

**S.B. 79 AN ACT CLARIFYING PROVISIONS OF THE GENERAL STATUTES
REGARDING THE USE OF PROPERLY INSTALLED AND CONSTRUCTED BARRIER SYSTEMS
FOR CERTAIN PLANTINGS**

Dear Environment Committee,

Feb. 15, 2016

I am writing to support the intent of S.B. 79 with the following two additions to clarify the law, and allow enforcement of the 40 foot buffer zone on existing bamboo as intended.

1) ADD 3 words or to grow

These 3 words are needed to clarify the 40 foot buffer zone as intended.

We need not allow to be planted or to grow, to have a clear law.

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.

My bamboo nightmare is such that I can no longer enjoy my backyard because it virtually does not exist anymore due to the ongoing damage that the adjacent bamboo which grows and multiplies into my yard. Grass no longer grows because of all of the chemicals that I have tried on the bamboo rhizomes trying to get them eliminated but to no avail. Forget the gardens!! And flowers and roses!!

These rhizomes are indestructible and extremely invasive year after year growing stronger and multiplying and multiplying! Rhizomes invade underground and will destroy septic tanks, water pipes, driveways, tennis courts, to name a few... they will even grow in between siding.

The addition of the two items above will clarify the existing law and allow for enforcement of the buffer zone to stop the spread and continual damage caused by running bamboo.

Respectfully,


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