

MODERATOR'S COMMITTEE ON LEAF BLOWERS  
August 17, 2016 Minutes

The Moderator's Committee on Leaf Blowers held a meeting on August 17, 2016, 5pm - 7:30pm in room 408 of Town Hall. Present were Committee members John Doggett, Dennis Doughty, Jonathan Margolis, Faith Michaels, Maura Toomey, Neil Gordon, and Benedicte Hallowell (from 5:10pm); and Advisory Committee members Lea Cohen and Janice Kahn.

The Committee reviewed the minutes from the July 20th, 2016 meeting and approved them, with minor amendments, by a vote of 6-0.

The Committee reviewed the minutes from the August 9th, 2016 meeting and approved them, with minor amendments, by a vote of 6-0.

**Enforcement Issues**

The first portion of the meeting was a discussion around code enforcement issues that are relevant to a proposal for a Code Enforcement Officer. Neil proposed that the exemption for the Town could be eliminated in favor of uniform use of an exemption process. Jon argued that a blanket exemption would be issued for the Town, which would then result in less oversight by Town Meeting. Faith thought that DPW should be consulted.

There was a debate about what the ideal lot size should be above which properties would be exempt from enforcement. Currently 5 acres but this results in inequity between various organizations (e.g., independent schools). John proposes 2 acres, which he argues would affect only a small number of properties (mostly schools). The Committee agreed.

The Committee discussed alternatives for identifying the Code Enforcement Officer and explored language options around funding, staffing, and the like. Eventually the committee decided to leave the funding and staffing options open for the full Advisory Committee to discuss, as explicitly deciding things such as work schedule for this role seemed to some like micro-management.

**Warrant Article Discussion**

The Committee then discussed a variety of issues relating to a possible Warrant Article to clean up ByLaws 8.15 and 8.31. The majority of the discussion revolved around whether to change the hours that gasoline-powered leaf blowers are allowed to operate. The Committee supported shifting the dates of operation by two weeks and eventually agreed to limit operation on weekends to end at 6pm. The Committee also discussed options for restricting the number of leaf blowers that could be in simultaneous operation. This was a sensitive topic, as there was some fear expressed that although the recommendation would be to impose a limit on the number of leaf blowers, some homeowners might read the restriction as an opportunity to

increase the number they were using. Eventually the Committee settles on a recommendation of no more than 2 leaf blowers per 7,500 sq. ft. lot.

The Committee agreed to hold a public hearing on August 31st.

**Public Comment**

Lea Cohen expressed concern that the leaf blower noise demonstration and tests held at Larz Anderson Park were not reflective of real-world experience in a more urban setting.

Janice Kahn spoke about the “importance of the Code Enforcement Officer. It’s important to have someone who can keep from requiring the police to be involved in complaints. Faith Michaels has been “de facto Code Enforcement Officer” and has shown that education is an important first step in trying not to escalate conflicts.” Janice described several anecdotes involving safety concerns, landscapers with false names on trucks, and neighbors who were unwilling to engage civilly in dialogues. She hopes a Code Enforcement Officer will help.