

ZONING BOARD OF APPEALS  
BARRINGTON HILLS, ILLINOIS

EXTERIOR LIGHTING STUDY )  
PLAN COMMISSION PRESENTATION )  
 )  
SUCH OTHER BUSINESS AS MAY BE )  
PRESENTED )

REPORT OF PROCEEDINGS at the hearing of the  
above-entitled cause before JONATHAN J. KNIGHT, Zoning  
Board of Appeals Chairman, at 112 Algonquin Road,  
MacArthur Room, Barrington Hills, Illinois, on the 21st  
day of September, 2009, at the hour of 7:30 p.m.

ZONING BOARD OF APPEALS MEMBERS PRESENT:

MR. JONATHAN J. KNIGHT, Chairman  
MR. JUDITH FREEMAN  
MS. NANCY MASTERSON  
MS. KAREN ROSENE  
MR. BYRON JOHNSON  
MR. JOSEPH S. MESSER  
MR. GEORGE MULLEN

ALSO PRESENT:

MR. ROBERT KOSIN, Director  
MR. JOSEPH von MEIER, Village Attorney

Reported by: Cynthia L. Peesel, CSR  
CSR License No. 084-002656

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1 upon something like this. We only have one issue  
2 before us this evening and that is the Plan  
3 Commission is before us to make a presentation on a  
4 text amendment which deals with the lighting  
5 ordinance that they have been working on for many  
6 months, and the process is as follows. That they  
7 will make their request, answer any questions. This  
8 is not a meeting for discussion of record on the  
9 issue but merely a meeting to explain to us what  
10 their request is, and at that point in time we will  
11 make a decision as a board as to what we wish to do  
12 as far as making a recommendation to our Board of  
13 Trustees.

14 The process is this. If we were to  
15 recommend this, we would want to hold a public open  
16 hearing on this matter. Then we would make that  
17 recommendation to the board, requesting them to give  
18 us permission to do so. At their next meeting they  
19 would take a vote on that and say, yes, we are  
20 authorized to proceed with a public hearing.

21 At a public hearing is when we would  
22 discuss this at length, take testimony and act as a  
23 board based on those public meetings. We would also  
24 hear from the public as far as what they have to say,

(Whereupon, the following  
proceedings were held in open  
meeting.)

CHAIRMAN KNIGHT: I'd like to call to order this  
meeting of the Zoning Board of Appeals of the Village  
of Barrington Hills. It's approximately 7:31 p.m.  
Can we have a roll call please.

COURT REPORTER: Member Freeman.

MS. FREEMAN: Here.

COURT REPORTER: Member Messer.

MR. MESSER: (No response.)

COURT REPORTER: Member Rosene.

MS. ROSENE: Here.

COURT REPORTER: Member Johnson.

MR. JOHNSON: Here.

COURT REPORTER: Member Mullen.

MR. MULLEN: Here.

COURT REPORTER: Member Masterson.

MS. MASTERSON: Here.

COURT REPORTER: Chairman Knight.

CHAIRMAN KNIGHT: Here.

So we have enough to act on the matter  
before us this evening. To make a recommendation to  
the board, we need minimally four votes when we act

concerns, what have you. That is the process.

Does that -- before we get into this, does  
that answer everybody's questions about why we are  
here and the process involved? Mr. Knoop?

MR. KNOOP: If your commission understands the  
procedure, then we are ready to go.

CHAIRMAN KNIGHT: Mr. Kosin, would you like  
to -- do you have any comments before we begin?

MR. KOSIN: Mr. Messer is here.

CHAIRMAN KNIGHT: Let the record show that  
Mr. Messer is present. Good evening.

MR. JOHNSON: Late.

MR. MESSER: Sorry.

CHAIRMAN KNIGHT: Anybody that's expected to  
speak this evening, would you stand to be sworn in  
please.

(All sworn.)

CHAIRMAN KNIGHT: Mr. Kosin?

MR. KOSIN: Thank you, sir. If I stumble  
around, I'm not used to being joined in the front row  
with the persons that I'm here tonight. And in no  
particular order, first to my immediate right is  
Trustee Knoop, who also serves in the portfolio of  
the Plan Commission. To his right is the chairman of-

the Plan Commission, David Stieper, and to his right is a member of the Plan Commission and prior chairman, Ken Bosworth. Also, behind us is Sarah Kenney who is the planning and zoning coordinator and principally serves as the day-to-day staff person for not only this body but also for the Plan Commission. In the right distant corner of the room is Trustee Elaine Ramesh.

The presentation is one involving the work undertaken pursuant to the request of the Board of Trustees to examine the subject matter of artificial lighting and its regulation, a topic that was presented to you and as you have experienced before, information is gathered and brought forward for your consideration if an addition to the Village Code or an addition to the Zoning Code would be required to which the board, as you stated, would then authorize as a text amendment of the zoning ordinance.

With that, I will turn over the actual presentation beginning with Trustee Knoop.

MR. KNOOP: Thanks, Bob. Thanks for hearing us tonight. I wanted to give you a little history and then a little background on why we are here.

Four-and-a-half years ago when I was elected a

1 because this is a living, breathing document. And  
2 what zoning does, zoning supports the Comprehensive  
3 Plan. This is like the Constitution and then the  
4 laws come back underneath it, so this is how these  
5 things interact.

6 I want to read to you a section out of the  
7 Comprehensive Plan that was actually pre-1996. It  
8 hasn't been doctored at all because it's within the  
9 character of the village.

10 "The residents have selected," this is  
11 page 19 of the Comprehensive Plan, "The  
12 residents have selected a more remote  
13 countryside life as an alternative to more  
14 intense urban and suburban life. Recognizing  
15 this, the Village supports a safe, secure and  
16 functional nighttime environment free from  
17 clutter, light trespass and light pollution and  
18 will continue to take measures to retain this  
19 community feature."

20 Which brings us to tonight. Now, the  
21 Village, as you know, already has an existing code in  
22 lighting, it's under the nuisance provision and, in  
23 fact, it's 7-1-5. It talks about lights flickering,  
24 searchlights, illumination of recreational areas and

1 trustee, I ran on a platform surrounding the  
2 Comprehensive Plan. The Comprehensive Plan is often  
3 a misunderstood document and just to be clear, the  
4 Comprehensive Plan really defines the character of  
5 our community and the natural surroundings.

6 One of the very first things I did, and I  
7 campaigned on this four-and-a-half years ago, was  
8 this Comprehensive Plan hadn't been updated since  
9 1996. So as we all know, we were in a nasty fight  
10 with Duda during the last ten years and it didn't  
11 comprehend in the Comprehensive Plan such things as  
12 the equestrian community, the trails and that sort of  
13 general makeup of the village. We were pointed out  
14 in the decision with Judge Sullivan, which we were  
15 struck down with Duda, that it was not in the  
16 Comprehensive Plan that we were able to defend that  
17 property accordingly. So we, as the Plan Commission,  
18 immediately and in 2005 took the undertaking to amend  
19 it. And we go through a process much like you go  
20 through where we have public hearings and we have  
21 long discussions, that's what's appropriate.

22 But I wanted to read to you a section  
23 that's been in the Comprehensive Plan and since then,  
24 by the way, we've amended now in 2005 and 2008

1 it has served its purpose. But what we have seen as  
2 highlighted by the National Geographic article, The  
3 End of Night, and this is Chicago, is a proliferation  
4 of lighting, landscape lighting to be precise. And  
5 as a trustee hearing what residents' concerns are, we  
6 took it upon us to really look at this code and look  
7 at whether the community environment is being  
8 effected.

9 So that's a little bit of the genesis and  
10 what I wanted to stress to you is why the Plan  
11 Commission undertook this and not you initially.  
12 Well, we understand that you have been working pretty  
13 hard on some pretty big issues, big barn and that  
14 sort of thing. So about 18 months ago, the  
15 commission, the Plan Commission, Jonathan Knight and  
16 at that time it was Ken, got together with myself and  
17 George Schueppert, who oversaw the Zoning Board at  
18 that time and said how can we help you look at this  
19 issue, because you guys were so overburdened. So 18  
20 months ago we started this process and Joe is part of  
21 that group. And this hasn't been an easy process.  
22 We, ourselves, have had public hearings on the issue.  
23 And we have had numerous public hearings. We have  
24 had numerous special meetings. These two gentlemen

1 in particular have spent hours and hours.

2 Nancy, I heard you in the beginning of the  
3 meeting ask who wrote this. Well, we all wrote it  
4 and we did it with legal advice. We did it with  
5 engineering advice. We searched out -- we had  
6 legal -- we have our own legal staff. We have our  
7 own Plan Commission legal attorney, just like you  
8 have your attorney. We searched every lighting code  
9 across the country and tried to take the best of the  
10 best to enhance our character. So this wasn't done  
11 willy-nilly and as Dave and Ken will explain later of  
12 how all this intertwines, and it does, every word was  
13 well thought out. So, therefore, we wanted to  
14 present that to you.

15 Along the way, I also brought this to the  
16 attention of the board and the board issued a  
17 proclamation and the proclamation was to become a  
18 dark sky community and that's what that's all about,  
19 that sticker. And as you know, part of the dark sky  
20 community is the educational process. And also as  
21 you know, and I'm sure we all have our village  
22 stickers on our car, we have that proudly on our  
23 village sticker this year as part of the education of  
24 who we are and what we support. We are just

1 commissioners and said what happened. They were,  
2 "Guys, do you realize what you are getting into?" We  
3 said, "Well, it's a new time. It's a new era. We  
4 need to look at this again." So we are pleading with  
5 you to take a serious look at this and understand the  
6 work that we have done.

7 Now, I have some exciting news to tell you  
8 as well and that is because it is an education  
9 process, the Village is actively in the proclamation  
10 seeking out to be the very first dark sky community.  
11 And there's only two of them in the entire nation,  
12 Flagstaff, Arizona and a state park in California.  
13 It will be the very first one east of the  
14 Mississippi.

15 So as a trustee of this village, I'm  
16 constantly thinking to myself, A, how am I serving my  
17 residents; and, B, am I adding economic value to this  
18 area. To me, if I look at the Comprehensive Plan,  
19 one of the ways I'm doing that is preserving the open  
20 space in a semirural nature, and what has happened is  
21 we've gotten international acclaim from this  
22 proclamation. Governor Quinn, at that time Deputy  
23 Governor Quinn, immediately wrote us a letter saying,  
24 wow, you are the community we want. Bob Kosin, and I

1 supporting the Comprehensive Plan.

2 So another attribute of this was it happens  
3 to be a special year, as you can see, 2009. This  
4 year is the international year of astronomy. It's  
5 the year 400 years ago that Galileo discovered the  
6 Milky Way, and to my amazement, just last week when  
7 we took the International Dark Sky Association on a  
8 tour of Barrington Hills at night, we went off in  
9 Barrington Hills property by the Duchossois farm,  
10 they said, "Steve, look up." I said, "Yeah, I see  
11 the glow. I see the sky glow." They said, "No, no,  
12 look straight up," and there was the white Milky Way.  
13 And I went, "That's the Milky Way." I could see it  
14 virtually with my own two eyes, no telescope needed,  
15 no binoculars. It's there if you look. But we are  
16 in danger of losing it and that's why we wanted to  
17 readdress this issue.

18 Now, I have to tell you, and you already  
19 know this, this is a controversial issue. Ten years  
20 ago the Plan Commission undertook the very same task.  
21 They worked a year on it. They presented it at that  
22 time to the ZBA. It never made it to the board. It  
23 was disheartening to them. When we started this  
24 process, we brought those commissioners in, the plan

1 encourage you if you haven't been to the Village  
2 website lately, we have all sorts of links that go to  
3 the calendar, the celestial calendar, and dark sky  
4 community around the world is taking note of what  
5 we've done so far.

6 Bob Kosin was on Comcast's information  
7 channel just recently, Barrington Hills was  
8 spotlighted. To me it's all boosting the EVA of the  
9 community. The thing I wanted to point out, the  
10 other thing about education is coming up on October  
11 24th, we, as a partner with the library, the  
12 Barrington Library, are sponsoring, and this is in  
13 the back of the Barrington Area Library newsletter,  
14 International Year of Astronomy Star Party and, by  
15 the way, thanks to Sarah, we have already had a star  
16 party here at the village and it was quite  
17 successful. But at the library we are having another  
18 cosponsoring with the library a star party called  
19 Gala Nights and the governor has actually sought us  
20 out and said if you invite me, I will be there.

21 Now, I hope I am not made a liar of that  
22 but the invitation -- I just talked to the  
23 International Dark Sky Community who has been in  
24 weekly contact with the governor and they said get

1 the invitation out, and we are doing that and I just  
 2 talked to the village president about that today.  
 3 So these are the sort of educational things  
 4 that the village has been involved with. And then  
 5 one more sort of current event is I was invited to go  
 6 to District 220 today and see the head of -- well,  
 7 first of all, the CFO and the head of buildings and  
 8 grounds, and their call to me was, and Judy you might  
 9 be amazed being an ex-school board member, was we  
 10 want to talk to you about energy. I went, well, I  
 11 don't know if I'm the right guy to talk to you about  
 12 energy, but when I got there it was, no, Steve, we  
 13 understand what's going on with the village and its  
 14 submission on being a dark sky community and we want  
 15 to help. I went, well, that's easy guys, there's a  
 16 thing called Field of Dreams and the Field of Dreams,  
 17 have you ever been by there at night, it's got  
 18 unshielded lights about 40 feet tall that light up  
 19 the entire area. I go, guys, we have been working  
 20 with you and Countryside School and the parking lot  
 21 and now you got Field of Dreams. He went, Steve, we  
 22 are going to work with you. We are going to shut  
 23 that down. We are going to put LED lights in. It  
 4 will save us energy and they have already saved

1 excessive lighting but a large amount of lighting.  
 2 And as our Comprehensive Plan, as Steve pointed out,  
 3 is a legislative tool in the litigation of Duda, just  
 4 as much as the lighting issue as well and our dark  
 5 sky and really we have spent hours not just drafting  
 6 this but having various people come into our  
 7 commission meetings from various engineers, experts  
 8 on lighting to try to explain what lighting is, how  
 9 to grapple with it. Because the most difficult thing  
 10 is, I'm a lawyer by trade, as Ken is, how do you deal  
 11 with lighting. It's not like something that's a  
 12 defined measurement. Usually we are dealing with  
 13 tools. It's how do you deal with lighting and how do  
 14 we, because Barrington Hills prides itself on free  
 15 ownership, we don't have any architectural design  
 16 statutes, ordinances and how do we balance something  
 17 without impinging on people's freedom to really enjoy  
 18 and operate the properties the way they want but take  
 19 into consideration not encroaching on other people's  
 20 enjoyment as well as lighting has become more of a  
 21 issue.

22 So what we really tried to do here is take  
 23 unique features of Barrington Hills, and I got to  
 24 tell you I'm kind of -- this is kind of an exciting

1 \$125,000 this year on doing that sort of program.  
 2 And what we are going to do, this is all on the  
 3 drawing board, but we are going to have a star party  
 4 at the Field of Dreams with the school's astronomy  
 5 club and its environmental club and it's going to be  
 6 sponsored by Eagle Scout.  
 7 So this is sort of the education that we  
 8 are bringing together all about the celebration of  
 9 what we, as a unique community, have here. Thanks  
 10 for your time and I'm going to turn it over to Dave  
 11 Stieper.  
 12 MR. STIEPER: Let me just first say that this is  
 13 not an anti-light statute. What we attempted to do,  
 14 and I know Joe was on the commission for some months,  
 15 is balance the equities between lighting and also  
 16 keeping what we believe the character of the  
 17 community as much as we are an equestrian community.  
 18 The, also, unique feature of Barrington  
 19 Hills is when you fly in over Barrington Hills, you  
 20 see this dark patch, beautiful night sky and what  
 21 some of our older residents who have been here longer  
 22 can attest to the fact that over the years as houses  
 23 have gotten larger, five acres has gotten smaller,  
 24 and this sort of introduction of I won't say

1 ordinance from the standpoint we have reviewed every  
 2 lighting ordinance I believe that is out there in the  
 3 country and most of the towns we deal with commercial  
 4 properties combined with residential properties, none  
 5 of which were five acres. And so we had a unique  
 6 feature here in Barrington Hills, predominately  
 7 98 percent residential and five acres and we were  
 8 able to do some things here that some of the other  
 9 ordinances didn't have the luxury of doing and that  
 10 is basically eliminating things like encroachment,  
 11 light trespass. We were able to do that as these  
 12 consents in the statute to say we have enough land  
 13 here where people build on setbacks where we can  
 14 eliminate certainly these features, preserve the  
 15 night sky. Yet we want people to enjoy their  
 16 property as well because it doesn't serve to force  
 17 people to turn out lights and not be able to enjoy  
 18 your backyard at night or your other activities on  
 19 your property. And what we came up with is I think a  
 20 unique feature which I don't think you are going to  
 21 find anywhere and the tool of measurement we used,  
 22 I'm not an expert obviously on lighting and  
 23 measurement, but we have various engineers on our  
 24 Plan Commission and also the Village engineer along

1 with people that we have listened to and we use a  
 2 concept of lumens. And you'll find that concept the  
 3 lumens act as the tool of measurement. And what we  
 4 came up with, which is a unique facet which even the  
 5 IDA, the Illinois Dark Sky, was I think kind of  
 6 intrigued by is we kind of came to the conclusion  
 7 where we don't want to be Draconian so much as to say  
 8 you can't have this lighting. Certain features of  
 9 the ordinance does do that but we came up with  
 10 basically we'll let people have 10,000 lumens per  
 11 acre, but 9,000 of it has to be shielded, 1,000  
 12 unshielded, with certain exceptions in here which Ken  
 13 will get into the more specifics. But we came up  
 14 with this idea of saying we want people to have  
 15 flexibility to enjoy their property, yet we want to  
 16 balance the equities of preserving the night sky and  
 17 this will allow some flexibility.

18 One of the things the ordinance does do is  
 19 it eliminates any type of vegetation lighting that's  
 20 attached to either trees, plants, and the concept is  
 21 to keep lighting shielded, directed to its target  
 22 without the unnecessary glare or overture.

23 The ordinance does also cover interior  
 24 light, too, that may infringe on the exterior as

1 emergency subsidies. There's also a built-in  
 2 amortization schedule in here grandfathering which  
 3 says I believe you have until 2012 to phase out the  
 4 lighting, with the exception of certain lighting.  
 5 And basically the tree lighting and vegetation  
 6 lighting I believe there's a 30-day moratorium on  
 7 that.

8 The concept here is again to keep within  
 9 the character of Barrington Hills and I think if you  
 10 ask anybody, everybody probably agrees we should  
 11 probably have some lighting ordinance. It's just a  
 12 difference of where that line is. And we did not on  
 13 the commission start with a Draconian we are going to  
 14 cancel out -- we really tried to balance these  
 15 equities to give people, you know, obviously the --  
 16 to enjoy lighting, to install necessary lighting or  
 17 lighting that they want for their property while  
 18 taking the consideration of the night sky or their  
 19 neighbors with regard to the lighting. And, again,  
 20 we really tried to balance these equities within this  
 21 ordinance. And I said, Ken, I think we have painted  
 22 a Rembrandt here, but we'll see as we get into this  
 23 process.

24 A lot of this thing I'm assuming everybody

1 well, which we believe this ordinance deals with.

2 One of the other things that we had to deal  
 3 with is enforceability. Like anything if this thing  
 4 has to be grappled in a courtroom, will this thing be  
 5 enforceable. I can tell you I don't think there's  
 6 any appellate court case in lighting in Illinois that  
 7 we could find and very few throughout the country.

8 But with that in mind, I think we have  
 9 designed here something which if a judge was looking  
 10 at is very tangible and that is, we believe, it's the  
 11 way it's drafted is easily workable through a  
 12 resident who is looking at this or if they were  
 13 hiring some type of lighting expert, this is what you  
 14 can or can't do, and also in terms of violation, in  
 15 terms of what is within the ordinance and what is  
 16 not, and this whole concept of shielding versus  
 17 unshielding, 10,000 lumens per acre shielded, 1,000  
 18 unshielded.

19 And we've also, we built in this ordinance  
 20 as well, because one of the concerns is always  
 21 emergency lighting and basically we said here you can  
 22 have whatever emergency lighting you need as long as  
 23 there's a cessation of that lighting I believe it's  
 24 five minutes after the emergency or perceived

1 has read, so I don't want to go into it in  
 2 painstaking detail but the guts of the ordinance  
 3 really is in Section 5 on the residential lighting  
 4 and that's where we get into with regard to what you  
 5 can do in terms of height restrictions, lumen -- the  
 6 lumen standards, exceptions with regard to lighting  
 7 around doorways, which Ken will get into, gates.  
 8 Obviously, everybody has gates and what do you do  
 9 with those. We went to a measurement of foot candle  
 10 on that because we know there's going to be a  
 11 different issue with lighting with regard to glare  
 12 and lumen issues that we want more freedom in certain  
 13 areas either for safety reasons or because these are  
 14 the things that people do want customarily want to  
 15 enhance or be visible on their houses.

16 MR. KNOOP: You might want to explain lumens  
 17 versus wattage.

18 MR. STIEPER: I'll let Ken do that. The concept  
 19 of why lumens, wattage, Kelvins, these are  
 20 measurements of heat not measurements of light and  
 21 based upon our experts, these terms are going to  
 22 become basically phased out. Lumens is going to be  
 23 the term, the measurement that's going to probably  
 24 projectively in the future be the tool of measurement

1 and that was the recommended tool we use as a  
2 technology.

3 Again, this ordinance also attempts to take  
4 advantage of some of the great technologies in  
5 lighting nowadays that were not available 15 years  
6 ago and so that people can do things today that they  
7 wouldn't have been able to do 15 years ago, still  
8 have basically some of the same lighting, it's just  
9 the way it's covered or the way it's enhanced with  
10 the type of lighting versus what maybe the last time  
11 this ordinance or similar ordinance was brought  
12 before the ZBA that probably wasn't available.

13 Within the definitions, one of the lighting  
14 that the ordinance does attempt to do away with is  
15 the HID lighting, the high pressure sodium  
16 fluorescent and metal halide-type bulbs which for  
17 various reasons are going to be phased out or less  
18 desirable and so that definition in there you'll see  
19 is basically lighting which is not going to be  
20 recommended or allowed under the ordinance.

21 With that said, I'll turn it over to Ken to  
22 explain some of the more specifics about the  
23 ordinance and get into some of the more detail.

24 MR. BOSWORTH: Thank you, Dave. Like things

1 needed and showing that environmentally and  
2 economically it was ultimately going to be cheaper  
3 for them because of that. So part of it is going to  
4 be an educational and people getting used to what's  
5 going on.

6 I'm going to take you through the ordinance  
7 and I understand some of this we proposed to have a  
8 full public meeting, we are going to have some  
9 additional people, lighting engineers and people to  
10 show you more of the engineering background behind  
11 it. Lumens, for instance, and again stressing what  
12 Dave said, people, you are all used to 75-watt bulb,  
13 100-watt bulb in your house. Well, they can produce  
14 now with LED lighting of 10 watts that has, you know,  
15 10 times the amount of lighting of a 75-watt bulb,  
16 okay. So the whole technology is different because  
17 wattage, as Dave said, is heat and the older bulbs  
18 throw off a lot of heat. Now, new technology, you  
19 can go up and touch those bulbs after they have been  
20 on, put your hand on them after an hour where if you  
21 were to grab a 75-watt bulb, you know what would  
22 happen to you, you would burn yourself, so.

23 CHAIRMAN KNIGHT: I have a question. To kind of  
24 frame the discussion here that this is a request from

1 have been evolving in our country, 20 years ago  
2 environment wasn't something that people talked or  
3 knew much about. Now, there are environmental  
4 lawyers, environmental engineers, environmental  
5 consultants, et cetera. Lighting is going to be very  
6 similar to that.

7 If you look in the newspaper you start  
8 seeing more and more about lighting and lighting  
9 professionals, landscape lighting, lighting  
10 engineers. Homer Glen is a community here in the  
11 Chicagoland area that has a lighting ordinance. Like  
12 Dave said, because they are more like what you  
13 consider typical suburban community, considerable  
14 amount of commercial, higher density, their ordinance  
15 is tailored a lot different than ours is, but one of  
16 the things that they started to do was to right away  
17 look at commercial lighting and to try to monitor  
18 that and they gave us an example about how somebody  
19 complained about a new commercial development, how  
20 terrible it was how they weren't going to meet all  
21 sorts of their criteria, et cetera, and after  
22 spending some time with them, getting a lighting  
23 engineer involved, they ended up getting them in  
24 conformance with the lighting, lighting what they

1 the Plan Commission for us to make a determination  
2 based on the summary that you are giving of the  
3 desire for us to ask the question does this issue  
4 rise to the level of concern that we should request  
5 that the board allow us to hold a public discussion  
6 on this, I think it's a little premature to go  
7 through the text, as you suggested, because that is  
8 something that I think is better said if this board  
9 decides to go to the Board of Trustees and they tell  
10 us to have a public hearing. At that point in time  
11 then if it's successful you would give us this  
12 ordinance, which is a basis for discussion, and I  
13 wouldn't want anybody in the audience or elsewhere to  
14 think that this is a fait accompli, that this is the  
15 language because you've worked hard on it that we are  
16 going to accept. We can recognize the time and  
17 effort you put into something, and I can't tell you  
18 if it reaches that point whether this board accepts  
19 it as is and makes a recommendation or makes some  
20 changes, what have you.

21 But for our discussion purposes this  
22 evening, I think what you've done with Mr. Knoop's  
23 summary of the history of this and Mr. Stieper's  
24 presentation on some of the elements that were

considered, I don't, again, think it's necessary to go through the language of the recommended text, itself. I think that's, again, better in a public arena.

Does anybody have a disagreement with that or questions about what we are here for or anything?

MR. MULLEN: We would probably be asking questions that you couldn't answer. We'd probably want to have you -- you say you had engineers on your Plan Commission.

MR. STIEPER: Yes, we do.

MR. BOSWORTH: The village engineer we had, not the regular planning commission engineer, but Gewalt Hamilton has an engineer on the staff as a lighting engineer and that's his specialty.

MR. MULLEN: Because he would have to answer a lot of the questions.

MR. BOSWORTH: We also did have another engineer on the board who is familiar with lighting also in his occupation, too. So we do have that type of expertise. The presentation you would get from the IDA would also be a technical presentation. The gentleman that we talked to said he could give a presentation up to 45 minutes long, you know, about

CHAIRMAN KNIGHT: Let me just address that for a second. I think from what I'm hearing what you attempted to do was to be as thorough as possible to give us as much meat to chew on, if you will, rather than say, well, here is a three-paragraph recommendation, we are going to give it all to you, carefully considered from the work that you did.

MR. BOSWORTH: It's like when I have somebody -- I'm an attorney and I have somebody doing something for me, I want them to give me everything, and I throw out what I don't want and what doesn't work than sit there and go, gee, what did they forget, what am I missing. So, yeah, I hope you don't throw out anything because we think we did a great job.

MR. STIEPER: Even though you may think it's somewhat intimidating in length, most of this is consumed by definitions. A lot of it is consumed by exempt lighting. But the real nuts and bolts of the ordinance are really found in Section 5 for residential which really isn't that long of a --

MR. JOHNSON: I don't know what the driving force is behind this, obviously.

MR. STIEPER: The driving force, I think that's what Commissioner Knight was getting at. Why did we

lighting, industry standards, technology, reasons why certain -- why are these numbers in here. Why is it 10,000. Why is it a thousand. Background behind it because those are the things you are going to ask me. Where did you get 10,000 lumens. Where did you get a thousand. These are the things that come from those people, those recommendations based on their experience in the industry.

So, yeah, that's where all that would come from then at that particular time. I was just going to kind of give you a -- take you through it so you kind of understood it a little bit because it is a detailed ordinance. Just like anything, being an attorney right now, if you don't write it right and as you guys know what's happening to people challenging our own Village Code in other areas, you have got to write it right and you have got to put some detail in it and you can't be vague and ambiguous.

MR. JOHNSON: You are chief.

MR. BOSWORTH: As detailed as you think it may be, compared to some of the things we saw.

MR. JOHNSON: What did you leave out?

MR. BOSWORTH: We left -- there's stuff out.

even take on this task of the lighting ordinance. I think the dark sky was one of the things but I think three things that haven't been discussed, and it's a learning process for me as well as we had people come in, is the effect lighting has on wildlife.

MR. JOHNSON: What kind of animals are we short of in Barrington Hills?

CHAIRMAN KNIGHT: Excuse me a minute, I really want to reduce this type of discussion because then we are getting into things that are going to be discussed if this gets to that point rather than trying to hear it here. This is not a public meeting to discuss these specifics of this. This is strictly if we think as a board that the need is such that it should be discussed in an open meeting.

MS. ROSENE: Can I ask a question? Will there be examples of ideal or conforming lighting that we can actually look at, you know?

MR. BOSWORTH: Part of the Homer Glen presentation shows you the difference. There's a little topic, there's some lighting you can't turn off in this room but shows you the distinction between shielded and unshielded.

MS. ROSENE: As we would actually see it?

1 **MR. BOSWORTH:** A light bar showing you here is  
 2 so many LED's, here is so many whatever, things like  
 3 that. There are also that we didn't want to put it  
 4 in but it's something you could consider where it  
 5 says okay, you know, I don't want to use the word  
 6 approved but recommended fixtures versus, you know,  
 7 not recommended fixtures that will help people to  
 8 understand the concept of shielding light and the  
 9 idea here is that we think that the Plan  
 10 Commission -- the Comprehensive Plan promotes a  
 11 community which is different than those around us and  
 12 that to preserve that community, we need to also  
 13 preserve one of the things that's very important to  
 14 us is the dark sky and the lighting just like we  
 15 preserve and help and promote the equestrian  
 16 community.

17 So I think it's an important part and when  
 18 I ran as a trustee, although failed, a lot of people  
 19 were, you know, concerned about the lighting and they  
 20 would say, look, there's too many abuses they thought  
 21 in their mind of lighting and they thought that the  
 22 Village should do something to preserve the character  
 23 that's grown up over the years of the village being a  
 24 dark sky.

1 least the board to approve it for you then to discuss  
 2 it and we can get all into the nitty-gritty detail.

3 What we didn't want you to do was to look  
 4 at this 15-page document or whatever it is and go,  
 5 just like your reaction, Nancy, was who wrote this  
 6 and does it make sense. What we wanted to get across  
 7 was this was a lot of thought, a lot of research. We  
 8 are happy to provide it. We are happy to listen to  
 9 disagreements about it and that's okay, that's what  
 10 the public process is all about.

11 **MR. JOHNSON:** Steve, did the Plan Commission do  
 12 any kind of a study that would indicate what  
 13 percentage of the current homes would be in violation  
 14 of some of these provisions? There would be a  
 15 substantial number, but was any kind of a study or  
 16 consideration given?

17 **MR. KNOOP:** We did not go around counting homes,  
 18 per se. There are some obvious examples to look at,  
 19 which, frankly, as I'm sure you as a ZBA  
 20 commissioner, me as a Village trustee, I get phone  
 21 calls on a wide range of topics that come in.  
 22 Certainly that has been a topic which as both  
 23 commissioners pointed out because technology, because  
 24 of the affluence of the community, we are seeing

1 Again, as Dave said, you fly over  
 2 Barrington Hills coming in from the northwest going  
 3 over O'Hare, you know where we are, it's the dark  
 4 spot.

5 **MR. KNOOP:** Jonathan brought up a good point and  
 6 I'm glad he clarified it again as to the genesis or  
 7 the purpose of this meeting and that is to send,  
 8 possibly, this issue to the board, the board to  
 9 approve it and for you to discuss it and then, Byron,  
 10 you can get into that.

11 Just so you know, I have been writing for  
 12 years now about light pollution and some of its  
 13 effects, so if you want to look at that, I'm happy to  
 14 show you. But generally from the standpoint of  
 15 whether the board should look at it or whether you  
 16 should look at it or whether it should be sent to the  
 17 board for consideration, I would say this, besides  
 18 what I mentioned earlier is that the board did pass a  
 19 proclamation about dark sky. The board does  
 20 recognize the Comprehensive Plan and it's  
 21 constitution, if you will, endorses no less than six  
 22 references to it. Some of them were amended just  
 23 recently. So dark sky is not a foreign concept. And  
 24 so from that standpoint, we are here to promote at

1 proliferation of that and so the question had to be  
 2 asked and that's what we are doing.

3 **CHAIRMAN KNIGHT:** Let's hold it at that.

4 **MR. MULLEN:** I think you need a public hearing.

5 **CHAIRMAN KNIGHT:** Let me get a sense of the  
 6 board. How many of you think that this is an issue  
 7 that we should put up to the board to request that  
 8 they authorize us to hold a public hearing on this  
 9 issue?

10 **MS. FREEMAN:** Well, since you are looking in my  
 11 direction --

12 **CHAIRMAN KNIGHT:** I'm just going around the  
 13 table.

14 **MS. FREEMAN:** That's fine. I think it's worthy.  
 15 Yes, I'd like to send it up.

16 **MR. MESSER:** I agree.

17 **MS. ROSENE:** I agree also.

18 **MR. JOHNSON:** We are putting aside our personal  
 19 opinions, right? I tell people the length of the  
 20 document is limited only by your lack of imagination,  
 21 but this thing is detailed, okay.

22 **CHAIRMAN KNIGHT:** It doesn't reflect anybody's  
 23 opinion of this at this point.

24 **MR. JOHNSON:** I've voiced a concern that there's

going to be a large number of properties probably including mine, for example. I've got more than 100 watts on my front door. That's a violation. You know, that kind of detailed --

MR. KNOOP: Not if you read it. But let's go on.

MR. JOHNSON: Okay. But certainly the consensus is to study this. I'm not going to stand in the way, but I definitely think you need public hearing and a good airing of what's in this document.

CHAIRMAN KNIGHT: At this point then I would like to entertain a motion from somebody.

MR. MULLEN: So moved.

CHAIRMAN KNIGHT: What's the motion?

MR. MULLEN: To request the board authorize us to hold a public hearing on the lighting ordinance.

CHAIRMAN KNIGHT: Is there a second?

MR. JOHNSON: I'll second that.

MS. ROSENE: I'll second. We are all seconding it.

CHAIRMAN KNIGHT: Mr. Byron Johnson will second that. Any discussion?

MS. MASTERSON: I'd just like to commend the Plan Commission and all the work that they have done.

MR. KNOOP: Chairman Knight, to keep Robert's Rules in order here, maybe after the vote I can expound on that.

CHAIRMAN KNIGHT: Roll call please.

COURT REPORTER: Member Freeman.

MS. FREEMAN: Yes.

COURT REPORTER: Mr. Messer.

MR. MESSER: Yes.

COURT REPORTER: Member Rosene.

MS. ROSENE: Yes.

COURT REPORTER: Member Johnson.

MR. JOHNSON: Yes.

COURT REPORTER: Member Mullen.

MR. MULLEN: Yes.

COURT REPORTER: Member Masterson.

MS. MASTERSON: Yes.

COURT REPORTER: Chairman Knight.

CHAIRMAN KNIGHT: Yes.

The motion carries unanimously to recommend to the Board of Trustees that they authorize us to hold public hearings on the text amendment regarding the lighting ordinance. Is there anything else? Any other comments before I close this meeting?

MR. JOHNSON: Well, he's -- I would advise

This takes hours of time and they found that there was a need for it and they addressed it and I'm kind of all excited about it. I think it's really, when I've seen shopping centers go in, all I have to do is look at the orange and I know exactly where they are. That's always bothered me. I just wonder who is shopping at 1:00 o'clock in the morning with all the orange lights and everything.

MR. JOHNSON: You have a shopping center at Steeple Chase?

MS. MASTERSON: No, I'm talking about the one there.

CHAIRMAN KNIGHT: We agree that they have done a great job on all of this and Trustee Knoop as well. Let's have a roll call please.

MS. MASTERSON: I'd like to see some examples of some new lighting ideas, too, because I'm really not up on that and I don't know what's out there. A lumen, I don't know what that is. I don't know what all this stuff is.

MR. BOSWORTH: That's part of the technical part that we, you know --

MR. JOHNSON: You guys, as lawyers, would know.

MR. BOSWORTH: Wait, we are learning a lot.

hopefully you could be very detailed in your newsletter write-ups as to what you are proposing.

CHAIRMAN KNIGHT: I think that's something that can be discussed after the meeting.

MR. JOHNSON: I'm leaving.

MR. KNOOP: Actually, Chairman Knight, I have a question for the commission that we may want to be part of the meeting before you close it. And that is what we would propose that if the board does approve you having a public hearing, which is the next step, we would propose that they answer some of your more detailed questions is if the commission is willing, your commission is willing, that A, to bring in some of the lighting studies and experts and a demonstration, Nancy, to answer your point because they are out there. As Ken might have mentioned, you know, some can last five, some can last 45 minutes. We'll try to keep it interesting.

And then, too, Byron, I'm -- we welcome your questions. It is a very detailed document and if the commission so pleases, you are all very well educated, deal with complex issues, but this is a all encompassing ordinance we spent a lot of time on. I would ask that your commission hear out Ken's sort of



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