

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

Feb. 18, 2016

Environment Committee LOB

Dear Sir or Madam:

I support the intent of S.B. 79, but ask that it include the following two items to enable enforcement of the 40 foot buffer zone on existing bamboo, as intended.

1) Add three words (or to grow). These three words clarify the 40 foot buffer zone as intended. "No person shall plant running bamboo or allow running bamboo to be planted **or to grow** on his or her property at a location that is forty feet or less from any abutting property or public right of way. This is clear for the intent of the buffer zone.

2) Add 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 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. The owner of 57 Boulder Avenue planted Phyllostachys bissetii bamboo to spite the abutting properties approximately in 2005/2006. The bamboo has escaped the barrier, and 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)