# THE HUDSON RIVER VALLEY REVIEW

A Journal of Regional Studies

## **MARIST**

#### From the Editors

The historical net in this issue of *The Hudson River Valley Review* has been cast especially wide, spanning from the early eighteenth century right up to the twenty-first. The range of topics—from linguistics and engineering to urban geography—is also unusually broad. Taken together, these articles comprise a fascinating tapestry that truly represents the diversity of thought and activity that has always been a distinguishing characteristic of life in the Hudson Valley. Such diversity is what continues to make the region a center for creativity and makes *The Hudson River Valley Review* so much fun to edit—and, we hope, fun and informative to read.

Reed Sparling Christopher Pryslopski

#### Letter To the Editors

One note regarding Christopher Pryslopski's intriguing article on the Orange County Government Center. The description of Goshen's main street as "...an historic island in a growing sea of suburban sprawl with endless stretches of red lights, turning lanes, and big-box retail centers" is quite simply well-over-the-top hyperbole—and not justifiable by any real review of the full Goshen area land-scape. As a leading anti-sprawl advocate, I know it when I see it. This hyperbole blemishes the article, regurgitates popular PR/media terminology, and certainly is not based on research or analysis.

Back to Rudolph's design: for now I will stay out of the debate on the merits of this example of modernist architecture or its functional use as a public facility. It is unique, but many of us have our own practical frustrations with the building. Its one element that particularly frustrates me, and many others, is that most of the stairwells were not designed or built wide enough to accommodate two people side-by-side. So when someone goes up or down the stairs, they typically have to wait, or go flat against the wall, to allow another person to go down or up. This just isn't practical in a heavily used public building.

David Church, Commissioner Orange County Planning Department, Goshen

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#### Call for Essays

The Hudson River Valley Review is anxious to consider essays on all aspects of the Hudson Valley—its intellectual, political, economic, social, and cultural history, its prehistory, architecture, literature, art, and music—as well as essays on the ideas and ideologies of regionalism itself.

#### Submission of Essays and Other Materials

HRVR prefers that essays and other written materials be submitted as two double-spaced typescripts, generally no more than thirty pages long, along with a computer disk with a clear indication of the operating system, the name and version of the word-processing program, and the names of documents on the disk. Illustrations or photographs that are germane to the writing should accompany the hard copy. Otherwise, the submission of visual materials should be cleared with the editors beforehand. Illustrations and photographs are the responsibility of the authors. No materials will be returned unless a stamped, self-addressed envelope is provided. No responsibility is assumed for their loss. An e-mail address should be included whenever possible.

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Since HRVR is interdisciplinary in its approach to the region and to regionalism, it will honor the forms of citation appropriate to a particular discipline, provided these are applied consistently and supply full information. Endnotes rather than footnotes are preferred. In matters of style and form, HRVR follows *The Chicago Manual of Style*.



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The mission of the Hudson River Valley National Heritage Area Program is to recognize, preserve, protect and interpret the nationally significant cultural and natural resources of the Hudson River Valley for the benefit of the Nation.

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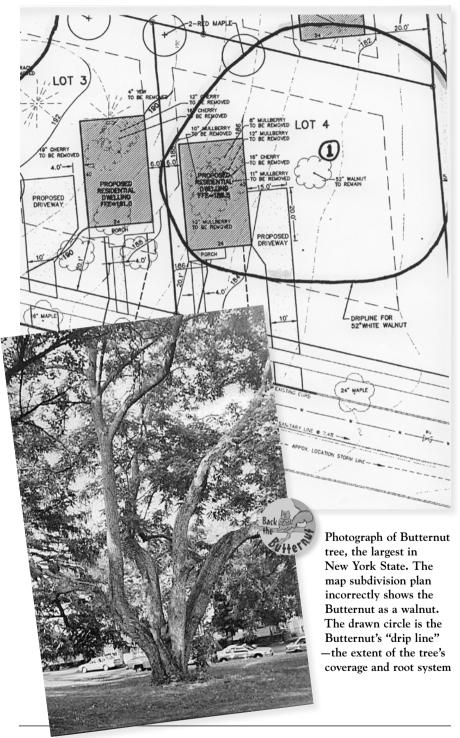
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# A Tree And Its Neighbors: Creating Community Open Space

Harvey K. Flad & Craig M. Dalton

#### Introduction

People's experiences of the urban landscape intertwine the sense of place and the politics of space.

—Dolores Hayden; architect/urban historian, 1997

Robin Poritzky was working in her garden on a warm, sunny day in July 2000 when she heard loud noises coming from a vacant lot across the street from her house in the City of Poughkeepsie. Carrying the pitchfork that she had been using, she ran out of her backyard and confronted a group of men with chain saws. They had just cut down a ninety-five-foot-tall tamarack tree and were about to lay waste to the rest of the half-dozen specimen trees on the property. Central within the small grove of varying species was a gigantic butternut (Juglans cineria), or white walnut as it is sometimes called.

The foreman of the operation stood with chain saw in hand and looked up at the seventy-nine-foot-tall tree with a diameter of 188 inches and a crown well over 100 feet in circumference, wondering where he might begin his cut. Screaming at the top of her voice and holding the pitchfork in her hands, Poritzky challenged him to stop. Other neighbors, having heard the clamor, soon arrived and stood with her to guard the butternut tree from being cut down.

Meanwhile, local city Councilman Robert Bossi came by and harassed the women who were defending the tree. "Good things are happening here," he said. "Good things?" asked one of the neighbors. "Good things! There's going to be seven new families here," Bossi responded. He went on to explain that the developer had every right to cut down the trees since they were on private property, and that nine houses were slated to be built on the less than two acres of undeveloped land. The neighbors argued against the cutting of the trees and for preserving the small remnant of nature, the remains of a large historic farm now inside the city limits. Bossi countered that greenery was not important; rather, people were

important. In that moment of crisis, a neighborhood articulated its identity and response to a sense of place.

The trees on the property opposite Robin Poritzky's home and the houses of her neighbors had established a natural setting over a century that became a place in the cultural landscape of the city. Many neighbors noted that they had purchased their homes on the streets opposite the grove of trees because of the harmonious balance to the environment that the vegetated landscape offered in the midst of an urban landscape densely developed with relatively modest single-family dwellings. And while some of the evergreen trees on the property were taller, the butternut stood out—its presence commanded the space. It would turn out, as the neighbors discovered while they fought to save the tree, that not only had the butternut been listed as an endangered species, but that this particular tree was the New York State Champion Butternut. The Forbus butternut tree, as it became known, is at least ten percent—and perhaps as much as twenty-five percent—larger than any other tree of its species in the state.

This paper offers a social and political history of an urban neighborhood organizing itself to save a tree and its associated open space as an effort in declaring the importance of elements of the natural landscape in formulating a community's sense of place. The Forbus butternut tree in Poughkeepsie is both a symbol of place and of urban ecological inheritance; as a place-maker it is also a focus for community identity.

#### Land-use history

The 1.3 acres of contested urban open space is a fragment of the former Gregory farm. The nineteenth-century farm was located on the edge of the incorporated City of Poughkeepsie for close to a century. By the early twentieth century, the boundary of the city had extended eastward to include the farmlands, and by the mid-twentieth century the Lawlor family—who were the current owners—had sold off major parcels for housing subdivisions. Meanwhile, the city took ownership of a large portion to locate its high school, middle school, and football fields.

In 1982, the Gregory House and its remaining grounds were listed on the inventory of "Historic Resources of the City of Poughkeepsie—Dutchess County" by the Division for Historic Preservation of New York State for subsequent nomination to the federal National Register of Historic Places. The description is unusual, as it not only enumerates the significant architectural features of the building, but also specifically mentions the landscape, including the lawn and trees:



Photograph of historic Gregory-Lawlor mansion

"In about 1869, when this house was built, it was located on the eastern outskirts of the City of Poughkeepsie. Its first owner was Alexander Gregory, a farmer, whose family owned vast acreage in that area. In fact the unusual (sic) large city lot, which comprises one third of a block, allows one to visualize its original rural setting. The grassy lawn, natural plantings of trees, and shrubs complement this representative example of the Second Empire dwelling, with its intact interior featuring period chandeliers. Though other structures of its period and basic style remain in Poughkeepsie, this one achieves outstanding significance for its siting, excellent condition, intact nature, and as one of the two best examples of a Second Empire county dwelling." (Emphasis added.)

#### Developer's plans

In 1999, the last surviving member of the Lawlor family died, and the executor of the estate offered the house and property for sale. Robin Poritzky and a few other neighbors were concerned about the possible loss of the historic house and grounds, and approached the executor to negotiate a sale. The price was \$140,000, but the executor did not want to hold a mortgage. Within a very short period of time, he sold it for \$120,000 in cash to Martin Maybaum.

Maybaum immediately began to gut the house of its period furnishings, some of the very interior features that were so important to the listing of the house on the historic register. At the same time, he presented a subdivision plan to the City of Poughkeepsie Planning Board, dividing the three large lots up into nine small house lots. (These would eventually be consolidated into six lots on subsequent development plans.)

The subdivided lots took no cognizance of the existing landscape. As drawn by the Chazen engineering firm, the footprints of houses and driveways were placed on top of existing trees or so close to some of the specimen trees (termed "mature" on the plans) that they were under the trees' drip-lines. This would mean digging up the roots of the 100- to 200-year-old trees, effectively killing them. The engineer noted that most of the trees would have to be cut down in order to proceed with placing the many houses on the 1.3 acres. Subsequent plans submitted during spring 2000 continued to require the removal of most of the trees.

Indeed, having submitted his subdivision plans to the city, Maybaum then proceeded to cut down the offending forest. But the midsummer day that he and his loggers came with their power saws, the neighbors came out to defend the trees. They were privately owned trees on a privately held lot, but the neighborhood residents—citing historic precedence of continual use over a century as a neighborhood place—considered the trees and the lawn to be a community resource.

#### Gathering information

It's pretty impressive. It's the biggest one on record. It's a rare tree... Unfortunately, it's imminently threatened by this construction.

—Lou Sebesta; Urban Forester, New York State Department of Environmental Conservation, July 14, 2000

Poritzky and her close neighbors, Gina Burley-Fishwick and James and Christine Oppenheimer, realized that they needed a lot of detailed information about the property and the trees to present to the city planning board in order to stop, or at least slow down, the development process. Immediately following the confrontation with Maybaum and his loggers, they began telephoning various environmental organizations and others interested in urban ecology. One of the first to respond was Lou Sebesta, an urban forester who worked in the Hudson Valley region for the New York State Department of Environmental Conservation. He visited the site early the following week, and wrote a report on July 12, 2000, with detailed specifications of all the trees still standing on the site. He was immediated

ately impressed with the size of the butternut tree—its height of seventy-nine feet, girth at four-and-a-half-feet, height of over fifteen feet, and canopy spread of more than 100 feet—so he went to his records book and declared it to be the largest butternut in New York State, indeed, the State Champion Butternut.

The fact that the butternut tree was the state's champion became an immediate news item, and one that the neighborhood group hoped would stop the developer from chopping it down. Although there is no state law that protects champion trees from the "ravages of the axe"—as Thomas Cole, the father of the Hudson River School of Art, wrote in 1835, as he lamented the destruction of the American wilderness—the title "champion tree" did produce a fair amount of public notice and concern. However, it did not influence the city planning board, nor did it force the city to enter a detailed process of environmental review on the subdivision plans.

The neighborhood group also discovered that the butternut is an endangered species. In fact, it was the first tree to be listed on the federal Endangered Species list by the U.S. Fish and Wildlife Service. Throughout the nation, in their former habitats of the southern Appalachians as well as in the Northeast, butternuts have succumbed to a cancerous growth. The Forbus butternut had a large canker; however, it had overcome the problem and was considered in very good health by arborists. This was of great interest to arboretums, which requested cuttings and nuts from which they could grow seedlings. Nuts and cuttings were also quickly sent to the National Arboretum in Washington.

The neighborhood group began to collect letters of support from a number of interested parties, including Scenic Hudson, Hudson River Sloop Clearwater, The Garden Conservancy, and the Northern Nut Growers Association, and they began to negotiate with the developer. Maybaum was interested in negotiating for some of the lots, although he did want to build a house or two on some of the subdivided lots. He agreed to sell the lot on which the butternut tree stood, and perhaps a few immediately surrounding the tree, to the neighbors. Now they had to come up with significant funds.

In order to get private donations, or public or private grants, they needed to become a not-for-profit, or 501-c-3 charitable, educational organization. This would be a lengthy process under New York State law. At this point, the Champion Tree Association, which had already become extremely interested in the Forbus butternut, suggested that they file as a chapter of their national organization. A dozen or so city residents became the Forbus Butternut Association and proceeded to raise funds and fight city hall.

#### Battles with developer and city planning board

The name of our proper connection to the earth is "good work." Good work is always modestly scaled, for it cannot ignore either the nature of individual places or the differences between places.

—Wendell Berry; naturalist/author, 2002

Although the local neighbors, other city residents, local environmental organizations, and even regional and national growers and arborists were concerned about the fate of the butternut tree, the city's planning process continued to accept the developer's plans without much argument. Members of the Forbus Butternut Association worked feverishly to delay what many felt was inevitable. As Lou Sebesta said, "We cannot stop private development."

Expert ecologists wrote letters, older residents recalled their pleasant memories playing on the grounds beneath the tree, while a citizen petition was signed by hundreds of residents and presented to the city. Nonetheless, the city was determined to move the development along without undergoing a full environmental impact assessment that could be necessitated under the State Environmental Quality Review Act. In order to pursue a more complete environmental impact analysis, the Forbus Butternut Association filed a lawsuit in September 2000, just two months after Poritzky's initial confrontation.

John Lyons, an environmental lawyer from Rhinebeck, was hired to draw up the documents and file a petition for an Article 78 hearing by the New York State Supreme Court. Although negotiations with Maybaum continued as he considered selling one or more lots surrounding the tree to the association, he moved ahead with his plans to build, and in fact constructed a small pre-fabricated house on a concrete slab on a corner lot, adjacent to the lots that encompassed the butternut's root system. The construction of this house led to the cutting down of two more specimen trees, including an 85-foot Ginkgo that urban forester Sebesta had determined to be in "excellent" health.

Of the original nine lots, three were combined into one parcel surrounding the butternut. One lot contained the newly built house, so six lots remained open for sale to the association. During the next two years, it raised more than \$60,000 from private loans, donations, and public grants to purchase five of the six available lots. About \$10,000 of that figure was raised through volunteer efforts by members of the association, including presenting their cause to the thousands of visitors at the Dutchess County Fair.

They also approached the City Common Council for funds. Poughkeepsie is proud of its history in urban tree management. In February 1978, the City Code

added a Municipal Tree Ordinance, which states, in part:

It is hereby found and declared that the City of Poughkeepsie, New York, is situated in an area covered with a wide variety of trees and shrubs that are a vital part of the heritage passed on to us by nature and our forefathers.

Trees are valued as a valuable asset, providing a healthier and more beautiful environment in which to live. They provide oxygen, shade, beauty and a contrast to the man-made setting. They help to prevent erosion, fill in streams, flash floods and air, noise and visual pollution.

Trees are economically beneficial in attracting new industry, residents and visitors. Healthy trees of the right size and species enhance the value and marketability of property and promote the stability of neighborhoods.

The ordinance also established a Shade Tree Commission, which, among other regulatory duties, hosts an annual Arbor Day celebration for schoolchildren. As New York State's oldest, continuously certified "Tree City," Poughkeepsie continues to budget for street and park tree maintenance and replacement.

In April 2002, then-mayor Collette Lafuente and five of the six members of the Common Council voted in favor of granting the association \$10,000 to purchase the property as a city park. Lafuente said, "I think we will be preserving a major part of Poughkeepsie's history. It will continue to be an asset to the neighborhood and the city." Common Council Chairman Tom O'Neill concurred: "I think, as a grassroots neighborhood organization, their request is deserving of a hearing." Councilman Robert Bossi—who had railed against Poritzky during her confrontation to stop the cutting of the trees in July 2000—lodged the lone vote against the resolution. He argued: "Believe it or not, they [the people of the neighborhood] have more important things to think about than the survival of the butternut tree."

The Mid-Hudson River Valley is currently undergoing significant population growth, especially by suburban commuters to New York City. Land use in Dutchess County is rapidly changing from rural agricultural to suburban sprawl, while residential growth is also occurring in the county's towns, villages, and two cities—Poughkeepsie and Beacon. The Dutchess County Legislature has taken some steps to attempt to control the haphazard land-use changes. Among these is the creation of a fund to purchase development rights to existing farmland and assist municipalities in the development of new parks. The county legislator representing the area of the city with the butternut property was successful in getting the legislature's open space fund to grant \$20,000 to the purchase of the

Maybaum property.

These local public efforts, along with successful lobbying by local politicians, environmentalists, and the state's own urban forester, resulted in a grant of \$32,750 from the New York State Office of Parks, Recreation and Historic Preservation from the Clean Water/Clean Air Bond Act. This grant was used to repay an earlier loan from the private Norcross Wildlife Foundation, and completed the \$60,000 necessary for the purchase of five of the six available lots. As the Forbus Butternut Association fund-raising letter prompted: "With your help, we can help raise monies to preserve this historic gem, further protect our beloved butternut tree and provide a green space for our children, residents and neighbors throughout the city...today and tomorrow."

Three years after a few neighbors stood defiantly in front of the grand and noble butternut tree, it had been saved and a pocket park established—all by sustained citizen action. The Forbus Butternut Association owns the tree and the land around it, while the property is open to public access. The association is responsible for lawn mowing, trash pickup, and other maintenance, while the Save-A-Tree non-profit ecological organization has taken on the responsibility of caring for the tree itself.

As a public park, albeit owned by a private not-for-profit, the land is used by the nearby schools for environmental education in art and science classes. Meanwhile, city residents pursue passive recreational activities during the seasons. The tree's shade is particularly welcome on hot summer days.

#### Conclusion

People demonstrate their sense of place when they apply their moral and aesthetic discernment to sites and locations.

—Yi-Fu Tuan; cultural/human geographer, 1977

Cities are cultural landscapes composed of a complex of social and natural elements and places that help to define the community's identity. A sensitivity to the natural features of place, according to the geographer Yi-Fu Tuan, may derive from individual or collective "topophilia," or "love of landscape." In this view, it is both a physical and aesthetic necessity to relate to the physical features of the environment, even in urban areas. The history of urban park design, as in the writings and work of Andrew Jackson Downing, Calvert Vaux, and Frederick Law Olmsted, have been most important in this regard.

The geographer and historian David Lowenthal, meanwhile, recognizes the significance of human interaction with the landscape over time. Landscapes

develop a sense of place for a community through memory, imagination, and aesthetic perspective. However, land-use changes can destroy community relationships, so preserving significant elements of the past is important to maintaining and enhancing a city's (or neighborhood's) quality of life. As Lowenthal has written: "We need the past...to cope with present landscapes.... Without the past as tangible or remembered evidence we could not function.... Buffeted by change, we retain traces of our past to be sure of our enduring identity."

Former Mayor Collette Lafuente spoke out in favor of preserving the butternut tree as a neighborhood and city historical resource: "This is a neighborhood...where people would like to save a tree that has lived through the history of this country.... Frankly, I don't think the city of Poughkeepsie will look like we know what we are doing if we can't preserve a tree that is getting national attention."

As Dolores Hayden, author of *The Power of Place*, has also written, "People make attachments to places that are critical to their well-being or distress," and if they are despoiled or destroyed or dramatically changed, it can be reflected in significant psychological stress. "Something is being taken from us," lamented Robin Poritzky as she and her neighbors described the importance of the trees and small, open-space property in their city neighborhood. A harmony that they felt existed between the built and natural environments was about to be broken.

Hayden has argued for a social politics of urban space in which local communities identify specific places that confirm their histories and their lives. It is said that "all politics is local." In November 2003, Poughkeepsie's mayoral race pitted Robert Bossi, the city councilman who voted against funding the purchase of the butternut-tree property, against Nancy Cozean, former vice president of the Forbus Butternut Association, who was primarily responsible for gaining funding for the purchase. In her successful campaign, Cozean noted the role of historic houses and landscapes, and neighborhood beauty and "neighborliness," as "tangible assets" of community pride. "History," she added, "makes the city feel its worth." "We need to explore ways to balance progress with preservation," Cozean argued as she defeated Bossi.

Specific spaces, buildings, artifacts, or even notable natural features such as hills, streams, or trees can become the landmarks that symbolize the community's identity. For the residents of one small neighborhood in the City of Poughkeepsie, a gigantic, noble butternut tree and its surrounding property emerged as their *genius loci*. Sense of place became political and remains to define its community character.

This article was originally presented on the panel "Regreening the Metropolis: Pathways to More Ecological Cities" at the centennial meeting of the Association of American Geographers in Philadelphia on March 19, 2004. It was retitled "Nature and the Cultural Construction of an Urban Place" and presented at the conference "Senses of Place: Urban Narratives as Public Secrets" at the Pace Institute for Environmental and Regional Studies, Pace University, New York City, on April 16, 2004.

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- Poughkeepsie City Planning Board, "Resolution of the City of Poughkeepsie Planning Board", (File #'s 202-300 and 207-873), June 27, 2000
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- Rob Seetoo, "Forester Says Butternut Largest Found in State," *Poughkeepsie Journal* (Friday, July 14, 2000), pp. 1A, 2A.
- Rob Seetoo, "Fund-Raiser Aims to Save Butternut," *Poughkeepsie Journal* (Saturday, November 4, 2000).
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- Yi-Fu Tuan, Space and Place: The Perspective of Experience (London: Edward Arnold, 1977).

#### The Hudson River Valley Institute

The Hudson River Valley Institute serves scholars, historical societies, elementary and secondary school educators, the business community, environmental organizations, and the general public. While conducting its own research, the institute is also an information hub facilitating and disseminating information and research on the Hudson River Valley. To help accomplish this, the institute is taking advantage of Marist's recognized leadership in applying information technology to teaching and learning. Marist College is fully committed to having the Hudson River Valley Institute bring a new level of scholarship and public awareness to bear on the scenic, cultural, economic, and historic resources of the Valley.

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