CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
NOVEMBER 15, 2022

ATTENDANCE: Lisa Shanahan, Chairman; Joshua Goldstein, David Heuvelman, Tom Livingston, Dominique Johnson, Brian Meek, Nora Niedzielski-Eichner

STAFF: Atty. Brian Candela

OTHERS: Dr. Sarah Evans, Louise Washer; Dana Laird, Historic Commission Chair; Diana Revolus (7:05 p.m.); Audrey Cozzrain, Michele Sorensen, Serrafino Carri, Tracy Dinkin, Tod Bryant, Norwalk Preservation Trust; Serrafino Carri, Betsy Wrenn, Jeff Cordulack

This meeting was held via Videoconference and Teleconference

CALL TO ORDER

Ms. Shanahan called the meeting to order at 7:02 p.m. A quorum was present.

PUBLIC HEARING

(possible action on):

• **Discuss and Vote on Temporary Prohibition of all Cannabis Establishments**.

Mr. Goldstein said that he hoped that the Zoning Commission had taken the draft regulations to public hearing, so he hoped that this would not be too long of an extension. Once the Zoning regulations are in effect, the moratorium will no longer be needed. This means it may only be a temporary stop gap measure.

There was no one from the public that wished to speak on this issue.

PUBLIC HEARING DISCUSSION:

**** MR. GOLDSTEIN MOVED TO APPROVE AND PRESENT THE TEMPORARY PROHIBITION OF ALL CANNABIS ESTABLISHMENTS TO THE COMMON COUNCIL AT THEIR NEXT MEETING ON NOVEMBER 22ND.**
**** THE MOTION PASSED WITH SIX (6) IN FAVOR (GOLDSTEIN, HEUVELMAN, JOHNSON, LIVINGSTON, NIEDZIELSKI-EICHNER AND SHANAHAN) AND ONE AGAINST (1) MEEK.**

PUBLIC COMMENT:

Atty. Candela said that an email regarding gas powered leaf blowers. He then read the following email from Ms. Emily Wade of Meeker Street into the record.

> Per Lisa Shanahan's email, I just wanted to reach out in support of restrictions on gas powered leaf blowers. Unfortunately, I'll be unable to make the meeting in real time to voice my opinion there so I hope this email can suffice in my stead. Should you need more detail as to why I support restrictions, my concerns are environmental and regarding noise pollution. Leaf blowers, whether gas or electric disrupt over wintering pollinators so it is best to leave the leaves in order to protect our fragile ecology. Gas powered leaf blowers are also responsible for a significant amount of emissions.
>
> As for noise pollution, I'm a musician and I cannot record in my home studio when there are leaf blowers at my neighbors' houses. Thus I would love to see usage restrictions for all types of noisy appliances, for example day/time usage restrictions. If I knew ahead of time which days would be quiet versus which days would have noise pollution, I could plan my work accordingly.
>
> Thank you so much for considering my opinion and for discussing this important topic and thanks for all the work you do in service of our City.

Ms. Audrey Cozzrain came forward and thanked the Ordinance Committee for their time. She said that the gas powered leaf blowers pollute the air and are an noise pollutant. They also destroy the insects that burrow in the leaves. She then stated that the gas powered leaf blowers pollute more than a Ford pick-up driving from Texas to Alaska. She suggested that the leaves be left on the ground as a best practice. She asked that they consider banning these noisy and harmful machines.

Ms. Michele Sorensen, 27 Popular Street, said that she had a registered landscaping business, Native Landscaping, and uses hand tools or electric tools. She uses hand saws for pruning and does not mow lawns. She said that at 72 years old, the gas pollution affects her. There are also young children on her street. This is highly disturbing to the birds, also. It also affects climate change. Banning these tools will be a major step towards climate change, reduce asthma and coronary disease.

Mr. Serrafino Carri came forward and said that he had been a resident for about 20 years. He said that there was a practical consideration. He sees the City as setting the metric and then asking other landscapers to provide solutions. He noted that Ms. Sorensen had provided a number of solutions and suggested that the City provide a pilot program to show the residents how to conform to the metrics. This will allow the initiative to spread on its own rather than being enforced.

Ms. Tracy Dinkin said that this was a major issue and thanked the Ordinance Committee for considering this issue. When she first moved to Flax Hill, it was a quiet neighborhood despite the busyness of the street. There are often multiple leaf blowers running at the same time and she has seen the leaf blowers left running while the operators take their breaks or lunch. It pollutes the air with gas fumes and disturbs the animals. Often there is dirt that can be swept into the street, but the operators blow it into the air. Noise pollution is a problem. People have lived for thousands of years without leaf blowers and hundreds of years with rakes.

Ms. Betsy Wrenn, 67 Weed Avenue, came forward and said that her neighborhood has 1 acre zoning. It is becoming a mental health issue. She ends up listening to music and can't go outside because of the noise. It is becoming untenable. People are blowing their grass and clearing off the driveways. Some of her neighbors are blasting everything in sight with their leaf blowers. She noted that her sister lives in Charlottesville and they do not use leaf blowers in that area.

Mr. Kevin Tepas, of Barnfield Road, said that the most recent projections regarding insect decline indicates the depletion of the food chain.

**** MR. LIVINGSTON MOVED TO ADJUST THE AGENDA TO ALLOW THE SPECIAL GUESTS TO PRESENT THEIR INFORMATION ON LEAF BLOWERS. ** THE MOTION PASSED UNANIMOUSLY**.

NEW BUSINESS:

- **Discuss Leaf Blowers**.

Ms. Shanahan said that while she was home during COVID, she became aware of the impact of leaf blowers have on the neighborhoods. She explained that there were four speakers and Dr. Evans would be speaking first.

Ms. Shanahan then introduced Dr. Evans who had previously helped the Ordinance Committee develop the pesticide ordinance.

Dr. Evans thanked the Committee for their time and said that she had previously lived in Norwalk but now lives in Fairfield. She then presented a PowerPoint slide deck on the Impact of Powered Leaf Blowers. She said that she had worked on projects for banning leaf blowers in other communities. With more people working from home, this noise pollution has become more evident. She noted that the gas powered leaf blowers create particular matter, benzene Formaldehyde, hydrocarbons NO_2, Co_2 and ozone. She noted that two stroke non road engines are a major source of air pollutants. She said that the use of these tools exposes the public to unnecessary health risks including heart disease, blood pressure, asthma, and lung cancer. It is an occupational hazard for landscapers. This air pollution also poses a risk to pregnant women along with infants and young children. This type of air pollution particulates penetrates deep into the lungs. She reviewed the numbers associated with air pollution contributing to death.

Dr. Evans displayed a graph showing the noise levels made by leaf blowers. They can be heard as far as 800 feet away and registered over the decibel levels recommended by the WHO outdoor daytime levels. There is a difference between the sounds of a battery powered leaf blower and gas powered leaf blowers. She also displayed a graph showing the levels of noise pollution. The pollution can induce hearing loss, impaired balance, stress, blood pressure, anxiety and depression, and a variety of other illnesses. She displayed a slide showing how individuals can reduce their exposure.

Dr. Evans then spoke about the impact that the gas emissions have on climate change. She also spoke about the recent move to preserve pollinators and encouraged everyone to "leave the leaves".

Ms. Shanahan said that she had prepared a packet that will be attached to the minutes that will include the PowerPoint slide decks.

Ms. Shanahan introduced Ms. Alice Ely, who is a Master Gardener.

Ms. Ely then narrated her PowerPoint slide deck titled Re-thinking Leaf Removal. She said that in Westport, the landscapers said that they could not enforce sustainable gardening practices. She works to educate groups with the Pollinator Pathways. It is time to rethink yard clean-up. The downed leaves support insect life. Yards that have leaf cover are nurturing themselves. There are levels of ground level ozone that can be dangerous. Leaves and clippings are adding nutrients back into the soil. Many insects over winter in leaf debris. They are a superb free mulch and decomposes more quickly.

Ms. Ely then spoke about several different ways to handle the leaf piles including mulching, composting and moving the leaves to a wooded area.

Ms. Shanahan explained that Valerie Jacobs was not able to attend the meeting so Ms. Louise Washer would be presenting information on Ms. Jacobs' behalf. Ms. Shanahan noted that Ms. Washer was the President of the Norwalk River Watershed Association and on the Mayor's Advisory on Water Quality.

Ms. Washer said that she would read Valerie's letter into the record and then narrate a PowerPoint presentation along with several resources.

Mr. Jeff Cordulack was the next speaker. He owns an organic landscaping business for the last four years. He said that it was not good to use gas powered tools and said that there were alternatives. He favors the use of electric gardening and landscaping tools. He added that he speaks with landscapers and given them some additional suggestions. He said that while the leaf blowers does not have to be used extensively, but there are times when it is important to use them. However, he tries to teach people to group the leaves on tarps to move them rather than blowing them. He explained that he started his business to see if it would be possible to do it

"right" without gas blowers. He displayed several photos of his clients property and the various electrical tools that he uses. He encouraged Norwalk to join the nearby towns in banning gas powered leaf blowers. They could consider to allow the gas powered leaf blowers in the spring and fall but not in the summer. Then the next step might be banning the gas blowers completely.

Mr. Livingston asked about the cost to the customers. Mr. Cordulack said that his equipment doesn't break down as much as the other ones. While his mower costs about $20,000, he has access to clients who only want electric. It eliminates the smell of gas on the equipment, the vehicles and the property. He noted that the battery machine was less costly but also required additional batteries. However, the gas blowers require about $50.00 a week in gasoline. While the overall costs may be a wash, using electric blowers leave the area cleaner.

Ms. Shanahan thanked the presenters for their work and providing resources.

Ms. Niedzielski-Eichner asked Mr. Cordulack if there were any programs to help landscapers with affording the electric equipment. He suggested that the landscapers think of converting to electric in a financial model. Ms. Niedzielski-Eichner said that there had been discussions about 0% loans through KIVA.

Mr. Meek asked about the leaf dump and noted that the Norwalk leaf dump had bankers hours. He wondered if people were hiring people to clean up their property because they couldn't get to the leaf dump when it was open. Ms. Shanahan noted that the presentations suggested that best gardening practices was to have the leaves left in place.

ACCEPTANCE OF MINUTES:

- October 18, 2022 – regular meeting of the ordinance committee.

**** MR. LIVINGSTON MOVED THE MINUTES OF THE OCTOBER 18, 2022 COMMITTEE MEETING**.

The following corrections were noted:

Page 2, please change "Mr. Goldstein said that the Ordinance Committee's work was contingent on the Zoning Committee."

To: "Mr. Goldstein said that effective date of the cannabis ordinance was contingent on the passage of the Zoning regulations."

**** THE MOTION PASSED WITH FIVE (5) IN FAVOR (GOLDSTEIN, JOHNSON, LIVINGSTON, NIEDZIELSKI-EICHNER AND SHANAHAN) AND TWO (2) ABSTENTIONS (MEEK AND HEUVELMAN)**.

OLD BUSINESS:

- **Discuss Chapter 55 - Demolition Delay ordinance**.

Mr. Livingston suggested that Mr. Tod Bryant of the Norwalk Preservation Trust present. Mr. Bryant displayed a photo of the remains of what used to be 21 Willow Street, one of the oldest houses in Norwalk. He noted that the penalties for demolition in Norwalk are very slack. The owner claimed that they were trying to remove a roof, but the on-site equipment being used was not the type that would be used to perform that task.

Mr. Livingston then noted the changes that the Committee had proposed. Discussion followed about breath of the proposed ordinance, the lack of information provided to the home owners upon purchase of the property, previous lack of quality construction, energy efficiency, and the potential for arbitrariness.

Ms. Laird, the Historic Commission Chair, then spoke and reminded everyone that this was not the first time that demolition had taken place on a historic structure. She listed a number of properties where demolitions had been done without permits. Mr. Bryant pointed out that there had been a historic plaque on the front of the house, which the owners had removed before the demolition started.

Ms. Shanahan thanked the speakers for bringing this matter to the attention of the Committee.

DISCUSSION ITEM

There was no additional items to discuss at this time.

ADJOURNMENT

**** MS. JOHNSON MOVED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY**.

The meeting adjourned at 9:18 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services