

Lexington Town Meeting

Article Number & Title: Article 33, Amend General Bylaws- Running Bamboo Control

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Purpose of Running Bamboo Control Bylaw

To preserve and protect private and Town-owned property and Town-owned rights of way from the damaging spread of Running Bamboo, and to protect indigenous biodiversity threatened by Running Bamboo.

- Quote from Danielle DiPaola, Emerson, NJ councilwomen:
“ I was like Bamboo? What do you mean, bamboo? I honestly never gave bamboo a thought.” But as she started to look into the issue, her attitude changed. “Oh, my God! She remembered thinking. “I don’t think it affects that many people, but if it’s affecting someone, its really affecting them”
 - *Ref: As bamboo grows in North Jersey, so do neighborly feuds, 5 May 2017.*
- It is absolutely critical that residents wanting to raise bamboo understand the risks and that a process is put in place by the City that protects neighbors in case an infestation occurs.
- Abutters of bamboo are committed to relentless and costly maintenance.
- While complaints from Cambridge residents are isolated, the extent of legislative action across local towns and state legislatures speaks to the extent of property owners concerns. These examples can either serve as instructive lessons or unheeded warnings.
 - *Ref: City of Cambridge, MA; Running Bamboo Ordinance and Policy Order O #32 2016*

Key Provisions of Proposed Running Bamboo Control Bylaw

- REQUIREMENTS

- All Running Bamboo Owners shall confine Running Bamboo in a manner that will prevent the Running Bamboo from any encroachment onto any private or Town owned property or right of way.
 - Bamboo must be property contained as defined in the Bylaw.
 - Seamless, impermeable barrier a minimum of 36 inches below and 2 inches above ground.
 - Bamboo must be set back from adjacent properties as defined in the Bylaw.
 - No uncontained Running Bamboo within 4 feet of an adjacent property.

- ENFORCEMENT AUTHORITY

- The Town Manager or their designee.

- PENALTY

- \$100/day for each day that Running Bamboo violates provisions of the Bylaw.
- Additional penalties apply for Bylaw violations effecting Town owned property or right of ways

Running Bamboo is a significant threat to Private and Town owned property in Lexington

- Running Bamboo is extremely invasive when it is uncontained.
 - One of the worlds most invasive plants
 - Once established, it is literally next to impossible to control
 - Shoots up from ground each spring and can grow 12 inches in one day.
 - Can reach heights of 15 feet tall.
 - Can travel as far as 20 feet underground from its original clump each spring.
 - Running bamboo can travel far and fast, a solitary plant can take over an entire yard and the yard next to it, and next to that, and so on.
 - *Ref: HGTV.com (Home and Garden Television): avoid bamboo like the plague.*
- Bamboo requires consistent trimming of any rhizomes that climb over the containment barrier so they cannot re-enter the soil outside of the containment barrier.
 - *Ref: Bucks County Courier Times: bamboo ordinance shoots up in Bucks, Eastern and Montgomery County*
- Running bamboo rhizomes must not come in contact with soil outside its containment barrier.
 - *Ref: per NY State law – 8909 In Assembly, 28 Feb. 2014*

Running Bamboo is a significant threat to Private and Town owned property in Lexington

- Running Bamboo is restricted or prohibited in most nearby States.
 - Numerous states and cities across the United States have enacted legislation restricting or prohibiting the planting and growth of running bamboos in general, collectively a species of bamboo that is quick to grow and difficult to control. This list includes but is not limited to:
 - New York – Statewide: 8909 in Assembly 28 Feb. 2014
 - Connecticut – Statewide: Public Act 13-82, 1 Oct. 2013
 - New Jersey – Statewide: Assembly 3452, 216 Legislature
 - Rhode Island - Statewide: Legislation S411
 - Massachusetts - selected cities and towns, including:
 - Cambridge – Chapter 8.69, 26 June 2017

Running Bamboo is a significant threat to Private and Town owned property in Lexington

- Running Bamboo is extremely difficult to remove
 - Even when bamboo rhizomes are cut back, they regrow quickly from the established rhizomes which can lay 3 feet beneath the surface.
 - Removing the bamboo rhizomes by digging them up is a laborious undertaking and is often unsuccessful in completely excising all the roots.
 - *Ref: City of Cambridge, MA; Running Bamboo Ordinance and Policy Order O #32 2016*
 - Requires all root mass and rhizomes to be removed
 - Roots and rhizomes can spread 20 feet from the main clump each spring, requiring extensive trenching.
 - Roots and rhizomes not removed will regenerate themselves.
 - *Ref's: networx.com: 5 reasons not to plant bamboo in your yard, and HGTV (Home and Garden Television): avoid bamboo like the plague*
 - An established stand can take several years of hard work to completely eradicate.
 - *Ref: July 17, 2012 USDA Weed Assessment for Running Bamboo*

Running Bamboo is a significant threat to Private and Town owned property in Lexington

- Running Bamboo is extremely difficult to remove (cont.)
 - If you must remove unwanted bamboo, the only truly effective way to get rid of it is to dig it out.
 - *Ref: American Bamboo Society Web Site: Bamboo Invasiveness and Control Statement.*
 - Bamboo is incredibly resilient and tough.
 - Even herbicides designed to kill unwanted weeds, grasses and plants cannot kill it
 - *Ref: installitdirect.com: How to remove bamboo without herbicides*
 - There are currently no herbicide labels that list bamboo as a controlled species.
 - *Ref: University of Florida, Bamboo Control (Publication: #SS-AGR-75)*

Running Bamboo is a significant threat to Private and Town owned property in Lexington

- Running Bamboo can cause major property damage
 - Running Bamboo can cause serious damage to foundations, sidewalks, roadways, paths, sewer systems, and structures; the cost of running bamboo can be measured both in maintenance fees and depressed property values.
 - *Ref: City of Cambridge, MA; Proposed Running Bamboo Ordinance and Policy Order O #32 2016*
 - Running Bamboo should not be planted near buildings and must be contained.
 - *Ref: US Dept of Agriculture as referenced in City of Cambridge, MA; Running Bamboo Ordinance and Policy Order O #32 2016*
 - “Roots of steel.” can buckle sidewalks and driveways.
 - *Ref: July 17, 2012 USDA Weed Assessment for Running Bamboo*

Locations of Existing Uncontained Running Bamboo in the Town of Lexington

Note: Uncontained Running Bamboo locations as identified and confirmed by the Author. Additional uncontained Running Bamboo may exist in the Town of Lexington.

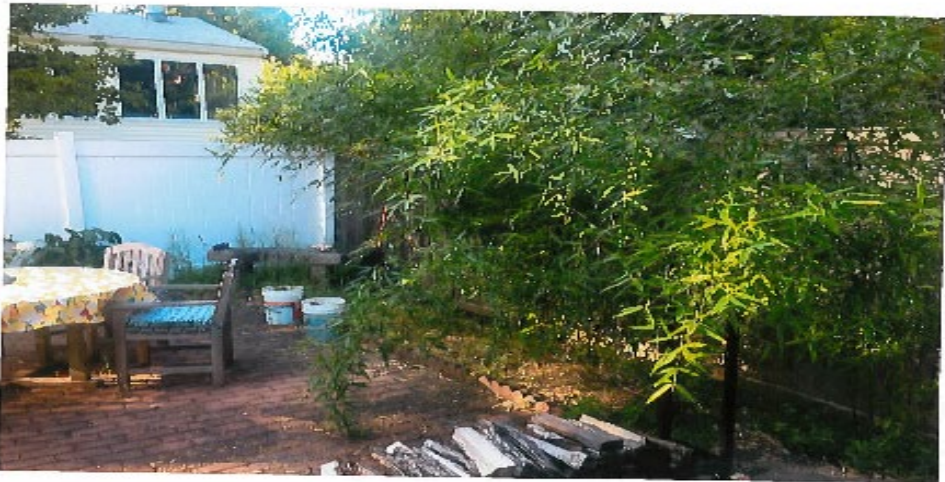
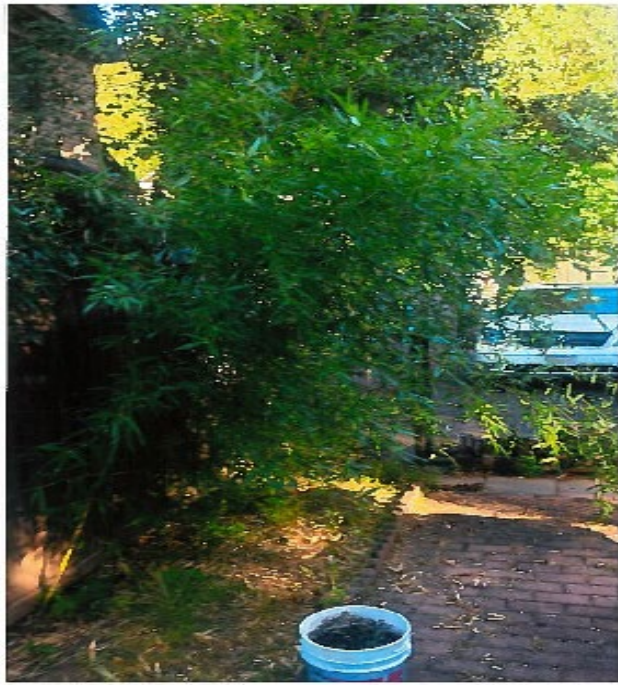
- 34 Parker Street: Uncontained Running Bamboo infesting property from 4 Jackson Court. The Running Bamboo trespass is along a 30 foot uncontained section on the property line. Running Bamboo was improperly planted and barrier system has failed.
- 534 Lowell Street: Uncontained Running Bamboo infesting property from condos at 536 Lowell Street. The Running Bamboo trespass is along an approximately 100 foot uncontained section on the property line. The barrier system has failed.
- 165 Lowell Street: Uncontained Running Bamboo has turned into a large grove covering at least 1000 square feet and taking over portions of 3 properties. The Uncontained Bamboo is around 30 feet from a public Town road. Bamboo is taking over a forested section of two of the properties. There will be no way to remove all the Bamboo short of using a backhoe. Based on the size of the grove and estimated spread rate, Town roads could be impacted in 3 to 5 years. The barrier system has failed, and a vast majority of the bamboo is completely uncontained.

Locations of Existing Uncontained Running Bamboo in the Town of Lexington

- 16 Ingleside Road: This properties back yard backs up to the Minuteman Commuter Bikeway. The bamboo planted in this backyard has turned into a very large grove covering at least 2000 square feet. It appears to have travelled a considerable distance from where it was originally planted (approx. 50-75 feet or more). While this property is large by Lexington standards (1 acre or more), the uncontained bamboo has crossed over into one neighbors yard, and also traveled to a distance of no more than 10 feet from the Bikeway at its closest point (not clear if bamboo is currently already on Lexington Town Property). The bamboo grove can be easily seen from the Bikeway. The properties back yard is around 2-300 yards down the Bikeway from Seasons Four Nursery in the direction of Arlington. The bamboo is primarily in a wooded area, and has also crossed over a small creek. There will be no way to remove all the Bamboo short of using a backhoe. The barrier system has failed, and a vast majority of the bamboo is completely uncontained.

SUMMARY – Proposed Town of Lexington Running Bamboo Control Bylaw

- Requesting Lexington Town Meeting Members pass a Bylaw to preserve and protect private property and Town-owned property and Town-owned rights of way from the damaging spread of Running Bamboo, and to protect indigenous biodiversity threatened by Running Bamboo.
 - Bylaw content includes but is not limited to: Requirements, Enforcement Authority and Penalties.



Pics of Running Bamboo at 34 Parker Street

Top Left: New Running Bamboo Shoots emerging at 34 Parker Street from 4 Jackson Court.

Top Right and Bottom: Mature Running Bamboo plants infesting property at 34 Parker Street from 4 Jackson Court.

NOTES:

- Bamboo stalks emerge in the spring from rhizomes (roots) that spread to 34 Parker Street from 4 Jackson Court due to the improper installation of the bamboo and failure of the bamboo barrier.
- Rhizomes are 2-3 feet underground, and enter the property at 34 Parker Street from 4 Jackson court under a privacy fence on the lot line installed by owners of 4 Jackson Court. Once stalks emerge, they grow to an average height or around 15 feet within one month.



Pic of Running
Bamboo Gove
such as exists at 165
Lowell Street and 16
Ingleside Road

Pic of typical Running
Bamboo root depth



More damage caused by the planting of running bamboo as a landscaping plant by a neighbor.