

James & Marissa Vallillo  
5 Hampton Street, Stonington, CT 06378

Feb. 2, 2015

Environment Committee LOB  
Dear Sir or Madam:

This testimony is in reference to **H.B. 6032 AN ACT CLARIFYING PROVISIONS OF THE GENERAL STATUTES CONCERNING THE USE OF BARRIER SYSTEMS FOR CERTAIN PLANTINGS**

I support the intent of H.B.6032, but ask that it include the following three items to enable enforcement of the 40 foot buffer zone on existing bamboo, as intended. It is important that the law specifically authorize individuals to bring civil actions to the Superior Court for the enforcement of the law.

**1) Clear wording that bamboo shall not be maintained or allowed to EXIST within the 40 foot buffer zone regardless of when the bamboo was planted.**

**2) Enforcement narrowed to Zoning Officers with fines payable to the municipality.**

**3) ADD that the Court can also enforce the 40 foot buffer zone with attorney fees, costs and disbursements paid to the prevailing party.**

**Some municipalities may not have the enforcement resources to enforce the law, but that should not prevent a private citizen from enforcing it themselves through the court.**

**I was unable to get enforcement and the bamboo situation has become more serious and continues to invade my property further.** We are residents of a small beach community in the Lords Point Association in Stonington CT. We recently purchased a small plot of land in 2009. We have since built a brand new structure on this property which serves as a vacation home for our family. Unfortunately we have a neighbor (57 Boulder Avenue) who is in a legal battle with an abutting neighbor and the previous owner of our property. The owner of 57 Boulder Avenue has since planted *Phyllostachys bisetii* bamboo to spite the abutting properties approximately in 2005/2006. The bamboo was planted right on our property line with an insufficient barrier. The bamboo has since spread into our property and we have visible rhizomes in the yard with bamboo shoots all over the property and it is encroaching our deck, foundation and driveway. We fear for the future damage that will arise based on what we have seen to date. We are concerned that the neighbor we are dealing with will be unsympathetic to any problems that the spread of the bamboo will cause. We feel that without legal rights our property will be damaged without any recourse.

**It is only fair and just to protect the rights of someone's property. It seems that making sure those rights are protected is what this bill will make happen. I fear that my property value and those of people in a similar spot as I am in will have no recourse. What is even scarier is that it seems in a lot of these instances bamboo is used as a weapon against a neighbor and that makes it even more important that the bill is done correctly.**

We sincerely ask for your consideration on this amendment. We thank you in advance for taking action against this invasive plant.

Sincerely,  
James & Marissa Vallillo (Property owners of 5 Hampton Street Stonington CT)