

February 17, 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 support the intent of S.B. 79 but would like to see the following items added to the bill to clarify the intent:

1) ADD the three words "or to grow." These three words clarify the 40 foot buffer zone.

2) ADD subsection (g) to the various subsections - this will authorize an individual to seek private enforcement of the buffer zone in court and authorize attorney fee. Language needed:

**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."**

I live at 189 Killingworth Road, also known as Route 81, in Higganum in an historic home built by Ebenezer Mudge in 1744, known as the Mudge-Hull House. My husband and I purchased the house in 1986 and have lived here since August 1986. Our lot size is .50 acre.



The Mudge-Hull House,  
c. 1744  
owned by Gail and  
Daniel Reynolds  
Higganum, CT



Approximately fifteen years ago, the owner of the house at 183 Killingworth Road, immediately behind our lot, planted running bamboo along the western boundary of my property. It has spread greatly since the initial planting.

Each spring, through summer, and into fall, the bamboo sprouts (culms) break ground further and further away from the initial planting site. I knock these down and my husband mows over them. This does not prevent the running bamboo from spreading, however. It has spread greatly on my neighbor's property.

In 2012, based on the sprouting pattern of the bamboo, I became very concerned that the bamboo would infiltrate and clog my septic tank. The culms arose very near to the walk to my house as well, in 2012. I fear that without action that the bamboo will soon reach my fieldstone house foundation and damage my home. I have discussed with my neighbor many times but they have yet to take action to contain or remove the bamboo. In addition to running bamboo, she has planted many other state-listed invasive plants (e.g., goutweed, oriental honeysuckle, oriental wisteria, and garlic mustard) and let them grow out of control.



As a result of my concerns, in 2012 I began to dig up the bamboo roots (rhizomes) on my property. I dug up rhizomes all summer and well into the fall. Placement of our own trees, two butternuts and a pear tree compounded the difficulty because the roots of our trees became entangled with the bamboo rhizomes and I did not wish to injure our trees. I then purchased a two-foot hard plastic underground barrier and a very sharp spade. I began to dig a two-foot trench along the boundary and insert the barrier. I had hoped the barrier would prevent the bamboo rhizomes from my property. In 2015, only

two years after the installation of the thick root barrier, the bamboo rhizomes grew underneath the two-foot deep barrier and onto my property. This occurred in several places. I had to dig three foot deep holes to remove the rhizomes. It seemed that as soon as I filled in the hole that other rhizomes were found on my property.

Photos taken by Gail Kalison Reynolds



Bamboo rhizomes dug up, ready for burning



Boundary line marked for barrier



Continuation of boundary line marking



Barrier inserted into dug trench

Although I am in my late 50s, I am semi-retired and in good health so I can perform this activity. Since the barrier has not proved effective, I do not want to spend my later years either digging bamboo rhizomes or paying someone out of pocket to remove bamboo rhizomes from my property.

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