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Energy and Technology Committee
February 28, 2008
Testimony of Martin Mador
In Support of
HB5596 AAC The Right to Dry

Moving Connecticut from
Conspicuous Consumption to Conspicuous Conservation

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the Legislative and Political Chair of the Connecticut Sierra Club, and am here today representing our 10,000 Connecticut members concerned about the health of our environment. I possess a Master's of Environmental Management degree from Yale.

I am the proponent and the author of HB5596, so let me explain why the significance of the bill transcends its simplicity.

I'll start with a few questions.

If you could do something simple which would make a better world for your children, would you?

What if it saved you some money?

What if it made the world today a little cleaner and a little safer?

What if it helped to assure the economic security of America?

Now, how would you feel if you were arbitrarily prohibited from doing it?

We are talking about clotheslines, and that is the situation for many people who live in condo and homeowner associations, where aesthetics are the reigning priority.

Using a clothesline saves energy. It saves money. It reduces fossil fuel use, and the use of imported oil. It reduces greenhouse gas emissions, and so reduces global warming. It makes your clothes smell fresh. It reduces wear and tear on your clothes, and disinfects them with sunlight. If that were not enough, it helps you connect with your ancestors.

Environmentalists do not as a matter of course propose bills of a libertarian flavor. But this one is. This bill allows those people who choose to do so to air dry their clothes. It doesn't require them to, but it allows it if they wish.

Most condo and homeowner associations prohibit air drying. In many cases, this restriction was not actually voted on by the tenants, but inserted in the founding Declarations by the builder. You will see these on file in the land records of the town. Changing them may require a process with a vote of far more than a simple majority of the tenants.

The claim has been made that allowing clotheslines treads on the property rights of those who do not prefer to see them. This turns reason on its head. It is the property rights of those who wish to save energy, to save money, and ultimately, to save our livable planet, which are endangered.

There is also a claim that laundry hanging outside can reduce property values. I have seen no evidence supporting such a hypothesis. Even if it were true, it would hold only if clotheslines were allowed in some places, but not in others. HB5596 solves that problem.

Fundamentally, we have an energy crisis in America. We risk permanently altering the environment of our planet. We consume far more energy per capita than any other country. Even President Bush has said that we are addicted to oil. Almost all now acknowledge that conservation and efficiency are the preferred routes to a solution. In many ways, we do encourage people to conserve energy. In the case of this enabling legislation, we are looking to give people the freedom to conserve, if they so wish.

Make no mistake, this is an important bill, in part because it launches discussions we need to have, in part because it allows people to support values we have come respect and need.

courant.com/news/opinion/editorials/hc-righttodry.artfeb04,0,4533963.story

Courant.com

Support 'Right To Dry' Law

February 4, 2008

You of tender years may be unaware of this, but there was once another way to dry laundry besides putting it in the dryer. People would suspend a thin rope called a "clothesline" in their yards and attach damp laundry to the line with wooden devices called "clothespins." The sun and wind would dry the clothes in a couple of hours, after which they would be collected, folded and put away.

This quaint practice is beginning to make a comeback across the country (see www.laundrylist.org). Grandma was an environmentalist. Clothes dryers account for 6 to 10 percent of household energy use and emit up to a ton of carbon dioxide each year. Wind and sunlight are free, and expend no fossil fuel. Hanging the laundry is a way for an individual to make a difference. It is in tune with Gov. M. Jodi Rell's OneThing campaign (see www.onethingct.com), which urges residents to do one thing a day to save energy.

However, many condo and homeowner associations, and a few communities, prohibit outdoor clotheslines, mostly for aesthetic reasons. The Sierra Club and others are proposing a bill for the upcoming legislative session that would prohibit restrictions on the use of clotheslines. Such "right to dry" laws are being proposed in many states, and have been passed in a few. We support the concept, with reasonable accommodation for aesthetic concerns.

Homeowner associations should be able to direct outdoor clothes-drying to inconspicuous locations. They should be able to require that clotheslines be stored when not in use; that's relatively easy. Beyond that, the imperative to save energy and reduce CO2 emissions should trump the constant and uninterrupted view of the lawn. We need to live less wastefully.

Besides, many people like the smell and feel of clothes dried in the sun. And the fabric doesn't slowly disintegrate into the lint filter. Let's pass the bill, and not leave it hanging.

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Hanging on
Opponents
worry that the
lines will lower
property values

LIVING

The Right to Dry. Neighbors are battling over whether the clothesline is an energy saver or an eyesore

BY ELISABETH SALEMME

A SIMPLE PIECE OF ROPE HANGS BETWEEN some environmentally friendly Americans and their neighbors. On one side stand those who have begun to see clothes dryers as wasteful consumers of energy (up to 6% of total electricity) and powerful emitters of carbon dioxide (up to a ton of CO₂ per household every year). As an alternative, they are turning to clotheslines as part of what Alexander Lee, founder of the advocacy group Project Laundry List, calls “what-I-can-do environmentalism.”

But on the other side are people who oppose air-drying laundry outside on aesthetic grounds. Increasingly, they have persuaded community and homeowners associations (HOAs) across the U.S. to ban outdoor clotheslines, which they say not only look unsightly but also lower surrounding property values. Those actions, in turn, have sparked a right-to-dry movement that is pressing for legislation to protect the choice to use clotheslines.

At least 10 states currently limit the ability of HOAs to restrict the use of energy-saving devices like solar panels, but only three states—Florida, Hawaii and Utah—have laws written broadly enough to protect clotheslines. Right-to-dry advocates argue that there should be more.

Matt Reck is the kind of eco-conscious guy who feeds his trees with bathwater and recycles condensation drops from his

air conditioners to water plants. His family also uses a clothesline. But on July 9, Otto Hagen, president of Reck’s HOA in Wake Forest, N.C., notified him that a neighbor had complained about his line. The Recks ignored the warning and still dry their clothes on a rope that extends from their swing set to a pole across the yard. “Many people claim to be environmentally friendly but don’t take matters into their own hands,” says Reck, 37. HOA’s Hagen has decided to hold off taking action. “I’m not going to go crazy,” he says. “But if Matt keeps his line and more neighbors complain, I’ll have to address it again.”

North Carolina lawmakers tried and failed earlier this year to insert language into an energy bill that would expressly prevent HOAs from regulating clotheslines. But the issue remains a touchy one with HOAs and real estate agents. “Most aesthetic restrictions are rooted, to a degree, in the belief that homogenous exteriors are supportive of property value,” says Sara Stubbins, executive director of the Community Association Institute’s North Carolina chapter. In other words, associations worry that housing prices will fall if

prospective buyers think their would-be neighbors are too poor to afford dryers.

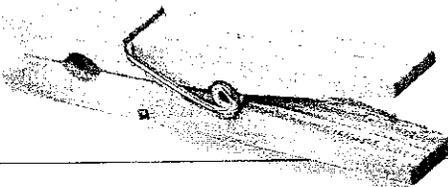
Project Laundry List’s Lee dismisses the notion that clotheslines depreciate property values, calling that idea a “prissy sentiment” that needs to change in light of global warming. “I understand the need for communities to legislate taste, but people always find a way around it,” he says. “The clothesline is beautiful—gorgeous, sentimental and nostalgic for many.”

Indeed, nostalgia can be an additional motivating factor, especially for elderly peo-

‘Many people claim to be environmentally friendly but don’t take matters into their own hands.’

—MATT RECK, WHO DEFIES CLOTHESLINE RESTRICTIONS

ple who have used clotheslines throughout their lives. Mary Lou Sayer, who is over 85, dried her clothes outside when she was young and hoped to do so again when she moved to a Concord, N.H., retirement village three years ago. She has proposed a change to the community’s clothesline ban twice. Her second pitch was voted down unanimously in late October. Her best chance now rests with a bill that state representative Suzanne Harvey plans to introduce in 2008 that would say hanging laundry outside cannot be fully prohibited. “We all have to do at least something to decrease our carbon footprint,” Harvey says. “And once you start seeing your nice neighbors hanging clotheslines, that can take down stereotypes.” In the meantime, Sayer is considering hanging a line in protest. “Most of my friends aren’t taking energy issues seriously,” she says. ■



Example of Clotheslines Restrictions
Rules of Stonehill Estates Condominium Association, 130 State St., North Haven, CT

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such committee then established having jurisdiction over such matters, if any.

Section 1.8 - Cleanliness. Each Unit Owner shall keep his or her Unit in a good state of preservation and cleanliness.

Section 1.9 - Electrical Usage. Total electrical usage in any Unit shall not exceed the capacity of the circuits as labeled on the circuit breaker boxes.

Section 1.10 - Clothesline. No clothesline may be hung from any Unit nor erected on or attached to any Common Element, and clothes may not be hung from nor draped on any exterior area including, but not limited to, any railing, or window.

Section 1.11 - Cable Television/Satellite Dish. Any cable television or satellite dish installation shall not be conducted without the prior written consent of the Executive Board.

ARTICLE II

Use of Common Elements

Section 2.1 - Obstructions. There shall be no obstruction of the Common Elements, nor shall anything be stored outside of the Units without the prior consent of the Executive Board except as hereinafter expressly provided.

Section 2.2 - Trash. No garbage cans or trash barrels shall be placed outside the Units. No accumulation of rubbish, debris or unsightly materials shall be permitted in the Common Elements, except in designated trash storage containers, nor shall any rugs or mops be shaken or hung from or on any of the windows, doors, balconies, patios or terraces.

Section 2.3 - Storage. Storage of materials in Common Elements or other areas designated by the Executive Board, including storage lockers, shall be at the risk of the person storing the materials. No storage of hazardous materials including but not limited to paint, varnish or thinners, etc. is permitted.

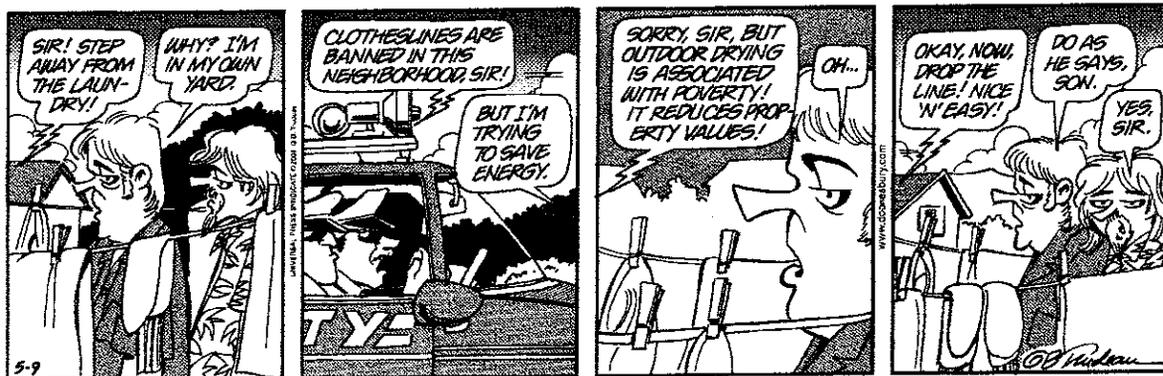
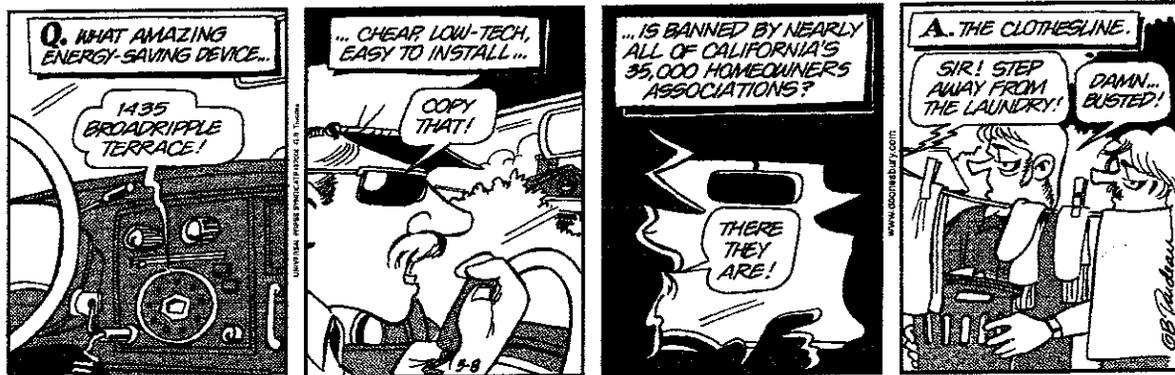
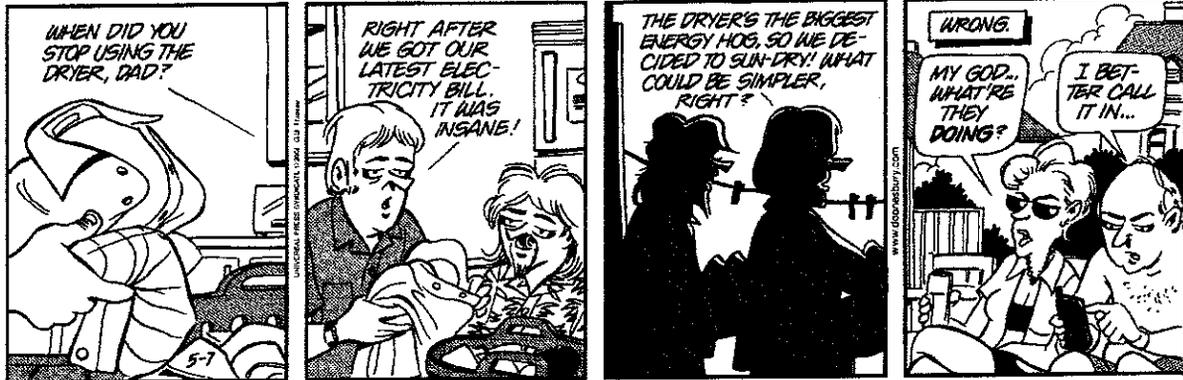
Section 2.4 - Proper Use. Common Elements shall be used only for the purposes for which they are designed. No person shall commit waste on the Common Elements or interfere with their proper use by others, or commit any nuisances, vandalism, boisterous or improper behavior on the Common Elements which interferes with, or limits the enjoyment of the Common Elements by others.

Section 2.5 - Trucks and Commercial Vehicles. Trucks and commercial vehicles are prohibited in the parking areas and driveways, except for temporary loading and unloading, or as may be designated by the Executive Board.

Section 2.6 - Alterations, Additions or Improvements to Common Elements. There shall be no painting of Common Elements and no alterations, additions or improvements may be made to the Common Elements without the prior consent of the Executive Board or such committee established by the Executive Board having jurisdiction over such matters, if any. No

Connecticut Sierra Club
 2008 Right to Dry Legislation
 Moving from Conspicuous Consumption to Conspicuous Conservation

Doonesbury, May 7-12, 2001





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The Right to Dry:
A Green Movement
Is Roiling America
Clothesline Has Neighbors
Bent Out of Shape in Bend;
An Illegal Solar Device?
By ANNE MARIE CHAKER
Wall Street Journal
September 18, 2007

BEND, Ore. -- It was a sunny, 70-degree day here in Awbrey Butte, an exclusive neighborhood of big, modern houses surrounded by native pines.

To Susan Taylor, it was a perfect time to hang her laundry out to dry. The 55-year-old mother and part-time nurse strung a clothesline to a tree in her backyard, pinned up some freshly washed flannel sheets -- and, with that, became a renegade.

[Susan Taylor]

The regulations of the subdivision in which Ms. Taylor lives effectively prohibit outdoor clotheslines. In a move that has torn apart this otherwise tranquil community, the development's managers have threatened legal action. To the developer and many residents, clotheslines evoke the urban blight they sought to avoid by settling in the Oregon mountains.

"This bombards the senses," interior designer Joan Grundeman says of her neighbor's clothesline. "It can't possibly increase property values and make people think this is a nice neighborhood."

Ms. Taylor and her supporters argue that clotheslines are one way to fight climate change, using the sun and wind instead of electricity. "Days like this, I can do multiple loads, and within two hours, it's done," said Ms. Taylor. "It smells good, and it feels different than when it comes out of the dryer."

The battle of Awbrey Butte is an unanticipated consequence of increasing environmental consciousness, pitting the burgeoning right-to-dry movement against community standards across the country.

The clothesline was once a ubiquitous part of the residential landscape. But as postwar Americans embraced labor-saving appliances, clotheslines came to be associated with people who couldn't afford a dryer. Now they are a rarity, purged from the suburban landscape by legally enforceable development restrictions.

Nationwide, about 60 million people now live in about 300,000 "association governed" communities, most of which restrict outdoor laundry hanging, says Frank Rathbun, spokesman for the Community Associations Institute, an Alexandria, Va., group that lobbies on behalf of homeowners associations.

[photo]

Susan Taylor is fighting to change her subdivision's rules against clotheslines.

But the rules are costly to the environment -- and to consumers -- clothesline advocates argue. Clothes dryers account for 6% of total electricity consumed by U.S. households, third behind refrigerators and lighting, according to the Residential Energy Consumption Survey by the federal Energy Information Administration. It costs the typical household \$80 a year to run a standard electric dryer, according to a calculation by E Source Cos., in Boulder, Colo., which advises businesses on reducing energy consumption.

Alexander Lee, founder of clothesline advocacy group Project Laundry List in Concord, N.H., says the clothesline movement is "an outgrowth of interest in what-can-I-do environmentalism." Mr. Lee says he gets more and more email seeking advice on how to hang a clothesline despite neighborhood covenants restricting them.

Ten states, including Nevada and Wisconsin, limit homeowners associations' ability to restrict the installation of solar-energy systems, or assign that power to local authorities, says Erik J.A. Swenson, a Washington, D.C.-based partner at law firm King & Spalding LLP, who has written about the policies. He says it's unclear in most of these states whether clotheslines qualify as "solar" devices. Only the laws in Florida and Utah expressly include clotheslines.

In Prescott, Ariz., Jessie Bourke, a 58-year-old mother of two grown children, strung her first outdoor clothesline this past spring. "I had been thinking about it a long time," she says. "We live in Northern Arizona, and it gets hot here." Using a dryer started to seem absurd, she says. Recalling the deed restrictions she and her husband signed when they bought their house 13 years ago, she decided to install a clothesline under her deck in the backyard.

"I don't want my neighbors to be offended if they see laundry hanging out," she says. She has been using it several times a week.

Kelly Guess, a mother of two teenage children who lives on a golf-course development in Holly Springs, N.C., uses a retractable clothesline that she tucks behind a wall when it's not in use. "I'm definitely breaking the covenants," she admits.

Ms. Taylor in Bend had always used a clothesline before moving to the subdivision in 1996. Awbrey Butte's Covenants, Conditions and Restrictions, established by local developer Brooks Resources Corp., require that "clothes drying apparatus...shall be screened from view." Not an easy task in a community where fencing is also "discouraged" in the covenants.

The clothesline ban gave Ms. Taylor pause when she moved here, she says, but she and her husband decided they could live with it. Then, in May, she heard an environmental lawyer on the radio who "talked about this narrow window of opportunity for us to respond to global warming," Ms. Taylor recalls. "I said, 'Dang it, that's it. My clothesline is going up.' "

Then the trouble started. One neighbor asked if it was temporary. Next came a phone call -- and then a series of letters -- from Brooks Resources. The first letter, dated June 12, warned that

"laundry lines are not permitted in the Awbrey Butte Subdivision," adding that "many owners in Awbrey Butte take great pride in their home and surrounding areas."

Ms. Taylor responded two days later with a letter asserting that the rule is "outdated." She requested a change in the rules to "reflect our urgent need and responsibility to help global warming by encouraging energy conservation."

[Carol Haworth]

The Awbrey Butte Architectural Review Committee "appreciates your desire to make a difference for the cause of global warming," responded Brooks Resources Owner-Relations Manager Carol Haworth. But she pointed out that homeowners agree to the rules before they buy their homes, "and therefore the ARC is required to uphold those guidelines as they now exist."

The letter more sternly asked "that you discontinue this practice by July 9, 2007, to avoid legal action which will be taken after that date."

Ms. Taylor responded by pointing out that the subdivision is "blatantly full of noncompliant owners" who display everything from plastic play equipment to exterior paint colors that don't meet the requirement of "medium to dark tones." She added: "Who am I hurting by hanging clothes out to dry?"

Brooks Resources repeated its threat of legal action, and then advised Ms. Taylor to "develop a plan to screen your outdoor laundry and submit the plan to the ARC for review." It also suggested the possibility of formal proceedings to get the rules amended, which would require 51% of homeowners' support in writing.

The following month, Ms. Taylor constructed a fabric screen to conceal her clothesline. The committee, which included Brooks Resources Chairman Michael P. Hollern, gave it a thumbs down. "It doesn't blend with the home or the native surroundings," says Ms. Haworth.

Mr. Hollern says, "Personally, I think people probably ought to screen their laundry from other people's view. If you feel differently, you should probably be living somewhere else."

Many neighbors agree. When Ms. Grundeman first noticed the Taylor clothesline, she assumed it was temporary. "My first thought was, 'Oh gosh, her dryer must have broken,'" says the interior designer. Then it became a regular occurrence, and she called Brooks Resources to complain.

Ms. Taylor does have supporters. "I don't think it's unsightly," says John McLaughlin, a former sporting-goods executive who lives down the street from Ms. Taylor. "I like the values that go along with it." He says he may hang his own clothesline.

Facing the threat of legal action, Ms. Taylor has in recent days resorted to hanging the laundry in her garage, with the door open slightly. But she says that denies her laundry the direct benefits of the sun and the fresh mountain air. She is thinking of moving to a less-restrictive neighborhood.