

THE VILLAGE PRESERVATION SOCIETY OF EAST HAMPTON

the Village
Preservation
Society of East Hampton

◆
SPRING NEWSLETTER
APRIL 2017

35th Anniversary Celebration Cocktail Party

Saturday, June 10, 2017

**Save
the Date!**

6:00 p.m. – 8:00 p.m. at the Tennis House

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DEER MANAGEMENT UPDATE

by Polly Bruckmann

The Society continues to advocate for a deer management program in the Village. The deer-spaying program came to a halt in 2015 because of threatened lawsuits by the wildlife preservation community, which was a disappointment. VPS leadership continues to meet with Village officials to keep the issue top of mind. Earlier this year, Village Administrator Becky Molinaro indicated that the Board was investigating immuno-contraception as a population control measure. While the Society is agnostic on the actual method of control, our research indicated immuno-contraception to be the least effective of the non-lethal methods currently available in both cost and stress to the animal.

Ovariectomy removes only the ovaries of the doe, sterilizing the animal and eliminating the female's hormone emissions that attract bucks during mating season, often causing the erratic behavior that can lead to car collisions. Ovariectomy has now been formally adopted by the Department of Environmental Conservation in Maryland and no longer requires an experimental, data gathering permit such as exists in New York State. The

Maryland DEC formally acknowledged this deer management technique after several years of an experimental ovariectomy program conducted by Wildlife Rescue, Inc. (WRI), a Maryland based wildlife preservation organization that has been key to the Society's understanding of the efficacy of ovariectomy as a deer population control technique. See more at: <http://www.wildliferescueinc.org>.

This year WRI leadership gained the support of The Humane Society of the United States (HSUS) when both organizations collaborated to continue a fertility control project to humanely manage the white-tailed deer population in a suburban neighborhood in Baltimore County, Maryland. The HSUS deployed three trained staff to assist WRI and its staff of veterinarians and volunteers with capturing and handling female deer, that were surgically sterilized and then released back into the wild. "We were happy to assist Wildlife Rescue, Inc. with its efforts to continue this humane, effective and sustainable deer management program," said Kali Pereira, HSUS's Senior Deer Program Manager. "We hope the project will



Photo credit: Enid Feinberg

Tagged deer mingle in family units with bucks and fawns.

continued on p. 4

ELBERT T. EDWARDS IN MEMORIAM

by Georgia deHavenon

The Village Preservation Society mourns the loss of Elbert Edwards, one of the earliest members of the VPS Board since the organization began in 1982.

Born on March 14, 1945, Elbert was a twelfth generation son of one of East Hampton's original families. He attended high school in East Hampton, received an engineering degree from the State University at Morrisville, and served in the U. S. Army during the Vietnam War. He also studied blacksmithing at the California Polytechnic State University in San Luis Obispo, California, a harbinger of his life long involvement with and love of horses. In about 1959, he began working at Deep



Hollow Farms, a property he later purchased and where he continued to oversee its 35 acres of pastureland. He also managed Montauk's Startup Ranch. He married Hedwig Bates Nightingale (Heddie) in 1987. She recalled their first meeting at a Republican function. "I gave him my phone number – never heard from him. Finally, I paid \$50 to attend another function at the Devon Yacht Club, where I promptly marched up to him

and said, 'You're becoming expensive! You never called me!' He still had a small slip of paper with my name and telephone number on it. It's a keepsake." They had one daughter, Dr. Pember Bates Edwards.

Following in his father, Louis T. Edward's footsteps, Elbert became a Village Trustee in 1977, where he continued to serve until his death last fall. Prior to assuming that position, he had been chair of the Town's Zoning Board of Appeals. Elbert's deep attachment to East Hampton and his long service to the community are evident in the issues with which he was involved, including the adoption of the Village Comprehensive Plan, and the important zoning changes that are associated with that plan.

Elbert was able to participate as an extremely effective member of the Board of the Village Preservation Society. During the seven years he served on the Nominating Committee, he was always available, even from his summer retreat in Nova Scotia. His opinions were well thought out and informed.

Always cheerful, Elbert was an enthusiastic, thoughtful person who was well loved in the Village. "Because of Elbert's long local lineage, his contributions to the Society, and the Village in general, are irreplaceable assets to both the VPS and this community," remarked Joan Osborne, VPS President and longtime VPS Trustee. "He was a good friend and will be sorely missed."

MORE ABOUT OUR STREETS AND ROADS, PART III

By Averill D. Geus, East Hampton Town Historian

East Hampton followed a slow and unsteady path through most of the 19th century before the outbreak of the Civil War. Summer visitors who wished to enjoy East Hampton's beaches and boarding houses could travel to Sag Harbor by train, or take a steamboat from Manhattan. Arriving at that port, they then travelled by 'the stage' or other horse drawn conveyance over poor roads to the isolated village. Enjoying the benefits of tourism, local residents made efforts to make East Hampton more presentable and attractive. Along with the 'fixing up' mania that swept the town, new roads were laid out by the Road Commissioners for the enjoyment of scenic vistas by the tourists. With the exception of only a few roads opened in the 1920s, all of the roads and lanes we know today were created at the turn of the 19th century.

Lilly Pond Lane was another ancient highway, which once connected Wainscott to East Hampton, and probably used by Native Americans. It was named for Luke Lilley, one of East Hampton's first settlers who died before any records were kept. In July 1890, an application was made by David Gardiner and the sons of Dan Talmage to widen the road and extend it to the Georgica Life Saving Station. This was granted but four years later, in 1894, residents in both Wainscott and East Hampton wished to extend Lilly Pond Lane to the Georgica Gut. They were prevented from doing so by the opposition of summer homeowners who had built along the dunes. The case was argued for nearly ten years before the idea was abandoned.

The changes made along Main Street in the late 19th Century were innumerable. The street was lined with hitching posts in front of every house for the horses nearly everyone owned. Picket fences in many styles stood in front of every house to keep out the cattle in the street. The Town scales were placed directly in front of the post office until 1898 when they were purchased and moved to the James E. Gay Blacksmith Shop at the Hook. The town's flagpole stood in the middle of the street facing Newtown Lane until it was moved to its present location in 1902. In front of the Odd Fellow's Hall on Newtown Lane an important feature of the town stood in Victorian splendor. It was a huge water fountain for the passing horses. It was removed only when it became evident that automobiles were rapidly replacing equines. In 1918, an isle of safety was devised by Samuel Gregory, a local merchant and later mayor of East Hampton, to protect pedestrians when they crossed the street at the Newtown Lane intersection. As cars proliferated, local entrepreneurs erected gas stations along the street. By 1939, it was decided that gas stations would no longer be allowed and the gas pumps gradually disappeared.

McGuirk Street was a residential street cut through from Newtown Lane in 1928, and named for the family who lived in the big house at the corner, predecessors of current VPS Board Chair, John L. McGuirk, III. The name for Mill Hill Lane, which extended from Main Street to Toilsome Lane, was chosen from many offered by local residents who took part in a contest in 1925. Ruth Grimshaw, with a bow to local history, won a \$25.00

gold piece, the first prize in the contest. Other names suggested by contestants were Roosevelt Lane, Colonial Lane, Town Pond Lane, Mulford Lane and Maiden Lane.

In 1903, extra land was purchased from Edward Filer to widen and straighten the railroad depot road at its junction with Newtown Lane. Twenty-three houses were built on Newtown between 1900 and 1903 housing 45 families between the railroad track and the west end of the lane. The road was considered one of the worst in town because of mud and poor drainage. Work on the road began in 1906 when pebble stones from the shore of Three Mile Harbor were laid to make a roadbed.

Osborn Lane was used by Jonathan Osborn, whose house on the corner of Newtown and Osborn Lanes is now owned by the Village. His farmland stretched out almost to Cedar Street. Named for his family, the town took over this street in July, 1923. At that time, it already had water mains and electric lights. This street is located partially in the Village and the northerly section is in the Town. The Village boundaries were laid out within the water district. There were no water lines laid down initially because most of the street was farmland before it was developed.

Sag Harbor Turnpike was once a toll road in which many local people owned stock. By 1905, the old toll house burned down and the stockholders abandoned the road, which was in poor condition. Stockholders asked the Town to take the road. The

Town refused as it added seven more miles of sand road and added expenses to the Town. Finally, in 1910, it was paved and the cost was split between Sag Harbor and East Hampton. Today it is Route 114, and second only to Route 27 as the most heavily used road in town.

Terbell Lane opened in 1889, and was originally planned to run from Ocean Avenue to the beach. Mr. E. D. Terbell owned 82 acres of land in this area around Hook Pond and oceanfront. Talmage Lane opened up off North Main Street through Talmage farmland in 1924.

Toilsome Lane derived its name from Robert Dayton's term "Tillsome" or allotment for cultivated land in the 1600s. Going south, past the Sag Harbor Turnpike, that road became the "Highway Behind the Lots", referring to the long lots tilled by Main Street residents. In the 1950s, new homeowners petitioned the Village to have the road name changed to Toilsome Lane, which was done on May 21, 1959.

The Village Green Bridge was once a low spot filled with water and mud overflow from Town Pond on the Village Green. A wooden bridge was built over this place in August 1895 for those who wished to cross the Green. When St. Luke's Church was built, left over stone was used to build the second bridge seen today.

For at least two centuries, West End Road, was a public byway and a road to Wainscott from East Hampton. It was easier to



Photo credit: Kathleen Cunningham, courtesy of Averill D. Geus.

This 1883 etching of Toilsome Lane by Mary Nimmo Moran shows the agricultural nature of the Village at that time. A careful look on the lower left shows cows in the pasture. The distant Presbyterian Church steeple is visible in the center of the etching.

travel on this road than to go around the north side of Georgica Pond. The road was blocked after the 1938 hurricane, which pushed Mrs. Walter Keck's garage across the right of way. Although residents of West End Road consider this their private road, it is a public highway. On March 15, 1979, the Village purchased a narrow strip of land crossing the road to give access to both Georgica Pond and the Ocean Beach. The Keck family also deeded a small piece of their former property to the Village in the 1990s to keep this right of way open to the public.

QUALITY OF LIFE SURVEY RESULTS

By Kathleen Cunningham

Last fall the Society conducted a survey of our Members to discover issues of concern to Village residents. We depend upon input from members to identify worthy initiatives to achieve our mission of preserving historic structures, maintaining quality of life and preserving the neighborhood character that defines our Village. Results of the Society's 1997 Qualify of Life survey inspired the VPS Board of Trustees to create the East Hampton Healthcare Foundation, bringing previously unavailable healthcare options to the entire community. A very low rating on a question about the availability and quality of local healthcare prompted VPS leadership to change that, ultimately creating a healthcare clinic that remains one of our most important contributions to this community.

Our 2016 Quality of Life survey provided some insight into current issues of concern. Respondents expressed very strong support (93%) for the importance of clean water to the community. A deer population control program was supported by 100% of respondents, with 63% supporting a cull and 48% supporting the spaying program conducted by the Village in 2015. Over 15% chose both responses – to cull and spay deer – accounting for the statistical overage. Over 64% found aircraft noise disturbances upsetting to Village quality of life, numbers which will likely increase now that the Town has been stymied in governing its own airport. Half of respondents (51%) recommended that Village parking regulations should be lifted in winter to allow better access for residents. Much smaller numbers (15%) supported resident only parking access via Village resident parking permits, like those for Village beaches. A majority (58%) felt that taxi pricing was unfair and that same number felt that pricing should be regulated. There was 47% support for ride sharing services like Uber to be permitted in the Village. Most respondents felt Village beaches were clean (51%) and well maintained, although a minority (21%) felt the Village should increase garbage pick-up during the day. Many (55%) felt unsafe to traverse Village streets by bicycle, while most felt safe by car (59%) and many felt safe on foot (53%). More public transportation options were supported by 41% of respondents.

We are gratified by the results of our 2016 Qualify of Life Survey and thank our Members for participating. Member input helps us understand needs and confirms our policy decisions. It has also led to major projects for the betterment of the entire East Hampton community, as the 1997 Survey stimulated VPS to create the East Hampton Healthcare Foundation. In our 35th year of service to the community, it helps to have a finger on the pulse of our constituency.

VPS MAKES GRANT TO SUPPORT WATER QUALITY PROJECT

By Mary A. Busch, Grants Chair

At the recommendation of the VPS Grants Committee, the Board of Trustees has voted to make a \$6,000 grant to The Friends of Georgica Pond Association, earmarked for a study of environmental issues related to blue crabs and fish populations in Georgica Pond. Dr. Bradley Peterson of Stony Brook University will lead this new study. Surface water bodies, like Georgica, Hook and Town Ponds are suffering from high levels of nitrogen and other pollutants which cause blue green algal blooms, an algae that can be toxic to all life. The impacts of these types of algal blooms have been particularly devastating to the fin and shellfish fisheries.

The Friends of Georgica Pond Association began research in 2016 under the supervision of Dr. Christopher Gobler and the Gobler Institute of Stony Brook University. The program began with a dredging and removal of a significant amount of organic material reducing the levels of nitrogen and phosphorus in the Pond and subsequent monitoring of salinity, temperature and algae. These recent efforts diminished the levels of blue-green algae in the Pond, that had been closed to harvesting of crabs and marine life since 2014, and will continue this year. As Georgica Pond is governed by Village and Town of East Hampton agencies, it is expected that information gleaned from the blue crab and marine life study will be of help in the analysis of other aquatic areas and could be used as a model for other surface water bodies in the Village and the Town.

DEER MANAGEMENT UPDATE

continued from front page

serve as a model for other communities around the country that are interested in pursuing humane alternatives to lethal deer management.” It's clear that in communities where hunting is limited or unavailable, this non-lethal method is not only contributing to diminishing the population without eliminating the species, but is gaining acceptance within the administrative hierarchy of Departments of Environmental Conservation in our country. One hopes for similar movement in the State of New York and the Village of East Hampton, in particular.



AIRCRAFT NOISE UPDATE

By Peter M. Wolf

The Society continues to monitor the Town's efforts at reducing the deleterious impacts of aircraft noise on Village and Town residents while advocating for local control over this publicly owned facility. Last fall's Second Circuit Court of Appeals decision, overruled that very court's previously established ruling ensuring the rights of the airport proprietor to control noise impacts on the community. This renders moot NY City's flight regulations established for helicopter traffic over a decade ago. The Town has filed an appeal before the US Supreme Court, with an amicus ("friend of the court") brief also submitted by the City of New York, which improves the very slim chances that the case may actually be heard. The Town of Southold also submitted an amicus brief. Calls for replacement of the Town's aviation counsel, Kaplan, Kirsch & Rockwell continue unabated to no avail. Many place the failure of the Town's appeal before the Second Circuit on KKR.

An additional assault on the aircraft noise affected came from an unexpected source in formerly trusted local realty, Corcoran. This firm offered a program of free helicopter rides via Blade Helicopters for 'high end' clients looking to rent this summer demonstrating Corcoran's disinterest in maintaining our quality of life standards here in East Hampton. It seems counterintuitive that realtors do not value our peaceful, bucolic environment and natural settings and proactively

contribute to the aircraft noise problem by offering such a program. Please consider your realtor's position on this when/if you list your house for rent or sale. If you know anyone at Corcoran, please make your feelings known about this insult.

The VPS Board passed a memorializing resolution in favor of state legislation introduced by Assembly Fred Thiele and Senator Ken LaValle to ensure that only by approval of the voters will any future East Hampton Town Board enter into a 20-year contract with the FAA for airport improvements. We are hopeful for passage this spring.

Sadly, the Town's loss in the Second Circuit last November eliminated even the minimal gains realized by the noise affected when the Town's aircraft noise regulations went into effect in the summer of 2015. This has given rise to an organization committed to closing the airport altogether, called "Say No to KHTO", the airports official FAA call letters. For more information about this group see: <https://www.saynotokhto.com>.

This summer will surely prove intolerable when aircraft, particularly helicopters, sea planes and jets, will have free reign over our skies. As frustrating as the effort is, it remains important to log aircraft noise complaints at: <http://www.planenoise.com/khto/> or www.airnoisereport.com. Or phone in to: 1-800-736-4817.



**Please fill out, cut along the line and mail to THE VILLAGE PRESERVATION SOCIETY
P.O. Box 2015, East Hampton, NY 11937 • www.villagepreservationsociety.org**

Please enroll me as a member of The Village Preservation Society of East Hampton for the Membership Year from January 1, 2017 - December 31, 2017.

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email address _____

Number of Members in this Membership _____

For year round Newsletters and information, please print winter address

Address _____

City _____ State _____ Zip _____

Phone _____

Contributors of:

\$ 5,000.00 will be listed as **Visionary**

\$ 2,500.00 will be listed as **Advocate**

\$ 1,000.00 will be listed as **Benefactor**

\$ 500.00 will be listed as **Patron**

\$ 250.00 will be listed as **Supporting Member**

\$ 100.00 will be listed as **Friend**

Regular Membership (\$50) _____

The Membership Year runs from January 1, 2017 through December 31, 2017.

I would like to be active. My special interests are: _____

I (We) support VPS principles but do not wish to be listed as a member.

Enclosed is a contribution of \$ _____

THE VILLAGE PRESERVATION SOCIETY

P.O. Box 2015

East Hampton, NY 11937

www.villagepreservationsociety.org

SMALL LOTS INITIATIVE UPDATE

By Gene E. Cross, Jr.

Because development impacts are often more pronounced in older, established neighborhoods characterized by smaller homes and parcels, the Society began an effort to ensure the scale of new development and redevelopment remains consistent with existing neighborhood character. Over the last two years, a committee of several VPS Trustees has attended meetings of the Village Planning and Zoning Committee to address resident concerns regarding these kinds of changes in neighborhood character. In addition to substantive changes to the Village Code, our committee recommended reorganization of certain provisions to make it more user-friendly. We are

pleased to report that on March 2, 2017, the Village Board adopted two local laws amending Chapter 278, Zoning of the Code in response to our suggestions. One law provides revised definitions for accessory structures and other elements of site plan that are influenced by side yard setbacks. The second eliminates an option for side yard setback relief for compliant lots. These changes to the Village Code can be reviewed in context at the Village website. While we feel more needs to be done, we are grateful for the collaborative effort with Village government, which yielded good results for residents living on small lots in the Village.

WATER QUALITY PROJECTS FUNDED BY CPF DOLLARS

By Kathleen Cunningham

Last November, East End voters overwhelmingly supported extension of the Community Preservation Fund for another 30 years, til 2050, which included voter consent for participating municipalities to access 20% of those monies for water quality improvement projects. The Society strongly supported this goal, which provides a pool of money for local municipalities to fund projects to remove nitrogen and other toxic pollutants from our wastewater and stormwater runoff. Nitrogen, in particular, is the main pollutant of our sole source aquifer, our only source of drinking water and removing

it from our wastewater is the most important component of wastewater treatment. Newer technologies are now available to filter out nitrogen, pharmaceuticals and other volatile organic compounds to prevent them from entering our drinking water supply.

Increased nitrogen levels from our wastewater and use of lawn fertilizers are responsible for the blue green algae found in Georgica and Hook Ponds, among other pollutants. High nitrogen levels feed these algal blooms, which choke out essential eelgrasses, the nursery of our shell and finfish industries. This new funding source will provide opportunities to benefit these critical surface water bodies and the fisheries dependent upon them.



Photo credit: Kathleen Cunningham

Kevin McDonald, of The Nature Conservancy, presents analysis of water quality issues during the VPS Annual Meeting of Members at the Tennis House last September.

nitrogen from our wastewater and stormwater runoff. Nitrogen, in particular, is the main pollutant of our sole source aquifer, our only source of drinking water and removing



Photo credit: Dr. Chris Gobler