

***George Klemp and Lynne Sebastian
63 Edgewater Commons Lane
Westport, Connecticut 06880***

February 15, 2014

The Committee on Environment
State of Connecticut

Re S.B. 72: AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO

To whom it may concern:

I wrote a letter to Peter Hearn in December of last year regarding this issue and wish to reiterate our position as additional testimony as you consider this bill.

My wife and I purchased our property at 63 Edgewater Commons Lane, bordering wetlands and plant species native to the area, in the year 2000. Three years ago, we discovered the incursion of running bamboo onto our property along the wetlands shore line. We thought the source of the bamboo was the property of our next door neighbor, Gabriele Kallenborn, at 61 Edgewater Commons Lane, but it turns out that the source is actually a property on Grove Point road that abuts our neighbor's property.

The neighbor on Grove Point has refused to do anything about this situation, and left unchecked, it will not only run through the width of our property but onto the property of another neighbor, new residents Jeff and Mara Barth at 60 Edgewater Commons Lane that borders our property on the other side.

We understand that the bill under consideration will make anyone who plants or grows running bamboo on their property and allows such bamboo to grow beyond the boundaries of his or her property at any time "shall be liable for any damages caused to any neighboring property." We applaud the intent of this bill to make damages retroactive. However, the language of the proposed bill lacks the 40 foot setback on existing bamboo under nuisance. Therefore, we would like to see the following included in the bill

Declare running bamboo a nuisance with a 40 foot setback on existing bamboo.

Thank you for your consideration. We look for a favorable resolution of this matter.

Sincerely,



George O. Klemp, Jr.