

**MALABAR TOWN COUNCIL SPECIAL MEETING
OCTOBER 3, 2005 7:00 PM**

This meeting of the Council was held at Town Hall at 2725 Malabar Road. The meeting was called to Malabar Town order at 7:00 pm by Chair Bobbi Moccia. The prayer and pledge were led by Council Member Frank Hickson.

ROLL CALL: MAYOR/VICE-CHAIR	TOM ESCHENBERG
CHAIR:	BOBBI MOCCIA
COUNCIL MEMBERS:	FRANK HICKSON
	BRIAN VAIL
	STEVE RIVET
	PAT DEZMAN
ADMINISTRATOR:	ED BOOTH
DEPUTY TOWN CLERK:	CINDI KELLEY

DISCUSSION ITEM:

1. SITE LIGHTING IN MALABAR

The attendees from the Planning & Zoning Advisory Board are: Pat Reilly, Richard Cameron, Bob Wilbur and Jeff McKnight.

The meeting was opened by Mr. Rivet. His understanding was that the Advisory Board had some questions and concerns regarding this ordinance.

The Planning & Zoning Advisory Board came forward and addressed Council. Each board member addressed the Council with their concerns and questions individually.

The points of interest for the board are the following:

Mr. Reilly:

- **The light measurements should be the same for residential and commercial properties.**

Mr. Rivet stated that we are trying to take care of several issues with the two different measurements of lighting. Mr. Reilly still feels that we should have the same lighting measurements for commercial and residential lighting.

- **What is the difference between a lux and a lumen in light measurement terms?**

The measurement of a lux is equal to one lumen per square meter. The measurement of lumens is equal to the amount of light given out through a solid angle by a source of one candela intensity, radiating equally in all directions. Mr. Rivet stated that a full moon is 0.1 lux. The Council has spoken and agreed on having residential lighting no more than 0.2 lux, which is twice the brightness of a full moon.

- **Who is going to enforce this ordinance with the calibration of the lighting and maintaining it?**

Mr. Rivet stated that this enforcement would be treated like any other code enforcement issue that is brought to the Town's attention. If someone has a concern, they can call Town Hall and have the issue looked into. Mr. Rivet also stated that this would need to be defined, but the ordinance is not where it needs to be addressed.

- **Why this ordinance is needed?**

It was also stated by Mr. Rivet that the bright lights to the east of us are creeping our way. The more construction we have in Malabar, the more lights will be coming into our town. As discussed, it is the consensus of the Council that part of the rural atmosphere of Malabar is being able to go outside and look up at the stars. There are many animals that live in Malabar that need the darkness as well.

Mr. Cameron:

- **Height restrictions for pole lighting and lighting affixed to structures.**

Mr. Cameron stated that we need to have a maximum height limit be set for site lighting. Our code requirements state that no structure will be more than thirty-five feet in height. This should be the same for the lighting in Malabar as well. If someone puts a light up on their property under the maximum limit, this would be fine, but no more than thirty-five feet in the air. Mr. Vail stated that the height limit would not be a problem as long as the lighting is set from dusk to dawn. Mr. Hickson stated that the height wouldn't be the problem as long as the 0.2 lux measurement was followed. Mrs. Moccia stated that the regular street light would be the proper height, but no higher. Mr. Rivet stated that we should find out what the height of the street lights are in the town and have the height requirements match this. Mrs. Dezman stated that she believes it should be lower. She has a two-story home and if you put the light fixture at the highest point of the eaves, it will light up Country Cove all by itself. Mr. Hickson stated that the height won't make a huge difference because of the light measurement requirements of 0.2 lux.

- **What does opaque mean in regards to lighting?**

Mr. Rivet stated that opaque means that it is something that light doesn't go through and keeps the light from shining through.

Mr. Wilbur:

- **Height restrictions for pole lighting.**

Mr. Wilbur stated that we need to look at the height requirements for pole lighting as well. Section 1.5.30, number 10 talks about pole mounted lighting not exceeding four feet in height from the ground, with the light bulb not to exceed 100 watts of incandescent lighting shall be exempt. What about the lighting that exceeds by five to six feet in height? Section 1.5.30, number 9 states that any governmentally owned or municipally owned street lighting would be exempt. This should not be a problem. The question was asked if there had been any studies completed to see how long it would take to