

**SOUND AGRICULTURAL PRACTICE**  
**Opinion Number 93-1**

**SUBJECT:** Request for an opinion pursuant to Section 308 of the Agriculture and Markets law as to the soundness of certain agricultural practices conducted by Chase's Greenhouses, Inc.

**REQUESTOR:** Selden Chase  
Chase's Greenhouses, Inc.  
5874 E. Henrietta Road  
Rush, New York 14543

**Preliminary Statement**

In a letter dated April 20, 1993, Mr. Selden Chase of Chases's Greenhouses, Inc. asked for an opinion pursuant to Section 308 of the Agriculture and Markets Law as to whether certain agricultural practices employed in his farm operation are sound. In a subsequent fax transmittal dated May 17, 1993, Mr. Chase clarified the agricultural practices he wished to have considered. On May 19, 1993, the Department responded indicating that it would make an assessment of the overall nature of the agricultural enterprise and, in particular, conduct a review of the following specific practices employed on the farm:

1. the application and storage of pesticides;
2. the operation of motorized farm equipment;
3. the storage of farm equipment and materials used in greenhouse production;
4. the packaging, loading and shipment of greenhouse products; and
5. the movement of farm goods and materials.

On May 21, 1993, Department Agricultural Resource Specialist, Mr. Matthew Brower, conducted an on-site review of the farm operation. This opinion is based on information provided by Mr. Brower, Department Agricultural District creation and review files, and other pertinent materials provided by Mr. Chase, as more fully set forth below:

**Information Considered in Support of the Opinion**

1. Chase's Greenhouses, Inc. is a diversified farm enterprise on approximately 95 acres, wholly located in Monroe County Agricultural District #4, consisting of greenhouses for the production of plants and flowers; barns and acreage used in raising livestock (horses, cattle and sheep); approximately 60

acres used for the production of hay and beans; and the remaining acreage in pasture and support land. There are storage buildings on the property which are used in support of the farm operation and a retail facility used to sell greenhouse and related commodities produced both on and off the farm.

2. Pesticide Use and Storage - Mr. Chase reports that the only area where pesticides are used on the farm is within the greenhouses. He stated that pesticides are applied by certified applicators and that the greenhouses are closed during application and remain closed for a minimum of twelve hours thereafter. All related equipment observed by Mr. Brower appeared to be in good working order.

Mr. Chase reported complaints that use of pesticides on the farm has damaged the neighbor's shrubbery which abuts the farm enterprise north of the farm's greenhouses. Mr. Brower observed the vegetation in the area of the complaint to be healthy with the exception of one isolated shrub variety. He observed no evidence that would indicate that the damage was attributable to pesticide usage on the Chase Farm.

Mr. Brower observed that detailed pesticide application records were being kept and that all pesticides were stored in a secure, posted room attached to the greenhouses. Mr. Chase reports that the Department of Environmental Conservation has reviewed and approved his pesticide use records and storage practices and that he has never been cited for any violation in this regard. DEC Regional Office #8 confirmed to the Department that Mr. Chase has never been cited for pesticide use and storage violations.

3. Operation of Motorized Farm Equipment - The greenhouse operation appears to require very little use of motorized equipment. Some equipment is used daily, others approximately two times a week. Equipment used includes: four vans, two larger trucks, and a small tractor. The vans are used primarily for local deliveries, and Mr. Brower observed no related on-farm odor or noise problems. The two larger trucks are used for long-distance transportation. These, too, did not exhibit any noise or odor problems. The tractor is used primarily for putting hay in the livestock barn and lifting soil material into the soil mixer in the greenhouses. Mr. Chase reports that the tractor is used approximately twice a week. Mr. Brower observed that the tractor was in good working order.

All field equipment used for hay production is stored in the rear of the Chase property well beyond any residences.

4. Storage of Farm Equipment and Materials - All materials used for the greenhouse operations were observed to be stored

inside the greenhouses or at the rear of the property. Any material stored at the rear of the property was barely visible from surrounding homes. Most of the equipment was observed either stored inside or at the rear of the property. Mr. Chase reports that some of the vans may be stored outside, near the neighbors' property, from time to time.

5. Packaging, Loading and Shipment of Greenhouse Products - The packaging and loading of the greenhouse products takes place inside a garage. Mr. Chase reports all waste material, such as cardboard, generated by these practices is either placed in a covered dumpster or burned in an incinerator. The products are shipped in vans and trucks as described earlier. Mr. Brower observed the packing, loading and shipping operation to be neat, orderly and without noticeable odor.

6. The Movement of Farm Goods and Materials - All farm goods and materials are moved with either the vans, trucks or a small tractor. All of this equipment appeared in good working order. With the exception of transporting greenhouse products away from the operation on a daily basis, very little other movement of materials was reported or observed.

#### Conclusion and Opinion

Based upon the information and circumstances described above, pursuant to Section 308 of the Agriculture and Markets Law, and in consultation with the State Advisory Council on Agriculture, the New York State College of Agriculture and Life Sciences, and the U.S.D.A. Soil Conservation Service, I hereby conclude that the subject practices employed by Chase's Greenhouses, Inc. are sound.

Richard T. McGuire  
Commissioner

July 27, 1993