

WHAT TO DO WHEN HOUSES GO UP NEXT DOOR

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In regions where agricultural land is being subdivided for development, such as California, growers frequently face the prospect of farming next to new housing tracts. People buy their dream houses in the suburbs, close to nature and open space, only to find that what they thought was open space is really fallowed agricultural production field.

Bringing fields back into production after a few fallow years can leave the grower facing an angry homeowners' association and threats of litigation. But it does little or no good to tell residents that agriculture was in the area first, or to remind them of where their food comes from.

Homeowners want to enjoy their new homes without the noise, dust, flies, spray drift, odors, portable toilets, or field worker improprieties that might be associated with an agricultural enterprise. The new residents don't understand and fear production methods and materials.

Be Neighborly, Proactive

The goal of every grower who faces this dilemma should be to become a good neighbor, and to answer questions and alleviate fears. Homeowner associations may want to legislate against pesticide use, grading or farming within a prescribed distance from housing -- but it's essential to keep these restrictive solutions from becoming the issue.

The first thing to remember is to be proactive instead of reactive. Farms can increase the value and enjoyment residents receive from their land by increasing the "view value."

Take the initiative in making sure homeowners know what you plan to do, and that their enjoyment and use of their property will not be restricted. Make sure all laws and regulations are strictly adhered to -- but also think about how your neighbors will react, and empathize with them.

Below are other ways to alleviate most of the problems associated with farming near housing.

Create Barriers

A barrier between housing and production fields can be an annual or perennial crops, shrub or tree that reduces nose, dust, spray drift or visual pollution that could adversely affect your neighbors. Eucalyptus, sunflower, sudangrass and evergreen shrubs or trees have been used successfully as barriers.

Remember to select a barrier plant that will not act as a host for pests to the crops that you will be growing near the barrier. Frequent spraying

If All Else Fails...

If your best efforts at being a good neighbor fail to create harmony with homeowners, you may want to suggest that remaining problems be discussed with the help of the ag commissioner or with another mediator that is acceptable to both sides.

The mediator can form a committee made up of growers and homeowners to discuss and resolve lingering problems. It is always prudent to have your attorney monitor the process and make suggestions. Things that might be offered in negotiations include horse trails, picnic areas, barrier development and maintenance, organic matter/manure for backyard gardens and beautification projects. But remember: Once concessions are given, you may not be able to stop giving them -- even if circumstances change or the property is sold.

for pests that might move into the production field obviously defeats the barrier's purpose. Be sure to maintain the barrier by irrigating properly, removing dead plants and replanting as needed.

A ditch around a field inside a barbed wire fence can act as a barrier to unwanted entry and keep runoff or eroding soil from winding up in back yards or streets. Be sure to think about where rain or irrigation water will flow or collect once in the ditch.

Fences, gates and signs should add to, rather than detract from, the view. Barbed wire fences with wood or cable gates add to the rural mystique; chain link fences tend to make the area look more like a prison. Also, signs should be professionally made to reflect a positive image, and include an address where neighbors can write to get information on farming activities.

Use Fallow Space

A generous border of fallow ground next to houses can keep homeowners from feeling overwhelmed. This is especially effective where ground is not flat. Not planting the first rise in a rolling field close to houses can give the illusion of a larger fallow area than there really is.

Eliminating the border roadway on the edge of fields near houses is an excellent way to avoid a dust problem. Carrying produce a little farther to the harvest truck is a small price to pay for effective dust control.

Schedule Activities Carefully

Schedule noisy tractor work for mid-morning, when people are at work and when soil moisture will help to minimize dust. Remember that nap time for most children is in the afternoon, so keep mufflers on all equipment in good repair. Extra sound reduction devices can be added to heavy equipment when working in sensitive areas.

Spraying should be done only when wind is blowing away from the housing -- and then only with ground rigs. Never fly a material on or near houses, even if the material is considered to be safe. When a choice of spray materials is available, use the material that does not have a heavy or long-lasting odor.

Avoid mixing chemicals near housing in case of accidental spills. Warn residents when you will be spraying near their homes by posting signs. And make sure you document everything you spray in the field, time and day of application, wind direction and approximate wind speed. Careful documentation often helps to defuse litigation problems regarding spray applications.

Avoid Labor Improprieties

Extra care must be taken when farming near housing to ensure workers keep the area clean and don't act in an offensive or threatening way toward your neighbors. Designate areas near housing as off-limits to loitering, eating, field fires, smoking, portable toilets, radios, after-hours drinking, rowdyism and profanity.

If incidents do arise, follow through with disciplinary action and let homeowners know that something is being done to protect their rights. Busing workers to fields near homes avoids the problem of having large numbers of cars in the area.

Use Good P.R.

Finally, let people know what you have done to protect their right to the enjoyment of their homes. Discreetly leave a friendly, concise, well-planned note on neighbors' porches outlining what you plan each season and what you are doing to beautify and protect the area and wildlife.

Setting up a tour of production fields and packing sheds to familiarize residents with agricultural operations can also help to reduce fears of the unknown.

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