

From: Peter Lavery
Sent: Friday, October 23, 2020 8:28 AM
To: Brian Pugh <bpugh@crotononhudson-ny.gov>
Subject: Re: Potential Leaf Blower Legislation

Thank you. I suspected that this was the case, which prompted my response. I appreciate the explanation. Be well,

P-

Peter G Lavery, Esq.
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On Oct 23, 2020, at 7:54 AM, Brian Pugh <bpugh@crotononhudson-ny.gov> wrote:

Hi Peter,

Mr. Will's message was not included because they were from a non-resident and because he did not submit them with a request that they be included as a public comment. However, following your request, they will be included in the compendium of comments on this topic that will be included in the back-up at Monday's work session.

Thank you & have a good weekend,

Brian Pugh
Mayor, Village of Croton-on-Hudson
Stanley H. Kellerhouse Municipal Building, 1 Van Wyck Street, Croton-on-Hudson, NY 10520
P: 914-374-3960 F: 845-853-1509
bpugh@crotononhudson-ny.gov
<http://www.crotononhudson-ny.gov>
<https://www.facebook.com/CrotonGov>

On Tue, Oct 20, 2020 at 10:54 AM Peter Lavery <peter@laverylegal.com> wrote:

Dear Mayor Pugh, Manager King and Members of the Village Board:

I write after last night's Village Board work session to inquire as to why correspondence emailed to the board on October 9, 2020 by Mr. Larry Will (see, below) was not included in the Public Comment or Correspondence portions of last night's meeting. I re-submit same here (below) for the consideration of the Mayor and Village Board, and for inclusion in the record on the topic of the leaf blower ban recommended (and now subsequently amended) by the Conservation

Advisory Council. Mayor Pugh suggested that I include the CAC in my correspondence, and to that end, I have cc'ed Ms. Monahan here as well.

Please be advised that I have also begun coordinating several landscaping companies that actually service clients in our village and would be impacted by the CAC's unnecessarily broad proposal. I have also asked the Hudson Valley Gateway Chamber of Commerce to call on its members to coordinate an industry meeting of its membership and our local businesses as well. Our collective interest is to address and formulate parameters of industry self-regulation, in keeping with recognized best practices and the Outdoor Power Equipment Institute guidelines for courteous and safe use of leaf blowers. The response has been categorically positive and encouraging. Our goal would be to implementing solutions to the issue of disruptive noise caused by excessive use of loud leaf blowers. These solutions would likely follow the parameters suggested in my August 17, 2020 letter to the Mayor and Village board, and in keeping with the several resources addressing appropriate use. In addition to the myriad resources included in Mr. Wil's October 9 email, his website, www.leafblowernoise.com notes the importance of proper and courteous use of leaf blowers, citing a great resource for end users, manufacturers and professionals,

"Outdoor Power Equipment Institute in Alexandria, VA [has] developed bilingual pamphlets that outline how leaf blowers should be used. They tell how not to generate dust through proper nozzle positioning and throttle control. They point out that it is irresponsible to use blowers on loose dirt, gravel drives and dust covered surfaces. Guidelines are given concerning the operation of leaf blowers in residential areas or when bystanders are present. It recommends acceptable hours of use. And, it offers suggestions as to when and why older blowers should be replaced by new quieter versions."

The primary focus of our efforts will be the issue of leaf blower safety and noise, which can be excessive when these machines are improperly employed. Further, I have suggested to one manufacturer that they consider recognizing participating stakeholders by offering discounts on sound-attenuated machinery (see the difference here, <https://www.youtube.com/watch?v=we53mukGUA8&feature=youtu.be>). I hope to have the HVGCC convene a meeting toward this goal in the earliest days of the new year, once the industry's busiest season (autumn) concludes. It is our well-informed sense that many steps can be agreed upon and publicized to address residents' concerns, which can tailor a more practical, legally appropriate remedy to factual and well-supported concerns. Please advise if this additional information is submitted and made part of the relevant record timely to inform the Village Board's ultimate consideration of this topic. Thank you for your efforts and assistance. Respectfully,

P-

Peter G. Lavery, Esq.

----- Forwarded message -----

From: **Larry Will** <info@leafblownoise.com>
Date: Fri, Oct 9, 2020 at 11:06 AM
Subject: Potential Leaf Blower Legislation
To: Mayor Brian Pugh <bpugh@crotononhudson-ny.gov>

September 21, 2020

TO: Mayor Brian Pugh, Croton On Hudson, New York
Copy: Deputy Mayor Ann Gallelli
Trustee John Habib
Trustee Sherry Horowitz
Trustee Andy Simmons
From: [Larry Will](#)

[<image001.jpg>](#)

Reference:

<https://view.earthchannel.com/PlayerController.aspx?&PGD=crotononhudson&eID=793>

I see from the referenced Internet video that Croton is being advised by the Conservation Advisory Council to ban gasoline powered leaf blowers permanently. There is a legitimate reason for considering this, which is noise, but most of what the advisory council is presenting is false and unsubstantiated. If I may, I would like to provide insight as to why I say this so your decision concerning the future of leaf blowers in Croton is fact based.

I am a former Vice President of Engineering for Echo Inc., a leading manufacturer of powered handheld lawn care products. I am not a stakeholder in your community's leaf blower issue, nor am I trying to interfere with any decision you deem necessary. But I am a source of facts about the design and use of cordless and gasoline powered leaf blowers. Please click [here](#) to review my qualifications and credentials.

Well intended though they may be, my first observation is that none of the presenters in the forum are professionals, that is, none of them are in any way professionally involved in the use, development, or accreditation of the leaf blower. They can only quote information presented by others with no way of knowing if what they present is based on facts, qualified tests or is simply inuendo and opinion. One very blatant inaccuracy is the quote from Edmonds.com. The primary reason is because their test equipment is inaccurate when testing a 3-horsepower engine on equipment designed for a 300-horsepower engine. To learn all the facts about this test, see the [explanation](#) on my website.

As for the pollutants attributed to leaf blowers, their so-called facts are totally wrong. Take carbon monoxide (CO) for instance. This exhaust component is directly proportional to the amount of fuel burned and that in turn is dependent on the size of the engine and how long it is run. Even logic can tell you that a Ford Raptor, running at any distance, will develop more CO than a leaf blower. The same is true of [greenhouse gas](#) (CO₂).

Nitrous oxides (NO_x), which is the source of [particulate matter](#), are not present in any appreciable amount in exhaust from gasoline powered engines. That's because it takes excess nitrogen and oxygen in the combustion cycle of the fuel to generate NO_x. The nitrogen component is not present in the fuel, rather it is in the general atmosphere, [78% to be exact](#). Only diesel engines generate NO_x because they do run on excess air. As you can see from the above link, even particulate matter is not an issue from a leaf blower.

Some equate leaf blowers to the spread of the Corona Virus. It is impossible to say this with any correlation to reality. The best doctors in the land would not be able to substantiate this. At most, the sequestering of people in their home for work is making them realize that neighbors are using leaf blowers, and some of them are noisy.

Everything that was presented in the forum can be exposed as a falsehood, except for noise, if you take the time to read the articles at the following links:

[Can leaf blowers be regulated locally to reduce emissions?](#)

[Are automobiles cleaner?](#)

[What about global warming?](#)

[Are leaf blowers hazardous to your health?](#)

[Greenwich Department of Health](#)

[Dr. Steel's Report to California Legislature](#)

[Excessive Dust](#)

[Dust study and comparison.](#)

[What do Doctors say?](#)

[Education](#)

[Will a ban work?](#)

[Leaf Blower vs. Broom](#)

As I have already said more than once, the underlying issue, and the only issue with the gasoline powered leaf blower, is [noise](#). The industry learned of this more than 20 years ago and deliberately addressed this issue in response to complaints. Much has been done to reduce the noise from gasoline powered leaf blowers. In order to understand how sound reduction is quantified, note that for every six dB(A) reduction in sound magnitude (from any starting point on the measurement scale), the actual volume is reduced by 50%.

This much sound reduction is hard to accept as being true for the average person because we cannot comprehend from experience what a 50% reduction sounds like. The best thing to do is to witness an actual leaf blower sound comparison, but I know that it is not easy to arrange this. An alternative is to check out the [video](#) of an actual demonstration developed for the comparison of leaf blowers on my website.

In the case of a gasoline powered leaf blower, sound level is measured at 50 feet per the industry Standard (ANSI B175.2). A “Quiet” leaf blower is 65 dB(A) or less, measured per the above Standard. This is at least a seventy-five percent reduction in sound or 12 dB(A), from a typical noisy leaf blower at 77 dB(A).

Quiet leaf blowers have been available for a long time, however, not all leaf blowers are quiet. Therefore, I encourage you to learn more about these quiet blowers before summarily banning them along with the noisy ones.

Fortunately, because of the industry’s foresight, any city that wants to limit the sound emanating from a gas-powered leaf blower can easily determine sound magnitude in the field without testing. The consumer can also determine compliance with local sound limitations at the point of purchase via the attached [label](#). This decal has been on all gasoline powered leaf blowers manufactured in the United States for at least the past fifteen years.

Battery-powered leaf blowers are becoming very popular among homeowners. My wife loves ours because it is easy for her to use, not that I make her clean the entire yard with it, but because she likes to keep our flower adorned deck free of debris, which seems like an everyday ritual. I use it in the summer to clean a 5400 square foot driveway and courtyard. It does an adequate job clearing debris from paved surfaces and therefore may be viable for the homeowner. It is faster than a broom or rake and does a much better job.

However, battery powered blowers have lower performance than that of a gasoline powered unit, because of their limited available propulsion energy from a battery. This means it takes more time to get the job done. But most homeowners do not mind having to spend a little extra time working in their yard, as long as it doesn’t take too much time. To many, their yard is a source of pride and pleasure, requiring a great deal of care, with a personal touch.

To others, yardwork is a pain. It is just a yard with grass that never quits growing, and trees that continually shed leaves, seed pods and twigs, always in need of grooming. These people turn to the yard care professional for this task. Most landscapers consider the battery powered blower inadequate. To make money, they must get the job done fast. This can only be done with a gasoline powered blower.

Just so you know, in some cities, banning gasoline-powered leaf blowers has been controversial. Lawn care contractors have taken at least one city to [court](#) over a ban. The reason is because it significantly impacts their livelihood.

One other potential obstacle could be enforcement. Police officers, in most cases, are reluctant to cite their neighbors with leaf blower violations. Not when their primary job is to apprehend criminals, prevent acts of violence and ardently protect citizens and their property. Lots of cities have problems with enforcement; Palo Alto, Santa Monica, and Los Angeles just to mention a few.

If you should need information that is not clearly addressed here or on my website, please contact me and I will do whatever I can to help, at no cost to you, including further research on your behalf.

Best regards,
<image002.jpg>

Larry Will. BSME
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