

ENERGY EFFICIENCY ADVISORY COMMITTEE MINUTES

13 January 2021

6:30 p.m. Virtual Meeting

Present: Tom Rist, Anthony Dater, Nick Bartenhagen, Maggie Bartenhagen, and Sharon A. Staz, Chair

The agenda item for this meeting is to hold a hearing on a streetlight complaint from Anthony Dater, a resident living at 53 Fletcher Street in Kennebunk.

The meeting was opened, virtually, by Tabettha Barden from the Town Clerk's office. She turned the host duties over to the Chair and left the meeting.

Those present determined there would be a quorum present during the whole meeting so the Chair called the meeting to order about 6:40 p.m. There were no other members of the public present.

Mr. Dater was asked to present his complaint which the Committee had already received in writing. The original complaint was followed by several photographs showing the external and interior light pollution being caused by the recently installed LED light. Mr. Dater responded to questions by members of the Committee but made no other comments. He recused himself from discussion as he is a member of the EEC. The Committee members determined they had no other questions. Mr. Dater disconnected from the virtual meeting and was not present for the rest of the meeting.

All of the Committee members agreed that the current light does not conform to the Town's policy and indeed displays both light trespass and light pollution to a degree that is not acceptable. Mr. Dater requested that the current light be replaced with a Cree LED fixture. The Chair reminded the committee that no LED light fixtures have been accepted by the Select Board for installation and that the average resident would not know about the recommended light conversion. She said that she recommends that the Committee deny the request to install a different LED light. The Committee unanimously concurred. After discussion, the Committee determined that the installation of the light needed to be checked as it appears not to be horizontal to the road way which would add to the light trespass issue. The Committee also felt that due to the height of the fixture on the pole and the obvious glare of the diodes that a shield would be necessary on the side of the light that is mounted toward the home at 53 Fletcher Street. The Chair made a motion to request that KLPD check and adjust the installation of the nonconforming LED light fixture and be prepared to install a factory manufactured shield on the section of the light head that is toward the residence at 53 Fletcher Street. The motion was 2<sup>nd</sup> by Tom Rist and passed unanimously. The Committee then agreed to notify KPD that if the two recommended actions on the existing light couldn't be taken that it be replaced with a shielded HPS fixture currently the approved lighting fixture for the Town.

The Chair will notify KLPD, the Town Manager and the applicant of the Committees decisions and actions. The applicant has the right to appeal the Committee's decision.

There being no other business the meeting was closed around 7:45 p.m.

**TOWN OF KENNEBUNK  
APPLICATION FOR NEW STREET LIGHTING  
OR CHANGE IN EXISTING LIGHTING**

(Please Print)

Applicant's Name: Anthony Dater

Date: 11/21/20

Applicant's Mailing Address: P.O. Box 1103, Rt. 35  
Kennebunk, ME 04043

Street Light Location (existing or proposed):  
Fletcher St. Round-About

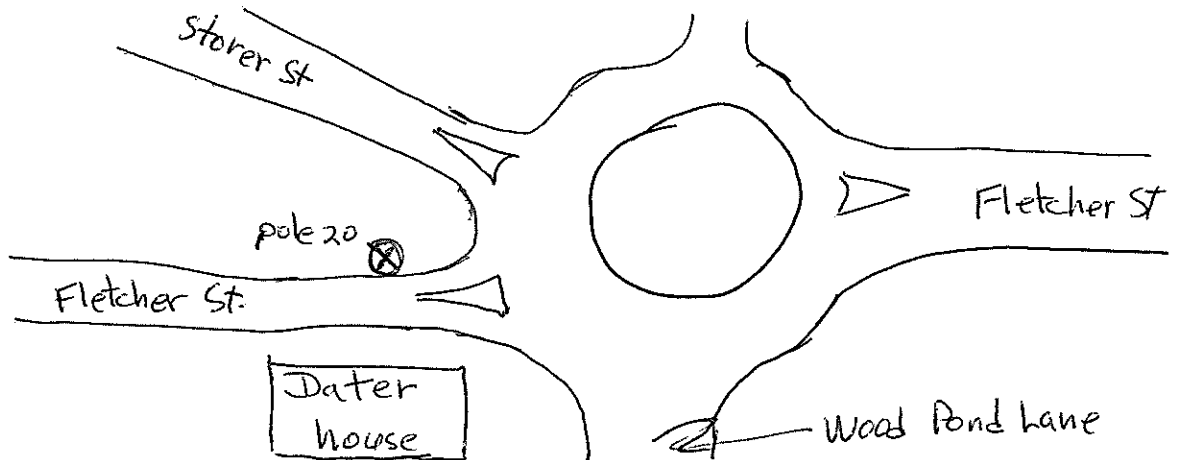
Applicant's Phone Number: (207) 985-4087

Pole #: 20 on Fletcher St. at east side of Round About

Please describe the lighting request (if a new light is requested, the location you suggest). If there is a utility pole at the location, copy down all the numbers on it.

Request recent LED light be removed and replaced with a CREE RWSQ<sub>1</sub> fixture recommended by the EEC plan for the Round-About. Due to its necessary extraordinary height, the CREE light needs to be positioned perpendicular (with a short arm) to the street, with Type II linear light distribution along the street and sidewalk and shielded on the front or side facing across the street.

Draw a sketch map of the location, showing the general area including streets, houses, utility poles and existing lights. If possible, show a street intersection or other prominent feature to assist in locating the requested lighting.



Explain as fully as possible why you feel the requested street lighting should be installed or changed.

Removed light had a 6" shield, graciously installed by KLPD in 2006, on its street-side to prevent light pollution - per the Town Street Light Policy - into my 2nd floor bedrooms, first floor living room and front yard. A shield actually concentrates more light where it is needed onto the street, sidewalk and Round-About. This makes the fixture more effective rather than wasting illumination sideways.

Signed: Anthony W. Dater I offer to pay for the shield.

31 January 2021

Mr. Todd Shea, General Manager  
Kennebunk Light & Power District  
4 Factory Pasture Lane  
Kennebunk, Maine 04043

Todd:

Sometime shortly before November 21<sup>st</sup>, 2020, Kennebunk Light & Power personnel removed a shielded high pressure sodium ((HPS) overhead street light fixture from Pole # 20 on Fletcher Street and replaced it with an LED overhead lighting fixture. As permitted in the Town of Kennebunk Long-Term Street Lighting Policy, the Energy Efficiency Committee received “an application for change in existing lighting” dated November 21<sup>st</sup>, 2020. The resident at 53 Fletcher Street requested a change in the fixture and complained about light pollution in the 2<sup>nd</sup> floor bedrooms, first floor living room and front yard of his home.

The Town Policy states: *“The Town’s street lighting shall be designed, installed and maintained to minimize as much as possible light trespass onto any private property, prevention of light pollution and strive to preserve the night sky . The Street Light Subcommittee shall be responsive to any Townsperson’s concerns about light trespass.”* In addition, no LED light fixture has been approved by the Town to be paid for by the Town although specifications for such a fixture have been developed.

Following policy protocol, the Committee held a virtual public meeting on January 13<sup>th</sup>, 2021 to hear from the complainant and make a determination on the application. The meeting was duly posted and abutters were notified by the Town Manager’s office. Only members of the Committee were present, one of who was/is the complainant. After determining that a quorum would be present to deliberate the application, the meeting was called to order around 6:40 p.m. Mr. Dater presented his application. He also presented photos he had taken since filing the application (see attached). Members of the committee had made the required site visits. After discussion and questioning, during which time the applicant recused himself except to answer direct questions, Mr. Dater disconnected from the virtual meeting. He was not present for the deliberations of the remaining committee members.

The Committee unanimously agreed on the following issues: the installed fixture has not been approved by the Town and it does not meet the proposed specifications for LED lighting; the existing fixture does indeed violate the Town policy regarding light pollution and light trespass; denied the applicants request to install a different LED light fixture; the installation of the fixture needs to be checked; the fixture will mostly likely require shielding after adjustment, if any. The Committee also agreed that if the requested changes to the existing fixture cannot be made that the fixture be removed and replaced with the approved fixture in Town that being a HPS fixture that is shielded on the residential facing section of the fixture.

The summary is that the installation be checked. It appears to all committee members that the head of the light is not precisely horizontal with the street face which is the method of installation required for the majority of LED lighting fixtures. Having researched LED lighting, the Committee is aware that the majority of LED street light manufacturers have factory made front, back and side shielding for their fixtures. Due to the height of the fixture on the pole and the glare of the diodes, the Committee believes pre-manufactured shielding on the residential facing section of the fixture will be necessary even after any adjustment in installation is made. The applicant, Mr. Dater, has offered to pay for the shield. The Committee took no position on this offer. The applicant has the right to appeal the Committee's decision. It is the practice of the Town that Select Board approval of a Committee's decision is only needed when lights are being added to the system because of the budget impact.

The Committee recognizes that this work will need to be scheduled into your crews other duties, but would appreciate any consideration you can give to having this fairly routine task completed in the near future. Through no fault of their own, these residents have been inconvenienced by this light for a little over two months due to the Holidays and COVID related staff rotations.

If you have any comments or questions please contact me via email [sastaz28@gmail.com](mailto:sastaz28@gmail.com) or phone 207 468 0428.

Thanking you in advance for your attention this matter,

Members of the Energy Efficiency Committee participating:  
Nicolas Bartenhagen, Tom Rist, Maggie Bartenhagen, Anthony Dater (recused)  
Sharon A. Staz, Chair

CC: Mike Pardue, Town Manager  
Anthony Dater, Applicant