

THE STORY OF

Fieldston



PROLOGUE

MORE THAN FORTY YEARS HAVE PASSED SINCE this little book was published yet though some things have changed, most have remained the same. We have changed the association's annual meeting date (early December) and dues schedule (semi-annually in December and June) and we no longer have block captains but FPOA's function and goals have remained the same: to maintain the unique community of our residential park.

Over time, this goal has become increasingly difficult to achieve. We have been faced by encroachments on almost every border, for several sides of Fieldston neighbor schools and religious institutions. Constant traffic has also been a concern and lately heavy duty school buses have posed serious logistic problems as well. Fieldston has been the site of several major films and commercials as well as an attractive and challenging route for joggers. Through this all, the association has tried to judiciously restrict traffic and tempo in order to maintain the bucolic beauty of the trees and streets. As always, use of the streets is solely at the discretion of the association. Filming, races and organized events require written permission and contract with Fieldston Property Owners' Associations's (FPOA) Board of Directors.

Environmental preservation and quality of life are — and have ever been — issues of concern to the association. In 1933, a police complaint was lodged by the Board of Directors against a pilot whose "low-flying airplane" constituted an annoyance to residents. The Boys Band from Barnard School* also was cited in that year as its musical practice was heard for many blocks. Clearly, noise minimization has been a cherished ideal since the community's inception.

Fieldston is a special yet integral part of Riverdale, its character and ambiance a welcome respite to city life. To maintain this community, a series of resolutions has been enacted over the years; these are presented in the Addendum. We have, in revising this booklet, decided to retain the original version in its entirety, as its charm and sincerity reflect the dedication of many generations of homeowners who value the spirit of community and the sensibility of Fieldston.

* The Barnard School has since merged with Horace Mann School.

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AT THE EXTREME NORTHWEST END OF THE CITY OF New York is a dot on the map known as Fieldston. Nestled among the hills it was a little-known out-of-the-way spot to most New Yorkers, until the Henry Hudson Parkway was put through in 1936 along its Westerly border. But to those living here Fieldston has always been a residential community, privately owned and operated.

It all started about 1909 when the Delafield Estate, which owned the property, sold a few acres to Teachers College (now Horace Mann School). The Estate then visualized developing a high class residential park of about one hundred and forty acres on the property, running east from Riverdale Avenue. With the proceeds from the sale to Teachers College and cash borrowed from members of the family, Fieldston was started. The name had been used in the Delafield Family homestead abroad

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for centuries, and was given to the property by Joseph Delafield when he acquired it in 1829. A few streets were graded and utilities put in and the first plot was sold in December of 1910, about the same time the subway was extended to Van Cortlandt Park. The first residence was started in 1911 and finished in 1912.

As each plot was sold the money received was used to put in utilities and to grade streets. It is interesting to note that in the early years of the development the Delafield Estate would not sell a plot adjoining one already purchased.

It was about 1914 that the final street layout plan was filed with the City of New York. Under it the streets were laid out according to the contour of the land, to preserve the natural beauty of the section. This was a departure from the City's standard grid plan for its streets. The Delafield Estate kept title to all the three and one-half miles of streets, and each deed carried a provision for payment for their maintenance.

A high standard of building was set by deed restrictions, running for fifteen years from dates of sales, to make the dream of a residential park come true.

When in 1916 the City adopted its first zoning resolution Fieldston and most of Riverdale and Spuyten Duyvil were included in its most restricted zone at that time, the "E" Area District. Later in 1922 a new classification of "F" Area District was set up by the City and Fieldston was placed in the "F" Zone. It was generally

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supposed that this would be effective against multiple dwellings.

In March 1923 a sales map was prepared, showing all of the land remaining in the Delafield Estate's holdings of Fieldston.

Fieldston's delight in the new zoning classification was soon clouded by another and more lasting threat. For in 1922-23 the majority of the Delafield Estate stockholders (most non-resident members of the family who had inherited the stock through the deaths of three resident members), despairing of the project ever becoming a good business proposition, voted to liquidate the remaining land. They engaged Joseph P. Day Inc. to sell it off within a year, and by auction if necessary.

On August 7th 1923 the Fieldston Property Owners' Association, Inc. was organized, "to preserve and develop the settlement known as Fieldston", its immediate aim being to persuade its member residents to buy the vacant land adjoining their property to protect their own interests. But there was enough vacant property to make the threat of an auction sale feared.

The social life of Fieldston at that time centered largely in the Tennis Club on West 246th Street and Delafield Avenue. It was there, early in September 1923, that a group of residents met to discuss the possibility of forming a syndicate or corporation to buy all of the remaining land as a means of preserving and protecting their homes, and to control sales under the ideals originally set up. They had

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the sympathy and active cooperation of two of the directors of the Delafield Estate, John Ross Delafield and Edward C. Delafield.

The Fall of 1923 was a busy one, for the whole community was canvassed, the object being to raise about \$150,000.00 in cash for the purchase of this land. During this time the residents were under constant pressure by the Joseph P. Day organization. On February 18th, 1924, Fieldston Inc. was organized, and the trustees of the plan were happy to announce that sufficient funds had been pledged to carry out the purchase. The cost of the land was \$685,300.00 of which slightly over 20% was paid in cash and the balance on mortgage, with a liberal arrangement for release of land as plots were sold.

Finally, on October 31st, 1924, title was transferred to Fieldston Inc., from the Delafield Estate, giving to it full control of all unsold property, including title to streets and avenues and the right to collection and administration of the street maintenance fund.

Up to this time there had never been enough funds through sales to meet all of the expenses as Fieldston grew, and the Delafield Estate as owner was obliged to meet the deficits. Fieldston Inc., in its early years, likewise was obliged to reinvest most of the proceeds of its sales in opening the remaining streets, extending sewers and utilities, and in advertising. Fieldston Inc., extended the private deed restrictions on building (originally set up for 15 years, with the earlier ones expiring in 1925) for a further period

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of twenty years, and later for another ten years. Some private owners followed suit and extended the private restriction period in their deeds as they in turn sold their properties. One of the restrictions placed in Fieldston Inc., deeds required the purchaser to submit his building plans to its Architectural Committee for study and approval. The aim of this Committee was to determine that the proposed plan was good of its kind. No attempt was made to restrict the owner's choice of architect, but those most frequently selected were Dwight James Baum and Julius Gregory. Residents will have seen the photographs of some of the homes designed by Mr. Baum, recently carried by the Riverdale Press.

Meanwhile, Fieldston Property Owners' Association, Inc., was busy carrying out its purpose of preserving the community, cooperating with, but independent of, Fieldston Inc.; but some of the outlying sections of Fieldston were not selling very rapidly, so some Fieldston residents invested in a Building Corporation created to open up these areas. These new homes were soon rented, and the Corporation might have been prosperous had the depression of the Thirties not come along. Unfortunately in 1931-32 the houses became vacant one after another. With empty houses the Building Corporation could not meet its debts, and its mortgages were foreclosed, and it ended up very much in the red, the stockholders losing most of their investment, but it had served its original purpose of developing some hard-to-sell plots.

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For some time the Goodridge Estate Inc., had been selling off plots, immediately adjoining Fieldston on the northwest, for private homes, and had put in private streets, but in 1928 the Estate liquidated and the owners in that section, not being organized to care for their own streets, asked Fieldston Inc., to undertake the upkeep with an agreement by each owner to pay an annual maintenance charge for this service.

By 1929, Fieldston Inc., had been successful in disposing of the larger portion of its holdings, and in anticipation of its liquidation, it was felt that some corporation of all residents in the community should be considered to take over the future management of Fieldston. The Fieldston Property Owners' Association, Inc., was the logical answer, and it agreed to take over the management of the property and the collection and administration of its street maintenance fund.

From time to time through the depression years, as a few privately owned homes and plots were put on the market for resale under threats of institutions or apartments, the neighbors came through and raised sufficient funds to purchase three central parcels. Thus Fieldway Inc., and Fieldgate Inc., came into being. Both have since been liquidated by sales at a loss to the stockholders.

It may not be amiss to present at this point the fact that residents of Fieldston, and some of Riverdale, contributed to all these several agencies something over \$200,000.00 to make this the ideal community you as a resident are now

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enjoying. This sum represented real sacrifices on the part of the earlier residents who believed in the future of our community.

The next major threat came to Fieldston in 1938, when many of the residents were surprised to learn that an apartment could be built in Fieldston under the "F" Zone, where private deed restrictions had run out, if the size of the property were sufficient for the restricted height of the building. It was a new resident of Fieldston who, discovering that plans had been filed for an apartment in the heart of Fieldston, called attention to this threat and obtained an injunction to prevent its erection, on the grounds of local interest, protection of property and preservation of values. While this action was successful for a short period, the residents were determined to obtain more permanent protection. Application to the City authorities brought about the creation of an entirely new "G" Area District, restricting that area to one-family dwellings. Fieldston was the first to acquire that designation. It was obtained through the efforts and at the expense of residents, their advisors and attorneys. The details of the "G" Zone were designed particularly to fit the restricted residence ideals of Fieldston. Not only was the proposed apartment blocked, but a large parcel of land adjoining Fieldston on the south, which had been purchased by a speculator and at once denuded of trees in preparation for another apartment, was also placed in the "G" Zone, and has since remained vacant.

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• In 1948 the deeds to the streets and avenues in Fieldston were transferred to the Fieldston Property Owners' Association, Inc., from Fieldston Inc., and properly recorded.

The Fieldston Property Owners' Association, Inc., managed by a group of our own residents under a system of directors and block captains, had been successful in keeping its maintenance expenditures within the deed rate charge through the depression and the Second World War. But by 1951, as expenses and upkeep more than doubled, it became necessary to ask for a voluntary increase in street maintenance charges of 50% above deed rates. The matter was presented to each resident well in advance of the annual meeting of January 1951, and the vote at the rather full meeting was unanimously in favor of the increase, although three negative proxies had been received. Fieldston had met another challenge with favorable positive action.

In 1953 Fieldston Inc., was able to liquidate by disposing of its three remaining pieces of property. One, the Delafield Pond, was taken over by the Fieldston Property Owners' Association, Inc., and a new corporation was formed to take over the other two parcels, one of which has since been sold. The original stockholder interests of Fieldston Inc., who through loyalty to the community had been carrying the burden for so many years, received in liquidation thirty-seven and one-half per cent of their original investment. Some (including some who no longer reside in Fieldston) promptly reinvested a portion of this

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money in the new corporation.

The Fieldston Property Owners' Association, Inc., has nine directors whose terms run for three years each, with three director terms expiring each year, and has twenty-two block captains (one for each block) appointed by the Directors. (There are vacancies in this list and volunteers will be welcomed). There are special committees with chairmen appointed by the Directors. Its main function is to see that the money collected by deed covenant is used to repair the roads and sewers, to keep the streets clean, and in general to maintain a "private park" atmosphere for Fieldston. To do this as thoroughly as it should be done it is essential to receive payment promptly when bills are sent out the last days of April and October of each year for the accepted street maintenance. At the annual meeting, held usually in January, reports are made of the year's activities and the budget for the incoming year is presented to owners.

This then is Fieldston, as the original owners have watched it grow. A dream come true through constant vigilance, cooperation, time and money of many of its residents. May it long remain a community of neighborly self-interest and a residential park. This is the inheritance you acquired when you purchased your property. The street maintenance covenant in your deed automatically makes you a member of the Fieldston Property Owners' Association, Inc. Continued cooperation and vigilance are needed to combat future threats.

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Fortunate, indeed, are all of the residents of Fieldston. As the above will indicate this present-day lovely, convenient and restful community did not just happen. It did not grow up like Topsy! Not many years ago it was a big woods and deer jumped over rocks. A few paths led down to Broadway. It was just as the Indians had left it. And now see what it has become, thanks to the work, vision and united efforts of many residents past and present. In the foreground of all stands preeminently Albert E. Wheeler, whose service to the community extended far beyond his official duties. His leadership, zeal and imagination made of a dream this magnificent reality.

We hope this has helped you to understand a little more about your community, and to all new residents we extend a hearty welcome.

FIELDSTON PROPERTY OWNERS' ASSOCIATION, INC.

April 1955

EPILOGUE

TODAY, FIELDSTON IS COMPOSED OF ABOUT 140 acres, which encompass approximately three and one-half miles of streets, owned and maintained by the Property Owners Association. There are 259 houses on the twenty blocks in the community, all of which are included in the Association.

Several changes have occurred since the original booklet was published. In 1962, commercial security companies were hired to patrol the area which had previously been done by a patrolman either on foot or by personal car. Initially, the companies patrolled by private subscription, but this service was extended to the total community in January 1965; the Fieldston dues now include this cost.

A New York State Court of Appeals Decision in December 1965, reiterated the ownership of Fieldston Streets establishing that they are, indeed, private streets. After a hiatus of many years, all of the Fieldston streets were paved and sealed between 1980 and 1983. We have strived to limit trucking through the area to residential deliveries and to curtail speeding through the streets. Parking decals showing the Fieldston logo with coded house numbers are available for each homeowner to affix to their cars' window. This, along with keeping cars in respective garages and driveways, helps to preserve the bucolic aspect of the streets and allows the security patrol a clear identification of out of the ordinary vehicles.

One of the most constant events since 1955 has been the presence of developers on the westerly border of Fieldston. Chapel Farms, the area bordered by the Henry Hudson Parkway service road and part of 250th Street, is an area of 13 acres that first arose as a residential home development project in 1977. Since then, the area, which is composed of forest, heavily rocked woodland and a private home, has surfaced periodically as a

projected site for additional home construction. Problems associated with such development are legion: blasting through rock, truck access through Fieldston streets, annexation to Fieldston, and a variety of other issues that have stymied resolution satisfactory to both developer and FPOA. In concord with several other neighborhood preservation associations and Community Board #8 surveillance, FPOA will remain vigilant in retaining the character of the area.

The streets were last closed in June of 1950; since then the gates have deteriorated and been removed, although all traffic, vehicular and pedestrian, does officially enter through the tacit permission of FPOA. In 1985, the Board of FPOA suggested that the "ultimate solution to security would be closing off all streets to the general public and posting guards at entrances."** The logistics of such an action are still a puzzle.

As a new homeowner in this unique neighborhood, the residents and Board of Directors wish you welcome. We will continue to preserve and maintain Fieldston's ambiance so that it will retain the characteristics that first convinced you to reside in Fieldston, where community and family life so idyllically cohabit with nature. We hope that every successive homeowner will share the continuing responsibility of environmental and neighborhood preservation.

FIELDSTON PROPERTY OWNERS ASSOCIATION, INC.

NOVEMBER, 1996

** Minutes of Board of Directors meeting, 3/27/85.

ADDENDUM

ON MAY 2, 1996 THE BOARD OF DIRECTORS OF FPOA unanimously passed the following Regulations. In the interests of the community, we urge all homeowners to adhere to these guidelines for considerate neighborhood living.

1. No homeowner shall permit the use of power equipment, including but not limited to lawnmowers, leaf blowers and construction equipment and other similar noisy machinery on Saturdays, Sundays or legal holidays by anyone other than the homeowner or members of the homeowner's immediate family, except in the case of snow removal or other emergency.

2. No homeowner shall permit the use of power equipment, including but not limited to lawnmowers, leaf blowers and construction equipment and other similar noisy machinery, on weekdays before 8:00 a.m. or after 5:00 p.m. by anyone other than the homeowner or members of the homeowner's immediate family, except in the case of snow removal or other emergency.

3. Garbage and refuse shall not be put outside for pick-up earlier than the evening before a scheduled pick-up by the Department of Sanitation. After pick-up, all empty containers shall be put away the same day as the pick-up. (If a religious holiday conflicts with a homeowner's ability to conform to this regulation or to

regulation 4 below, the Association encourages the homeowner to obtain the assistance of a neighbor or friend.)

4. Recyclables shall not be put outside for pick-up earlier than the evening before a scheduled pick-up by the Department of Sanitation. After pick-up, or in the event that there is no pick-up on a scheduled day, all containers shall be put away the same day as the pick-up.

5. All cars parked on any Fieldston street must be clearly identified either by a sticker issued by the Association affixed to the left side of the rear window or by a note in the front windshield stating the address in Fieldston being visited.

6. No homeowner shall permit snow, leaves or other debris to be removed from the homeowner's property and placed on any Fieldston street.

7. No commercial sign may be placed on any member's property in such a way that such sign is visible from anywhere outside the property.

In December of 1998, the Board of Directors of FPOA
RESOLVED

that in the event any homeowner desires to use his or her property for a tag sale, auction, real estate "open house" or the like, then such homeowner shall contact the Fieldston Property Owners Association, Inc. Board of Directors at least ten days prior to such event to obtain a permit for such tag sale, auction or the like and such homeowner shall arrange with Security to hire and pay for the security personnel to manage traffic control.

In October of 1999, the Board of Directors of FPOA
RESOLVED

that the Association shall establish a fund to be used for the purpose of capital improvements to real property and fixtures belonging to the Association. such fund shall be called the Capital Fund.

RESOLVED

that the assets of the Capital Fund shall not be commingled with any other assessments of the Association. Assets of the Capital Fund shall be held in an account or accounts entitled: FPOA Capital Fund.

RESOLVED

that the Board of Directors may, from time to time, propose, subject to membership approval in accordance with the By-Laws, assessments on the members for contributions to the Capital Fund. Such assessments shall be explicitly itemized on any bill sent to members.

On March 26, 2002, the Board of Directors of FPOA reaffirmed its Sidewalk and Tree Policy, most recently restated on September 14, 1993, as follows:

Sidewalk maintenance is the responsibility of the homeowner. Maintenance shall include, but not be limited to, the removal of ice and snow and any other hazards in a timely fashion as well as sidewalk repair.

The roots of FPOA trees may not be cut. It is the homeowner's responsibility to inform their gardeners of this point. The homeowner will be held responsible for any damage which occurs to the trees.

If the roots of FPOA trees interfere with the homeowner's sidewalk maintenance, the homeowner should notify the FPOA's managing agent. The agent will arrange for an arborist to evaluate the situation and to recommend a course of action. The arborist's recommendation must be approved by the Board of Directors before it can be implemented.

Homeowners may not make curb cuts without the approval of the Board of Directors to ensure that not FPOA tree roots will be damaged.

On February 2, 2005, a substantial revision to the Special Natural Area District (SNAD) was adopted by the New York City Council.

The SNAD is a special zoning district overlay that provides added protections for an area's natural features, without changing or altering the requirements of the underlying zoning. In most cases, a development, site alteration, or enlargement must be reviewed by the Department of City Planning to evaluate impacts on natural features. The SNAD was mapped in Riverdale in 1975 and covers approximately one-half of Bronx Community District 8 – including Fieldston. Two other SNADs are mapped in Staten Island and one is mapped in Queens.

These new regulations increase the level of protection of natural features. The natural features include rock outcrops, geologic deposits, steep slopes, existing natural topography, topsoil, aquatic features, botanic environments and trees of 6 inch caliber or greater in size. A tree of 6 inch caliber or greater size that is dead, diseased, or potentially hazardous to property or person may be removed without special review. A certified arborist must be consulted to provide written documentation of the tree's condition and justifying its removal. Removal of healthy trees requires prior review and certification.

All questions about tree removal and site alterations which impact the natural features listed above should be addressed to The Bronx Office of the Department of City Planning.

FIELDSTON PROPERTY OWNERS ASSOCIATION, INC.

BY - LAWS

ARTICLE 4 - SECTION 7

In the event any property owner shall fail to pay any portion of any annual, supplementary or deficiency assessment as and when due, such property owner shall be liable to the Association for Interest on such unpaid portion at the maximum legal rate permitted for personal loans by the law of New York State from the date such portion was due until the date of payment thereof and, in the event that the Board of Directors shall retain legal counsel for the collection of any such unpaid portion, such property owner shall, in addition, be liable to the Association for the fees and expenses of such legal counsel. In addition, unless excused by the Board of Directors in its discretion, any such property owner shall be liable to the Association for a late payment charge in the amount of \$25 for each full month such payment is late, up to a maximum aggregate late payment charge of \$100.

