts. Also dimming is great, but still National Grid may have issues. The RealTerm Energy numbers presented in their cold call aren't real: they're all best-case scenario. Essentially, RealTerm said "You get to the real numbers when we get to the auditing." Tim: we're already a Green Communities town: we should try to use everything available to us. Right now we have 2200K on Main Street, RealTerm suggested 4000K and there's no reason to go to that. Notice RealTerm Energy didn't say it would cost more to do better lighting.

65% of towns in state have already done lighting conversion. Pepperell is now an outlier.

Sherrill: Town negotiating with National Grid on contract "buy-back" where the Town would own the master-arm and light fixtures. (Town owns around 408 poles.) Towns will often take out insurance because now they own the fixtures (but not the poles). Michael: apparently National Grid owns the whole thing and we lease it. Renee: Not clear how poles/fixtures get maintained/fixed after storm damage if we buy our poles. Sherrill: Thinks RealTerm would have a management aspect/oversight in proposal. Michael: Why RealTerm Energy? Did they approach the town? Sherrill: It was a cold call. Headquarters are in Canada, but offices in Maryland and other states. **Tim is following up with other towns who have worked with RealTerm Energy to see what their experience have been.** Renee: Also would be great to have a Dark Sky-friendly company. Sherrill: RealTerm Energy presenter used AMA letter to show that it understood lower-color temperature lights were best. Plus RealTerm knows there's Dark Sky legislation in the works. Pepperell has 3 different classification of roads (arterial, connector, rural). In RealTerm's design, hopefully they will figure out lighting needs based on classification. Sherrill asked RealTerm if they could reduce the number of poles we have: RealTerm says their contract is based on 1-1, so they use all the poles we have. Renee: Didn't think they were making any assumptions about removing poles (which National Grid owns). We don't have to light those poles if we don't want to. Michael: Does the town plan on contacting other companies? Sherrill: The Town Administrator had received two "proposals" (one from National Grid, one from RealTerm Energy). Didn't indicate he had/would reach out to other vendors. Could we find vendors through Green Communities? RealTerm Energy said from audit to design to installation is about 4 months time, but could take up to a year for

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negotiations with National Grid. Renee: Is Tim researching other companies? Sherrill: Not sure. Renee: We might want to contact a Dark Sky-friendly company. Also: Dimming on some streets, not others.

Noise Bylaw/Regulation:

Margaret: Attorney General has approved Noise Bylaw. We should circle back to BOH to ask them to move forward with Noise Regulation. (They were waiting on approval.) **LAN should re-approach BOH and ask them to advance Regulation.** All agreed.

Air:

Tony: When are we going to start on Air? Air is cleaner than it's been in decades. Can we do air-testing NOW while the air is clear? Sherrill: Agreed. Doing testing now gives us a really good baseline. As state starts reopening and we get back into our cars, maybe we need some testing over a period of time so that we can show baseline + increased air pollution. EPA has been thinking about this and they have sent around information about how communities can look at their CO2 emissions. After Light, Sherrill will get this info out to people so we can think about how to approach Air. Also, some towns have been pretty aggressive on Air Pollution, namely Needham. We've been so fortunate to have Noise and Light experts (Vince and Tim, respectively), but we will all need to be Air experts. Sherrill will circulate after Town Meeting.

Renee: Not just CO2, but particulates, too, are concerning.

Motion to adjourn: Tony: so moved. Pat: second. Unanimous. Meeting adjourned 8:00 PM.
Respectfully submitted,
Margaret Scarsdale

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