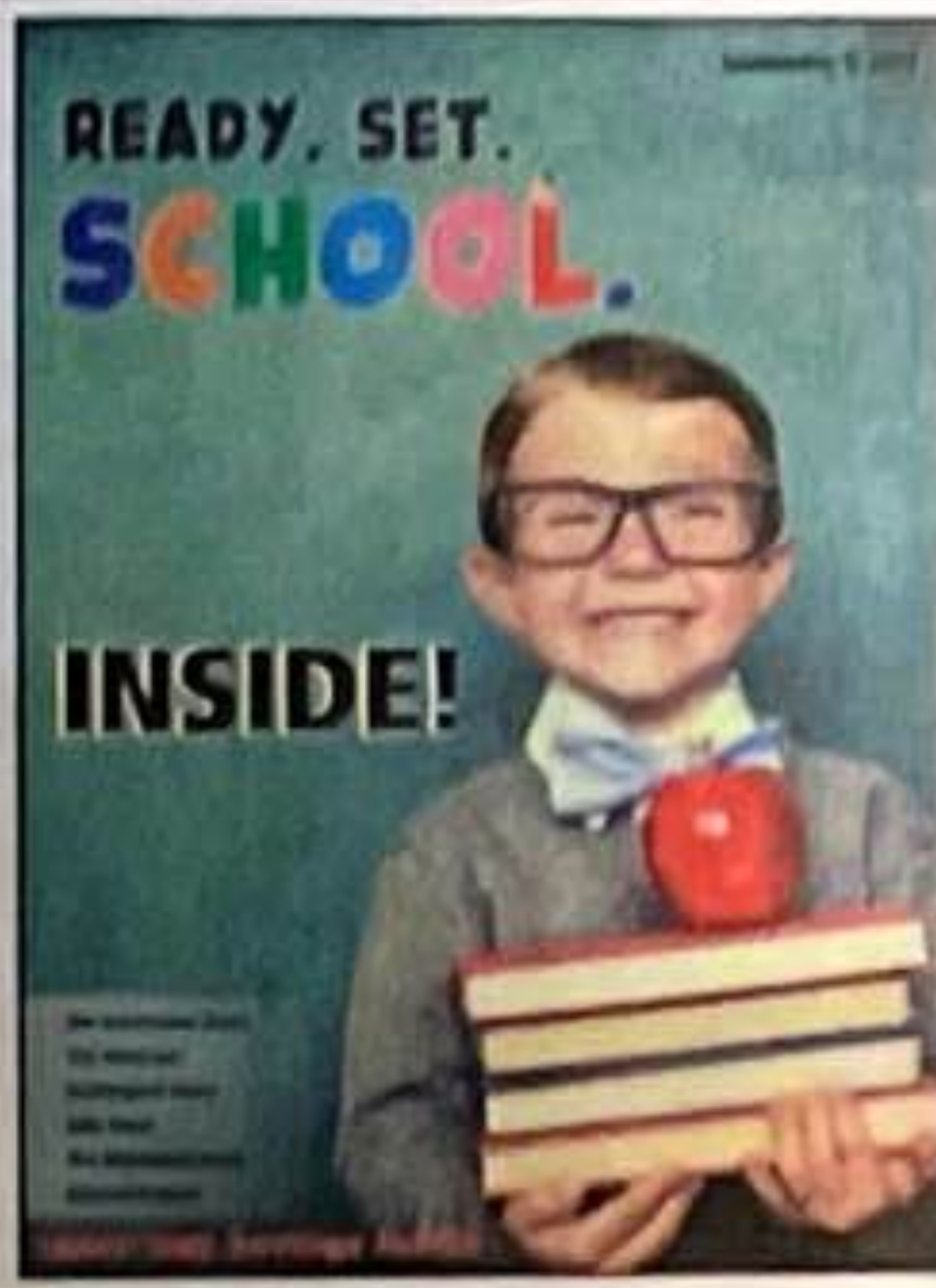


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# The Smithtown News

THE COMMUNITY'S WEEKLY NEWSPAPER

VOLUME 77, No. 66

September 1, 2022

75 cents

## Back to school

Smithtown district prepares for students to return to classrooms

By David Ambro

Tens of thousands of students in Smithtown Township are about to go back to school for the start of the 2022-2023 school year.

School started in the Hauppauge School District Wednesday, August 31 and school will get underway Tuesday, September 6 in the Smithtown, Commack and Kings Park School districts.

At the Smithtown School Board meeting Tuesday, August 30, the central administration offered an overview of the work it has done during the summer to ready for the return of students to the classroom.

"I can feel the excitement with the new school year on the horizon," School Board President Matthew Gribbin said at the onset of the Board of Education meeting Tuesday, August 30. "We have our athletic teams on the fields, we have our buildings getting ready for day one, and I have a feeling it is going to be a good year—back to normal."

In the Smithtown School District there will be nearly 8,000 students and more than 900 teachers returning to two high schools, three middle schools and seven elementary schools, the sixth largest public school district on Long Island.

Superintendent of Schools Dr. Mark Secaur began his report to the board Tuesday with an update about the impending return to school. He said this is an exciting time of the year. On Monday, August 29 there was orientation for new teachers.

"Working with teachers as they begin their careers in Smithtown is always very rewarding and a sure sign that school is about to start," Dr. Secaur said. "During that orientation I was able convey to them the importance of positive student engagement, as well as the power they have to positively impact the experience of our students."

Dr. Secaur said the entire staff will return to school Thursday, September 1 in advance of the return of students. "I very much look forward to seeing them and conveying a similar message," he said. "My message will once again focus on the power of belief. We must understand the importance

(Continued on page 12)



Head of the Harbor and Nissequogue village residents were joined by Assemblyman Steve Englebright (D-East Setauket), environmentalists and Stony Brook University students at a rally Saturday, August 27 at Cordwood Beach Park to oppose an application to build a dock at a home on Swan Place and to block the construction of docks in Stony Brook Harbor. See stories, page 3; editorial comment, page 4.

-David Ambro photo



**NOT IN MY BACKYARD:** By land and by sea protesters oppose the construction docks in Stony Brook Harbor during a rally at Cordwood Beach Saturday, August 27.  
-David Ambro photos



At an anti-dock rally at Cordwood Beach Saturday, August 27, Nissequogue and Head of the Harbor village historian Leighton Coleman, III provided a historical context for the site of the rally and at which a controversial 186-foot pier and dock assemblage is being proposed. He said:

Today, as we enjoy this beautiful site, it is not that hard for us to imagine the scenic view the indigenous / first nations peoples enjoyed for 11,000 years—that's more than 550 generations of them. Their bountiful mounds of discarded shells, called middens, dotted around the harbor attest to that.

What is hard to believe is that this special spot was once a center of industry and commerce, starting in the early 18th century. We are now standing at the site what was once an active boat building yard and shipping port, where New York City's manure was traded for cord wood to fuel the city's numerous town houses.

Around 300 years ago, the remains of the early settlement sites and countless middens, were graded over for roads that traversed the shoreline to homes connected to either the Carmen ship building/chandler industries and farms. Such as the 19th century Carmen boat storage barn over there.

The view in the 1820s would be so dramatically different from the time of the indigenous/first nations peoples and of today, as the lush tree-scape we all see now, is not the old growth trees, they were cleared away, (such as the ecologically important native white oak), to build boats, homes and barrels, and make way for numerous farm fields and pastures and that had populations of livestock, such as sheep, greater than that of the townsfolk.

The 19th century boatyard used arsenic to cure

the wood for ship building and that along with other human and livestock activity, such as waste runoff, greatly affected the ecological health of the harbor. As the harbor naturally silted in, the economic activity changed for the better.

In the 1870s, through a serendipitous inheritance, several Smith siblings found themselves with the means to buy up large parcels of land, turning farms into estates, and thus the focus of the harbor became that of leisure sporting activities, such as sailing, fishing and hunting. Over there was once a five story hotel called Tony Farrell's Inn in which New Yorkers came for the curative waters! Imagine that! The owners of these waterside estates collected specimen trees as having a private arboretum was then fashionable. They followed the philosophy of Frederick Law Olmsted, which was that nature, specifically majestic scenery as exhibited here, renews and refreshes the mind and soul.

By the early 1920s, the harbor was under threat by commercial dredging for mining of sand and gravel and the subdivision of the large estates into developments. Local residents were alarmed, incorporated villages were formed and by the 1940s residents had launched the Stony Brook Harbor Association to preserve the ecological health of the harbor. The result is that today, the ospreys and nesting bald eagles are back, but for how long?

Sadly, the old guard has passed on, and we were left, apparently, with a false sense of security that our harbor's healthy future was in safe hands, but thankfully as of today, I see that we have a new generation of stewards stepping forth!! Hopefully, for the harbor's sake, it will be another 550 generations of you.

# Englebright fired up against 'gangsters' taking of public land

By David Ambro

At the Block the Docks rally at Cordwood Beach in Head of the Harbor and Nissequogue villages Saturday, August 27, State Assemblyman Steve Englebright (D-East Setauket) made a fiery speech critiquing the Town of Smithtown and New York State Department of Environmental Conservation (DEC) for granting preliminary approval for private docks to be built in Stony Brook Harbor.

He called on the Nissequogue and Head of the Harbor village governments to scuttle these proposed docks and fight to preserve the harbor. He also promised to introduce legislation in the next term to regulate docks and preserve the harbor and the public trust to the waterways.

The Block the Dock rally was organized by Head of the Harbor homeowner Lisa Davidson to oppose a 186-foot dock proposed to be built adjacent to Cordwood Beach by Andrew and Maria Georgakopoulos at 5 Swan Place. The application has been approved by the town and by the DEC but has been denied by the Head of the Harbor/Nissequogue Joint Coastal Management Commission (see related story, at left). It is now subject of a September 6 public hearing of the Nissequogue Village Board of Trustees in advance of final consideration.

"This isn't just any place. We are at the inner harbor of the least spoiled of all of the North Shore harbors," Mr. Englebright said with Stony Brook Harbor as the backdrop of the rally. "Unfortunately, there are some initiatives underway that are intended to spoil the harbor. That would be most unfortunate. I think we need to do everything we can to prevent that from happening."

During his remarks, Mr. Englebright said the first environmental controversy on Long Island in the 20th Century was the dredging of the harbors during the 1920s and 1930s. He brought with him and held up a book, Sands of Time, published by the Port Jefferson Historical Society, which chronicles the era of harbor by dredging. He said people made a lot of money by dredging sand through hydraulic methods from the harbors and shipping it to New York City for construction projects. He

(Continued on page 8)

## Editorials & comments

# Good reason to oppose Stony Brook Harbor docks

Anyone wondering what all the fuss is about over the proposal by a Nissequogue Village homeowner to build a dock into Stony Brook Harbor in front of their property on Swan Place need only go to Cordwood Beach Park and take a look around.

The park is tiny but unique. It is partially in the Village of Head of the Harbor, partially in the Village of Nissequogue and owned by the Town of Smithtown. It is also extraordinary. There is room for only a few cars to park and the park itself is just a small patch of grass with a few picnic tables and post and rail fence separating it from the tidal wetlands.

Cordwood Beach Park, though, is at the head of one of the most exquisite and well preserve harbors left on Long Island. It offers a vantage point from which there is a panoramic view of the harbor from Long Beach to the wetlands at the headwaters, and it is breathtaking.

Standing and looking around from this park accentuates why there is a fight to stop the proliferation of docks in Stony Brook Harbor. It is a precious marine habitat that is worth fighting to protect and one that will eventually be destroyed by the encroachment of docks and the shoreline hardening from bulkhead and seawalls.

The Swan Place dock is but one small encroachment into the harbor, but it is the first of things to come and it marks the beginning of the end of the splendor of Stony Brook Harbor if it is allowed to be built.

**The Smithtown News** this week lends its voice to the opponents of docks being built in Stony Brook Harbor, the Block the Docks movement. It is a fight worth the effort and we urge the Nissequogue Village Board after the public hearing September 6 to deny the Swan Place dock application. The public interest is not best served by this project.

Unfortunately, though, this is a battle much like swimming upstream. In a letter to the United States Army Corps of Engineers in its review of the Swan Lake dock, the Town of Smithtown determined that the dock is consistent with the policies of the Local Waterfront Revitalization Program (LWRP), a significant step toward approval. And, the government and the courts have a history of approving dock applications of upland property owners.

The Block the Docks movement, though, has gained some ground. Counted among its members is State Assemblyman Steve Englebright (D-East Setauket), chairman of the New York State Assembly Environmental Conservation Committee.



Stony Brook University environmental club students at the Block the Docks rally at Cordwood Beach Saturday.

Mr. Englebright is a powerful advocate with a deep understanding and appreciation of Stony Brook Harbor who has championed these causes before. He is an important person to have on your side.

In addition, in April the villages of Head of the Harbor and Nissequogue Joint Coastal Management Commission denied the Swan Place dock application, disagreeing with the town and determining that it is inconsistent with seven policies of the LWRP. It is a significant determination in support of the Block the Dock initiative but it is only advisory. The defining moment in this battle will come from the Nissequogue Village Board of Trustees.

Hopefully, these elected village officials have been to Cordwood Beach Park and have seen what is at

stake in this battle. They should study the evaluation that conservationists, preservationists, and environmentalists have compiled about Stony Brook Harbor. Places like this are fast disappearing and it is no place for docks, piers, seawalls or bulkheads. As John Turner of the Four Harbors Audubon Society pointed out at a rally at Cordwood Beach Saturday, August 27, there are bald eagles, osprey and egrets flying overhead and among the marine life below the surface is the rare diamondback terrapin.

Yes, it is like swimming upstream to block a dock and to fight shoreline construction these days. But thankfully there are those willing to take up this cause, as it is worthy, important and significant for the future of Stony Brook Harbor and Long Island.

## Letters from our readers

### Taps & Talons to-do...

Editor, The NEWS:

Thank you **The Smithtown News** for your reporting on the sad, mean-spirited decision of Smithtown town officials to block Sweetbriar Nature Center from holding its annual "Taps & Talons" event.

There are so many things we don't know about this. Why are town officials not giving a clear reason for this decision? Is it some provision in the deed which grants Sweetbriar Nature Center the property? We don't know. If it is, why don't they spell it out? For six years this event was held with no problem; why starting last year was it suddenly blocked by the town? The deed didn't change. Last year the town cited Chapter 94 of the town code, prohibiting the consumption of alcohol in public places, as the reason. So this year Sweetbriar dutifully applied for a permit to serve alcohol on the property, and was stonewalled by the town. Why? Why all the secrecy? Something's not right here.

Here's what we do know. Sweetbriar is a unique community gem, one of the things that makes Smithtown a great place to live. Its work in wildlife rehabilitation, educational enrichment programs, and habitat preservation is unmatched locally and widely respected regionally. The "Taps & Talons" event is Sweetbriar's biggest fundraiser. It raises an amount well into five figures, helping to keep this irreplaceable community asset in good financial

health.

**The Smithtown News** reports Sweetbriar was told by town officials that "Taps & Talons" is "not in keeping with the spirit of your mission." To begin with, town officials have a lot of gall pontificating about the "spirit" of Sweetbriar's mission. In fact, it seems to me this event very much is in the spirit of Sweetbriar's mission, which is helping people connect with the natural world in ways that are both fun and educational.

The alternative, suggested by the town, that the event be held at Hoyt Farm is a non-starter. The purpose of "Taps & Talons", besides raising funds, is to introduce the public to the wonderful wildlife, gardens, and exhibits at Sweetbriar. And why would it be OK to sample tiny glasses of local craft brew at Hoyt Farm but not at Sweetbriar? And how much would the town charge Sweetbriar for the use of Hoyt Farm?

Kudos to Rob Trotta who pleaded with the town to not block this event, saying it was "the mellowest event I have ever seen" and "it was great—I'm going to miss it." The Town Board and various planning boards of Smithtown don't seem to understand that there's more to town government than just cultivating tax revenues. There's quality of life for us who live here. Which is not enhanced by shutting down Sweetbriar's "Taps & Talons" any more than it's enhanced by greenlighting a mega-development at Flowerfield.

David Friedman  
St. James

## The Smithtown News

PUBLICATION NUMBER: (USPS 499-240)



Published Every Thursday  
THE SMITHTOWN NEWS, INC.  
One Brookside Drive  
P.O. Box 805  
Smithtown, NY 11787  
(631) 265-2100  
info@smithtownnews.com

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Periodicals postage paid at the Smithtown, NY  
Post Office under the act of March 3, 1879

Subscription	Advertising Rates
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# Englebright jumps into dock fight

(Continued from page 3)

said the salt content made it poor quality and for concrete that cracked.

"That didn't matter because these were essentially gangsters and they wanted what they wanted and they were buying influence with the towns and the towns were selling out the harbors," he said. "One by one the communities rose up in opposition and established villages. That's how these villages came into existence—to protect the harbors—that is the legacy of this village. That is your birthright. That is how you came into existence under municipal state law."

According to Mr. Englebright, establishing incorporated villages was the only way people had to fend off the policies of the towns that were destroying the North Shore harbors. "There was no other way to stop the towns, literally, from selling out the harbor bottoms."

"Are you starting to see some parallels here?" Assemblyman Englebright asked.

Raising his voice, he answered his own question. "The Town of Smithtown has sold out the harbor bottom with the initial permit for a dock," he said.

Mr. Englebright said the land on which the town allows docks to be built is public property and he charged that it is illegal for the town to give it away to an upland property owner. "You're not allowed to give away public assets to private parties."

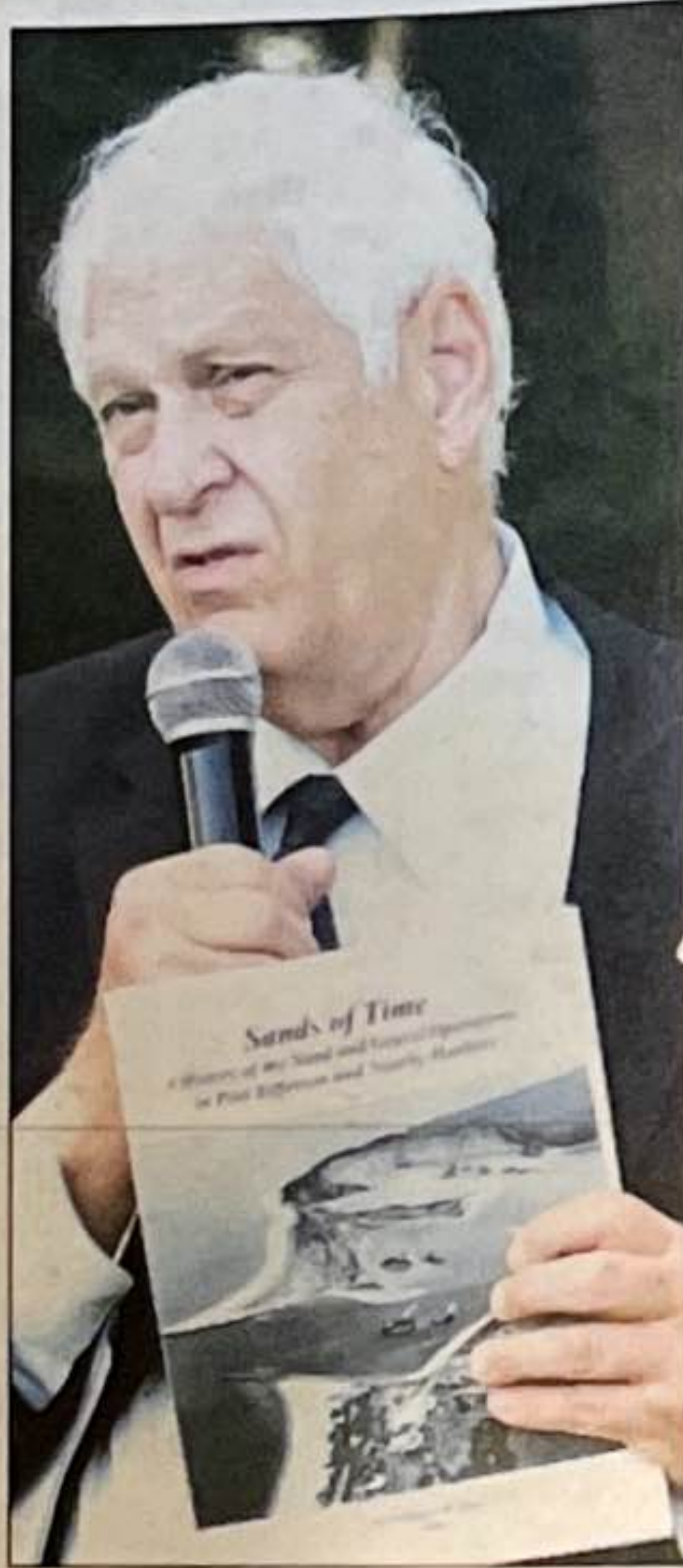
Mr. Englebright, whose district is on the opposite side of Stony Brook Harbor from where the rally was staged, said the DEC overturned a decision of 12 years ago to protect the inner harbor and has gone along with the Town of Smithtown to approve marine construction, including docks. "It's an echo of the outrage that led to the creation of these villages, and I'm talking about all of these villages clustered between here and Port Jefferson."

According to Mr. Englebright, the founding fathers of the villages were fighting to protect the harbors and their important natural and recreational resources. "It falls to us to remind those who give permits that they are revisiting gangsterism and participating in the disposition of public assets to private parties that is completely contrary to what the public's best interests are," he said.

The assemblyman acknowledged that upland property owners have riparian rights to access the water from their property within "reasonable" bounds. "Is a 100 foot dock reasonable into publicly owned land at the bottom of the harbor? I don't think so," he said to cheers.

Permitting docks disposes the public's rights to the harbor in favor of a private party, Mr. Englebright said. "We are not the first generation that has had to deal with this," he added, and handed Ms. Davidson a copy of Sands of Time.

He said the preservation of Stony Brook Harbor had to be confronted in the past, the O'Brien Brothers, the main dredgers, referring to them as the Irish Mafia. "They were literally buying their way through town hall in the 1920s," he said. He said the residents approached the assemblyman of that day and he suggested that they use state law to create villages with their



Assemblyman Steve Englebright with a copy of the book Sands of Time which he cites during his remarks at the Block the Docks rally Saturday.

-David Ambro photo

own zoning power and the ability to preempt the disposition of the harbor bottom by the town.

"That is your legacy. Don't forget it. Don't let someone else take it away," Mr. Englebright said.

He next held up a memorandum in a case involving the Incorporated Village of Lloyd Harbor where they were successful in denying a dock from being built. In that case, the court found that reasonable rights to the water may be established by the state legislature for the protection of the rights of the public.

As the owner of the underwater land, the state has rights as does the public, he said. "This is a public trust. This is not a private plaything," Mr. Englebright said. "It is not something that should be sold through the process called permitting."

He talked about the battle decades ago to protect the environmentally sensitive ecosystem of the Pine Barrens in Central Suffolk County and vowed to introduce legislation to provide harbors and public waterways with equal protection. "I submit to you that next year, God willing, I will continue to be the chairman of the Environmental Committee in the Assembly and I promise you I will introduce law to define riparian rights and to make sure the public's rights are foremost," he said.

He called the permitting process boneheaded, and said before legislation can be enacted there has to be efforts made to stop these dock applications from being approved. "We need all of you. I'm so glad that you are here today. I want you to know that I am ready to go to work on the issue that brings us all together today," he concluded.

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(Continued from page 3)

April determination, which has engendered broadening community opposition.

Head of the Harbor resident Lisa Davidson, a member of the Joint Coastal Management Commission, recused herself from the vote on the Georgakopoulos dock application and has been leading the opposition movement. She organized Saturday's rally.

During her remarks at Cordwood Beach Saturday, Ms. Davidson said she recused herself from voting on the Swan Place dock application and others because she realized that Stony Brook Harbor is in grave danger from shoreline development.

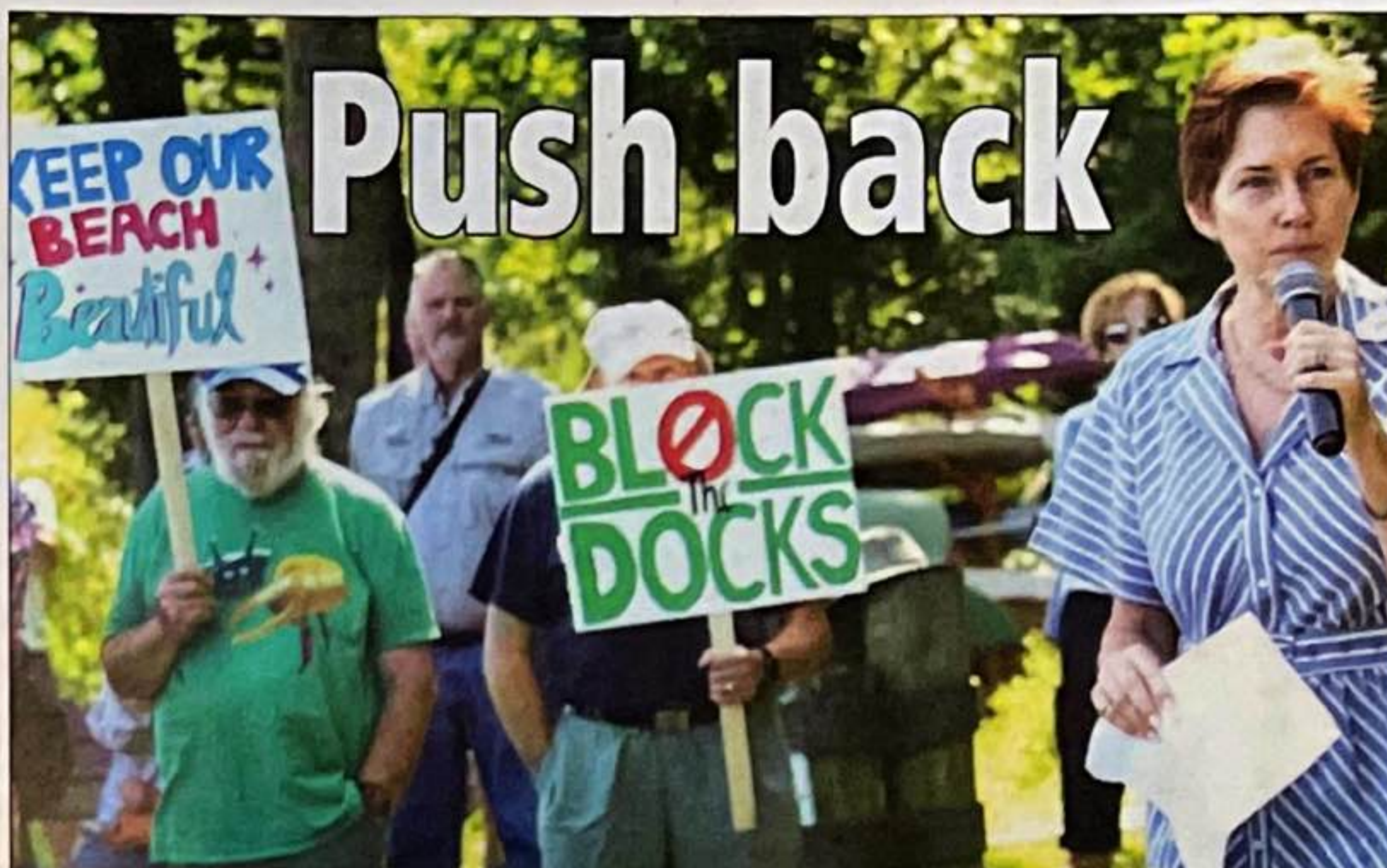
She said the community has to come together and take action now before it is too late. She encouraged everyone at the rally to reach out to local elected officials and oppose the proliferation of docks in Stony Brook Harbor. A sheet of paper was passed around at the rally with contact information for the New York State Department of Environmental Conservation (DEC) (631-444-0355, [rep\\_rl1@dec.ny.gov](mailto:rep_rl1@dec.ny.gov)), Smithtown Supervisor Edward Wehrheim (631-360-7600, [supervisor@smithtownny.gov](mailto:supervisor@smithtownny.gov)), the Smithtown Planning Board (631-360-7540, [smithtownplanning@smithtownny.gov](mailto:smithtownplanning@smithtownny.gov)), Head of the Harbor Village Mayor Douglas Dahlgard (631-584-5550, [doug34@optonline.net](mailto:doug34@optonline.net)), and Nissequogue Village Mayor Richard Smith (631-862-7400, [nvdeputyclerk@optonline.net](mailto:nvdeputyclerk@optonline.net)).

She especially urged everyone to contact the DEC and the Smithtown Planning Board. "They are the ones who keep approving these first-phase dock permits," Ms. Davidson said. "Please let them know that you do not want your bay full of private docks, and it truly is your bay."

According to Ms. Davidson what Mr. Englebright said bears repeating—the Swan Place homeowners who are proposing the 186-foot dock will argue that they have riparian rights to navigable waters under the law. She said they have those rights now, and can launch a kayak from the water's edge.

Ms. Davidson said because the harbor is shallow, the dock has to be built out to a depth suitable for a boat. "That's why the proposed dock—I call it a mega dock—is 186 feet long. There's another mega-dock proposed for a few doors down. That dock would be over 200 feet long," she said. "The kicker is that these property owners only own the land up to the water's edge."

"They don't own the land 186 feet out into the bay," she said. "They don't own the land 200 feet out into the bay. We own that land."



Block the Docks rally organizer Lisa Davidson (right) speaks at Cordwood Beach Saturday.

## Opposition mounting, rallies to urge Nissequogue Board of Trustees to vote against dock proposals

She argued that the dock will contribute to the degradation of Stony Brook Harbor. "Everyone of these private mega-docks is a private taking of public land and every one of them should be blocked," she said, and urged community outreach to lobby local officials against the docks.

"The only way we are going to stop this is if every single one of us sends an email, makes a phone call and lets them know, please block the docks," she said. "Please look at this view. We will lose it if we don't take extreme action now."

Kevin McAllister, of Defend H2O, said he woke early and traveled to Cordwood Beach Saturday from his Sag Harbor home because of the seriousness of the event. Mr. McAllister worked for many years in resource protection and docks and dredging in South Florida, where environmental controls saw intense pushback from attorneys and special interests seeking to build large docks.

"This was going back 25 years ago but I have seen the future and we don't want it to happen here," he said. "These structures undoubtedly have a direct impact on their own footprint but inevitably there is a push to bring in bigger boats, and you will end up with prop dredging. Then, secondarily to that is turbidity problems, where the water is always cloudy."

The former Peconic Baykeeper, Mr. McAllister said Stony Brook Harbor is in sound environmental condition compared to many other harbors on the North Shore of Long Island. "So we have to do everything we can to protect the resource," he said.

Mr. McAllister also warned that there is a cumulative

impact from a proliferation of docks over five to 10 years. "These docks come in systematically and result in more boats, prop dredging, the push for legitimate permitted dredging," he said.

In his role as an advocate, Mr. McAllister said he lobbies against docks, seawalls, dredging and dock permits in the Nissequogue River and Stony Brook Harbor. He said over time they will obliterate public access.

Citing the rare diamond back terrapins in Stony Brook Harbor, Mr. McAllister said docks fragment the habitat for such important species. He urged everyone at the rally to attend the September 6 public hearing of the Nissequogue Village Board of Trustees to oppose the Swan Place dock and docks in general. He said the opposition letter by the Joint Coastal Management Commission is well founded and explains why this is a bad idea.

"Now it is incumbent upon the trustees to adhere to that recommendation and say no to this structure," he said. "This will have a cascading impact on this upper harbor and we need to turn out in big numbers to oppose this."

He urged phone calls, emails and attendance at the meeting. He also urged support for the legislation Assemblyman Englebright discussed.

Among those at the rally Saturday was a delegation from the Stony Brook University Environmental Club led by its president, Alex Casamassima, who was one of the speakers at the event.

A senior at the university, Mr. Casamassima is an environmental studies major from Yonkers. He said the environmental club at the university is super passionate

about raising awareness about environmental issues. He said the members have visited parks and preserves all over Long Island, including kayaking in Stony Brook Harbor.

"Access to untouched nature is something that I wish every student was able to experience," Mr. Casamassima said, adding that it is a way for students to destress. "Getting to visit these kinds of places benefits students immensely and it provides a break from routine academic stress."

"If these docks are built it would absolutely tarnish the historic view we have here," he said. "A 100 foot dock would mean one less space students would have to visit, one less spot for someone to come and destress, one less harbor to kayak around its shores, one less park to have a picnic and enjoy the view, one less ecosystem untouched by human development, one less spot to appreciate the natural world."

"For these reasons we are gathered here today to urge the board to listen to our pleas and block the docks," he concluded to applause.

John Turner, an author and naturalist with the Four Harbors Audubon Society, thanked Assemblyman Englebright for his inspirational comments. He said people galvanized into public action can make a difference and said that he was one of those people who worked alongside the assemblyman decades ago to preserve the 100,000 acre central pine barrens of Suffolk County. He said that effort underscores the fact that people can make a difference.

"The latent power that you have is really quite great if you convert that latent quality

into activism," he said.

Mr. Turner said Stony Brook Harbor is the western most of the four harbors his Audubon Society represents. He offered a briefing of the environmental magnificence of the harbor.

"If you just look behind you here now you can get the old expression that one picture being worth a thousand words, you pretty much get the inspiration and knowledge you need to argue against the two mega docks that are proposed," he said. "We hope that the villages and the Town of Smithtown will not grant private access to a public trust resource that could ultimately have an adverse impact on the harbor."

As he stood in the park waiting for the rally to begin, Mr. Turner said he witnessed a bald eagle fly past, ospreys circling above, wading birds, snowy egrets, American egrets flying past. "If you spend any time kayaking the harbor you know this harbor from an ecological and biological perspective is just a really vibrant ecosystem," he said. "You see many different species of game fish and bait fish, horseshoe crabs... It was right here at this beach that I developed a love for the natural world that really continues to this day."

Mr. Turner said he was scanning the harbor earlier that morning and he counted five and two weeks ago he counted 15 heads of diamondback terrapins. He said Stony Brook Harbor is one of the best habitats for these turtles which are a species of special recognition, which are threatened by the dock proposals.

"Terrapins come ashore in June to lay their eggs in the sand. So you can just imagine if these docks get put in the amount of increased disturbance and foot traffic could have an adverse impact on terrapins, just one of many impacts," he said.

In conclusion, he said that as bad as the short-term impacts of docks will have on the ecosystem and environmental quality of the harbor, there will be an even more significant long-term impact. "The camel's nose is in the tent if we allow this to happen," he said. He said there are 54 private property owners at the mouth of the harbor, and if these docks are approved there is nothing to prevent the rest of them from also building docks.

"If we look decades down the road, if that happens, we'd be facing the slow industrialization of this harbor that I don't think anyone here wants," he said.

He said Four Harbors Audubon is energized and strongly opposed to the dock applications. "We could not agree with you more. Let's block the docks," he said.