

**APPROVED BY  
THE SELECT BOARD**

3/29/2021

Meeting Minutes

SELECT BOARD MEETING  
MONDAY, FEBRUARY 22, 2021  
REMOTE MEETING  
7:00 PM

**RECEIVED  
TOWN CLERK  
BELMONT, MA**

DATE: April 5, 2021  
TIME: 2:57 PM

CALL TO ORDER

The Select Board was called to order at 7:00 pm by Chair Roy Epstein. Vice Chair Tom Caputo and Select Board member Adam Dash were present, along with the Town Administrator Patrice Garvin, and Assistant Town Administrator Jon Marshall.

Public Forum – Proposed Leaf Blower Control Bylaw

Roy Epstein announced that this forum is an opportunity for the public to comment on a draft leaf blower bylaw.

- Epstein listed some of the leaf blower issues discussed, to date, at previous Select Board meetings:
  - Noise
  - Environmental concern: electric vs. gas units
  - Hours and seasons of use
  - Economic effect on landscapers
  - What about private owners?
- Epstein commented that the current noise bylaw took three years before it was finalized. Bob Berens, one of the people responsible for the noise bylaw, is present at this meeting and hopefully he can share some of his experiences.

COMMENTS FROM RESIDENTS

David Sullivan: lifelong resident. He said this is the first he has become aware of the bylaw. He has no issue with hours, but, personally, because he landscapes his own property, he would like to be able to use tools throughout the summer; March thru late Fall. He hopes the town will not rush to put bylaw on the Town Meeting agenda.

Dante Muzzioli, landscape contractor, Belmont resident. He is concerned about the proposed hours of use in the bylaw. He would like to see a group of people, including landscapers, submit a report to the Select Board. He claims that electric leaf blowers have a life of 15 minutes before they need to be recharged, which means he would need to bring a generator on his truck and that would even make more noise. He also said he is opposed to the later start time of 8 am. He would like to be able to have his crews start at 7 am, especially during Fall hours when it gets dark early. He also feels that it is unrealistic to get a proposal together for Town Meeting review by May.

Bob Berens: He said he was on the noise bylaw committee 20 years ago. At that time, they talked about whether it was feasible to control the noise of leaf blowers, and decided against including specifics about this subject in the noise bylaw. He feels it is not possible to make leaf blowers quieter and

technology hasn't changed that much. He's sympathetic with Dante Muzzioli, because 15 minutes is not a lot of time to get a job done.

Geoff Lubien: He is a homeowner with a gas leaf blower. He uses it summer, spring and Fall. He feels electric leaf blowers don't have enough power. The battery life duration is even limiting for a homeowner. And he doesn't think gas units should be limited to just summer and Fall. He wants to be able to use them all season. Complaints that were issued last summer were about noise during the day, not the morning. Complaints may dissipate after COVID when less people will be working at home. He thinks that the hours of restriction should be the same as the general noise bylaw; 7 am start time on Monday – Saturday, and 8 am start time on Sunday. The larger the property, the more leaf blowers are needed. He thinks the restrictions should be focused on the number of blowers allowed at one time on a property.

Adriana Poole: Town Meeting Member, Pct. 1. She says that in addition to noise, leaf blowers cause pollution. She said her neighbors have blowers, and the smell is bad. As a town that is trying to go green, we should be thinking about the pollution. Electric leaf blowers and rakes can be used on large properties. Residents could also try to compost. Many communities around us have leaf blower bylaws. We have to find a middle ground.

Eleanor Howe, Stanley Rd. She feels that weekend and holiday hours should be extended until 8 pm.

Sue Bass. Town Meeting member. She said they have a half-acre lot and when she asked her landscaper to stop using leaf blowers, he complied and only uses rakes and brooms. She reported that her landscaper did not charge more for services when they stopped using blowers. She would like to see a ban on all leaf blowers, but she would be willing to allow electric blowers as a compromise.

James Ktona, landscaper: He thinks that the pandemic has exacerbated this problem. He would like to see a 7 am start time because in the Fall it gets dark early. Banning gas leaf blowers in Fall, will be a hardship for homeowners. He thinks their bill may increase 20% because of additional length of time it takes to do yard. He feels that limiting gas blowers would be acceptable, but completely restricting them would be devastating.

Epstein asked Mr. Ktona if gas blowers should be permissible in the Fall thru spring, and no leaf blowers allowed in January and February? Would that affect your business? Mr. Ktona said that last year, because of early snow, his crews worked until Jan. 15<sup>th</sup>. He suggested rewriting the bylaw to include an exception clause for early snow storms. He said his customers have been calling him concerned about the new bylaw. He heard that Arlington did not pass their leaf blower law and Newton is going to retract part of their law.

Peter Dorfman, long time resident. He feels regulation is needed even though he understands the different sides. He thinks the bylaw draft on the website doesn't go far enough. He has small piece of property, and during summer and Fall, there are entire days when he is subjected to noise and the smell of weed whackers, leaf blowers, etc. It's not the responsibility of residents to subsidize these landscaper

businesses. Running units at night is the worst, even by neighbors. There are plenty of other hours in the day to use them.

Epstein said that the bylaw is directed solely to leaf blowers. We are not discussing lawn mowers or other equipment. Although, eventually, we may find that limiting leaf blowers may not be enough.

Mary Alice Wistman: She is concerned with the general decibel level of lawn crews and the frequency of their work. She says she only uses a landscaper 2x year. She wonders how frequently do leaves need to be blown and are there quieter brands that can be used. She feels that electric technology is advancing all the time and we need to be searching for lower decibel engines and better battery technology.

George Carrett, Ecoquiet Lawncare: He said that his business In Concord uses electric leaf blowers on large properties. He thinks Belmont would lend itself well to electric landscaping. He claims his company can do 5 to 10 acres with electric leaf blowers. He uses leaf plows that make less noise. The noise and pollution are also a health impact for employees. There are carcinogenic compounds getting emitted from gas units. He thinks it's possible to use only electric in the Fall. He suggested phasing in the law gradually from less restrictive to more restrictive.

Barry Kaye: He questioned which is more important curbing toxic chemicals/noise or striving for perfection? If a few scraps of leaves or debris is left on lawns, who cares? People have always worked at home, and after pandemic, more people will work from home. He said he would like to see hard evidence about increased costs without the gas units.

Mike Atlas: He says he owns an electric blower and they are not silent, and his neighbors have asked him to cut back. Several different landscapers come by with three or four leaf blowers almost every day in his neighborhood for hours at a time. He reports that his battery powered leaf blower goes for 45 minutes. With a couple of batteries, he thinks he could use it for almost a full day. He also suggested that landscapers could use a battery wall for charging while on the job.

Ed O'Brien, Cushing Sq: He feels that this is not a COVID or Belmont issue. Communities all over the country have been banning leaf blowers for the last 20 years. Homes in Belmont are generally older so in the summer, due to no central air, people have windows open. The sound of a leaf blower puts a man into fight or flight mode! He doesn't think the bylaw goes far enough. He would like to see all gas units outlawed. If we can have an idling law for cars, then we should have a law for leaf blowers. The owner of Ecoquiet dispelled some myths. You can use a rake between 7 and 8 am and then use blowers after that. He thinks the bylaw complicates things too much when it gets into the size of yard.

Ian Todreas: Town Meeting member, Pct. 1. He feels that the role of government is to protect residents and support the pursuit of good health. It should not be to protect business. He would like to see surrounding communities work together and agree to adopt the same bylaws. Cambridge's model protects workers with eye and ear protection requirements. The issue for him is that the draft of bylaw allows operation for seven months and he thinks that's too long. Operating in spring is not necessary and he feels 12-hour days are too long. He would also like to see silent Sundays.



Carolyn Bishop: She suggested we do a gradual enactment of the law. She thinks we need to limit numbers of leaf blowers allowed at one time and that the start time should be 8 am. Leaves only need to be dealt with in April, and Sept – December. And she asked why the town should be an exempt agent? Maybe town should help pay for substitute machines.

Betsy Ludwig: She commented that the start hours are too early on the weekend. Teenagers need their sleep and they are wakened quite often from leaf blowers. Maybe town could help by promoting organizations like Ecoquiet Lawncare. Why can't one company be chosen by town and property owners can pay fee to town and then we only get noise pollution once per week?

Bob Gaumer: He said he is happy that the draft bylaw limits leaf blowers by size of property. Electric units can also be fairly noisy, but the fumes from gas units are the worst problem. He sees landscapers coming throughout the summer with leaf blowers, blowing minimal leaves. A lot of the machines are even left idling. And he said now the gutter cleaners are starting to use them. He feels that limiting blowers by size of property is a good idea

Phil Thayer, Town Meeting member, Pct. 6: Electric blowers may emit less fossil fuels and be quieter but they still emit particulates. Electric and gas blowers blow around pollen, mold, metals, and chemicals. Bylaw should address more than just noise. He would like to see no leaf blowers allowed at all.

Tom Good: Winn Brook area: He suggested setting a few days a week when landscapers could come and do lawns. Then people could plan their remote work around those days. He supports a silent Sunday rather than eliminating all blowers. A complete ban would not be a good idea, because of demand.

Darryl King: He feels that this is not just a COVID problem. There is a large population of retired people in Belmont. Most properties are not large lots, yet landscapers have up to four workers descending on a yard at one time. We have to limit numbers of people and blowers. You could have extra battery on hand rather than using generators. His personal choice is to totally ban gas blowers.

Elshad Kasumov: He said he has a small electric leaf blower and lawnmower. He feels that electric leaf blowers do have comparable power output but they are expensive. The cost may drive away smaller minority owned landscapers. He suggested having a slower roll out of the bylaw. He suggested rolling out the restrictions to allow for homeowners and landscapers to upgrade equipment over time. And he also suggested that maybe there could be financial incentives from the town; tax rebates or discounts on replacement batteries. Battery packs can run in the \$100s.

Gerry and Gwen Brown: They said they rake up to 90% of their leaves on a small property. They feel a leaf blower is not vital. Maybe gas units could be restricted to 1 or 2x in the Fall. And raking can be done in early morning hours instead of using leaf blowers then. They suggested a buyback program to switch over to electric.

Erin Lubien: She feels that there are frustrations with a lot of things in Belmont and that we can't try to legislate everything. It seems we could be crippling homeowners and businesses, crippling people who

can't rake their own lawns with this bylaw. The disagreements with electric units are disagreements with local business. She feels that we shouldn't try to regulate this issue governmentally. She suggested using NextDoor.com and work with our neighbors so that gas leaf blowers don't have to be banned entirely. When costs come down for electric units, then maybe we can revisit this issue. She is against a bylaw of any form and prefers buybacks and incentives.

John Robotham: Ban all leaf blowers and use rakes. It would not put landscapers out of business.

Dante Muzzioli: We need to find a compromise. Belmont cannot ban all blowers. Landscapers provide this service because property owners want it. There are lots of professional people who do not want to come home to rake leaves and at the same time, they want well-manicured lawns. He cannot believe that Ecoquiet Lawncare can be as efficient without gas units. The decibel reading on electric blowers are lower but these units are not as effective as gas units. We need to find common ground. Landscapers are focused on service, not revenue. Many people do not want compost.

Marina Atlas, Newton St: She said she has chronic migraines and gas units contribute to it. The fumes are the worst. She feels that if she is getting migraines, then what about employees. We should be urging regulations and trying to go green and have concerns for people with allergies. Health first; bylaws are a good start.

Adriana Poole: She thanked the Select Board for running the meeting. She agrees with everyone who said the law needs to be more restrictive. She noticed that landscapers were given more time to talk and residents were restricted to closer to two minutes.

Phil Thayer: He is not opposed to electrifying everything. But he says that particulate matter happens with both gas and electric leaf blowers. We have to face hard truths and follow the science. If it isn't healthy, let's try another way to do it.

Barry Kaye: Chemicals in gas blowers are highly carcinogenic. A typical unit puts out a much higher degree of emissions than a pick-up truck. If homeowners were aware, they would limit use and ask for electric units.

Connor Maguire, Hurley St. Let's be honest, raking is not as efficient as leaf blowing. Too many regulations are going to suffocate businesses.

Ed O'Brien: No one is trying to take away landscaper's businesses, we are trying to protect the health of residents. He thinks raking can be more effective. The issue is gas fumes, and the loud noises so he supports a combination of electric units and raking. He feels there are too many complexities in the bylaws and it should be simplified and ban all gas blowers. Minority businesses can afford rakes. Make rules easy, so neighbors don't have to report other neighbors.

Bill Trabilcy: Rakes are not efficient and you are not creating more work by using a leaf blower. If Ecoquiet from Concord has mastered this electric use, then let's try it.

George Carrett, EcoQuiet Lawncare: Regular leaf blowers are about 85 decibels, ours are 59 decibels. That is 1/20 of the annoyance level. We have done tests at 5 am and our electric blowers didn't wake people up. People shouldn't have to be told they have to wake up earlier, what about essential workers? Everyone deserves peace and quiet.

- Epstein thanked everyone for the ranges of thoughtful comments. But after listening to the comments, he realizes that it will take a while to get this bylaw completed.
- Dash said that policy needs a purpose. After this discussion, he has come to the conclusion that the will of community is still not clear as to the purpose of this proposed bylaw. He suggested conducting a survey to broaden the scope of the feedback and see if a consensus can be found.
- Epstein said that trying to put something together with a realistic chance of passing Town Meeting, seems like a tall order. There is a limit to the amount of time that can be dedicated to this subject. He said that the original noise bylaw used a study group. Maybe that would be more efficient than a survey. He feels that this will not be ready for Town Meeting by April or May.
- Dash said there could be compromise, but the breadth of opinion is too wide to finalize a draft bylaw for Town Meeting at this time.
- Epstein suggested that a future Select Board meeting could make some suggestions. Epstein thinks a survey would reflect the same diversity and not help clarify the issue.
- Caputo said he needs to digest feedback. And it does not seem that the right answer has started to emerge yet. He thinks we need to debate the facts further and we should continue the work on this issue.

Select Board was adjourned by a vote of (3-0).

Respectfully Submitted,



---

PATRICE GARVIN, Town Administrator