

Feb. 14, 2016

**Testimony for S.B. 79**

**AN ACT CLARIFYING PROVISIONS OF THE GENERAL STATUTES REGARDING THE USE OF PROPERLY INSTALLED AND CONSTRUCTED BARRIER SYSTEMS FOR CERTAIN PLANTINGS**

I would like to thank the Chairs of the Environment Committee, Senator Ted Kennedy, Jr. and Representative James Albis, as well as the Committee for raising S.B. 79 for a public hearing.

My name is Anne Egan and I live on Ocean Avenue in Milford, CT. While I support the intent of this bill, I ask that the following two items be added to clarify and enable enforcement of the buffer zone:

**1) ADD 3 words or to grow these 3 words clarify the 40 foot buffer zone.**

**2) ADD subsection (g) to the various subsections - authorizing an individual to seek private enforcement of the buffer zone in court and authorize attorney fees.**

Subsection (g) - A private right of action may be maintained by an adjoining property owner to enforce the provisions of [subsection (c)] of this statute. The plaintiff is entitled to attorneys' fees and costs and disbursements if he/she is the prevailing party.

The law must be clear to allow for an individual to be able to get enforcement by a private action in court. Some municipalities may not have the enforcement resources to enforce the law, but that shouldn't prevent private citizens from enforcing it themselves.

As of today, the running bamboo continues to invade further damaging my property.

I purchased my home in 2005 and in 2006 spent several thousand dollars improving the gardens on my property. After completion of the work, my neighbor planted running bamboo.

Despite my best efforts and a substantial financial investment, I have been unable to stop the continual spread of the bamboo. The bamboo continues to march across my property and threatens my property value, having the potential to threaten the structural integrity of my home.

I was unable to get enforcement of the law last year. The further spread of this running bamboo is now becoming more serious as it nears my home, spreading in all directions.

I respectfully request your support.

Anne Egan  
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