

ZONING BOARD OF APPEALS  
BARRINGTON HILLS, ILLINOIS

ZONING TEXT AMENDMENT )  
(CONTINUED) ARTIFICIAL LIGHTING, )  
EXTERIOR )  
)  
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 Countryside School, 205  
West County Line Road, Barrington Hills, Illinois, on  
the 16th day of August, 2010, at the hour of 7:30 p.m.  
ZONING BOARD OF APPEALS MEMBERS PRESENT:

MR. JONATHAN J. KNIGHT, Chairman  
MR. JUDITH FREEMAN  
MR. KURT ANDERSON  
MS. KAREN ROSENE  
MR. BYRON JOHNSON  
MR. GEORGE MULLEN  
MS. NANCY MASTERSON

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 meeting was just before -- let me see where we are.  
2 We got as far as Section 6 in our draft, which is  
3 Nonresidential Lighting Standards.  
4 What we are going to do this evening is  
5 rather than go back and review what we've been over a  
6 few times, let's move on to the other sections of the  
7 draft, which are Nonresidential Lighting Standards,  
8 Section 8 -- hold on, we have Section 7. Section 7 is  
9 Amortization. Section 8, Penalties -- excuse me,  
10 that's Section 9. Section 8 is procedures. Does  
11 everyone have their copy in front of them, the blue  
12 line, red line, green line. We've all read the  
13 Nonresidential Lighting Standards. Does anything grab  
14 the attention of anybody? I'm just going to -- I'll  
15 start from the far left and work our way right.  
16 Mr. Mullen, Member Mullen?  
17 MR. MULLEN: What was the question?  
18 CHAIRMAN KNIGHT: Anything in Section 6 on  
19 Nonresidential Lighting Standards that attracted your  
20 attention that we should look at?  
21 MR. MULLEN: So we've not discussed any of  
22 this, right?  
23 MR. von MEIER: That's correct.  
24 CHAIRMAN KNIGHT: This is all new material.

1 (Whereupon, the following proceedings  
2 were held in open meeting.)  
3 CHAIRMAN KNIGHT: I'd like to call to order  
4 the Village of Barrington Hills Zoning Board of  
5 Appeals meeting. This is a regularly scheduled  
6 meeting Monday, August 16th, 2010. It is now  
7 7:37 p.m. May I have a roll call please.  
8 COURT REPORTER: Member Freeman.  
9 MS. FREEMAN: Here.  
10 COURT REPORTER: Member Anderson.  
11 MR. ANDERSON: Here.  
12 COURT REPORTER: Member Rosene.  
13 MS. ROSENE: Here.  
14 COURT REPORTER: Member Johnson.  
15 MR. JOHNSON: Here.  
16 COURT REPORTER: Member Mullen.  
17 MR. MULLEN: Here.  
18 COURT REPORTER: Member Masterson.  
19 MS. MASTERSON: Here.  
20 COURT REPORTER: Chairman Knight.  
21 CHAIRMAN KNIGHT: Here.  
22 The matter before us is a continuation of  
23 our July 19th meeting, a discussion on the artificial  
24 lighting, exterior action. Where we left off last

1 MR. MULLEN: You want me to use this thing?  
2 CHAIRMAN KNIGHT: Yes.  
3 MR. MULLEN: First comment I had in Section  
4 2, on the third line down, "5,000 if those lumens,"  
5 should that be "of"?  
6 MS. FREEMAN: Yes.  
7 MR. von MEIER: Yes.  
8 CHAIRMAN KNIGHT: Yes. We'll make that  
9 change.  
10 MR. MULLEN: Then they have already picked  
11 up the comment down here in 3(i), (a)(i) or (a)1.  
12 CHAIRMAN KNIGHT: Yes.  
13 MR. MULLEN: Well, I have starting with on  
14 the primary structure, all that scratched out. So I  
15 guess do we want to keep that in or do we want to take  
16 that out?  
17 MS. ROSENE: Where are you?  
18 MR. MULLEN: 3(a)(i).  
19 CHAIRMAN KNIGHT: This is not residential,  
20 this is commercial.  
21 MR. MULLEN: This is nonresidential?  
22 CHAIRMAN KNIGHT: Yeah, this is  
23 Nonresidential Lighting Standards. And there would be  
24 a primary structure and I think in a nonresidential or

1 commercial application, I think the intent is to  
2 address the primary structure.

3 MR. JOHNSON: Could you clarify exactly what  
4 this covers in Barrington Hills?

5 CHAIRMAN KNIGHT: This covers any  
6 nonresidential lighting, business zoning B1 through  
7 B4, BP and LID.

8 MR. JOHNSON: I understand that. But  
9 physically?

10 CHAIRMAN KNIGHT: Physically what do we have  
11 in the village that this would apply to? There is a  
12 business district on Hart Road.

13 Mr. Kosin, we really don't have many  
14 opportunities for commercial fixtures in the village.  
15 Could you fill us in on your historical perspective?

16 MR. KOSIN: It doesn't necessarily have to  
17 be historical. It's existing --

18 CHAIRMAN KNIGHT: Have you been sworn in?  
19 I'm sorry. Do you have to be sworn in?

20 MR. JOHNSON: I think should be, yes.

21 (Mr. Kosin sworn in.)

22 MR. KOSIN: You have an existing  
23 establishment in the zoning ordinance business  
24 districts, as the Chair spoke to, and then, for

1 MR. JOHNSON: Are they in Section 6 here  
2 somewhere? They are not.

3 MR. KOSIN: That is correct, they would be  
4 used as reference but only through the special use  
5 process. These are districts that are approved as a  
6 matter of right.

7 MR. JOHNSON: So Section 6 does not include  
8 the churches?

9 MR. KOSIN: It does not specifically include  
10 the churches.

11 CHAIRMAN KNIGHT: Further down in Section  
12 10, which we'll get to, it designates special use.  
13 "The Village granting a special use permit may  
14 establish additional regulations or waive the  
15 regulations set forth herein."

16 But I think Mr. Johnson is correct, that  
17 doesn't address any lighting that's existing.

18 MR. KOSIN: That is correct.

19 CHAIRMAN KNIGHT: If it's special use.

20 MR. KOSIN: If it's special use, it comes --  
21 this particular section of the ordinance would be used  
22 as reference in a petition for a special use.

23 MR. JOHNSON: For the existing buildings  
24 like take the Methodist church that's east of the

1 example, State Route 25, Bolz Road/25, 62/25, also  
2 along Route 14 as well as the business park  
3 development proposed on New Hart Road and then  
4 anything that would go forward, if it should, would be  
5 reflective in these proceedings.

6 CHAIRMAN KNIGHT: So we are limited to those  
7 three areas basically on Hart Road, the property  
8 across from the railroad tracks on Northwest Highway  
9 and the Route 25 property. So we are not talking  
10 about a great deal.

11 MR. JOHNSON: What's on Route 25, I'm trying  
12 to visualize that?

13 MR. KOSIN: One is Route 25/Bolz Road  
14 extended. There is a automotive repair facility and  
15 then also at the intersection of 62 and 25 is another  
16 automotive repair facility.

17 CHAIRMAN KNIGHT: And a daycare facility.

18 MR. KOSIN: The daycare facility is a  
19 special use in the R1 zoning district.

20 MR. JOHNSON: Where do the churches?

21 MR. KOSIN: Churches are special uses.

22 MR. JOHNSON: Are they in this?

23 MR. KOSIN: Not in the nonresidential. So  
24 they would be in the --

1 Village Hall, how would they be regulated under this  
2 proposal?

3 MR. KOSIN: If they were to change their  
4 existing special use, then during the time of that  
5 amendment to the special use, the lighting standards  
6 would be examined.

7 CHAIRMAN KNIGHT: The conditions have  
8 already been established for special use in all  
9 respects.

10 MR. JOHNSON: Would that be true for all the  
11 churches, whatever they are doing now --

12 MR. KOSIN: As a special use exists, the  
13 special use continues.

14 MR. JOHNSON: So what they are doing now, in  
15 theory, assuming they are operating under the special  
16 use permit, it's almost like being grandfathered, just  
17 keep doing what you are doing.

18 MR. KOSIN: Special use, exactly.

19 MR. JOHNSON: What about the country club?

20 MR. KOSIN: Special use.

21 MR. JOHNSON: Same thing. So if they make  
22 no changes, there's nothing in here that's proposed  
23 thus far --

24 MR. KOSIN: For existing special use.

1 MR. JOHNSON: -- that would impact them?  
 2 CHAIRMAN KNIGHT: You can't go back and  
 3 change the rules on special use that's already been  
 4 granted.  
 5 MR. JOHNSON: This school?  
 6 MR. KOSIN: That is not a special use.  
 7 CHAIRMAN KNIGHT: They operate under their  
 8 own rules.  
 9 MR. KOSIN: Thank you.  
 10 MR. JOHNSON: Really?  
 11 CHAIRMAN KNIGHT: Anytime they include us in  
 12 discussion, it's as courtesy. But they in no way have  
 13 to conform to our regulations. I believe it's just  
 14 suggestions, would that be fair? A good statement?  
 15 MR. KOSIN: It's an intergovernmental  
 16 cooperation.  
 17 MR. JOHNSON: So five churches -- how many  
 18 churches are in Barrington Hills?  
 19 MR. KOSIN: Five.  
 20 MR. JOHNSON: They all have special use  
 21 permits?  
 22 MR. KOSIN: That's correct.  
 23 MR. JOHNSON: One of the questions I had was  
 24 looking at Section 6, proposed versus what exists in

1 back for review and renewal, that could be a  
 2 consideration in that event but if they have a special  
 3 use that's been granted with no time element involved,  
 4 it is what it is.  
 5 MR. JOHNSON: Are they perpetual or?  
 6 MR. KOSIN: They are as long as the use --  
 7 as long as the use occupies the property, in that  
 8 regard.  
 9 MR. JOHNSON: The churches, what you just  
 10 said, though, as long as the churches keep operating  
 11 the way they are, the country club operates the way  
 12 they have been operating, there is no time limit on  
 13 their special use permits?  
 14 MR. KOSIN: As they operate within the  
 15 constructs of which they are presently operating.  
 16 When they bring something forward, many of the uses we  
 17 talked about have had amendments to them for those  
 18 specific changes to their use.  
 19 MR. JOHNSON: Okay. Thanks.  
 20 CHAIRMAN KNIGHT: Okay. Back to the  
 21 language here. Mr. Mullen, do you have further  
 22 comments on this section?  
 23 MR. MULLEN: I do. On page 15, section D, I  
 24 thought we decided that we would take out these

1 5-6-12, is a proposal that this proposal would  
 2 supersede the entirety of 5-6-12?  
 3 MR. KOSIN: That is correct.  
 4 MR. JOHNSON: All right. That educates me.  
 5 Thanks.  
 6 MS. FREEMAN: Can I ask just one follow-up  
 7 question? I just want to make sure I understand this  
 8 whole -- I just want to understand this special use.  
 9 So if we go to Section 7 on amortization,  
 10 there's a section that talks about residential and  
 11 then there's a section that talks about  
 12 nonresidential, and I guess I want to make sure I  
 13 understand, are you saying then that every other form  
 14 of zoning has to have an amortization or right now I  
 15 guess is slated to have one but special use and then  
 16 they just have nothing?  
 17 MR. KOSIN: It's not that they don't have  
 18 nothing, they already have a governing ordinance with  
 19 them, and I'll default to counsel, at that time that  
 20 ordinance would be set aside by new regulations. It's  
 21 my understanding that it stands until such time as  
 22 they were to end the use or modify the use.  
 23 CHAIRMAN KNIGHT: If a special use has a  
 24 time limitation established where they have to come

1 references to you can't mount a light on a tree or  
 2 vegetation.  
 3 CHAIRMAN KNIGHT: Well, but this is  
 4 commercial. What we see in this commercial section is  
 5 different from the nonresidential. But that doesn't  
 6 mean we can't remove it or amend it or whatever. So  
 7 what are you suggesting?  
 8 MR. MULLEN: That's what this section is,  
 9 nonresidential.  
 10 CHAIRMAN KNIGHT: Right. But what are you  
 11 suggesting?  
 12 MR. MULLEN: I guess if it's okay to do it  
 13 in the residential section, why isn't it okay to do it  
 14 in the commercial section?  
 15 CHAIRMAN KNIGHT: Two different  
 16 applications. We have different standards for each  
 17 but if you feel there's an inconsistency that we  
 18 should address then is that what you are suggesting?  
 19 MR. MULLEN: I guess I'd just like to know  
 20 why you can do it in residential but you can't do it  
 21 in nonresidential.  
 22 CHAIRMAN KNIGHT: That's possible. Lots of  
 23 things you can do residentially --  
 24 MR. MULLEN: I'm talking about one specific

1 thing.

2 CHAIRMAN KNIGHT: So what are you  
3 suggesting, we remove that?

4 MR. MULLEN: Just take it all out.

5 MS. ROSENE: I don't think we actually  
6 decided to do that.

7 CHAIRMAN KNIGHT: No, we didn't decide  
8 anything, but he's just making a recommendation here.

9 MS. ROSENE: We just talked about doing  
10 that.

11 CHAIRMAN KNIGHT: So you are saying remove  
12 it?

13 MR. MULLEN: I guess if you are not going to  
14 remove it, I'd like to know why not.

15 CHAIRMAN KNIGHT: Well, we'll discuss it.

16 MR. MULLEN: Okay.

17 CHAIRMAN KNIGHT: We can discuss it -- why  
18 don't we go through all your recommendations and then  
19 go around the table and then come back to those  
20 elements that are outstanding and knock them down one  
21 by one.

22 MR. MULLEN: The next comment I had was in  
23 Section 5, all conforming and nonconforming -- I mean,  
24 is there another kind? Why don't we take that out and

1 after the close of business but no later than 11:00.

2 I think, you know, maybe that was an unintended typo  
3 but if lights go off at 11:00, they should go off at  
4 11:00 in every instance. Would that --

5 MR. MULLEN: I don't have a problem with  
6 that.

7 CHAIRMAN KNIGHT: Mr. von Meier, that's a  
8 little inconsistency there.

9 MS. FREEMAN: So, Mr. Knight, you are  
10 suggesting that 3(b), the word "later" should be  
11 changed to earlier so that --

12 CHAIRMAN KNIGHT: Whichever is earlier, yes.

13 MS. FREEMAN: Okay.

14 CHAIRMAN KNIGHT: Mr. Mullen, hours of  
15 operation, okay.

16 MS. MASTERSON: Can we go back to that hours  
17 of operation again?

18 CHAIRMAN KNIGHT: Sure.

19 MS. MASTERSON: What if it's a bar and it's  
20 open until 1:00 a.m.?

21 CHAIRMAN KNIGHT: Well, I don't think there  
22 is a bar in Barrington Hills that's open until  
23 1:00 a.m. I don't think we have a bar in Barrington  
24 Hills. Penny Road Pub is not in Barrington Hills.

1 just say all exterior lighting? And for safety and  
2 emergency, how about saying security purposes? I  
3 guess down in Section 6 it says mercury vapor shall --

4 CHAIRMAN KNIGHT: I think the conforming and  
5 nonconforming language is attributable to this draft  
6 language because it's possible that a commercial  
7 establishment could have nonconforming but may have a  
8 provision in the amortization schedule that might  
9 allow them to continue for a number of years. So what  
10 they are saying is -- well, back to what you said, any  
11 lighting should be turned off at 11:00 o'clock or  
12 close of business.

13 MR. MULLEN: Right.

14 CHAIRMAN KNIGHT: Half hour but no later  
15 than 11:00. That brings the question going back to  
16 page 14 that I've --

17 MR. JOHNSON: Everybody is using the red  
18 line?

19 CHAIRMAN KNIGHT: I just want to jump, that  
20 would be paragraph three, item B on page 14. This is  
21 the red line where it talks about lighting and size  
22 and said shall be turned off at 11:00 p.m. or when the  
23 business closes, whichever is later. And the language  
24 that you just looked at said within a half an hour

1 MS. MASTERSON: Right. But I guess when  
2 they had a special permit then to build a bar, if they  
3 did --

4 CHAIRMAN KNIGHT: Well, if they go under a  
5 special use, you can put conditions in a special use  
6 that are different from the body of the language here.  
7 That's just sort of a different animal.

8 The other thing I might add, too, if there  
9 are restrictions in any part of the zoning language,  
10 anybody can appeal for a variance.

11 MS. MASTERSON: I guess if everybody has a  
12 special use permit, then what good is a time?

13 CHAIRMAN KNIGHT: Well, not everybody does.  
14 The business park across from the high school,  
15 11 acres, has zoning that they could work within and  
16 would not have to apply for special use to construct  
17 buildings. This would apply to that property.

18 MS. MASTERSON: Okay. That's a good point.

19 MR. JOHNSON: Are the churches and the  
20 country club the only special use?

21 MR. KOSIN: (Nodding.)

22 CHAIRMAN KNIGHT: Mr. Kosin nodded yes, for  
23 the record. Does that answer your question?

24 MS. MASTERSON: Sure, uh-huh.

1 CHAIRMAN KNIGHT: Mr. Mullen, I think hours  
 2 of operation and this Section 5, are you just looking  
 3 for different language or does it mean the same thing  
 4 and we can just leave it alone as far as having  
 5 automatic timers and everything else? I think it's a  
 6 different standard attached to the nonresidential that  
 7 we've discussed as far as residential goes.

8 MR. MULLEN: That's okay.

9 CHAIRMAN KNIGHT: Should we continue then?

10 MR. MULLEN: Sure.

11 CHAIRMAN KNIGHT: What else does --

12 MR. MULLEN: Well, I guess under number six,  
 13 I'm wondering why are we prohibiting mercury vapor  
 14 lighting?

15 CHAIRMAN KNIGHT: Well, consider that --

16 MR. MULLEN: I mean --

17 CHAIRMAN KNIGHT: Seriously, mercury vapor  
 18 lighting could impact neighboring residential areas.  
 19 So when we are discussing nonresidential use, we're  
 20 giving much deference to the residential areas that  
 21 may surround these and we're --

22 MR. MULLEN: You are saying in a commercial  
 23 area you can't use mercury vapor?

24 CHAIRMAN KNIGHT: That's right.

1 seven that we looked at.

2 MR. JOHNSON: Did we do anything with that,  
 3 those residences?

4 CHAIRMAN KNIGHT: I'd have to go back and  
 5 look, but I don't think we wanted mercury vapor  
 6 lighting as residential use.

7 MS. MASTERSON: I don't remember seeing it  
 8 in the documents.

9 CHAIRMAN KNIGHT: I'd have to go back and  
 10 look --

11 MS. FREEMAN: You mean in the ordinance?

12 MS. MASTERSON: Right, for residential.

13 CHAIRMAN KNIGHT: -- in the previous  
 14 discussions.

15 MS. MASTERSON: I don't remember.

16 MS. FREEMAN: Yeah, actually it's here.

17 MR. MULLEN: I thought Nancy had one.

18 MS. MASTERSON: No, never in a million  
 19 years.

20 MS. FREEMAN: On page 13, Section 7,  
 21 prohibited light fixtures, HID light fixtures are not  
 22 permitted. The footnote says no final decision on  
 23 this point, ZBA to discuss.

24 When you go in and you look at the

1 MR. MULLEN: And I'm saying why?

2 CHAIRMAN KNIGHT: Well, I wish the people  
 3 that drafted this said so but I'll just go around the  
 4 table. Does anybody have an objection to that? Well,  
 5 let's ask the engineer. Would you be sworn in please.

6 (Mr. Penn sworn in.)

7 MR. PENN: I believe the main reason was  
 8 environmental impact. The mercury is a toxic  
 9 substance.

10 CHAIRMAN KNIGHT: Could you say it a little  
 11 louder.

12 MR. PENN: Mercury is a toxic substance and  
 13 since there are other alternatives that are better  
 14 suited.

15 CHAIRMAN KNIGHT: Okay. So you are saying  
 16 if this Village wishes to control its environment as  
 17 far as safety and health issues go, which is one of  
 18 our responsibilities as a zoning board, they have said  
 19 no mercury vapor lighting.

20 MR. JOHNSON: Do we know if any of these  
 21 lights are currently in use?

22 MR. PENN: In a commercial area, I'm not  
 23 sure. I didn't evaluate any commercial. We saw  
 24 mercury vapor in one of the residences, one of the

1 definition of HID, there were -- that's the  
 2 high-intensity discharge lighting that it included all  
 3 of these as HID lighting.

4 MS. MASTERSON: Is that mercury vapor?

5 MR. ANDERSON: It's included in there.

6 MS. FREEMAN: HID lighting, page 5,  
 7 high-intensity discharge family of lighting, that  
 8 includes high-pressure sodium, fluorescent, mercury  
 9 vapor and metal halide-type bulbs.

10 CHAIRMAN KNIGHT: Yes.

11 MS. FREEMAN: These types require a warm-up  
 12 time, usually require a ballast exclusive to the  
 13 source and have a higher lumen output per watt than  
 14 incandescent or halogen lamps. That's how they were  
 15 defined.

16 MS. ROSENE: I believe it was thought that  
 17 the HID lighting was inappropriate to residential  
 18 houses because it generally put out a great number of  
 19 lumens but also I think Mrs. Briggs started to tell us  
 20 about the mercury vapor lighting and that it was  
 21 environmentally unsafe, but she didn't really get a  
 22 chance to.

23 CHAIRMAN KNIGHT: The technology has gifted  
 24 us with other forms of lighting that will accomplish

1 the same thing without the attendant environmental  
2 hazard. Could you clarify that please?

3 MR. PENN: Sure. And I think that's why  
4 mercury vapor was spelled out specifically in the  
5 commercial area where HID was permitted but the  
6 committee wanted to specifically ban mercury vapor  
7 because of the toxicity of the mercury. The reason  
8 why, this is a little bit of history, but one of the  
9 main reasons why mercury vapor was so popular was  
10 because it lasts a long time and it doesn't really  
11 degrade in its light source or it doesn't get really  
12 dim as it gets older. It's pretty much linear in  
13 terms of how it -- as it ages, it slowly loses its  
14 lumen output. And now LED lighting does that same,  
15 has that same type of characteristic without the  
16 toxicity of the mercury and that's why it's being  
17 replaced in most applications with LED.

18 CHAIRMAN KNIGHT: I'm satisfied with that.

19 MR. MULLEN: I guess the problem is do we  
20 really want the government to be designing our  
21 lighting systems?

22 CHAIRMAN KNIGHT: Well, I mean, what we are  
23 trying to do, I believe, getting back to the red book  
24 as a zoning board is to be concerned about the health

1 CHAIRMAN KNIGHT: We haven't --

2 MR. MULLEN: -- metal halide, high-pressured  
3 sodium, we are going to ban all those?

4 MS. FREEMAN: No.

5 MR. ANDERSON: In the nonresidential  
6 setting, high-pressure sodium, fluorescent,  
7 low-pressure sodium lamps and metal halide shall be  
8 used -- are allowable.

9 CHAIRMAN KNIGHT: We are just saying no  
10 mercury vapor.

11 MR. MULLEN: Just mercury vapor?

12 MR. ANDERSON: In paragraph six, the others  
13 are allowed. It's just the mercury vapor that's being  
14 struck.

15 CHAIRMAN KNIGHT: Just read on. The only  
16 one that's permitted is -- the mercury vapor shall not  
17 be permitted. The rest are. So plenty of  
18 alternatives. Are you okay with that?

19 MR. MULLEN: I guess. Sure.  
20 Nonresidential, we don't have that much in the village  
21 that we're going to spend all night on this subject.

22 CHAIRMAN KNIGHT: Okay. Let's go on. What  
23 other areas?

24 MR. MULLEN: Well, the other question I had

1 and welfare of the community and if we have the  
2 opportunity as a zoning board to regulate what we want  
3 in our community, absolutely I believe it's  
4 appropriate. And if we had been told by our  
5 engineering staff that mercury vapor lighting is a  
6 practice that does not encourage sound health and  
7 welfare in our community, then we absolutely have a  
8 right to prohibit it. There are other ways to light  
9 without bringing that so I would say, yes, it is very  
10 appropriate.

11 And, again, let's go back to what the root  
12 purpose of zoning is and that's to protect property  
13 values. It's not to punish. It's not to use zoning  
14 as a source of revenue, which many communities do.  
15 It's to maintain the character of our community and to  
16 conform again to what has been spelled out in a  
17 comprehensive plan that states what do we want in our  
18 community. And, again, I think it's a basic principle  
19 of zoning, if something now is determined to be  
20 unhealthy, then we don't want it here and I think  
21 that's absolutely appropriate. So that would be my  
22 answer to that.

23 MR. MULLEN: So now we are talking about HID  
24 lighting, fluorescent --

1 was on parking lot lighting. You want all the parking  
2 lot lighting to be shielded. I guess I'm saying if  
3 you want the perimeter lighting to be shielded, I can  
4 understand that, but all the lighting? It's not  
5 really the concept of a large parking lot lighting  
6 system.

7 CHAIRMAN KNIGHT: I see it in -- I think the  
8 school out here, for example, is shielded lighting  
9 throughout and I've seen it in many shopping centers.

10 MR. MULLEN: I don't say prohibited.

11 CHAIRMAN KNIGHT: Why not? It doesn't have  
12 to be here. Again, we are trying to --

13 MR. MULLEN: What I'm saying is don't  
14 prohibit shielded lighting. If you want to use  
15 shielded lighting, that's up to you but in the center  
16 of the parking lot --

17 CHAIRMAN KNIGHT: Well, let's go back to  
18 what we are trying to accomplish. If it's unshielded,  
19 it creates light pollution.

20 MR. JOHNSON: You're saying shielded.

21 MR. MULLEN: Not if you -- what I'm saying  
22 is a shielded light throws a spot of light down. You  
23 don't need a spot of light in the middle of the  
24 parking lot, you want it to bounce all over the place

1 as long as it doesn't go over the property line.  
 2 MR. JOHNSON: These lights here are  
 3 shielded, right?  
 4 MS. FREEMAN: These are shielded.  
 5 MR. JOHNSON: What about the office building  
 6 on Hart, do you think it's shielded?  
 7 MR. ANDERSON: They are shielded.  
 8 MR. JOHNSON: I don't see any lights -- are  
 9 there any lights on that one by the railroad tracks?  
 10 You don't see many lights there.  
 11 MS. FREEMAN: Maybe the engineer could help  
 12 us, but the way I understand it, the standards that  
 13 are being put in place for any new construction tend  
 14 to require that these shielded lights are the norm.  
 15 You know, if you drive by a new shopping center or a  
 16 new grocery store, the lighting looks different now  
 17 than it did ten or 20 years ago. So I think that what  
 18 we're requiring here is consistent with what the newer  
 19 building standards are looking for anyway but maybe  
 20 you can help us.  
 21 MR. JOHNSON: Couldn't you have a shielded  
 22 light that still sends light out?  
 23 MS. FREEMAN: It does. If you walk outside,  
 24 it does that. It's just a cone. It's just a more

1 CHAIRMAN KNIGHT: Well, that would be, give  
 2 you a specific reference then, wouldn't it.  
 3 MR. MULLEN: Yes. That's what I'm saying.  
 4 What's appropriate? What's appropriate to you may not  
 5 be appropriate to me.  
 6 CHAIRMAN KNIGHT: I have to add, does  
 7 that --  
 8 MR. PENN: That's basically --  
 9 CHAIRMAN KNIGHT: Does that clarify it  
 10 rather than just leave it open ended?  
 11 MR. PENN: I'm not sure what -- what are we  
 12 changing, the words recommended?  
 13 CHAIRMAN KNIGHT: Should not exceed the  
 14 appropriate level of spectator play for the activity.  
 15 Well, we don't know what that appropriate level might  
 16 be so there is a professional body, as Member Mullen  
 17 said, the IESNA that has recommendations for various  
 18 types of activities and if we use that as a reference  
 19 point, then that makes sense to me anyway.  
 20 MR. PENN: Correct.  
 21 CHAIRMAN KNIGHT: Okay.  
 22 MR. JOHNSON: What would be a permitted use  
 23 in these districts or zones that would have spectator  
 24 play?

1 narrow cone than what we are used to.  
 2 MR. PENN: The definition of shielded just  
 3 means that there's no light going past the horizontal.  
 4 So you still have a wide range, depending on how tall  
 5 your bowl is, you know, you can have a wide  
 6 distribution.  
 7 CHAIRMAN KNIGHT: So we just want shielded  
 8 lighting. We don't want it going above the horizontal  
 9 plane.  
 10 MR. JOHNSON: The term fully, I don't know.  
 11 MR. PENN: There's a semi-cut off or  
 12 semi-shielded, which allows just, you know, ten  
 13 percent of the light above.  
 14 CHAIRMAN KNIGHT: So that's appropriate  
 15 then, it still gives them the ability to spread the  
 16 light in the center but just not beyond the horizontal  
 17 plane.  
 18 MR. MULLEN: Okay. The next I had was 9(b),  
 19 "Height level shall not exceed the appropriate level  
 20 of spectator play." I think it should read IESNA  
 21 recommended level. I mean, what's appropriate?  
 22 CHAIRMAN KNIGHT: IESNA?  
 23 MR. MULLEN: IES -- Illuminating Engineering  
 24 Society North America recommended levels.

1 CHAIRMAN KNIGHT: It could be tennis, tennis  
 2 court, a soccer field, a kids baseball field.  
 3 MR. ANDERSON: Outdoor riding arena.  
 4 MS. MASTERSON: Where do polo fields fit in?  
 5 CHAIRMAN KNIGHT: That's a special use.  
 6 MS. MASTERSON: Right. So when they go to  
 7 apply for a special use, do they have to apply for all  
 8 their lighting needs then too?  
 9 CHAIRMAN KNIGHT: Special use is covered in  
 10 their application.  
 11 MS. ROSENE: There is no lighting needs.  
 12 MS. MASTERSON: Let's just say there were.  
 13 CHAIRMAN KNIGHT: If they did it in the  
 14 nighttime, for instance, there would have to be, yeah,  
 15 it would have to be discussed. It would be part of  
 16 the application.  
 17 MS. MASTERSON: Okay. But where would they  
 18 get their ideas, just from what we are doing right  
 19 now?  
 20 CHAIRMAN KNIGHT: Possibly. They might have  
 21 other ideas but they would have to make that  
 22 application, that presentation to the Zoning Board and  
 23 I would say it would be likely we would use this as a  
 24 guide. If they said they wanted one kind of lighting

1 and we looked at this recommendation that Member  
 2 Mullen stated, we might have a different idea. But at  
 3 least we have a guide rather than just somebody saying  
 4 appropriate, because I don't know what's appropriate.

5 MR. JOHNSON: Currently there is no activity  
 6 of this type in these districts?

7 CHAIRMAN KNIGHT: Not in the nonresidential  
 8 districts but there could be in the future.

9 MS. ROSENE: Nancy, I don't know that  
 10 there's ever been really polo, a lighted outdoor polo  
 11 field but there's also indoor polo or arena polo,  
 12 which is about the size of a football field. So it  
 13 does make sense to have some -- somebody who knows  
 14 what they are talking about. You know, that would be  
 15 a lighted polo arena, actually.

16 CHAIRMAN KNIGHT: We don't care what goes on  
 17 inside. We care about --

18 MS. ROSENE: Well, it's called indoor polo  
 19 but it's not really indoors.

20 MS. MASTERSON: But do we have any indoor  
 21 polo fields here? I don't think so.

22 MS. FREEMAN: Not today.

23 CHAIRMAN KNIGHT: So let's move on. Member  
 24 Mullen, that's a good suggestion. So we are okay with

1 CHAIRMAN KNIGHT: Yeah, I think that's  
 2 reasonable.

3 MR. MULLEN: Then let's go on. Scheduled  
 4 play --

5 CHAIRMAN KNIGHT: What number are you at?

6 MR. MULLEN: This is still C. "Shut off  
 7 when there is no scheduled play and shall be  
 8 extinguished on or before no later 11:00 p.m."

9 CHAIRMAN KNIGHT: Well, I think it should be  
 10 extinguished no later than -- well, actually --

11 MR. MULLEN: That's exactly what I had  
 12 written down, no later than 11:00 p.m. The other way  
 13 it just doesn't make any sense, English-wise.

14 CHAIRMAN KNIGHT: We'd have to make that  
 15 change because shall be extinguished no later than --

16 MR. MULLEN: No later than.

17 CHAIRMAN KNIGHT: Yeah, you are right.  
 18 Okay. That's two in a row.

19 MR. MULLEN: Okay. Let's see. On page --  
 20 there's too many things to look at here.

21 CHAIRMAN KNIGHT: As long as you are going  
 22 through, let's just hit on this one. It says, "All  
 23 nonresidential lighting shall be approved by the Plan  
 24 Commission and ratified by the Village Board."

1 that?

2 MR. MULLEN: Did I win one?

3 CHAIRMAN KNIGHT: You won one. Keep going.

4 MR. MULLEN: "Sports lighting shall be set  
 5 to automatically shut off." Why do we have to have it  
 6 automatically shut off?

7 CHAIRMAN KNIGHT: If you drive by the high  
 8 school at night, this is something I've always  
 9 wondered about, those playing field lights are on  
 10 until 12:00, 1:00 a.m., whatever, and I'm thinking,  
 11 you know, as a taxpayer, we are paying for those and  
 12 it may create a nuisance. So all we are saying is  
 13 absent somebody to turn the lights off at 11:00  
 14 o'clock at these facilities, we want to make sure that  
 15 they do go off and they are off at 11:00. However, it  
 16 says, "Lower light levels for off-the-field lighting  
 17 may be provided for additional 30 minutes for safety  
 18 egress." I understand when this was written they took  
 19 language for commercial purposes, not that it  
 20 necessarily has direct application to what we have in  
 21 the village right now but it could at some point in  
 22 the future so we have to cover our bases as long as we  
 23 are doing this.

24 MR. MULLEN: You want to leave that in?

1 MR. JOHNSON: Is that our current practice?  
 2 Is that how it works?

3 MS. MASTERSON: See, I think that says it  
 4 all right there.

5 CHAIRMAN KNIGHT: That's right.

6 MS. MASTERSON: You can change with the  
 7 times. You can change with new bulbs, electricity,  
 8 whatever.

9 MR. MULLEN: Where are you?

10 MS. MASTERSON: Here.

11 CHAIRMAN KNIGHT: On page 16. I just wanted  
 12 to point that out because we are done with the  
 13 noncommercial lighting, I want to go back and go  
 14 around the table again.

15 MS. MASTERSON: Rather than have it all  
 16 spelled out exactly to the T, I would rather have  
 17 something like that put in.

18 CHAIRMAN KNIGHT: Yeah, but I think -- I  
 19 think it's fair to an owner of commercial property  
 20 that they have a general guideline.

21 MS. MASTERSON: I do, too.

22 CHAIRMAN KNIGHT: And basically what they  
 23 are saying is here is the general guideline.

24 MS. MASTERSON: Right.

1 CHAIRMAN KNIGHT: But you got to go to the  
2 Plan Commission and the Village Board for final  
3 approval and maybe they pick up on something that was  
4 overlooked here that for whatever reason. So thank  
5 you, Member Mullen. Member Masterson, did you --

6 MS. MASTERSON: No, I think we discussed all  
7 the concerns that I have. But I do like the last  
8 thing that we discussed the best.

9 CHAIRMAN KNIGHT: Member Johnson?

10 MR. JOHNSON: I'm not very knowledgeable on  
11 any of this. My only concern was I had the impression  
12 initially that the churches were in here but since  
13 they are not, I'm assuming whoever drafted this knew  
14 what they were doing.

15 CHAIRMAN KNIGHT: Member Rosene?

16 MS. ROSENE: Sure. Section 6, number one, I  
17 assume we are going to --

18 CHAIRMAN KNIGHT: Where are you, number six,  
19 number one?

20 MS. ROSENE: I'm assuming we are going to  
21 make this parallel to Section 5 where --

22 CHAIRMAN KNIGHT: From rather than from  
23 glare and excessive lighting, you want it just from  
24 light --

1 MS. ROSENE: What I'm saying is we need to  
2 say all nonresidential exterior lighting shall not  
3 cause glare and --

4 CHAIRMAN KNIGHT: We already covered that.

5 MS. ROSENE: We changed, read the red line.  
6 In the residential section. Just in order to have --

7 CHAIRMAN KNIGHT: Where are you?

8 MS. ROSENE: I'm on 6(1). But 5(1) we  
9 changed and I'm saying we need to -- I think we need  
10 to just to have the two in conformance, right?

11 MS. FREEMAN: I agree.

12 MS. ROSENE: Okay. Then point two.

13 CHAIRMAN KNIGHT: Mr. von Meier, is that --

14 MR. von MEIER: I have it. Thank you.

15 MS. ROSENE: Then on point two.

16 CHAIRMAN KNIGHT: I'm sorry, I was looking  
17 at a different section.

18 MS. ROSENE: And then on point two down to,  
19 with no more than 5,000 of those lumens, rather than  
20 if those lumens.

21 MS. FREEMAN: We already did that.

22 MS. ROSENE: But also I just have a  
23 question, what is envisioned here, why is it so high?  
24 Why is it 50,000 lumens per acre rather than ten

1 MS. ROSENE: Well, shall not cause glare and  
2 shall protect adjacent properties, roadways and  
3 waterways from light trespass and excessive lighting.  
4 Just like we did in the residential section.

5 MR. JOHNSON: Where are you now?

6 MS. ROSENE: I'm at 6(1). And at 5(1) we  
7 did change, we did make some -- we replaced light  
8 trespass with glare and glare with light trespass,  
9 right?

10 CHAIRMAN KNIGHT: We changed Section 1,  
11 Purpose, which will minimize light pollution and you  
12 are saying let's just say from light pollution rather  
13 than glare and excessive lighting, it covers all the  
14 bases, doesn't it?

15 MS. ROSENE: Right, just conforming with,  
16 just in tandem --

17 CHAIRMAN KNIGHT: Does that make sense,  
18 Mr. von Meier? So roadways and waterways from, we'll  
19 just say light pollution --

20 MS. ROSENE: Light trespass is what we have  
21 in the residential section.

22 CHAIRMAN KNIGHT: Well, it says, "All  
23 nonresidential exterior lighting shall not cause light  
24 trespass and shall protect adjacent" --

1 thousand? I think I don't get what's envisioned.

2 MR. PENN: Mostly that's because some  
3 commercial properties if you have a public parking  
4 lot, some of those lights have quite a high lumen  
5 output.

6 MS. ROSENE: Okay. And then under  
7 installation restrictions, that's 3(a), I say again  
8 that we just make it conform with what we did in the  
9 residential section and say all exterior lighting  
10 fixtures shall be fully shielded and aimed at such an  
11 angle so as to eliminate glare from such lighting  
12 fixture, which is what we did in the -- on 3(a)(i) of  
13 the residential.

14 CHAIRMAN KNIGHT: Does that create problems,  
15 Mr. von Meier? Is that just line of consistency?

16 MR. von MEIER: That's fine. But the change  
17 in Section 5(3)(a) is fully shielded or aimed at such  
18 an angle --

19 MS. ROSENE: Oh, okay. I'm sorry, fully  
20 shielded or -- right.

21 CHAIRMAN KNIGHT: Do you want to make that  
22 then? Is that --

23 MS. FREEMAN: So then do we need to --  
24 that's a very good point. I'm sorry, Karen, but why

1 would -- if we say it needs to be fully shielded by  
2 definition, unless I'm missing something, it has to be  
3 already aimed downward.

4 CHAIRMAN KNIGHT: So that's redundant.

5 MS. FREEMAN: Do we need to add anything?  
6 I'm looking at the poor engineer because I'm not sure  
7 what I'm saying is accurate.

8 MR. JOHNSON: Not be fully shielded if we  
9 could have it at an angle that wasn't glaring.

10 MS. FREEMAN: For residential, yes, but for  
11 commercial, we are putting an "and" in here not an  
12 "or" so do we even need the further restriction if we  
13 are already saying we expect the lighting to be fully  
14 shielded?

15 CHAIRMAN KNIGHT: Well --

16 MS. FREEMAN: I don't know the answer.  
17 Maybe I'm missing something.

18 CHAIRMAN KNIGHT: Is it possible that in a  
19 commercial installation there might be some situations  
20 where a decorative use might be pretty difficult if  
21 you have fully shielded and aimed straight downward as  
22 opposed to what you have with the -- that we put in  
23 residential?

24 MR. PENN: I think the reason why you have

1 CHAIRMAN KNIGHT: Well, I think the way it's  
2 stated is that it said unshielded landscape lighting  
3 is permitted provided that the light source is not  
4 visible and that the fixture has light output, I think  
5 that just ties the two together.

6 MS. ROSENE: You don't think each fixture is  
7 clearer?

8 CHAIRMAN KNIGHT: Well, no, I think that  
9 grammatically --

10 MS. ROSENE: That's what we did in  
11 residential.

12 CHAIRMAN KNIGHT: You are referencing the  
13 fixture in question. If you change it to something  
14 different than that, that goes singular, plural, blah,  
15 blah, blah.

16 MR. JOHNSON: Why the 600 versus a thousand?  
17 Why do we have a thousand?

18 MS. ROSENE: We put a thousand in the  
19 residential. I'm just mentioning that.

20 MR. JOHNSON: Why don't you do a thousand  
21 here?

22 MS. ROSENE: I don't know. I'm just asking.

23 MS. FREEMAN: That's what she's asking.

24 MS. ROSENE: I wasn't recommending. You

1 the "and" is because you can buy a fully-shielded  
2 fixture but if you aim it improperly, then that takes  
3 away the benefit of having fully shielded.

4 MS. ROSENE: Oh, got it.

5 CHAIRMAN KNIGHT: So leave "and" in?

6 MS. FREEMAN: So we keep that in?

7 MS. ROSENE: We leave "and" in or we change  
8 it to "or"?

9 MS. FREEMAN: And.

10 MR. JOHNSON: So it has to be fully shielded  
11 then?

12 CHAIRMAN KNIGHT: And aimed straight  
13 downward.

14 MS. ROSENE: Under 3(a)(ii), double I, I  
15 think we get down about to the third line and it  
16 says -- I think we have to do the same thing again to  
17 put it in conformance.

18 CHAIRMAN KNIGHT: Where are you, landscape  
19 lighting?

20 MS. ROSENE: Yes, landscape lighting. I  
21 think we have to say and that each UL, not the  
22 UL-rated fixture but each UL-rated fixture has a light  
23 output not in excess, it says 600 lumens. We had  
24 1,000 in the residential.

1 would do the thousand?

2 MR. JOHNSON: Why would you make it less, I  
3 guess.

4 CHAIRMAN KNIGHT: I say leave it less.

5 MS. ROSENE: Why?

6 MR. JOHNSON: Why? Just because you don't  
7 like light or?

8 CHAIRMAN KNIGHT: Well, these are commercial  
9 installations. We are not trying to overlight the  
10 community and give, you know, unlimited privilege to  
11 commercial installations when it's not necessary.

12 MR. JOHNSON: Well, my overall question, I  
13 guess, is what impact does that have, if any, if we  
14 adopt this, it doesn't have any impact on the existing  
15 commercial enterprises because if it does, I think  
16 that would be interesting what those are.

17 CHAIRMAN KNIGHT: If it does, the  
18 amortization section takes care of it for a  
19 considerable amount of time. But what we are trying  
20 to do is reduce the lighting and we are just talking  
21 about landscape lighting here.

22 MR. JOHNSON: I hear you. But a thousand is  
23 not much. I mean, again, we changed on residential,  
24 we changed from 600 to a thousand.

1 CHAIRMAN KNIGHT: Understand the commercial  
2 is getting 50,000, not ten thousand and that could be  
3 a lot of little ones versus a lot of bigger ones. We  
4 are not trying to encourage. We are trying to  
5 discourage.

6 MS. ROSENE: I have no feeling about it,  
7 it's 400 darn lumens, but I just thought.

8 MR. JOHNSON: If you want to be  
9 argumentative, I'll agree with you.

10 MS. ROSENE: So we are going to leave it at  
11 600?

12 MR. PENN: Preference, you know.

13 MS. ROSENE: Then, under signs.

14 MR. JOHNSON: What are we going to do, leave  
15 it at 600?

16 CHAIRMAN KNIGHT: Leave it at 600. Anybody,  
17 600 or a thousand? Let's go around the table.  
18 Mr. Mullen, landscape fixtures, 600 or a thousand?

19 MR. MULLEN: Six hundred, I guess.

20 CHAIRMAN KNIGHT: Okay. Member Masterson?

21 MS. MASTERSON: Same.

22 CHAIRMAN KNIGHT: Member Johnson?

23 MR. JOHNSON: I agree with Nancy.

24 MS. ROSENE: I agree with Byron.

1 at 11:00 p.m. or when the business closes, whichever  
2 is later."

3 CHAIRMAN KNIGHT: Or which is earlier. If  
4 you were listening to me earlier, you would have known  
5 we covered that.

6 MS. ROSENE: I just wanted to point out that  
7 also under "D" --

8 CHAIRMAN KNIGHT: Where are you, "D" on  
9 page 15?

10 MS. ROSENE: 3(d).

11 CHAIRMAN KNIGHT: 3(d). Okay. That would  
12 be on page 15.

13 MS. ROSENE: I just -- we really haven't  
14 made a decision about that one yet. And then under  
15 five it says --

16 CHAIRMAN KNIGHT: Wait a minute now, on "D"  
17 Mr. Johnson said let's just remove it.

18 MS. ROSENE: Yeah, but we didn't agree that  
19 it was removed.

20 CHAIRMAN KNIGHT: Well, Member Johnson --  
21 not Johnson, Member Mullen said let's remove it. And  
22 do we have a feeling on that?

23 MR. JOHNSON: I agree with George.

24 MR. MULLEN: What are we talking about?

1 MS. FREEMAN: Sorry, what are we agreeing  
2 with?

3 CHAIRMAN KNIGHT: Six hundred or a thousand?

4 MS. FREEMAN: Sorry. You know, I --

5 CHAIRMAN KNIGHT: Let's move on.

6 MS. FREEMAN: I didn't get to answer.

7 CHAIRMAN KNIGHT: You want more or less?

8 MS. FREEMAN: I think that we should use the  
9 thousand consistently, personally.

10 CHAIRMAN KNIGHT: Why? Again, I'll argue  
11 against that because they are two different uses here.  
12 One is residential, one is commercial. Member  
13 Anderson?

14 MR. ANDERSON: Six hundred.

15 CHAIRMAN KNIGHT: Okay. Member Freeman, I  
16 think the consensus is 600.

17 MS. FREEMAN: I just wanted to agree with  
18 Byron. Did I agree with Byron? Oh, sorry. I got to  
19 agree with Byron on something tonight.

20 CHAIRMAN KNIGHT: I didn't render an  
21 opinion, so we are moving on.

22 MS. ROSENE: Then under signs, (b), "Lamps  
23 used for illumination of such signs shall be included  
24 in the total lumens per acre and shall be turned off

1 CHAIRMAN KNIGHT: No lighting or fixture  
2 mounting assembly shall be affixed, attached,  
3 installed, mounted or placed on exterior vegetation  
4 including, but not limited to trees, shrubs, flora and  
5 fauna."

6 MR. ANDERSON: Strike the fauna portion,  
7 we'll definitely agree to that. And then after that  
8 we'll --

9 CHAIRMAN KNIGHT: You wanted to strike that,  
10 correct?

11 MR. MULLEN: Yes.

12 CHAIRMAN KNIGHT: Your reasoning, again,  
13 Mr. Mullen?

14 MR. MULLEN: There's no reason to not mount  
15 a fixture on a tree or a bush. If the bush is strong  
16 enough, large enough to hold the fixture, what's  
17 wrong? You know, I'll back down if somebody will  
18 explain to me why you can't mount a fixture on a tree.

19 MS. ROSENE: Because they have zillions of  
20 lumens here and they could be way up in the trees.

21 CHAIRMAN KNIGHT: We are not going to go to  
22 the height here.

23 MS. FREEMAN: That's C(ii), that's 15 feet.

24 MS. ROSENE: Have we agreed on that?

1 CHAIRMAN KNIGHT: I think an argument could  
2 be made that in a commercial application, we are  
3 trying to encourage, and I know in the development  
4 process every community encourages greenery and trees  
5 and that does not include fixtures attached thereto.  
6 So I don't have a problem with this language.

7 Again, I think the more restrictive you are  
8 in a commercial application, the better off the  
9 character of the community is because, again, remember  
10 that first and foremost we are concerned about the  
11 character of the community and I don't believe that a  
12 commercial application should have unreasonable, well,  
13 conditions that are less restrictive than a  
14 residential application. And for that reason, I don't  
15 think you need to attach, and again I can't recall in  
16 the newer developments I've seen where they are  
17 putting fixtures on trees and everything so I think  
18 it's a non-issue, but I would be inclined to want to  
19 leave it in. Does anybody agree with me or?

20 MS. ROSENE: Yes.

21 MR. JOHNSON: If you are going to encourage  
22 them to put trees in, we should let them play with  
23 their trees. I'm with George, we have got these  
24 overall controls so what do you care if you put the

1 CHAIRMAN KNIGHT: All right. Well, it looks  
2 like the consensus is we'll strike it. What else?

3 MS. ROSENE: And in point five, the hours of  
4 operation, I just wonder is the word encouraged -- I  
5 don't know, how do you -- "Interior lighting is also  
6 encouraged to be shut off by automatic controls when a  
7 facility is closed." That doesn't seem to have a  
8 whole lot of teeth to it.

9 CHAIRMAN KNIGHT: Well, what they are saying  
10 is in a commercial application, they don't want store  
11 lights on all night.

12 MS. ROSENE: I know but how do you --

13 CHAIRMAN KNIGHT: That just prevents if  
14 somebody has to turn off manually, chances are that  
15 that will be overlooked on numerous occasions unless  
16 it's an automatic thing and that just ensures that  
17 they will be off.

18 MS. ROSENE: But what I'm saying is I don't  
19 think the word encouraged is strong enough.

20 CHAIRMAN KNIGHT: Well, this is a  
21 commercial.

22 MS. MASTERSON: Shall be --

23 CHAIRMAN KNIGHT: Do you want encourage or  
24 just say shall be?

1 light on a building or a tree.

2 CHAIRMAN KNIGHT: Well, let's just go around  
3 the table.

4 MR. ANDERSON: I would propose striking it.  
5 I'm kind of -- because we have got height restrictions  
6 in here, I don't see a problem putting lighting in  
7 landscaping light.

8 MS. FREEMAN: What are we doing in Section  
9 5?

10 CHAIRMAN KNIGHT: Let's not worry about  
11 Section 5. This is nonresidential. I don't care  
12 about the other at this point.

13 MS. FREEMAN: I don't feel strongly about  
14 it.

15 CHAIRMAN KNIGHT: Okay. So that's a maybe.  
16 Member Rosene?

17 MS. ROSENE: I think it should be there.

18 CHAIRMAN KNIGHT: Member Johnson, strike it?

19 MR. JOHNSON: I'm going to agree with Judy  
20 and strike it.

21 CHAIRMAN KNIGHT: Member Masterson?

22 MS. MASTERSON: Strike it.

23 CHAIRMAN KNIGHT: Member Mullen?

24 MR. MULLEN: Out.

1 MS. MASTERSON: -- shut off.

2 CHAIRMAN KNIGHT: Or you could just say all  
3 conforming and nonconforming exterior and interior  
4 lighting, period.

5 MS. MASTERSON: I like that.

6 CHAIRMAN KNIGHT: Would that be okay,  
7 Mr. von Meier?

8 MS. FREEMAN: Can I just?

9 CHAIRMAN KNIGHT: Or are we getting off base  
10 here?

11 MS. FREEMAN: Mr. Chairman, can I just make  
12 a point? I just want to make sure we avoid confusion  
13 because the title of the ordinance says Exterior  
14 Lighting Ordinance.

15 CHAIRMAN KNIGHT: That's why I'm saying.

16 MS. FREEMAN: So developing restrictions way  
17 in Section 6 of this ordinance that are going to apply  
18 to some interior lighting could really sneak up on  
19 someone.

20 MS. ROSENE: I agree.

21 CHAIRMAN KNIGHT: Well, then we just strike  
22 it altogether.

23 MS. FREEMAN: I think we are probably best  
24 to strike the sentence.

1 CHAIRMAN KNIGHT: Any reference to interior  
 2 lighting in paragraph 5 on page 15, we'll just strike  
 3 it. Everybody okay with that?  
 4 MR. MULLEN: We are striking?  
 5 MS. MASTERSON: Interior lighting is light  
 6 pollution.  
 7 CHAIRMAN KNIGHT: Hours of operation, we are  
 8 just saying the last sentence is, "Interior lighting  
 9 is also encouraged to be shut off by automatic  
 10 controls when the facility is closed." And Member  
 11 Freeman suggested that that's overstepping the title  
 12 of the --  
 13 MR. MULLEN: I agree.  
 14 CHAIRMAN KNIGHT: Member Mullen, you agree  
 15 to strike it. Member Masterson?  
 16 MR. JOHNSON: Does interior security  
 17 lighting come in here?  
 18 CHAIRMAN KNIGHT: This is exterior lighting.  
 19 MR. JOHNSON: You are saying you are going  
 20 to strike that last sentence entirely? Okay.  
 21 CHAIRMAN KNIGHT: Yeah.  
 22 MS. ROSENE: I agree.  
 23 CHAIRMAN KNIGHT: Okay. Everybody is good  
 24 with that? All right. Let's move on.

1 that on the residential side or we should and it is  
 2 improperly inserted here. Do you agree?  
 3 MR. von MEIER: I agree.  
 4 MR. ANDERSON: Mr. Knight? Mr. Knight?  
 5 You'll note that in Section 5(a) it says, "Sports  
 6 lighting is permitted and regulated pursuant to  
 7 Section 6.9 herein." So it already refers us back to  
 8 this section. So we have to either keep it in here or  
 9 rewrite Section 5.8.  
 10 CHAIRMAN KNIGHT: Mr. von Meier, what do you  
 11 suggest? Is that appropriate to reference various  
 12 sections of the zoning ordinance to save ink?  
 13 MS. ROSENE: My question just was does that  
 14 mean if you have six acres, you can put up the same  
 15 thing you couldn't put up with five acres?  
 16 CHAIRMAN KNIGHT: Personally, I don't like  
 17 to see reference from residential areas into  
 18 nonresidential areas, I think it's confusing. I say  
 19 let's strike it, any reference to residential property  
 20 that you see in this section should be stricken and if  
 21 something is not referenced properly in the  
 22 residential section, that you draft language that  
 23 conforms to the same thing. I would rather have it in  
 24 both places than people having to look back and forth.

1 MS. ROSENE: Just one more under "F",  
 2 "Sports lighting shall not be installed on residential  
 3 properties that are less than five acres." Does that  
 4 mean that somebody who has six acres --  
 5 CHAIRMAN KNIGHT: What page are you on?  
 6 MS. ROSENE: Sixteen.  
 7 CHAIRMAN KNIGHT: Sixteen.  
 8 MS. ROSENE: Nonresidential, "F", "Sports  
 9 lighting shall not be installed on residential  
 10 properties which are less than five acres." My  
 11 question is, if you have 5.5 acres, can you then have  
 12 sports lighting?  
 13 CHAIRMAN KNIGHT: Well, why is that even  
 14 here in a commercial section? Mr. von Meier, is that  
 15 maybe an oversight? Page 16.  
 16 MS. FREEMAN: Why couldn't you have sports  
 17 lighting in a business district?  
 18 CHAIRMAN KNIGHT: It says sports lighting.  
 19 It says, "For all residential and nonresidential,  
 20 sports lighting intended to illuminate sports  
 21 facilities," why do they reference nonresidential  
 22 sports lighting in a section devoted to commercial,  
 23 nonresidential application? Why don't we exclude  
 24 reference to residential? We are already covering

1 Does that make sense?  
 2 MR. von MEIER: Yes.  
 3 CHAIRMAN KNIGHT: Does that make everybody  
 4 happy? Okay. We'll do that.  
 5 MR. JOHNSON: I guess we'll revisit that.  
 6 CHAIRMAN KNIGHT: It will be the same thing.  
 7 If it references this, all we are saying is that if  
 8 you have a tennis court on your property, it would  
 9 have appropriate lighting and it should go off at a  
 10 certain time, all right.  
 11 MR. JOHNSON: Are there setback rules and  
 12 things of this sort? Can you have a lighted tennis  
 13 court on my property line? I don't know.  
 14 MR. MULLEN: I thought when I looked at the  
 15 existing zoning ordinance, it prohibits any sports  
 16 lighting, does it not?  
 17 CHAIRMAN KNIGHT: It's not prohibited on  
 18 residential property. You can light up your  
 19 basketball court.  
 20 MR. MULLEN: And your tennis court?  
 21 CHAIRMAN KNIGHT: Yeah.  
 22 MR. MULLEN: I would assume if you put a  
 23 tennis court on your property, you can light it but  
 24 you can't shine any light over the property.

1 MR. JOHNSON: Do we know if there are  
 2 setback requirements for lights like that in --  
 3 MR. MULLEN: For lights?  
 4 MR. ANDERSON: Presumably, they would be on  
 5 a pole so, yes, there would be setback requirements.  
 6 How are you going to put the lights up around the  
 7 court to light it unless it's on a pole, in which case  
 8 you'll have setback requirements.  
 9 MR. JOHNSON: Okay.  
 10 CHAIRMAN KNIGHT: You'll make that -- you  
 11 know, we are going to have an opportunity when we are  
 12 all finished here and everything is written up to come  
 13 back --  
 14 MR. MULLEN: One more shot.  
 15 CHAIRMAN KNIGHT: Okay. We'll have one more  
 16 shot. You want to say something right now?  
 17 MR. MULLEN: No.  
 18 CHAIRMAN KNIGHT: Okay. Are we good then?  
 19 Member Anderson?  
 20 MR. ANDERSON: I'm fine with that if we are  
 21 rewriting or -- rewriting Section 5(8). Then on  
 22 5(9)(f) we should probably just strike any reference  
 23 to the residential properties and the acreage there.  
 24 The only question I would have is do we want to

1 MR. ANDERSON: I'm saying we can do it  
 2 either way. I'm trying to make sure that we are  
 3 being -- that we know what we are voting on here, if  
 4 you will. If what we are saying is -- if we are  
 5 looking at the commercial section, Section 6 right  
 6 now, right now if we are moving the residential  
 7 references out of Section 6 altogether, then we need  
 8 to strike subparagraph "F", correct? Because it says  
 9 residential property.  
 10 CHAIRMAN KNIGHT: Yes. Yes.  
 11 MR. ANDERSON: I agree with that. The next  
 12 question that that raises, though, is are we also  
 13 looking to use that five-acre restriction for sports  
 14 lighting on a commercial property?  
 15 CHAIRMAN KNIGHT: Yes. Yes. I thought we  
 16 were going to change sports lighting shall not be  
 17 installed on properties which are less than five  
 18 acres, period. We just take and scratch residential.  
 19 MR. ANDERSON: That's fine. That's fine.  
 20 CHAIRMAN KNIGHT: Okay. Was there something  
 21 else? Member Rosene?  
 22 MS. ROSENE: I'm done.  
 23 CHAIRMAN KNIGHT: Member Freeman, do you  
 24 have anything to add to this?

1 require that if there is a sports facility on a  
 2 commercial property, that that property be at least  
 3 five acres to have a sports facility on it? Is that  
 4 what was intended here? Do you follow me?  
 5 CHAIRMAN KNIGHT: I think that's a good  
 6 point.  
 7 MS. MASTERSON: I do, too. Sports lighting  
 8 shall not be installed on commercial properties which  
 9 are less than five acres.  
 10 MR. von MEIER: I just have sports lighting  
 11 shall not be installed on properties which are less  
 12 than five acres.  
 13 CHAIRMAN KNIGHT: You can just say on  
 14 properties which are less than five acres so that  
 15 eliminates too much verbiage.  
 16 MR. ANDERSON: That's fine. We can either  
 17 take residential out or take all of "F" out, one or  
 18 the other.  
 19 CHAIRMAN KNIGHT: Well, we are not going to  
 20 have reference to residential in the commercial; is  
 21 that right?  
 22 MR. ANDERSON: Correct.  
 23 CHAIRMAN KNIGHT: And the same on the other,  
 24 right? Is that what you are saying?

1 MS. FREEMAN: Oddly, no.  
 2 CHAIRMAN KNIGHT: No?  
 3 MS. FREEMAN: No.  
 4 CHAIRMAN KNIGHT: Member Anderson?  
 5 MR. ANDERSON: I do have a couple of  
 6 comments on 6(3)(c) and particularly small "I", which  
 7 is, "The maximum mounting height of a fixture on a  
 8 structure shall not exceed the height of the eave."  
 9 When we get into a commercial building, this one, for  
 10 example, we may have eaves that are three or four  
 11 stories above the ground. Do we want to allow  
 12 commercial properties to be mounting right at the  
 13 roofline? Particularly if you've got a flat roof or  
 14 something where there's really no eave, nothing  
 15 deflecting downward, you are going to be putting  
 16 lights up very, very high and when there's a  
 17 residential area nearby, even if they are shielded,  
 18 those houses are going to be looking up to those  
 19 buildings in certain situations so I'm thinking that  
 20 eave height on a commercial building might be too  
 21 high.  
 22 CHAIRMAN KNIGHT: What do you suggest?  
 23 MR. ANDERSON: Whether it's 15 feet or  
 24 20 feet, somewhere in that range, similar to what you

1 would be mounting on a pole. You'd be lighting the  
2 tops of doorways if you've got overhead doors for  
3 trucks to pull in, that's fine you've got lights above  
4 those but if you start going much higher than that,  
5 you really start putting it out there and I experience  
6 it in an adjoining community to us. So I know what it  
7 can be when it gets very high.

8 CHAIRMAN KNIGHT: I have no problem with  
9 that.

10 MS. FREEMAN: So we could just take "C" and  
11 not distinguish between mounting height on a structure  
12 or mounting height freestanding, we just set a height  
13 limit and that's it.

14 CHAIRMAN KNIGHT: Just say all freestanding  
15 lighting except --

16 MR. ANDERSON: No.

17 MS. FREEMAN: No, not freestanding. All the  
18 exterior lighting --

19 CHAIRMAN KNIGHT: How would you accomplish  
20 that, Mr. von Meier, to eliminate excess height in  
21 lighting in commercial structures?

22 MR. von MEIER: I would just combine one and  
23 two and say the maximum mounting height of a fixture,  
24 comma, except for fixtures in Section 6.9 below,

1 up at that light.

2 CHAIRMAN KNIGHT: Just because it doesn't  
3 trespass doesn't mean you can't see it.

4 MR. ANDERSON: Correct.

5 MR. JOHNSON: I'm just trying to think are  
6 there any residential areas close to existing  
7 commercial property.

8 CHAIRMAN KNIGHT: Yes. Hart Road you have  
9 commercial property -- excuse me, residential property  
10 right across the Salt Creek.

11 MR. ANDERSON: And then at the north end of  
12 Ridge there.

13 CHAIRMAN KNIGHT: The owners of that  
14 property would take great pains, I'm sure, to  
15 eliminate unnecessary lighting.

16 MR. JOHNSON: Well, if it's a problem, they  
17 can ask for a variance.

18 CHAIRMAN KNIGHT: That's one thing to  
19 remember throughout all of this, if somebody has a  
20 concern, they can always appear before the Zoning  
21 Board and request a variance.

22 Member Anderson, anything else?

23 MR. ANDERSON: No, that would be it.

24 CHAIRMAN KNIGHT: Let me see if there's

1 comma, shall not exceed a mounting height of 15 feet,  
2 period.

3 CHAIRMAN KNIGHT: Okay. Everybody happy  
4 with that?

5 MR. JOHNSON: Do we have any existing  
6 buildings that are higher than 15 feet?

7 CHAIRMAN KNIGHT: I don't think so.

8 MR. JOHNSON: What about --

9 CHAIRMAN KNIGHT: Again, if somebody has a  
10 reason to want to do something other than that, they  
11 can always request a variance.

12 MS. MASTERSON: Sure.

13 MR. ANDERSON: Those that may exist will be  
14 amortized.

15 MR. JOHNSON: Well, we've said you can't set  
16 up glare so you already got a restriction on the  
17 light. I'm just trying to think of --

18 MR. ANDERSON: But sometimes regardless of  
19 how it's angled, it could be angled straight down, if  
20 the building is 50 feet off the line and it's -- the  
21 building is 50 feet high, this would, right now as  
22 written, you could mount it at 50 feet high on the  
23 wall as long as it's below the eave. And your  
24 neighbor, which is residential, would be looking right

1 anything I picked up. Member Johnson?

2 MR. JOHNSON: Just a question on 11 where it  
3 says all nonresidential lighting shall be approved by  
4 the Plan Commission. That sounds so simple. What are  
5 we really saying here?

6 CHAIRMAN KNIGHT: I would want to change the  
7 language approved to reviewed by the Plan Commission  
8 because the Plan Commission -- Mr. Kosin, correct me  
9 if I'm wrong, the Plan Commission makes  
10 recommendations, they do not approve anything. So the  
11 correct way to state that, that all nonresidential  
12 lighting shall be --

13 MR. MULLEN: Reviewed.

14 CHAIRMAN KNIGHT: -- shall be reviewed by  
15 the Plan Commission.

16 MR. JOHNSON: New lighting, what is it?

17 CHAIRMAN KNIGHT: Mr. von Meier, how would  
18 you state that to be correct?

19 MR. von MEIER: Well, the way I read this,  
20 this should then reference Section 8 of this ordinance  
21 where it talks about the procedure for nonresidential  
22 lighting plans and so --

23 CHAIRMAN KNIGHT: So maybe it should be  
24 stricken here and it will be addressed there.

1 MR. von MEIER: Well, I mean --

2 CHAIRMAN KNIGHT: A little redundancy

3 doesn't hurt.

4 MR. MULLEN: You got too many things

5 referencing the same thing scattered all over. Just

6 take the whole thing out.

7 MR. von MEIER: Well, this Section 11 is

8 basically saying it's required to be approved and then

9 Section 8 talks about the procedure for approval. So

10 I think you need 11.

11 MR. JOHNSON: Can you at least refer to

12 Section 8?

13 MR. von MEIER: That's what I have in my

14 notes here. I think it should say all residential

15 lighting shall be reviewed by the Plan Commission, in

16 other words, with Section 8 of this ordinance and

17 ratified by the Village Board.

18 CHAIRMAN KNIGHT: All right. Everybody good

19 with that?

20 (Chorus of ayes.)

21 CHAIRMAN KNIGHT: All right. Make that

22 change please. Moving on, amortization -- well,

23 before we move on to amortization, are we all pretty

24 much in sync with the nonresidential section? No

1 the road. And, again, if we are looking at

2 amortization, amortization addresses the problem of

3 those that have invested appreciable sums in lighting

4 on their properties in the belief that they were not

5 in violation of anything. And I think what this

6 section is trying to do is to not exempt the situation

7 permanently when there are ways to mitigate it given

8 enough time that does not unfairly penalize them and

9 cause them undue financial loss.

10 MR. MULLEN: What you are saying, if you

11 grandfather it they can keep it there forever?

12 CHAIRMAN KNIGHT: Yes.

13 MR. MULLEN: If you amortize it, they have

14 to remove it over a certain period of time?

15 CHAIRMAN KNIGHT: That's correct. They have

16 to make changes over a certain period of time that are

17 not terribly restrictive and I think people have said,

18 and it's not part of -- I don't believe it's been part

19 of anyone's testimony so it would be anecdotal at best

20 that, well, gee -- Member Masterson, maybe you said

21 it, that, gee, all I have to do is change a couple of

22 bulbs from 100-watt to 40-watt or something and

23 everything works and I think that's the spirit that

24 was intended in this amortization section that as

1 glaring differences? Okay. Good.

2 Section 7, Amortization. Let's start --

3 we'll go from right to left this time. Member

4 Anderson, what concerns have you picked out in this

5 section?

6 MR. ANDERSON: I guess the big issue I see

7 is that, "All residential lighting shall conform to

8 all provisions of this ordinance on or before

9 January 1st, 2012 except for the following: Upon

10 re-lamping." I think that is such a short time

11 period.

12 CHAIRMAN KNIGHT: What do you suggest is a

13 date?

14 MR. MULLEN: Before we go through this item

15 by item, can we talk about one major flaw that I see

16 in this? Is there anyone here that honestly believes

17 we cannot grandfather in the existing --

18 CHAIRMAN KNIGHT: I don't want to use the

19 word grandfathering.

20 MR. MULLEN: What's that?

21 CHAIRMAN KNIGHT: Grandfathering implies

22 permanency and we are talking about amortization and I

23 believe that was by design. If you use the language

24 grandfathered, I think that might lead to issues down

1 bulbs and fixtures wear out, that they be replaced

2 with something that would lead to conformance to this.

3 Does that make sense?

4 MR. JOHNSON: Well, partially, but there's

5 other ones out there that don't conform by replacing a

6 light bulb.

7 CHAIRMAN KNIGHT: That's true. And what

8 this addresses, and I think that's part of our

9 discussion is that there are conditions that would

10 allow replacement and then there's a period of time

11 that we'll have to determine that is fair to those

12 property owners for whatever that period of time is

13 because there's a reasonable lifespan to fixtures and

14 if somebody invested \$100,000 in their lights, it

15 would sure be -- well, it wouldn't be appropriate to

16 say, gee, you got to have them out of there in a year.

17 MR. MULLEN: Can I tell you a story?

18 CHAIRMAN KNIGHT: Sure.

19 MR. MULLEN: First of all, the codes, the

20 building codes and the electrical code in particular

21 are designed to save lives. The way they work it is

22 the building inspectors, which comprise most of the

23 committees, report in the deaths that they have seen

24 countrywide.

1 In the late '70's or early '80's, they  
 2 developed what we call a GFI, a ground fault  
 3 interrupter, and they found that these metal cases on  
 4 the tools if they became grounded, you were the path  
 5 to ground when you squeezed the trigger, and so they  
 6 developed this ground fault indicator that on a  
 7 receptacle that you plug that thing into, if it sees  
 8 more than a certain amount of current, it trips the  
 9 circuit off. Now, it will give you a heck of a shock.  
 10 It will curl your hair and loosen the fillings in your  
 11 teeth but it won't kill you.

12 When that was installed in, I think it was  
 13 the '84 code, it was grandfathered in. They still  
 14 have houses that have a two-wire system, no ground  
 15 fault interrupters anywhere in the building and it's  
 16 perfectly legal. That saves -- they proved it that it  
 17 saves lives.

18 This is a lighting ordinance. Nobody is  
 19 going to die from too much light.

20 CHAIRMAN KNIGHT: Well, remember what our  
 21 cause is.

22 MR. MULLEN: We are going to make them go  
 23 through the building or through the landscaping and  
 24 change their lighting when they don't have to do it

1 adopted overlay plan.

2 So, again, it's stated very specifically  
 3 that part of the zoning process does have to look at  
 4 the comprehensive plan and that is part of what we are  
 5 doing here.

6 Last meeting Member Freeman addressed  
 7 LaSalle factors deal more typically with individual  
 8 pieces of property rather than a large scale text  
 9 amendment but the point she was making that you have  
 10 to consider lots of things in what we are doing and if  
 11 we considered alone that, gee, this might be too  
 12 restrictive for a couple of property owners, well, we  
 13 recognize that, that's why we are discussing  
 14 amortization. But we are concerned about maintaining  
 15 the character of Barrington Hills, which is a  
 16 countryside and not a suburban landscape. And that's  
 17 the only reason we are doing this here.

18 So I would have to take argument a little  
 19 bit when you say, well, gee, we are trying to be  
 20 unreasonable in our approach here, I don't think so.  
 21 I think throughout this we've addressed many concerns  
 22 of the community that have to do with their concerns  
 23 about security. I think we've arrived at some  
 24 solutions that address that without undue

1 for devices that are saving their lives.

2 CHAIRMAN KNIGHT: They don't have to change  
 3 anything at the moment. All we are saying is that --

4 MR. MULLEN: But you don't ever have to  
 5 change that house with the ground fault.

6 CHAIRMAN KNIGHT: Understand again what our  
 7 root reason for being here is, and we are giving  
 8 deference to -- I want to read something now that you  
 9 bring it up, and I gathered a great deal of  
 10 information from many sources and I have over the last  
 11 ten years in my participation on this board and there  
 12 are many communities that have language in their  
 13 zoning codes that makes a heck of a lot of sense to  
 14 me.

15 And this happens to come from Orland Park  
 16 and it spells out what they do in their text and map  
 17 amendments very specifically. And it talks about  
 18 review and setting forth whether the amendment should  
 19 be granted or denied and stating the grounds for such  
 20 recommendation as they relate to the standards and  
 21 purposes of the zoning district classifications of the  
 22 village, the standards in subsection A above, which  
 23 have to do with authority and purpose, which we've  
 24 established, and the comprehensive plan and any

1 inconvenience or expense to any resident. I think  
 2 we've addressed most of these concerns up to this  
 3 point and I know I'm getting a little long-winded here  
 4 but, again, to make a statement that we shouldn't do  
 5 anything to those that may be way out of bounds on  
 6 lighting, that's something that we're trying to  
 7 curtail is overlighting properties to maintain our  
 8 character and I think that's the only reason we are  
 9 here.

10 So that's why we are discussing  
 11 amortization. If it takes a period of time that this  
 12 board feels is fair to recognize that, sobeit. But to  
 13 just say that somebody should be permanently  
 14 restricted, I don't think that's correct and your  
 15 example of ground fault interrupters, well, if people  
 16 choose to -- personally, I use them. I have them in  
 17 my house by choice. It would certainly save lives if  
 18 more people adopted the use of those, would it not?

19 MR. MULLEN: Certainly.

20 CHAIRMAN KNIGHT: All right. So, you know,  
 21 it's really unfair to say we are going to compare  
 22 saving lives to lighting. Lighting is a issue that  
 23 reflects on the character of our community. And if  
 24 you took the buildings that were -- I say building,

1 residences, homes, whatever you want to call them,  
 2 and, again, we took those that have 100,000 lumens,  
 3 that are overlit by both standards and everybody  
 4 in the community decided to do the same, well, it  
 5 absolutely would change the character of the village  
 6 and that's all we are trying to save what we have  
 7 without undue restriction on anybody.

8 And, again, I think we've referenced it, you  
 9 know, probably 99 percent of the people in the  
 10 community would be in conformance, not that we are  
 11 trying to make anybody happy but that's just a fact  
 12 and we want to keep what we have. That's the only  
 13 reason we are doing this. And that reflects, again,  
 14 the wishes that are stated by our Board of Trustees in  
 15 the Comprehensive Plan of what we should do to  
 16 maintain this community as it is. And our zoning  
 17 regulations have to reflect -- they must reflect  
 18 what's in the Comprehensive Plan if we are to keep  
 19 this community strong and keep the character that  
 20 we've enjoyed for so many years. That's all.

21 MR. MULLEN: I have just one last comment.

22 CHAIRMAN KNIGHT: All right.

23 MR. MULLEN: I don't think that the  
 24 character of this community has been destroyed and if

1 with the Village rules. I mean, it's like in utility  
 2 rate making, it's illegal to have retroactive rate  
 3 making. You can't go back and change the rules.

4 CHAIRMAN KNIGHT: That's right. We are not  
 5 retroactively doing anything -- Mr. von Meier, I want  
 6 you to answer that question about amortization of  
 7 installations, what have you, is a legitimate means of  
 8 addressing something and we have yet to determine what  
 9 those --

10 MR. JOHNSON: If it solves a problem, it  
 11 solves a problem. I can see an amortization period if  
 12 we are trying to correct a problem. But as George  
 13 says, we are not correcting an existing problem. I  
 14 think we are trying to prevent a future problem.

15 MS. FREEMAN: Byron, can I just, I'm trying  
 16 to listen to George's comments about the GFI and the  
 17 house and trying to put this together but, you know,  
 18 the reason that I understood that this amortization  
 19 schedule was required, and we haven't even gotten into  
 20 what are the timelines, right, we are just talking  
 21 about whether or not it's needed. I started thinking  
 22 about the practical limitations of not having one and  
 23 what I mean specifically is if you had, as an example,  
 24 if two years from now the person who lived next door

1 this ordinance protects it, making everybody who needs  
 2 to change their lighting is not going to change the  
 3 character. It's not that -- as far as I know, we  
 4 don't have a problem.

5 CHAIRMAN KNIGHT: We don't want to have a  
 6 problem.

7 MR. MULLEN: Okay. And this ordinance will  
 8 do it without making everybody pull their lighting  
 9 back to conform to it.

10 MR. JOHNSON: Let me jump in. Jon, you used  
 11 the term "maintain" a lot. I listened very carefully  
 12 to the public hearings. By and large, I didn't really  
 13 hear any issues that are out there currently that are  
 14 causing big problems. What I've heard is that there  
 15 are some people who think we ought to circle the  
 16 wagons and be sure we don't have a problem in the  
 17 future. So you say maintain what we have. I guess I  
 18 go back to what George is saying, if you are going to  
 19 maintain it, whether the term is grandfather or  
 20 whatever, the problem isn't now we are trying to meet  
 21 it's a problem of the future. So why would you, why  
 22 would you make some of the current property owners  
 23 change certain things when really everything they have  
 24 done up to this point in time has been in accordance

1 to you put in a large number of nonconforming light  
 2 fixtures and violated lumen outputs and violated the  
 3 types of lighting, the Village could go to them and  
 4 say, well, you know, you shouldn't have done this,  
 5 this violates the ordinance. And they can say, well,  
 6 this was here and then you are going to have these  
 7 disputes about what was there, what was turned on,  
 8 what wasn't turned on and so the reason that I think I  
 9 understand this, and Mr. von Meier can educate me, but  
 10 if there isn't any amortization schedule, there's  
 11 really no way of ever knowing if people are going to  
 12 just continue to not adhere to the ordinance as  
 13 opposed to eventually knowing that and maybe the  
 14 amortization schedule has to be 20 years to make sure  
 15 that all the light fixtures have actually ceased being  
 16 operational. In any case, I don't know how long light  
 17 fixtures last, but at least at some point you would  
 18 know that if someone put in a nonconforming fixture,  
 19 that there would be some point in time that they'd  
 20 have to take it out. If you grandfather something and  
 21 someone comes in later on and violates the ordinance,  
 22 there's really no way to know that and that's what  
 23 troubled me, you know, that's why I understood at  
 24 least why the need for an amortization schedule was

1 important. How long a timeline you put on it is  
 2 absolutely open to debate because I'm assuming no  
 3 matter how lovely a light fixture is, at some point  
 4 it's going to just stop working and it would have to  
 5 actually be pulled out and replaced.

6 MR. JOHNSON: Couldn't you accomplish --  
 7 what if you did this, Judy, what if you said something  
 8 like as of the date of this ordinance, all residential  
 9 lighting shall conform to all provisions of this  
 10 ordinance upon the occurrence of any of the following:  
 11 Upon repair or replacement, upon re-lamping, upon  
 12 warning or violation. Again, upon re-lamping, "E," I  
 13 have a problem with, and "F," I mean, why wouldn't you  
 14 tie it to an event. I suppose that's a form of  
 15 grandfathering but if there isn't a problem now and if  
 16 you want to encourage people to do things, you are  
 17 still going to require them to try and adopt whatever  
 18 it is we are proposing here but make it triggered  
 19 based on an event such as replacing a light fixture.  
 20 You put a date on it, though.

21 CHAIRMAN KNIGHT: The date is there on or  
 22 before except the following. I agree with Member  
 23 Anderson that the January 1, 2012 date is a little  
 24 burdensome, that's a year and a couple months.

1 that's probably an appropriate time for somebody to  
 2 try to bring them into conformance. I don't know that  
 3 relocation should trigger it. If I want to move a  
 4 walkway light from one corner to another, I don't know  
 5 that that should trigger my obligation to change that  
 6 light fixture out or bring that, you know, bring a  
 7 light fixture into conformance.

8 Again, re-lamping, I don't know how often  
 9 light bulbs are popping but I know they go pretty  
 10 frequently. If you got a series of 12 light bulbs up  
 11 there and one goes, you change that one, you bring  
 12 that into conformance, now it's not going to look  
 13 appropriate. So I see problems with that type of  
 14 methodology. I'm not sure if I look at this, that the  
 15 various lumen levels that we've set earlier or  
 16 discussed earlier in a nonresidential, I think there's  
 17 consistency issues that need to be stressed in these,  
 18 whether it's 400 lumens per fixture.

19 CHAIRMAN KNIGHT: We need --

20 MR. ANDERSON: We need to tighten that up.

21 CHAIRMAN KNIGHT: Could we have  
 22 Mr. von Meier make sure that the limits here are  
 23 consistent with what we have discussed earlier?

24 MR. ANDERSON: Correct.

1 MR. JOHNSON: How about 2112, is that a  
 2 little bit better? I'm not going to negotiate with  
 3 myself, 2112.

4 CHAIRMAN KNIGHT: Let's go back to  
 5 Mr. Anderson. I think Mr. Mullen's point was taken,  
 6 and I apologize for speaking as long as I did, but I  
 7 felt it was something that had to be said just to  
 8 bring us back to our reason for being here.

9 Member Anderson, what were you getting at?

10 MR. ANDERSON: I think on the residential  
 11 side we are August 2010 right now, 16 months away from  
 12 the January 2012, which is coming up fast. I think  
 13 that date needs to be pushed out a bit.

14 CHAIRMAN KNIGHT: What would you say would  
 15 be a good date?

16 MR. ANDERSON: I guess because you are  
 17 grand -- because there are other items being excluded,  
 18 I guess you are really just catching new construction  
 19 at this point with that date so I don't know that that  
 20 date needs to be changed.

21 As far as the repair or replacement, I think  
 22 that kind of addresses the issue that Judy was  
 23 suggesting that as these fixtures that are out there  
 24 become antiquated and need to be replaced or repaired,

1 CHAIRMAN KNIGHT: Okay. Is that all right?  
 2 That's doable?

3 MR. von MEIER: Yeah, although, I will say  
 4 that the definition of doorway lighting is light  
 5 fixtures located within five feet of a doorway and not  
 6 having a light output greater than 1800 lumens per  
 7 doorway. So this seems to be fairly consistent.

8 CHAIRMAN KNIGHT: Well, why are we looking  
 9 at -- why did they put in 60 watts incandescent?

10 MR. von MEIER: I think that should come  
 11 out.

12 CHAIRMAN KNIGHT: I think any reference to  
 13 watts should be removed anywhere because we are  
 14 talking about lumens of output rather than a  
 15 particular size bulb. So that could be scratched  
 16 throughout.

17 MR. ANDERSON: Right. Correct.

18 CHAIRMAN KNIGHT: Okay. Continue, I'm  
 19 sorry.

20 MR. ANDERSON: I know there was, as far as  
 21 1(e), I know there was some heated debate about  
 22 whether, you know, what is nonessential lighting. I  
 23 don't know that we have come to terms with that or to  
 24 grips with that term, nonessential lighting,

1 particularly when it shall not be operated --  
 2 CHAIRMAN KNIGHT: We have a definition on  
 3 page 6.  
 4 MR. ANDERSON: I understand. But I don't  
 5 know that there was full agreement on that definition.  
 6 CHAIRMAN KNIGHT: There weren't any changes  
 7 so I think we were in agreement because nobody  
 8 suggested anything other than --  
 9 MR. JOHNSON: Where are you?  
 10 CHAIRMAN KNIGHT: Page 6, definition  
 11 nonessential lighting. Anything that doesn't have a  
 12 change to it, we were all in agreement with it because  
 13 we reviewed each and every one of these.  
 14 MR. ANDERSON: I think maybe then there was  
 15 some suggestion that security lighting may in fact --  
 16 where does the line cross between security lighting  
 17 and nonessential lighting?  
 18 CHAIRMAN KNIGHT: We discussed that and  
 19 we --  
 20 MR. ANDERSON: I know we did and I'm just  
 21 commenting.  
 22 CHAIRMAN KNIGHT: I'm saying what we  
 23 discussed is, as a reminder, is that we went back and  
 24 I think there was general agreement that we would use

1 have a problem with that kind of language.  
 2 CHAIRMAN KNIGHT: I think we did discuss  
 3 shutting them off at 11:00 o'clock or something.  
 4 MR. ANDERSON: I guess the other issue here  
 5 is one of the things I don't see, you know, I'm sure  
 6 there's got to be some high-discharge lighting or  
 7 mercury vapor lights around the village in residential  
 8 settings and I don't see that really being addressed  
 9 here unless you are saying that that's only going to  
 10 be done -- that's only going to be taken down with  
 11 re-lamping or the wearing out of that fixture. I see  
 12 in the nonresidential it comes down, they come down  
 13 immediately, so.  
 14 CHAIRMAN KNIGHT: What do you suggest?  
 15 MR. ANDERSON: I don't know if that really  
 16 falls into kind of -- the mercury vapor falls into the  
 17 sports lighting-type arena, if you will. If that's --  
 18 CHAIRMAN KNIGHT: Well, it is on page 18.  
 19 It says, "Mercury vapor light fixtures shall be  
 20 removed on or before, and it says January 1, 2010."  
 21 MR. ANDERSON: That's nonresidential and  
 22 that's -- that's nonresidential.  
 23 CHAIRMAN KNIGHT: Yeah, you are correct, I'm  
 24 sorry.

1 the original definition of what is security lighting  
 2 and some people felt uncomfortable, well, I might want  
 3 to call something else security lighting. And the  
 4 discussion said, well, that's fine but if an event  
 5 occasions the activation of what you consider security  
 6 lighting that's above and beyond what the definition  
 7 covers, that's fine and dandy but you got to turn it  
 8 off in a half-hour's time. And if you want to leave  
 9 it on, then that goes towards the lumens. So I don't  
 10 think there's a conflict there.  
 11 MR. JOHNSON: We have a question on Section  
 12 5(4) is where we have the conversation where it says  
 13 nonessential lighting shall not be operated  
 14 continually from dusk until dawn. We don't have  
 15 agreement on that. We have agreement on this end of  
 16 the table, I think.  
 17 CHAIRMAN KNIGHT: Well, we will have  
 18 agreement before the evening is out or total  
 19 disagreement but we will get that resolved. I'm not  
 20 going to make anymore excuses.  
 21 MR. ANDERSON: I'm just trying to raise the  
 22 issues. I know they are out there. I don't have a  
 23 problem with this concept of nonessential lighting not  
 24 being operated dusk till dawn, you know what, I don't

1 MR. ANDERSON: Then the January 1st, 2010  
 2 obviously is a problem but that's easy enough to  
 3 address.  
 4 CHAIRMAN KNIGHT: What do you think might be  
 5 some appropriate dates in either event?  
 6 MR. ANDERSON: I don't know if it's a four  
 7 or five-year period for mercury vapor lights.  
 8 CHAIRMAN KNIGHT: Residential?  
 9 MS. FREEMAN: Well, residential we have a  
 10 defined term called HID, so we would probably want to  
 11 group them all together and give everybody the same  
 12 timeline.  
 13 CHAIRMAN KNIGHT: Let's treat amortization  
 14 differently. Let's get some kind of agreement on  
 15 residential.  
 16 MS. MASTERSON: I agree.  
 17 CHAIRMAN KNIGHT: You addressed --  
 18 MR. ANDERSON: I kind of raised my concerns  
 19 and put them out for discussion at this point.  
 20 CHAIRMAN KNIGHT: Member Freeman, are you  
 21 thinking the same issues have to be resolved? Do you  
 22 have anything in addition?  
 23 MS. FREEMAN: The only thing that I would  
 24 want to do is add like a "G" so that at the end of the

1 day there's some back end to this that creates  
 2 consistency because, you know, again, this is kind of  
 3 the -- this is kind of the grandfathering dilemma, we  
 4 are saying that all lighting shall conform on or  
 5 before this date except for the following. My concern  
 6 is that people would just replace a nonconforming  
 7 lighting with more nonconforming lighting and just  
 8 say, well, I didn't replace it. I mean, there's just  
 9 no practical way to deal with this except to have a  
 10 back end that says, okay, if you put in brand new  
 11 lighting tomorrow, could it possibly last more than  
 12 whatever the engineering people say, you know, add a  
 13 bunch of years onto that in case they are wrong and  
 14 have a back end.

15 CHAIRMAN KNIGHT: Okay. Well, I think your  
 16 point is well taken, but I think, again, too, that  
 17 let's assume that 99 percent of the residents in the  
 18 community are not going to have an issue. Okay.  
 19 Let's say those that do decide, well, I'm going to  
 20 re-lamp just the way I care to and that's it. Well,  
 21 that's their choice. Again, I would say that I don't  
 22 believe the Village has the intent of sending light  
 23 police around to check on every installation in the  
 24 village, I think that's a ridiculous situation or

1 you never have a problem with someone saying I spent,  
 2 you know, \$5,000 on this lighting and now you are  
 3 telling me 25 years later that I've got to take it  
 4 out. That's what we don't want to do. We don't want  
 5 to burden someone with that. We want them, if they  
 6 made an investment, we want them to get the investment  
 7 back. What we don't want people doing is continuing  
 8 to make more and more investments and never have to  
 9 deal with the fact that they would not be in  
 10 conformance but for the fact that they will assert  
 11 that they made the investment ten years before they  
 12 made it.

13 CHAIRMAN KNIGHT: So what do you suggest?

14 MS. FREEMAN: I would like to find out how  
 15 long fixtures last, I'm ignorant on this topic.

16 CHAIRMAN KNIGHT: Well, bulbs or fixtures?

17 MS. FREEMAN: Fixtures.

18 MR. PENN: You are not talking about bulbs?

19 MS. FREEMAN: No.

20 MR. PENN: Fixtures can be designed to last  
 21 a long time.

22 MR. MULLEN: Depends on the price of the  
 23 fixture.

24 MS. FREEMAN: That's something that, you

1 claim.

2 MS. FREEMAN: Agreed.

3 CHAIRMAN KNIGHT: Again, we could go ten  
 4 years and not have complaints or any reason to do  
 5 anything. If, you know, if neighbors are like that,  
 6 then things happen. Again, if we go for ten years and  
 7 nothing changes in the village appearance-wise and we  
 8 don't have people that are running around screaming  
 9 about all sorts of things, then we are okay.

10 MS. FREEMAN: But, Jon, you miss my point.  
 11 The point is in order to avoid having a dispute or  
 12 having a light police have to go and check and find  
 13 out when someone replaced their fixtures, having no  
 14 back end creates that risk. All I'm trying to do is  
 15 say let's not have that risk.

16 CHAIRMAN KNIGHT: So you put a date certain  
 17 and that's it.

18 MS. FREEMAN: Yeah.

19 CHAIRMAN KNIGHT: What's that date, ten  
 20 years out, 15 years out? I don't know.

21 MS. FREEMAN: That's a question that I think  
 22 we would want to ask the engineer and say if you put  
 23 in new fixtures tomorrow, how long can they possibly  
 24 last, and then add a bunch of time after that so that

1 know, what's a long time, is it 100 years?

2 MR. PENN: If that's your need, yeah, you  
 3 could design it to last that long. Think about a  
 4 bunker or something like that, you can overengineer --

5 CHAIRMAN KNIGHT: I think we are getting --

6 MS. FREEMAN: Residential lighting, just the  
 7 things that we have been talking about, landscape  
 8 lighting, you know, something that goes on your house.

9 MR. PENN: I don't think that you can assume  
 10 that it's going to break or just stop functioning in  
 11 any given year unless it's weather eroded or some type  
 12 of issue like that.

13 MS. FREEMAN: So it can last as long as the  
 14 house lasts?

15 CHAIRMAN KNIGHT: If something is  
 16 overlighted, I think the concern should be with bulbs  
 17 rather than -- output of the fixture rather than the  
 18 fixture, itself, and that's what you are trying to  
 19 correct if somebody is out of compliance with what we  
 20 may ultimately suggest.

21 MS. FREEMAN: Okay. Well, then I guess  
 22 taking your point, you know, that there really isn't a  
 23 lifetime for a fixture. Then in the absence of having  
 24 some type of back end, I guess there's nothing in this

1 residential conformity then that would deal with the  
 2 fact that if someone had violated a height  
 3 restriction, you know, how would they cure that? I  
 4 just want to make sure I follow this because that was  
 5 one of the things that I thought, well, eventually it  
 6 will get fixed because the fixtures will, you know,  
 7 break and it will have to get taken down. How do we  
 8 deal with height issues until --

9 CHAIRMAN KNIGHT: Well, if we arrive at a  
 10 height on certain lights, obviously if we say 15 feet  
 11 or 50 feet, then we just have a date certain. Well,  
 12 it can stay up there for ten years, that's their  
 13 choice or whatever date we think is reasonable. So  
 14 the question is what's a reasonable date to have all  
 15 this stuff in place with the understanding we are  
 16 probably going to effect a very limited number of  
 17 people at this point? Member Rosene, you have an idea  
 18 there?

19 MS. ROSENE: Well, George, get ready, I find  
 20 I'm in agreement with George on this one. I think  
 21 that so long as we prevent -- want to prevent from now  
 22 on, I think we need to tread lightly and fairly with  
 23 those not in conformance. Now, I don't know how to do  
 24 that with this section, I mean, I've looked over it

1 sure yet. Let's go to Member Anderson. You stated  
 2 your concerns. Member Freeman, do you have any ideas  
 3 as to solutions?

4 MS. FREEMAN: No. I mean, I was kind of  
 5 hoping that we'd all be saved by some type of, you  
 6 know, reference point but absent that, I would just  
 7 want to make sure that we can deal with all of the  
 8 restrictions, including height.

9 CHAIRMAN KNIGHT: Member Rosene, are you --

10 MS. ROSENE: Do I have solutions, no.

11 CHAIRMAN KNIGHT: Did you have your say now?

12 MS. ROSENE: Yes, I did.

13 CHAIRMAN KNIGHT: Member Johnson, what do  
 14 you think?

15 MR. JOHNSON: I hope Karen has a good grip  
 16 on her seat because I actually agree with her, you  
 17 know, because, again, I think I said it before that if  
 18 we are trying to circle the wagons, we should do all  
 19 we can to avoid an issue where people have, in good  
 20 faith, you know, spent money.

21 So, I mean, Joe can figure this out for us  
 22 maybe but I certainly would support what Karen said.  
 23 I would eliminate "E" obviously since we are, in the  
 24 interest of comity, C-O-M-I-T-Y, I would eliminate "E"

1 and I just don't want there to be anything punitive.  
 2 I don't think people should incur any kind of cost. I  
 3 mean, I guess basically I think that the houses that  
 4 are not in conformance now should probably be  
 5 grandfathered with the hope that people will tone it  
 6 down. And I also believe that in the penalty section,  
 7 and I don't know if this actually works but it says,  
 8 "Nonessential lighting or prohibited lighting can be  
 9 ordered by municipal law officials or code enforcement  
 10 to be extinguished." And I'm thinking that if some of  
 11 the examples now that are really pretty outlandish, if  
 12 the neighbors have problems, is there something in  
 13 here that can then take care of that? You know, these  
 14 problems I think are going to -- if we can pass  
 15 something once, you know, that will help us maintain  
 16 what we have now, then I think we need to deal with  
 17 those not in conformance just very lightly and I'm not  
 18 sure how to do that. I don't, you know, I just don't  
 19 want it to seem punitive.

20 CHAIRMAN KNIGHT: Well, if somebody built  
 21 something at a point in time that what they were  
 22 building was permitted in the village, that's very  
 23 understandable. I think there should be some respect  
 24 given to that, absolutely. How you do that, I'm not

1 because the way nonessential lighting is defined,  
 2 either all my lights are either artistic or  
 3 decorative. But if you leave "E" in there, they are  
 4 going to become security lights. I think the term  
 5 nonessential is in the eye of the beholder. I don't  
 6 think we can tell people in Barrington Hills that they  
 7 have got to shut their lights off. You could talk to  
 8 me about shadows but I'd rather have partial shadows  
 9 as opposed to 100 percent shadows, which is what  
 10 darkness gives you.

11 MS. ROSENE: That would be the one thing I  
 12 would do here.

13 MR. JOHNSON: You'd take that out, right?

14 MS. ROSENE: No, I wouldn't take that out.

15 MR. JOHNSON: Part of my deal is to take it  
 16 out.

17 CHAIRMAN KNIGHT: Okay.

18 MR. JOHNSON: I think same thing with three,  
 19 I think --

20 CHAIRMAN KNIGHT: Nonresidential?

21 MR. JOHNSON: No, landscape lighting.

22 CHAIRMAN KNIGHT: That's under  
 23 nonresidential. You see, one deals with residential,  
 24 two, deals with nonresidential.

1 MR. JOHNSON: I'm all for whatever it takes  
2 to not penalize the residents of Barrington Hills who  
3 made their investments. Certainly if we come up with  
4 some ideas of how to encourage better lighting, you  
5 can put that in with additions. But so I would  
6 support Karen and her objective of trying to minimize  
7 any impact on existing owners.

8 CHAIRMAN KNIGHT: Okay. Member Masterson?

9 MS. MASTERSON: I agree with that.

10 CHAIRMAN KNIGHT: What? Member Johnson?

11 MR. JOHNSON: Karen.

12 MS. MASTERSON: Well, Karen.

13 MR. JOHNSON: Don't egg her on otherwise  
14 you'll have problems.

15 MS. MASTERSON: I would like though maybe to  
16 address more new homes versus existing homes. Should  
17 we make new homes conform to a certain standard?

18 CHAIRMAN KNIGHT: Well, any structure that's  
19 built or any application following the enactment of  
20 this would automatically include anybody who hasn't  
21 done anything up to that point. Absolutely, this  
22 would apply to them.

23 MS. MASTERSON: All right. But where would  
24 that be written? I don't quite see it, new structures

1 repaired, relocated after the effective date of this  
2 ordinance shall conform to the provisions established  
3 by this ordinance unless otherwise exempted herein."

4 And then in Section 3(2) it says,  
5 "Preexisting lighting: Amortization. Existing  
6 exterior lighting in conflict with this ordinance  
7 shall be classified as "nonconforming". Nonconforming  
8 lighting shall be governed by Section 7."

9 Okay. So all lighting must conform with the  
10 ordinance unless it's exempted or if it's preexisting,  
11 you go to Section 7.

12 MS. MASTERSON: Okay.

13 CHAIRMAN KNIGHT: I thought I said that.

14 MR. JOHNSON: Were you reading 3(1)?

15 MR. von MEIER: I was reading 3(1) and then  
16 3(2).

17 MR. JOHNSON: That's pretty broad because  
18 it's got words like installed, replaced, changed,  
19 repaired or relocated. I mean, we might want to  
20 revisit that a little bit.

21 MR. von MEIER: Well, those same words show  
22 up in the amortization section as well.

23 MR. JOHNSON: I think somebody raised a  
24 question on that.

1 shall conform.

2 CHAIRMAN KNIGHT: It doesn't have to say new  
3 structures. If whatever we recommend to the Board of  
4 Trustees, the elected officials, and whatever decision  
5 they make to accept, reject, modify, amend, whatever  
6 they do, they pass a lighting ordinance, at that point  
7 in time, all properties, residences in the village  
8 would have to conform to that regulation, which may  
9 include exceptions, amortizations, what have you.  
10 Everything moving forward beyond that date has to  
11 conform.

12 And in this language there is talk of how  
13 one who is not in conformance does come into  
14 conformance and that's kind of what we are talking  
15 about now with what's fair to those people who have  
16 made a considerable investment in their properties in  
17 good faith, as Member Johnson suggested, and what is  
18 fair to them so that they are -- this isn't considered  
19 punitive or anything like that and we are trying to  
20 avoid that. So does that kind of answer your  
21 question?

22 MR. von MEIER: Chairman, Nancy, just to  
23 point out that in Section 3, Applicability, "All  
24 exterior lighting installed, replaced, changed,

1 MR. von MEIER: That's where you need to  
2 address it for preexisting exterior lighting.

3 MS. MASTERSON: Right.

4 MR. JOHNSON: Okay. Okay. You are right.

5 CHAIRMAN KNIGHT: Member Masterson?

6 MS. MASTERSON: How do we say that exactly  
7 for preexisting lighting? And then there's exemptions  
8 but what are the exemptions?

9 CHAIRMAN KNIGHT: Well, that would be on  
10 page 17 under one, residential, all residential  
11 lighting shall conform on or before a date that we  
12 have not determined yet except the following.

13 MR. von MEIER: Yeah, I think that you may  
14 want to slip in preexisting into that so it would be,  
15 residential, period, all preexisting residential  
16 lighting shall conform to all provisions of this  
17 ordinance on or before January 1, except for the  
18 following.

19 MS. ROSENE: Where is that?

20 MR. JOHNSON: We are back to page 17.

21 CHAIRMAN KNIGHT: Page 17 under all  
22 residential.

23 MS. MASTERSON: All residential.

24 MR. von MEIER: Do you follow?

1 MS. MASTERSON: Say that over again.  
 2 MR. von MEIER: I'm just saying, number one,  
 3 to say all preexisting residential lighting --  
 4 MS. MASTERSON: Yeah. But the minute we put  
 5 a date in --  
 6 MR. von MEIER: That's the debate now is  
 7 whether that date is appropriate or not.  
 8 MS. MASTERSON: What if we don't even want a  
 9 date?  
 10 MR. JOHNSON: That's what we are discussing.  
 11 MS. MASTERSON: Right. That's what we are  
 12 discussing.  
 13 CHAIRMAN KNIGHT: Would it be appropriate on  
 14 that one to go back to enactment on this?  
 15 MR. ANDERSON: If you don't put a date in,  
 16 then the new properties fall under the preexisting  
 17 provision. If you want to catch the new buildings,  
 18 you have to put a date in there.  
 19 MR. JOHNSON: Well, we got the new -- I  
 20 thought that's over on -- maybe I'm missing something.  
 21 Well, have two sentences then I guess, one for  
 22 preexisting and one for new. But I thought what we  
 23 were discussing was just preexisting to get rid of  
 24 that date and unless you materially alter your lights,

1 to have that in there.  
 2 CHAIRMAN KNIGHT: Again, if what we are  
 3 discussing here is an act that, let's say, up to this  
 4 point it has to do with security lighting and the  
 5 10,000 lumens per acre and all this what's exempted,  
 6 there won't be any action required on the part of the  
 7 homeowners under those conditions and that we have  
 8 said would apply based on what the engineers have told  
 9 us to a very, very high percentage of properties in  
 10 the village at this point in time. So what we are  
 11 dealing with now would be a very limited number of  
 12 properties and how do we treat them fairly as to  
 13 amortization and allow them to come into conformance  
 14 without penalty, basically, at some time in the  
 15 future.  
 16 Mr. von Meier -- well, let me go around the  
 17 table and ask Mr. von Meier what his experience tells  
 18 him when we are trying to accomplish that as to  
 19 fairness, timing of amortization, what have you. Let  
 20 me just summarize the statement that I think we all  
 21 feel. We don't feel that anybody that has made an  
 22 investment in good faith, as Member Johnson said,  
 23 should be unduly singled out and penalized, because  
 24 there are so few of them, and obviously, if they are

1 you can't use the word, but you are grandfathered.  
 2 CHAIRMAN KNIGHT: Yeah, but I don't know  
 3 what grandfathered means in this context.  
 4 MR. JOHNSON: We'll get into that, but I  
 5 thought that's what we were discussing.  
 6 MS. MASTERSON: Right. That's what I would  
 7 like to see. If we take the date out, it reads, "All  
 8 preexisting residential lighting shall conform to all  
 9 provisions of this ordinance except for the  
 10 following."  
 11 CHAIRMAN KNIGHT: But when? Mr. von Meier,  
 12 you have to have a date when you say that, don't you  
 13 or do you not?  
 14 MR. von MEIER: I'm hearing a couple of  
 15 different things. I'm hearing a concept of all  
 16 preexisting residential lighting shall not be required  
 17 to conform to this ordinance unless you do these  
 18 things, repair or replace, re-lamp.  
 19 MS. MASTERSON: That can change, too. We  
 20 can cross that out.  
 21 MR. von MEIER: Do you see what I'm saying?  
 22 CHAIRMAN KNIGHT: Yeah.  
 23 MS. MASTERSON: That's a good point and then  
 24 we'll go through and cross out repair if we don't want

1 overlit according to this ordinance, then they  
 2 probably spent a great deal of money in achieving that  
 3 condition. So how do we treat them fairly yet  
 4 accomplish our goals in the rest of the community?  
 5 MR. von MEIER: I don't know. One thought  
 6 is that you say all preexisting residential lighting  
 7 as of the date of this ordinance shall not be required  
 8 to conform to the requirements of the ordinance unless  
 9 they do the following. If they have to replace their  
 10 fixtures, new fixtures have to conform. If they have  
 11 to repair their fixtures, you may say you might as  
 12 well replace it, we want those to conform as well.  
 13 You could have a requirement where if they re-lamp,  
 14 they re-lamp to a bulb with less lumens because that's  
 15 not as expensive as doing a whole new lighting system,  
 16 if possible, or if permitted by the fixture, itself,  
 17 to have a lower lumen bulb.  
 18 Now, there's some things you may want people  
 19 to comply with immediately. If you decide that  
 20 certain time restrictions are appropriate, there's no  
 21 reason that existing light systems can't comply with  
 22 time restrictions immediately if you choose to do  
 23 that. And then, of course, anything new that comes  
 24 after this ordinance would have to comply to the

1 requirements of the ordinance.  
 2 I haven't fully thought it through  
 3 obviously, but I think there's a way to get there  
 4 where you wouldn't require existing lighting systems  
 5 to be altered.  
 6 CHAIRMAN KNIGHT: Well, we spent a great  
 7 deal of time here struggling with that. Could we  
 8 count on you to come up with language that would  
 9 address our concerns of the board?  
 10 MS. ROSENE: Sounds good to me.  
 11 CHAIRMAN KNIGHT: We are all thinking the  
 12 same thing. How do we articulate that language. Is  
 13 that fair?  
 14 MR. JOHNSON: I would encourage you to drop  
 15 the repair but I think the consensus seemed more in  
 16 replacement.  
 17 CHAIRMAN KNIGHT: Yeah.  
 18 MR. JOHNSON: Significant replacement.  
 19 MR. von MEIER: Okay.  
 20 MR. MULLEN: Well, major repairs.  
 21 MS. MASTERSON: I have an example. My  
 22 neighbor has like four signs and all of a sudden they  
 23 went to change their garage lights and they were all  
 24 in the new environmental bulbs. Go figure.

1 CHAIRMAN KNIGHT: Go figure.  
 2 MS. MASTERSON: So --  
 3 CHAIRMAN KNIGHT: I really think  
 4 sincerely --  
 5 MS. MASTERSON: -- I think that's what the  
 6 residents are going to end up doing.  
 7 CHAIRMAN KNIGHT: I agree with you. That  
 8 nobody is going to try to overlight their properties  
 9 just to --  
 10 MS. MASTERSON: No, but with awareness in  
 11 our newsletters, we really need an ordinance on the  
 12 books to prevent -- to tell the world we are a  
 13 different kind of community so that we don't get  
 14 downsized to 5,000 homes here or whatever. So how do  
 15 we have it on our books but yet not enforce it  
 16 without -- how do we enforce it in a nice way versus a  
 17 way that's truly enforceable?  
 18 MR. von MEIER: Well, I will say that there  
 19 is still Member Freeman's concern, and it's a valid  
 20 one if we go this route of people adding light in the  
 21 future and saying that I had this in place before you  
 22 passed the ordinance and so I get to keep it.  
 23 CHAIRMAN KNIGHT: Show me the receipt for  
 24 your installation.

1 MR. von MEIER: We don't want to get into  
 2 that.  
 3 CHAIRMAN KNIGHT: You are right. Well, I'm  
 4 saying that if somebody wants to avoid any requirement  
 5 in any community, fine, God bless them. Let them do  
 6 it. But the point is I think most people will try to  
 7 do the right thing and we can't legislate people --  
 8 MR. von MEIER: Character.  
 9 CHAIRMAN KNIGHT: Character, you are  
 10 correct. But, Judy, I don't think that's something we  
 11 have to -- we can't worry about that. If somebody  
 12 wants to do it, that's just going to happen. But I  
 13 think as a board we can do the right thing and put  
 14 language in that accomplishes our goal and at the same  
 15 time our concern absolutely should be for those that  
 16 have spent all this money and Mr. von Meier will come  
 17 up with that language by Wednesday that reflects our  
 18 concern on that issue. Is that fair, Judy? Do you  
 19 trust Mr. von Meier to come up with something that  
 20 will help us?  
 21 MS. FREEMAN: Well, I don't know if I'd go  
 22 that far. No, I'm just kidding, it's fine.  
 23 MR. JOHNSON: You'll take "E" out, right?  
 24 You'll take "E" out?

1 MS. FREEMAN: No, we are not taking "E" out.  
 2 MR. JOHNSON: Take "E" out.  
 3 MS. ROSENE: Absolutely not.  
 4 CHAIRMAN KNIGHT: Well, again, Mr. Johnson  
 5 said he goes to bed at 8:30 p.m. and he's asleep so he  
 6 doesn't care what goes on after that.  
 7 MR. JOHNSON: Who's hanging around my house  
 8 looking at my decorative lights. Again, the  
 9 definition says artistic or decorative. All my lights  
 10 are artistic or decorative and they may become  
 11 security lights.  
 12 CHAIRMAN KNIGHT: Do you leave them on all  
 13 night?  
 14 MR. JOHNSON: Yeah, if I want to I do.  
 15 Sixty-watt bulbs.  
 16 CHAIRMAN KNIGHT: Are they more than 10,000  
 17 lumens per measured acre? I don't know.  
 18 MR. JOHNSON: We have to discuss measured  
 19 acre, too.  
 20 CHAIRMAN KNIGHT: We have already discussed  
 21 that.  
 22 MS. ROSENE: We have already discussed it.  
 23 MR. JOHNSON: No, we haven't. But, again, I  
 24 would not support anything that tells people

1 regardless of what kind of light it is whether it's  
 2 security, artistic or decorative, I'm not going to  
 3 tell them to shut their lights off.  
 4 CHAIRMAN KNIGHT: Okay. That may be your  
 5 position. That may be your position.  
 6 Let's go back to this amortization section.  
 7 Are we in pretty much agreement of what we are trying  
 8 to accomplish here with the exception of how we treat  
 9 those that made the heavy duty installations and  
 10 Mr. von Meier is going to come up with language that  
 11 may address that?  
 12 MS. FREEMAN: Well, yeah, but I want to make  
 13 sure if we are going to switch the wording and have  
 14 kind of this you only need to deal with the new  
 15 requirements when you do something, I think that we  
 16 are going to leave hanging out there as this orphan  
 17 issue the fact that there were complaints about people  
 18 who had violated the height restriction and we are  
 19 never going to have any way to bring them into  
 20 eventual conformity.  
 21 CHAIRMAN KNIGHT: Well, but if they violated  
 22 the height restriction, it wasn't contrary to the  
 23 village requirements at that time of installation.  
 24 MS. FREEMAN: I agree. None of these things

1 were in violation.  
 2 CHAIRMAN KNIGHT: That's right. So what do  
 3 you do to be fair to those people? Do we have a  
 4 cutoff date? Let's just say okay, the long-range goal  
 5 is you say those existing installations must be in  
 6 conformance by 2025.  
 7 MS. FREEMAN: Let me try and play this out  
 8 so I can give you an example because in here this is  
 9 saying, you know, for instance, I mean, we contemplate  
 10 other types of violations in Section 1. So we are  
 11 giving them a requirement that they take their doorway  
 12 lighting down to the standard that we are setting in  
 13 the ordinance. We are also saying if you have an  
 14 unshielded fixture in excess of 900 lumens, you've got  
 15 to go to a shielded. All I'm saying about the height  
 16 restrictions is if someone has a fixture that's  
 17 40 feet and we eventually end up with a height  
 18 restriction that's 20, all they need to do is move it.  
 19 They don't have to take it down, they just have to  
 20 move it.  
 21 CHAIRMAN KNIGHT: I don't have a problem  
 22 with that.  
 23 MS. FREEMAN: But that's what I'm  
 24 suggesting. Right now we have contemplated in "A"

1 through "F" all of these other changes but there's  
 2 nothing here for height. So I'm just suggesting --  
 3 CHAIRMAN KNIGHT: So you want to add a  
 4 height?  
 5 MS. FREEMAN: -- that we add it. If we're  
 6 going to put this language, if you are going to keep  
 7 doing what you are doing except for, you'd never cure  
 8 the height issue.  
 9 CHAIRMAN KNIGHT: Okay. I'm glad you raised  
 10 it. You are correct. And we have not arrived at a  
 11 height issue. What we did discuss at our last meeting  
 12 that if you are going to put a light fixture on a tree  
 13 or a post or wherever you put it, we did discuss  
 14 limiting it to 15 feet and that the -- it would be  
 15 pointing downward. That's in our discussions from  
 16 the --  
 17 MS. MASTERSON: I think that's very  
 18 generous.  
 19 CHAIRMAN KNIGHT: Did we have an objection  
 20 to that, just going around the table? Let's just get  
 21 the height thing.  
 22 MS. FREEMAN: Are we back on Section 5 or?  
 23 CHAIRMAN KNIGHT: If it was Section 5 where  
 24 it was mentioned but we were discussing putting

1 fixtures on trees, flora and fauna and we talked  
 2 about, you know, why should somebody if they have a  
 3 tree that's 200 feet high be able to put a light  
 4 that's 200 feet high, and we felt that, well, if you  
 5 want to put fixtures on a tree, we are going to limit  
 6 it to the same height that you'd put it on a post ten  
 7 feet from it, which would be 15 feet pointing  
 8 downwards.  
 9 MS. FREEMAN: That's in Section 3(b) or  
 10 Section 5?  
 11 CHAIRMAN KNIGHT: Now, are we in agreement  
 12 that that's reasonable? Is anybody not in agreement?  
 13 MR. JOHNSON: How high is this ceiling?  
 14 CHAIRMAN KNIGHT: That's probably about  
 15 15 feet.  
 16 MR. JOHNSON: Would you give me 25? Nobody  
 17 is going to go up 200 feet to put a light up in the  
 18 tree.  
 19 CHAIRMAN KNIGHT: Why should it be any  
 20 different than 15 feet, which is what's been mentioned  
 21 throughout?  
 22 MR. JOHNSON: Well, because trees are a lot  
 23 taller than buildings normally.  
 24 CHAIRMAN KNIGHT: That's right, but we are

1 trying to eliminate --  
 2 MR. JOHNSON: Pointing downward, small bulb,  
 3 what's the big deal about 25 feet?  
 4 CHAIRMAN KNIGHT: Well, a suggestion has  
 5 been made 25 feet and a suggestion has been made  
 6 15 feet, both pointing down. What are your feelings,  
 7 Member Anderson?  
 8 MR. ANDERSON: I would probably be willing  
 9 to go to the 25 as long as we continue with the  
 10 similar setback provisions. If you are putting  
 11 something up in a tree at 25 feet, you have to be  
 12 75 feet in from the property line, right, three times.  
 13 CHAIRMAN KNIGHT: Okay. Member Freeman?  
 14 MS. FREEMAN: We actually talked about this  
 15 issue when we were reviewing Section 5 back in April  
 16 it looks like and in talking to Ken Bosworth at the  
 17 time that commented on, you know, why 15, it was  
 18 either Ken Bosworth or David Stieper, I can't tell,  
 19 but the commentary really related to the fact that  
 20 they were designing the ordinance to address task  
 21 lighting like what they determined essential lighting  
 22 versus nonessential lighting and that the lighting  
 23 needed to have a purpose. And at a certain point if  
 24 you've got the lighting up so high, all it's really

1 doing is just -- it kind of starts to look like sports  
 2 lighting. It's just illuminating a big area as  
 3 opposed to a driveway or a point of interest or  
 4 whatever you are trying to do to get from the gate  
 5 area to the house. So there was a method to the  
 6 madness with the 15. I honestly, if you depart from  
 7 that, I'm not sure where we anchor the number because  
 8 they had a thought process that they went through in  
 9 trying to define.  
 10 CHAIRMAN KNIGHT: Right now we have 15 feet  
 11 or 25 feet, what's your pick?  
 12 MS. FREEMAN: I don't have a basis to depart  
 13 from the 15.  
 14 CHAIRMAN KNIGHT: Okay. So, okay, Member  
 15 Rosene?  
 16 MS. ROSENE: Fifteen.  
 17 CHAIRMAN KNIGHT: Member Johnson, 25?  
 18 MR. JOHNSON: I don't agree with Ken's  
 19 essential/nonessential anyway, so.  
 20 MS. MASTERSON: Fifteen.  
 21 MR. JOHNSON: Nancy, shame on you.  
 22 CHAIRMAN KNIGHT: Masterson is 15.  
 23 MR. MULLEN: Fifteen.  
 24 CHAIRMAN KNIGHT: Mr. Mullen, 15. Well, we

1 have four 15's and two 25's, so 15 it is.  
 2 MR. JOHNSON: I should have started at 60  
 3 and cut a deal.  
 4 CHAIRMAN KNIGHT: So for the sake of  
 5 argument, if a light is affixed to a tree, it will be  
 6 at the same height as a pole or anything else, it will  
 7 be limited to 15 feet facing down. So we resolved  
 8 that.  
 9 Amortization, back to that. We put the  
 10 height restriction in under amortization. We still  
 11 want to talk about a date.  
 12 MR. ANDERSON: I thought that was something  
 13 that was coming out of Mr. von Meier's drafting.  
 14 MS. MASTERSON: I think we ought to wait  
 15 until Wednesday to see what he says.  
 16 MR. von MEIER: I think Jon brings up a  
 17 point that's important, though. Is it necessarily an  
 18 event to trigger lowering the height and so you almost  
 19 want to say that existing lighting fixtures need to  
 20 comply with the height requirements by a certain date.  
 21 CHAIRMAN KNIGHT: That's what I'm looking  
 22 at. Is ten years a fair date? Is five years fair?  
 23 Is seven years fair? Is ten years fair? I don't  
 24 know.

1 MR. MULLEN: We are going to get rid of that  
 2 January 1st, right?  
 3 CHAIRMAN KNIGHT: Yeah.  
 4 MR. MULLEN: If you want to put a month in,  
 5 how about October? Are you going to make me go out  
 6 there and lower my light during the Christmas  
 7 holidays?  
 8 MR. JOHNSON: October 2020.  
 9 MR. MULLEN: Well, whatever but October.  
 10 Give me the summer to do it.  
 11 MR. JOHNSON: Well, we are just talking  
 12 about the height of the light, right?  
 13 CHAIRMAN KNIGHT: We have to go to calendar  
 14 year. If a calendar year is three years out, then you  
 15 can do it three months in advance.  
 16 MS. ROSENE: Why are you doing ten years?  
 17 CHAIRMAN KNIGHT: I didn't say ten years. I  
 18 said a number, five, ten?  
 19 MS. MASTERSON: I think if a judge reads ten  
 20 years in applying any of this, you have no ordinance.  
 21 CHAIRMAN KNIGHT: What's fair?  
 22 MS. MASTERSON: Ten years out is not an  
 23 ordinance.  
 24 CHAIRMAN KNIGHT: Absolutely it is.

1 Remember what we are trying to accomplish with  
 2 conformance. If we just said 99 percent of the people  
 3 are already in conformance, there's not an issue.  
 4 What we are trying to do is provide a fair approach to  
 5 those that in good faith built under current building  
 6 codes and what's fair to them for a time to absolutely  
 7 conform with the understanding that there's some other  
 8 conditions in here that will bring them into  
 9 conformance but they have got ten years to get there.  
 10 Is that a fair number? I'll go around the table.  
 11 MS. FREEMAN: I wasn't listening, what  
 12 number did you put out? I'm sorry.  
 13 MR. ANDERSON: You caused the problem.  
 14 CHAIRMAN KNIGHT: Ten years.  
 15 MS. FREEMAN: I don't understand why, you  
 16 know, I think we should be looking at more like three  
 17 to five for a height restriction. People are going up  
 18 there changing bulbs every summer.  
 19 MR. von MEIER: I guess there's a little bit  
 20 of a disconnect here. Are we talking about just a  
 21 date for coming into compliance on height restrictions  
 22 or are you talking about a date in the future for full  
 23 compliance?  
 24 CHAIRMAN KNIGHT: I'm talking about a date

1 getting off base a little bit because Mr. von Meier is  
 2 going to come up with reasonable language that will  
 3 deal with this time issue; is that right,  
 4 Mr. von Meier?  
 5 MR. MULLEN: The legal opinion is it's only  
 6 height that you need to put a date in.  
 7 CHAIRMAN KNIGHT: Okay. If that's your  
 8 legal opinion, what's the date?  
 9 MR. MULLEN: Ten years.  
 10 CHAIRMAN KNIGHT: Two, three, five, ten,  
 11 what is it?  
 12 MS. ROSENE: Five.  
 13 CHAIRMAN KNIGHT: Okay. We'll go --  
 14 MS. FREEMAN: We are not asking people to do  
 15 anything difficult.  
 16 CHAIRMAN KNIGHT: We'll go five and then  
 17 we'll go ten. Who said -- what is your choice?  
 18 MR. ANDERSON: Probably go ten.  
 19 CHAIRMAN KNIGHT: Okay.  
 20 MS. FREEMAN: Five.  
 21 MS. ROSENE: Five.  
 22 CHAIRMAN KNIGHT: Mr. Johnson?  
 23 MR. JOHNSON: Ten, if that's my only choice.  
 24 CHAIRMAN KNIGHT: Five or ten.

1 in the future for full compliance and there are --  
 2 MS. FREEMAN: Well, hang on, hang on.  
 3 MR. JOHNSON: All we are talking about is  
 4 just height right now.  
 5 MS. FREEMAN: I thought we were talking  
 6 about height.  
 7 CHAIRMAN KNIGHT: I'm talking about  
 8 everything.  
 9 MS. MASTERSON: I thought we were talking  
 10 about everything, too.  
 11 MR. JOHNSON: Not to use the word --  
 12 CHAIRMAN KNIGHT: Again, if somebody has  
 13 tree lights that are 30 feet, they spent money doing  
 14 that. Okay. And I'm not saying take them out  
 15 tomorrow, I'm saying that you've got a period of time  
 16 that I would think is reasonable to come into  
 17 conformance and that's either lower them, you know,  
 18 they burn out, whatever. There are other exemptions  
 19 here which could occasion conformance but we are  
 20 saying you've got ten years to do it or whatever is  
 21 the appropriate date. I don't know if that date is --  
 22 MR. JOHNSON: I thought it was just height  
 23 because what else is in here that requires a date?  
 24 CHAIRMAN KNIGHT: Well, okay. We are

1 MR. JOHNSON: Twenty.  
 2 CHAIRMAN KNIGHT: Masterson?  
 3 MS. MASTERSON: Five.  
 4 CHAIRMAN KNIGHT: Mullen?  
 5 MR. MULLEN: Five.  
 6 CHAIRMAN KNIGHT: Well, it's five years.  
 7 You got five years to conform to the height  
 8 restriction. That is the majority.  
 9 MS. MASTERSON: I thought it was going to be  
 10 girls against the boys.  
 11 CHAIRMAN KNIGHT: Is there anything else in  
 12 here that we have to be concerned about that  
 13 Mr. von Meier won't be addressing as far as the  
 14 residential amortization goes? And he's going to come  
 15 up with language again that will address our concerns  
 16 about those that made significant investment in their  
 17 lighting situations.  
 18 MR. JOHNSON: Are we deferring on "E" right  
 19 now, is that it?  
 20 CHAIRMAN KNIGHT: "E"?  
 21 MR. JOHNSON: "E" we'll discuss, we'll go  
 22 back to Section 5.  
 23 CHAIRMAN KNIGHT: Well, we haven't really  
 24 talked about "E".

1 MR. JOHNSON: We haven't decided.  
 2 CHAIRMAN KNIGHT: We have got the height  
 3 thing and the time thing.  
 4 MS. MASTERSON: We have to enact the  
 5 ordinance first or find out when that's going to be  
 6 first.  
 7 CHAIRMAN KNIGHT: We are going up to --  
 8 Mr. von Meier is going to address this.  
 9 MS. MASTERSON: I understand. Okay.  
 10 CHAIRMAN KNIGHT: But the one thing that we  
 11 have to get done is can you leave your lights on all  
 12 night? Let's just go around, yes or no.  
 13 MR. JOHNSON: That's going back to Section  
 14 5(4).  
 15 MR. von MEIER: 5(4).  
 16 MS. MASTERSON: Mr. Chairman, if it is not  
 17 all night, what is it?  
 18 CHAIRMAN KNIGHT: All right. If it's not  
 19 all night, let's just say a number that was tossed  
 20 around. The church turns theirs off, the big church  
 21 on Algonquin Road and 59, turns their lights off at  
 22 10:30 and I think we just said 11:00 o'clock.  
 23 MR. ANDERSON: Can we make sure that we are  
 24 all focused on the same issue here for a moment. We

1 are talking about turning off nonessential lighting,  
 2 not special purpose lighting, not task lighting, not  
 3 security lighting. I just want to make sure everybody  
 4 understands what we are discussing at this point. So  
 5 it's nonessential lighting.  
 6 MS. FREEMAN: They are the cute little  
 7 lights that light up your bushes.  
 8 CHAIRMAN KNIGHT: Okay. If you do turn them  
 9 off, the cutoff time, here are your choices, yes,  
 10 11:00 o'clock at night or no, you can leave them on at  
 11 any time. Mr. Mullen?  
 12 MR. MULLEN: 11:00 o'clock.  
 13 CHAIRMAN KNIGHT: Miss Masterson?  
 14 MS. MASTERSON: Yes, 11:00 o'clock.  
 15 CHAIRMAN KNIGHT: Mr. Johnson?  
 16 MR. JOHNSON: Leave them on any time.  
 17 CHAIRMAN KNIGHT: Rosene?  
 18 MS. ROSENE: 11:00 o'clock.  
 19 CHAIRMAN KNIGHT: Freeman?  
 20 MS. FREEMAN: I feel obligated to make a  
 21 comment. I think the 11:00 o'clock makes sense but  
 22 personally I always forget when daylight savings time  
 23 starts and stops so sometimes my timer goes on until  
 24 midnight because the clock changed and I don't always

1 go back and reset my timer. So I would feel better if  
 2 it was midnight just because I'm worried that other  
 3 people have the same malfunction that I have, but  
 4 that's just me.  
 5 MS. MASTERSON: How many days does it take  
 6 you to reset and who is going to come after you?  
 7 MS. FREEMAN: I'm just saying that's my  
 8 personal experience.  
 9 CHAIRMAN KNIGHT: But your vote is not no?  
 10 MS. FREEMAN: No, my vote, if I have to  
 11 vote, it's 11:00. I just want to go on record as  
 12 saying that's a problem for me.  
 13 CHAIRMAN KNIGHT: Member Anderson?  
 14 MR. ANDERSON: I would vote turn off, but I  
 15 think 11:00 may be a little bit early.  
 16 MS. MASTERSON: Byron, you are not doing so  
 17 well, tonight.  
 18 CHAIRMAN KNIGHT: Let's re-examine. Is  
 19 midnight better than 11:00?  
 20 MR. JOHNSON: Just remember what you are  
 21 saying because right now if you vote this yes, you are  
 22 saying that the entire village has to be dark,  
 23 security lights, any lights.  
 24 MR. ANDERSON: Nonessential.

1 MR. JOHNSON: Read what security lighting  
 2 says. It says, "Exterior lighting installed primarily  
 3 for personal safety or emergency that is extinguished  
 4 either automatically or manually within 30 minutes  
 5 upon cessation of the actual or perceived emergency."  
 6 So if there's no actual or perceived emergency, those  
 7 lights are off.  
 8 CHAIRMAN KNIGHT: What you are missing here  
 9 is you still have your lights on your doorways, those  
 10 are exempt. Security lighting which under the  
 11 definition if you choose to leave some lights on  
 12 because they make you feel secure and you leave them  
 13 on all the time, it will just go into your 10,000  
 14 lumens. What we are trying to address here is  
 15 nonessential lighting, which is decorative lighting,  
 16 if you will. So it doesn't mean all your lights go  
 17 off, absolutely not.  
 18 MR. JOHNSON: I guess I'll have to read  
 19 Joe's redrafting as to how this thing ends up then  
 20 because --  
 21 CHAIRMAN KNIGHT: Okay. But my house, for  
 22 instance, I leave my garage lights on, the front door  
 23 and the side-door light all night and occasionally the  
 24 back door if I forget to turn it off. So I'm not

1 turning all my lights off but that's -- could be  
 2 that's exempt, correct, Mr. von Meier?  
 3 MR. von MEIER: Doorways.  
 4 CHAIRMAN KNIGHT: And if you have lighting  
 5 that goes up a sidewalk, that's essential lighting.  
 6 We didn't consider that nonessential. So the only  
 7 thing you got to turn off --  
 8 MR. JOHNSON: The people that voted 11:00  
 9 o'clock, what do you define as nonessential?  
 10 MS. FREEMAN: At my house, that's a very  
 11 good question actually because I've been thinking  
 12 about that trying to look at my neighbor's properties  
 13 and my property but, you know, it's really the little  
 14 lights that are really landscape lighting.  
 15 MR. von MEIER: Maybe that's what you should  
 16 change this to is say landscape lighting should be  
 17 turned off at 11:00 p.m. because I think Member  
 18 Johnson's point if you look at nonessential lighting  
 19 it says this includes lighting intended for a specific  
 20 task or purpose when said task or purpose is not being  
 21 actively performed, e.g., parking lot illumination and  
 22 wall-mounted perimeter lights after business hours.  
 23 So sidewalk lighting, if you are not  
 24 actively using the sidewalk at 2:00 in the morning

1 MR. MULLEN: Yeah.  
 2 CHAIRMAN KNIGHT: Would that be --  
 3 MR. JOHNSON: It says artistic, decorative  
 4 or landscape lighting.  
 5 CHAIRMAN KNIGHT: Okay. Let's make that the  
 6 definition rather than nonessential. Would that make  
 7 it easier? If you turn off, let's put midnight as a  
 8 time, and that means off is decorative, landscape --  
 9 what was the other one?  
 10 MR. von MEIER: Artistic.  
 11 CHAIRMAN KNIGHT: Artistic, whatever that  
 12 is. So does that satisfy if you turn off at midnight  
 13 decorative, landscape, artistic; is that okay?  
 14 MS. FREEMAN: Yeah.  
 15 CHAIRMAN KNIGHT: Good? Good? Good? Good?  
 16 Good? Okay. That's fine.  
 17 MS. ROSENE: We are talking --  
 18 CHAIRMAN KNIGHT: Mr. von Meier will repeat  
 19 what we just agreed to -- tentatively agreed to.  
 20 MR. von MEIER: Hours of operation,  
 21 decorative, artistic and landscape lighting shall not  
 22 be operated after 12:00 a.m. midnight.  
 23 CHAIRMAN KNIGHT: Yes, 12:00 a.m. to dawn.  
 24 MR. von MEIER: Till dawn? Okay.

1 would be nonessential. This definition opens it up  
 2 for that.  
 3 MR. ANDERSON: The same thing could be said,  
 4 though, if you've got a party in your yard and you are  
 5 entertaining and you've got all your landscape  
 6 lighting on at 1:00, 2:00, 3:00 o'clock in the  
 7 morning, you've still got people out there, is that  
 8 special purpose or is that nonessential?  
 9 MR. von MEIER: It's being actively used?  
 10 MR. ANDERSON: Correct. Yeah.  
 11 MR. von MEIER: So it falls out of the  
 12 nonessential definition. But if it's not being  
 13 actively used, that's where it gets a little gray.  
 14 CHAIRMAN KNIGHT: That means you have  
 15 your -- we can correct that by saying midnight.  
 16 MR. MULLEN: Sure.  
 17 MR. JOHNSON: Who cares. Who is out at  
 18 midnight other than Karen checking to see if I've got  
 19 my lights on or not. It would be helpful to get me  
 20 from a yes-or-no vote or at least consideration is to  
 21 define exactly what it is you are describing as  
 22 nonessential.  
 23 CHAIRMAN KNIGHT: Would that be decorative  
 24 and landscape lighting then.

1 CHAIRMAN KNIGHT: Whatever time that is.  
 2 MR. von MEIER: Continually.  
 3 CHAIRMAN KNIGHT: Are we good on  
 4 amortization given Mr. von Meier? How about  
 5 nonresidential amortization, any issues there?  
 6 MR. ANDERSON: Just the January 1st, 2010.  
 7 MR. JOHNSON: I see those ten years in  
 8 there.  
 9 CHAIRMAN KNIGHT: They have ten years there.  
 10 MR. JOHNSON: Nancy, there's ten years in  
 11 this provision.  
 12 MS. MASTERSON: Where is it?  
 13 MR. JOHNSON: 2(a).  
 14 MS. MASTERSON: 2(a)? That's probably  
 15 because they are thinking it will be that long before  
 16 we have nonresidential.  
 17 MR. JOHNSON: Three is out, right? We took  
 18 that out, right?  
 19 CHAIRMAN KNIGHT: We took any reference to  
 20 residential in that section out.  
 21 MS. ROSENE: Landscape lighting is separate.  
 22 CHAIRMAN KNIGHT: We are looking on page 18,  
 23 item three, Mr. von Meier, that references,  
 24 cross-references residential and nonresidential uses

1 and Section 5(3) (a) and Section 6(3) you are going to  
 2 clean that up so we don't have cross-referencing, it  
 3 will be addressed separately in each section.

4 MR. von MEIER: Yes, this may fall out with  
 5 respect to residential.

6 MR. JOHNSON: Are you going to have this  
 7 done by Wednesday?

8 MR. von MEIER: Sure.

9 CHAIRMAN KNIGHT: Let's take the dates. It  
 10 says on or before January 1, 2010. I think we have to  
 11 probably almost say 12 at this point. Would that be  
 12 fair?

13 MS. FREEMAN: Yes.

14 CHAIRMAN KNIGHT: Okay. That's paragraph  
 15 two, on or before January 1, 2012.

16 MS. ROSENE: Can't you just say upon  
 17 enactment?

18 CHAIRMAN KNIGHT: No, you got to give people  
 19 time.

20 MS. ROSENE: To turn lights off?

21 CHAIRMAN KNIGHT: I think it would be very  
 22 intrusive to enact immediately. You have to give  
 23 people time to do the right thing.

24 Mercury vapor light fixtures, let's take

1 required would be are there any required lighting  
 2 plans other than new ones?

3 CHAIRMAN KNIGHT: Whatever is at this point,  
 4 no. This is -- we covered that earlier when we  
 5 referenced nonresidential, that they have to go before  
 6 the Plan Commission and get approved. Remember that?  
 7 It had to do with paragraph 11, I think.

8 MR. von MEIER: Yes.

9 CHAIRMAN KNIGHT: And approval of all  
 10 nonresidential lighting shall be reviewed by the Plan  
 11 Commission and ratified by the Village -- and ratified  
 12 in conformance with the procedures outlined in Section  
 13 8. Mr. von Meier was going to make that change. This  
 14 is procedures in Section 8 that referenced that.  
 15 Right?

16 MS. MASTERSON: Now, how do you find a plan?  
 17 I know landscapers do lighting plans but I still don't  
 18 know who, other than landscapers, makes plans for  
 19 lighting. How do you go about that?

20 CHAIRMAN KNIGHT: We are going to let the  
 21 expert respond to that.

22 MR. PENN: For commercial properties at  
 23 least, it's usually an electrical engineer or an  
 24 architect possibly but, I mean, I do a lot of lighting

1 that to 12 as well. I think the way this was  
 2 originally written it was intended to be a year's  
 3 grace period, if you will. So I think in the spirit  
 4 of that, we stay with that. Probably on "D" put 17,  
 5 I'm just adding two years to this. Probably -- well,  
 6 we'll let Mr. von Meier come up with something that  
 7 makes sense on that paragraph one on residential. All  
 8 right. Are we done with the amortization? Any other  
 9 concerns at this point?

10 (No response.)

11 CHAIRMAN KNIGHT: Procedures. I'm going to  
 12 ask staff a question on procedures. Mr. Kosin, on  
 13 behalf of staff, on these procedures, are these  
 14 typical of what's acceptable to staff as far as  
 15 procedurally how these items should be addressed  
 16 regarding plans and whatnot to the village?

17 MR. KOSIN: Yes.

18 CHAIRMAN KNIGHT: Does anybody have any  
 19 specific comment on any of these? Mr. Kosin has  
 20 answered that procedurally this is pretty much in  
 21 conformance to the way they would review this as far  
 22 as the Plan Commission goes in their -- as a  
 23 recommending body to the Board of Trustees.

24 MR. JOHNSON: Proposed or required? The

1 plans for commercial parking lots and things like  
 2 that. So engineers. It could be a designer.

3 MS. MASTERSON: What about a home?

4 MR. PENN: I would assume it would be either  
 5 an architect or somebody working for the architect  
 6 like a landscape designer.

7 MR. JOHNSON: We had testimony from one  
 8 person who said he was in the business, had done 50  
 9 homes in Barrington Hills or something so I would  
 10 assume somebody like that.

11 MR. PENN: I don't do a lot of residential  
 12 designing, but I know there's a lot of landscape  
 13 designers that include lighting and sometimes I'll  
 14 consult with a landscaper, you know, to do electrical  
 15 plans, lighting plans for them. So it's a combination  
 16 of architect, landscape designer, engineer.

17 CHAIRMAN KNIGHT: But they still have to go  
 18 through the permitting process for that installation?

19 MR. PENN: Well, depending on the local  
 20 ordinance, yeah.

21 MR. von MEIER: I believe these requirements  
 22 are only for nonresidential light.

23 CHAIRMAN KNIGHT: Yeah. All right. Let's  
 24 go back to the -- any other comments on that section?

1 (No response.)  
 2 CHAIRMAN KNIGHT: All right. Let's go back  
 3 to the few sections that -- I think we made it through  
 4 the definitions section without issue. Let me just go  
 5 to where I believe we do have outstanding issues.  
 6 Let's just head one off. Member Johnson has an issue  
 7 or believes the issue of a measured acre should be  
 8 discussed, correct?  
 9 MR. JOHNSON: Right.  
 10 CHAIRMAN KNIGHT: Okay. What are your  
 11 questions?  
 12 MR. JOHNSON: Where is it?  
 13 CHAIRMAN KNIGHT: Oh, I don't know. We are  
 14 just saying that there is light limitation, the 10,000  
 15 lumens per measured acre.  
 16 MR. von MEIER: Section 5.2.  
 17 MR. JOHNSON: To me that one sort of snuck  
 18 up on us. Five point what?  
 19 MR. von MEIER: Section 5, sub two.  
 20 CHAIRMAN KNIGHT: On page 12.  
 21 MR. JOHNSON: Yeah.  
 22 MS. MASTERSON: Okay. For all nonexempt  
 23 exterior lighting.  
 24 MR. JOHNSON: I guess it was the last

1 going to actually try, you know, a practical matter to  
 2 enforce this or evaluate it even, there has to be at  
 3 least some guidelines to what a measured acre is. Is  
 4 it a circle? Is it a square? I mean, if it's a  
 5 rectangle, it could be a very long, thin rectangle.  
 6 CHAIRMAN KNIGHT: What the Village has  
 7 called upon in other instances to deal with a measured  
 8 acre, I think the concern that this board addressed  
 9 that it's not open to interpretation by an individual  
 10 and, you know, I would suggest that just as when we  
 11 are looking at FAR's and things of that nature when we  
 12 have irregular-shaped lots that the staff bends over  
 13 backwards to maximize that lot.  
 14 Again, the goal in this community has never  
 15 been to find somebody in violation but it has always  
 16 been, in my ten years experience, that the staff tries  
 17 to figure out what is most advantageous to the  
 18 property owner and if we continue in that vein, if  
 19 there's an issue and, again, we could not have an  
 20 issue in ten years on this lighting but in the event  
 21 that we do, if there is a way to measure it to  
 22 maximize to the benefit of the property owner and it's  
 23 not done, I think I made this statement before, the  
 24 property owner has the ability to appeal that decision

1 meeting or the first time I focused on that term and  
 2 then I found out that it's not really defined and so  
 3 we kept talking about five-acre lots that have 50,000  
 4 lumens, that's not true the way --  
 5 CHAIRMAN KNIGHT: That's correct, and I'm  
 6 not sure, I have to go back and read that we were  
 7 referencing 50,000 lumens bundled but at any rate --  
 8 MR. JOHNSON: Well, for example, though,  
 9 when we asked our engineering firm to do a survey of  
 10 some homes, he certainly was not directed to look at  
 11 the measured acre, he looked at lumens.  
 12 CHAIRMAN KNIGHT: That's correct, he did.  
 13 MR. JOHNSON: So I would assume that if he  
 14 went back and revisited those seven properties, he  
 15 would probably find seven properties in violation  
 16 of --  
 17 CHAIRMAN KNIGHT: I think we asked that  
 18 question at the previous or maybe two meetings ago, I  
 19 think we asked you that question and I think you  
 20 said -- I'll just let you answer it again.  
 21 MR. PENN: The difficulty is just what shape  
 22 is a measured acre. I mean, I could draw an acre, if  
 23 it was thin enough, that included every single light  
 24 on the property. You know, if it's just -- if we are

1 before the Zoning Board of Appeals. And generally  
 2 when we've seen this happen before, the applicant  
 3 would provide their testimony that, hey, this is  
 4 another way to figure if it makes it work.  
 5 So the likelihood of the Village trying to  
 6 take advantage of somebody is practically nil. Is  
 7 that fair, Mr. von Meier?  
 8 MR. von MEIER: Yeah, I think so.  
 9 MR. JOHNSON: Well, why don't we define it  
 10 that way then?  
 11 CHAIRMAN KNIGHT: Here is the risk if you  
 12 start defining it that way, and I think we had that  
 13 problem a couple years ago on measuring properties,  
 14 that if you are stuck on one given way of measuring  
 15 something, that may be to the -- that may disadvantage  
 16 an applicant.  
 17 MR. JOHNSON: You would define it to the way  
 18 you just said it is, a measured acre would be defined  
 19 in a manner that maximizes the --  
 20 CHAIRMAN KNIGHT: Well, okay. Could you do  
 21 that, Mr. von Meier? Does that make sense?  
 22 MR. von MEIER: I'll consult with the  
 23 village engineers and see what I can come up with.  
 24 CHAIRMAN KNIGHT: Okay. All right.

1 MR. JOHNSON: I mean, otherwise, because we,  
 2 at our public hearings, I think we led everybody on  
 3 that we were talking with this proposal you have  
 4 50,000 lumens to use. Okay.  
 5 MR. MULLEN: Right, five acres, 50,000  
 6 lumens.  
 7 MR. JOHNSON: All of a sudden once I focused  
 8 on what measured acre meant and the discussion we had,  
 9 certainly we were not discussing giving people 50,000  
 10 lumens, it was you got your house there and we are  
 11 going to -- you've got maximum of 10,000 lumens there,  
 12 which is not what we discussed I don't think at all  
 13 during the public hearings and certainly that's not  
 14 what you --  
 15 CHAIRMAN KNIGHT: I have to go back and look  
 16 as to whether we did or not and if it was an  
 17 oversight, I'll accept any responsibility for not  
 18 directing that in the right direction.  
 19 MR. MULLEN: The problem I see is my lot is  
 20 700 feet deep. I'm not going to be lighting the back  
 21 of that lot for any reason. My light is going to be  
 22 all up around the house.  
 23 CHAIRMAN KNIGHT: I have to go over there  
 24 and check it out.

1 MR. JOHNSON: Isn't that true with most  
 2 people, though? I think most people put the lights  
 3 around the home.  
 4 CHAIRMAN KNIGHT: Here is the reason behind  
 5 it. If somebody had 30 acres and they decided they  
 6 wanted to put 10,000 lumens per acre and concentrate  
 7 it on the site of their house, which was sited on one  
 8 of that 30 acres, you have an issue.  
 9 MR. MULLEN: Just put a cap on it.  
 10 CHAIRMAN KNIGHT: I think we are in the  
 11 right direction where we are at and I think if we have  
 12 language that says 10,000 lumens per measured acre and  
 13 the measurement, as Member Johnson has suggested will  
 14 be taken as to maximize the lighting per measured acre  
 15 and Mr. von Meier will -- I think that resolves the  
 16 issue. Again, the goal of the intent has never been  
 17 to punish or penalize, at least in my ten years. So I  
 18 spend a -- see what we can do as a zoning board to  
 19 allow a property owner to use their property --  
 20 MR. JOHNSON: Would that be administratively  
 21 feasible to do it that way?  
 22 MR. PENN: Yeah, I mean, if there's a way  
 23 that we can just -- we can divide it up. I mean, if  
 24 that's the way our direction is to divide it up,

1 that's fine.  
 2 MR. JOHNSON: Bob, would that be --  
 3 MR. KOSIN: Yes.  
 4 CHAIRMAN KNIGHT: Okay. We are good on  
 5 that. Are we all good with that the way we've  
 6 resolved that?  
 7 MR. JOHNSON: Are we back to the ones we  
 8 haven't --  
 9 CHAIRMAN KNIGHT: There are a couple that I  
 10 highlighted, Mr. von Meier graciously slotted as  
 11 requiring further discussion. That would be on  
 12 page 13, 3(c), no lighting or fixture mounting  
 13 assembly shall be affixed, attached on trees, what  
 14 have you, but I think we've agreed that or at least a  
 15 majority have said if we -- you can put it on a tree  
 16 if you want as long as it's no higher than 15 feet and  
 17 points down.  
 18 MS. ROSENE: Right.  
 19 CHAIRMAN KNIGHT: That's what we said.  
 20 Okay. So, Mr. von Meier, would you make that? Maybe  
 21 that doesn't please 100 percent of us but it pleases  
 22 most of us.  
 23 MR. JOHNSON: Are you talking about me?  
 24 MS. FREEMAN: Jon, the wording that was

1 inserted here says that the board was leaning toward  
 2 limiting the height to 15 feet, requiring it to be  
 3 angled downward and requiring that it be shut off by  
 4 11:00 p.m.  
 5 CHAIRMAN KNIGHT: Well, that's what we have  
 6 already covered on another occasion as to tree  
 7 lighting and height lighting.  
 8 MS. FREEMAN: So hang on, just to make sure  
 9 I follow you, the height --  
 10 CHAIRMAN KNIGHT: Goes off by midnight.  
 11 MS. FREEMAN: Will it apply to this?  
 12 CHAIRMAN KNIGHT: It will apply to this as  
 13 well.  
 14 MS. FREEMAN: Okay. That's what I wasn't  
 15 sure.  
 16 CHAIRMAN KNIGHT: Those go off at midnight.  
 17 MS. FREEMAN: Got it.  
 18 CHAIRMAN KNIGHT: Security lighting.  
 19 MR. ANDERSON: Can we just one last one on  
 20 that. I know we had the 15 feet we are talking about.  
 21 The setback was in the freestanding light fixtures  
 22 which would have been on poles. I assume we are going  
 23 to treat the tree mounted the same as freestanding?  
 24 MR. von MEIER: I've combined the two.

1 MR. ANDERSON: That's fine. I just want to  
 2 make sure we are on the same page.  
 3 CHAIRMAN KNIGHT: Okay. Security lighting,  
 4 I thought we had asked -- Mr. Johnson had suggested --  
 5 I can dig through the transcript, that we go back to  
 6 the, in a quick summary, that we go back to the  
 7 original definition that was tendered by the Plan  
 8 Commission on the definition of security lighting and  
 9 how did we state that.  
 10 MR. von MEIER: There's a definition now in  
 11 security lighting and it does state, "Exterior  
 12 lighting installed primarily for personal safety or  
 13 emergency purposes that is extinguished either  
 14 automatically or manually within 30 minutes upon  
 15 cessation of the actual or perceived emergency." It's  
 16 then exempted in Section 3 sub 4(b), exempt lighting.  
 17 The following are exempt from the provisions of this  
 18 ordinance "B" -- actually, I apologize, it's actually  
 19 sub "A" and it's security lighting exempt. So that  
 20 definition of security lighting is exempt.  
 21 CHAIRMAN KNIGHT: Okay. We are good on that  
 22 but then we had -- I think what Member Johnson  
 23 suggested was that if somebody felt comfortable with  
 24 additional lighting as security lighting if they

1 wanted to leave it on after the half hour they could  
 2 but that would go to the 10,000 lumen restriction.  
 3 MR. von MEIER: It just does automatically  
 4 once it stops being security lighting, it becomes  
 5 other exterior lighting.  
 6 CHAIRMAN KNIGHT: It spills over. Okay.  
 7 MR. JOHNSON: That's what we agreed to last.  
 8 CHAIRMAN KNIGHT: We are good on that.  
 9 Okay. Let's go on, 13 Energy Conservation. I think  
 10 some felt we should have that in there. Others felt  
 11 that would be very hard to impose on somebody and  
 12 certainly very difficult for a neighbor to claim that  
 13 somebody was causing them undue stress on their  
 14 property because they didn't have energy efficient  
 15 lighting fixtures and some of us felt it would be best  
 16 to strike that.  
 17 MS. ROSENE: Well, but also it's not just to  
 18 conserve energy, it's to minimize sky glow and  
 19 excessive lighting.  
 20 CHAIRMAN KNIGHT: That's covered in other  
 21 sections and, you know, I'll just take a quick vote,  
 22 go around the table. Do we strike it or discuss it?  
 23 Member Mullen?  
 24 MR. MULLEN: Out.

1 CHAIRMAN KNIGHT: Out. Member Masterson?  
 2 MS. MASTERSON: Out.  
 3 CHAIRMAN KNIGHT: Member Johnson?  
 4 MR. JOHNSON: I really hate to agree with  
 5 Nancy, but I will.  
 6 CHAIRMAN KNIGHT: Member Anderson?  
 7 MR. ANDERSON: We can take it out.  
 8 CHAIRMAN KNIGHT: Okay. For the record,  
 9 Member Freeman?  
 10 MS. FREEMAN: You know, I, without going  
 11 back through, I would want to leave it in.  
 12 CHAIRMAN KNIGHT: Member Rosene?  
 13 MS. ROSENE: I'd like to leave it in and I  
 14 think we need to cross out the word where to conserve  
 15 energy and to minimize sky glow and excessive  
 16 lighting, comma --  
 17 CHAIRMAN KNIGHT: I'm going to put my vote  
 18 in here and that will be five against two, so the  
 19 consensus is to strike it.  
 20 MS. ROSENE: So let's not bother to correct  
 21 it.  
 22 CHAIRMAN KNIGHT: The final thing that's  
 23 under consideration here, do we prohibit HID light  
 24 fixtures?

1 MR. MULLEN: No.  
 2 CHAIRMAN KNIGHT: We keep them? If somebody  
 3 wants them, fine because that will be addressed  
 4 under --  
 5 MR. MULLEN: Because we have got the light  
 6 trespass and --  
 7 CHAIRMAN KNIGHT: Yeah, okay. Member  
 8 Masterson, prohibit or let them have it?  
 9 MS. MASTERSON: Do they have mercury vapor  
 10 in them?  
 11 CHAIRMAN KNIGHT: No.  
 12 MS. ROSENE: Some of them do.  
 13 CHAIRMAN KNIGHT: We are eliminating mercury  
 14 vapor.  
 15 MR. MULLEN: That's out.  
 16 CHAIRMAN KNIGHT: Mercury vapor is out.  
 17 MR. MULLEN: That's included.  
 18 MS. FREEMAN: You are mixing up  
 19 nonresidential and residential.  
 20 MR. MULLEN: If you are going to take it  
 21 out, mercury vapor is still prohibited.  
 22 MS. ROSENE: In nonresidential.  
 23 CHAIRMAN KNIGHT: Anywhere. Mercury vapor  
 24 lighting --

1 MS. ROSENE: Is that right?  
 2 MR. JOHNSON: What did we take it out of?  
 3 MS. FREEMAN: We didn't take it out of  
 4 residential.  
 5 MR. JOHNSON: It's out of nonresidential.  
 6 Where did we take it out of?  
 7 MS. ROSENE: We took it only out of --  
 8 CHAIRMAN KNIGHT: Mr. von Meier, I thought  
 9 you referenced that.  
 10 MR. JOHNSON: It's in the definition.  
 11 MR. von MEIER: No, we haven't discussed it  
 12 in residential. If you want to make a change, you  
 13 might want to say prohibited light fixtures, period,  
 14 mercury vapor, period.  
 15 CHAIRMAN KNIGHT: Let's put that in because  
 16 I think we don't want it appearing anywhere.  
 17 MS. MASTERSON: Right. I'll agree to that.  
 18 CHAIRMAN KNIGHT: HID light fixtures okay?  
 19 Mullen says yes.  
 20 MR. JOHNSON: Wait a minute.  
 21 MS. MASTERSON: If it has the --  
 22 CHAIRMAN KNIGHT: Well, no, this is number  
 23 seven. We have already -- we have prohibited mercury  
 24 vapor.

1 may well be that the other restrictions may not be in  
 2 their code and that just may be an easy way for them  
 3 to prohibit a fixture. But I think if somebody has  
 4 that type of fixture, it's still going to have to, you  
 5 know, it puts out three or 4,000 or 5,000 or 7,000  
 6 lumens, it's going to make conformance very difficult  
 7 for that measured acre. But at any rate, you are  
 8 saying leave it out?  
 9 MS. FREEMAN: No, I want this in. I want to  
 10 prohibit.  
 11 CHAIRMAN KNIGHT: Member Rosene?  
 12 MS. ROSENE: Same.  
 13 CHAIRMAN KNIGHT: Well, you are outvoted  
 14 five to two.  
 15 MR. JOHNSON: This reads mercury vapor as  
 16 opposed to HID, right, Joe?  
 17 MR. von MEIER: Yes. One point, if you are  
 18 going to allow existing light systems under  
 19 amortization, that would mean that you would allow HID  
 20 lights in excess of 10,000 lumens.  
 21 CHAIRMAN KNIGHT: Not unless they -- well.  
 22 MR. von MEIER: You may want to consider a  
 23 different sort of amortization time period for HID.  
 24 Just a thought.

1 MR. MULLEN: Mercury vapor light fixtures  
 2 are prohibited.  
 3 MR. JOHNSON: But HID is not.  
 4 MR. MULLEN: Right. No, the other HID's are  
 5 not.  
 6 CHAIRMAN KNIGHT: Okay.  
 7 MR. JOHNSON: So this says HID. What are  
 8 we --  
 9 MR. MULLEN: We are going to change that HID  
 10 to mercury vapor.  
 11 CHAIRMAN KNIGHT: HID, yes or no, if it's  
 12 not mercury?  
 13 MR. MULLEN: If it's not mercury, it's okay.  
 14 MS. MASTERSON: I agree.  
 15 MR. JOHNSON: I'm with Nancy.  
 16 CHAIRMAN KNIGHT: Anderson?  
 17 MR. ANDERSON: Yes.  
 18 MS. FREEMAN: You know, for the record, this  
 19 prohibition is the most common one when I researched  
 20 all the other villages that even though they don't  
 21 even talk about lumens, they don't talk about height,  
 22 they prohibit HID fixtures. So I can't go along with  
 23 saying --  
 24 CHAIRMAN KNIGHT: But the reason for that

1 CHAIRMAN KNIGHT: Why don't you put that as  
 2 a thought because we are about to run out of time.  
 3 But I believe we have reached pretty much agreement on  
 4 everything in here and I would request that  
 5 Mr. von Meier incorporate all the things that we've  
 6 agreed on into a final document with the redrafting of  
 7 a few things so I think we'll have very little work to  
 8 do on Wednesday and we'll be in a position to make a  
 9 recommendation to the board.  
 10 MR. MULLEN: Are we going to see that before  
 11 Wednesday?  
 12 MR. von MEIER: I'll get it to you by 5:00  
 13 o'clock tomorrow.  
 14 MR. JOHNSON: We'll have the transcript  
 15 tomorrow?  
 16 CHAIRMAN KNIGHT: High-speed internet,  
 17 right?  
 18 MR. MULLEN: What's that?  
 19 CHAIRMAN KNIGHT: High-speed internet. Is  
 20 there anything else that we missed? Is there a motion  
 21 to continue this meeting to Wednesday, August 18th?  
 22 Is it the same building? 7:30 p.m., August 18th at  
 23 Countryside School to continue this. Do I hear a  
 24 motion?

1 MR. JOHNSON: Motion.  
 2 CHAIRMAN KNIGHT: Member Johnson.  
 3 MR. MULLEN: Second.  
 4 CHAIRMAN KNIGHT: Second, Member Mullen.  
 5 All in favor?  
 6 (Chorus of ayes.)  
 7 CHAIRMAN KNIGHT: No nays. We'll continue  
 8 this meeting.  
 9 MS. ROSENE: Right here?  
 10 CHAIRMAN KNIGHT: Same place. Right here.  
 11 Motion to adjourn?  
 12 MR. ANDERSON: So moved.  
 13 CHAIRMAN KNIGHT: Member Anderson. Second?  
 14 MS. ROSENE: Second.  
 15 CHAIRMAN KNIGHT: Member Rosene. All in  
 16 favor?  
 17 (Chorus of ayes.)  
 18 CHAIRMAN KNIGHT: Meeting adjourned.  
 19 (WHICH WAS AND IS ALL OF THE  
 20 MATTERS PRESENTED AT SAID MEETING.)  
 21  
 22  
 23  
 24

1 STATE OF ILLINOIS )  
 2 ) SS.  
 3 COUNTY OF C O O K )  
 4  
 5 I, CYNTHIA L. PEESEL, Certified Shorthand  
 6 Reporter and Notary Public doing business in the City  
 7 of Chicago, County of Cook, and State of Illinois,  
 8 state that I reported in machine shorthand the matters  
 9 presented at the public meeting of the Barrington  
 10 Hills Zoning Board of Appeals on the 16th day of  
 11 August, 2010, and that the foregoing is a true and  
 12 correct transcript of my shorthand notes so taken as  
 13 aforesaid, and contains all the matters presented at  
 14 said meeting, to the best of my knowledge and ability.  
 15  
 16  
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 23  
 24

Cynthia L. Peesel  
 License No. 084-002656  
 August 21, 2010

## A

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