

John Kowalsky
130 Armstrong Rd, Shelton, CT 06484

Dear Environment Committee:

Feb. 13, 2016

**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 strongly support the intent of this bill, but ask that it include two items:

1) show not allow to “grow” in lieu of not allow to be planted – by adding these three words “or to grow” the statute will be clear for the buffer zone.

2) ADD subsection (g) – this will authorize an individual to seek private enforcement of the buffer zone themselves in court and authorize attorney fees.

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 attorney fees and costs if he/she is the prevailing party.

My property will soon be invaded by yellow groove bamboo, as my neighbor has since allowed it to continue to invade underground further since 2014.

It will invade my side property reaching my driveway first unless I can get enforcement as intended. S.B. 79 must be clear to allow enforcement of the 40 foot buffer zone where bamboo cannot grow. This is a very large mature stand of yellow groove bamboo with very thick and destructive rhizomes underground. I will not be able to deal with the continual damage to my property in my retirement. The damage this will cause is serious. I will not be able to sell my property. Even if this were just happening to “one person” in Connecticut, it still would be wrong. I am getting older and letting it go is not the way to go!

Yellow groove bamboo invades stronger each year. The damages are continual.

Sincerely,

John Kowalsky