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"They Shall Not Pass:" Opposition to Public Leisure and State Park Planning in Connecticut and on Long Island

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Abstract

Estate owners in Greens Farms in Westport, Connecticut, and on the North Shore of Long Island doggedly fought inclusive, state-sponsored public recreation in the 1910s and 1920s. Private land-use goals shaped localism and, in turn, exploited home rule governance to control public land use. This study of local politics in the New York metropolis contributes to the ongoing regionalization of urban history. These home rule fights against state parks reveal the extent to which elite local interests systematically exploited ineffective county government to block Progressive-era regionalism. For all the interest shared by urban historians on the topic of real estate, there is surprisingly little cross-jurisdictional analysis on the competing pressures of local and regional property interests on city planning decisions. The empowerment of private property interests in local government in Westport and on the North Shore illuminate the potential for seeing the emergence of greater New York in a new light.

Keywords

localism, home rule, regional history, Long Island, Connecticut, state park commissions

In the summer of 1916, wealthy artist and designer Louis Comfort Tiffany found little rest at his Long Island retreat. He was angry. A new public bathhouse tarnished the panoramic view of Cold Spring Harbor from the hilltop patio of Laurelton Hall, his fantastic Moroccan palace set among sixty acres of luxurious gardens. Laurelton Hall was meant to be a place of privacy and artistic inspiration. The fifty-foot long bathhouses, built by the Town of Oyster Bay, were a dark, plebeian smear at the base of Tiffany’s work of art. Since June, as many as hundred people had frequented the bathhouses daily. As a further provocation, the town beach separated Tiffany’s home from the water. Outraged that the town would build its only public beach at the foot of his property, Tiffany ordered employees to dynamite the underwater groin that supported the sandy stretch of land. In response, the town instigated legal proceedings against him. This was one of five times the township and wealthy landowner met in court between 1910 and 1922. Laurelton Hall epitomized the dreams of exclusivity of the North Shore millionaire colony of which it was a part. Tiffany would not

relinquish his vision of a private waterfront playground without a fight. His battle illuminates the strategies with which New York City barons safeguarded proprietary interests and endeavored to conserve the shore as a private playground (Figure 1).¹

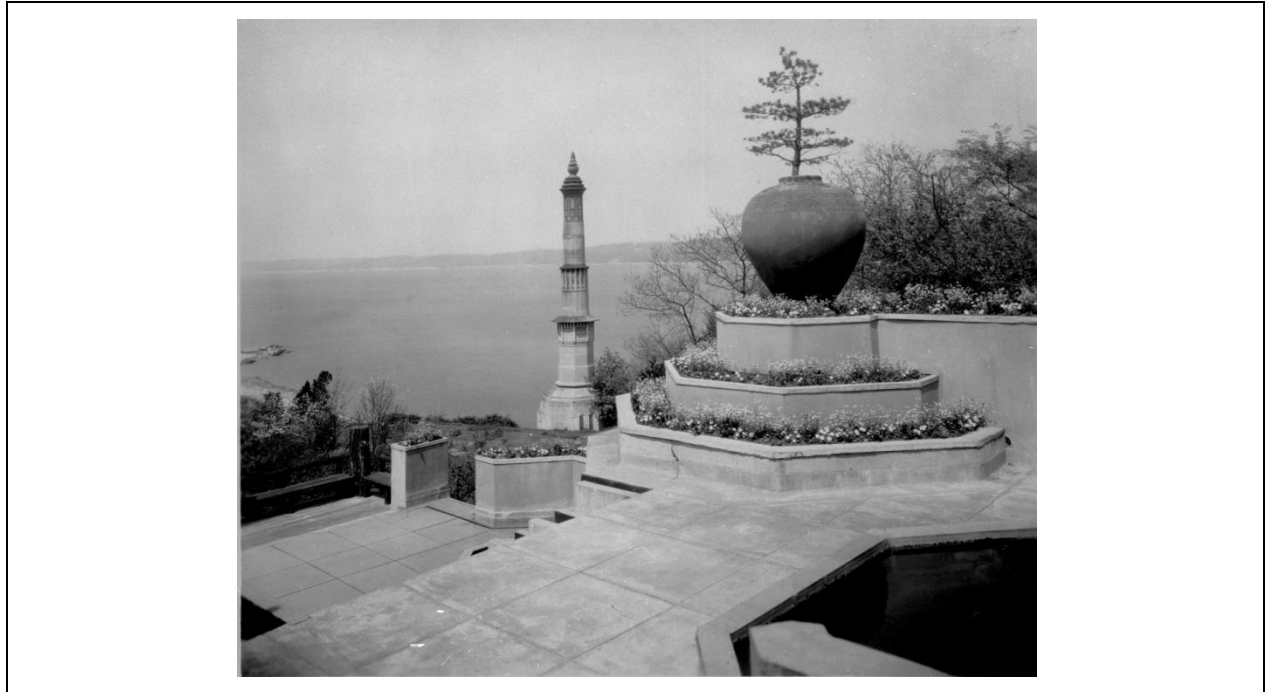


Figure 1. Louis C. Tiffany's Laurelton Hall, circa 1930. The fountain and patio overlook Cold Spring Harbor and the beach.
Source: Aronow, David (20th CE). [Laurelton Hall, Oyster Bay, New York, home of Louis Comfort Tiffany; Exterior, Terrace, looking towards Oyster Bay, from a series of forty-two interior and exterior views of Laurelton Hall]. The Metropolitan Museum of Art, New York, NY, U.S.A.
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Tiffany's efforts reveal the essential concerns of greater New York's elite estate communities in the larger contest between private rights and public power during the Progressive Era. In this fight, estate interests manipulated traditions of property law and local government to challenge the extension of public space across the suburbanizing districts beyond the city. In 1902, Tiffany had purchased more than 550 acres stretching two-thirds of a mile along Cold Spring Harbor, a stretch of beach frequented by local clammers and picnickers. The area also boasted a fashionable summer hotel and casino, owned by a local whaling family, although the hotel had recently burned and closed.²

Lawsuits began when Tiffany closed the territory to the public, successfully petitioning the state Land Office for a “beneficial enjoyment grant” that extended his property line across land under water 400 feet into the bay.³ His plan to build a private beach required this grant; the foreshore, the land exposed during low water and submerged at high tide, was considered state-owned public property unless granted to an individual. But the Town of Oyster Bay claimed ownership of this beach. The state Supreme Court originally supported Tiffany’s grant, but in 1913 it reversed its decision, recognized the town’s title, and ruled Tiffany’s claims to the shore void.⁴ Thanks to Tiffany’s land-making, Oyster Bay gained a new beach on which it installed the very bathhouse that angered Tiffany to the point of employing dynamite. Yet the beach remained. Tiffany returned to court and switched arguments to protest that the existence of his former beach was in fact a nuisance that compromised navigation.⁵ After five injunctions and appeals, the court ultimately sided with Tiffany and restrained Oyster Bay from erecting buildings on the shore.

Tiffany remained unsatisfied by the conclusion of his twelve-year court battle with Oyster Bay. Since the town had reclaimed the foreshore, Tiffany set out to redefine the terms of local government land ownership. In 1926, under state Village Law, he fathered the uncontested incorporation of Laurel Hollow from a group of contiguous estates surrounding his Cold Spring Harbor property. The new municipality immediately restricted beach use to village residents, excluding the larger population of the Town of Oyster Bay, the easternmost of Nassau County’s three townships. Twenty-one years after he first purchased his Cold Spring Harbor property, Tiffany finally settled the question of public access to the adjacent beach.

Tiffany’s beneficial enjoyment grant and subsequent village incorporation introduce early twentieth-century regional development battle in greater New York in which the rich transformed preferences for exclusivity into law. Few estate owners took to dynamiting public improvements,

but quarrels like Tiffany's ran up and down both sides of Long Island Sound. Tiffany belonged, in the words of Lewis Mumford, to "a small leisured class" that sought to seclude itself from the recreational needs of "a whole leisured population" emerging in greater New York in the early 1900s.⁶ Connecticut and New York responded to the growing demand for public recreation and created park commissions to build a regional network of beaches. But estate owners drew on traditions of New England home rule and weak county government to challenge the expansive visions of public rights forwarded by the Connecticut State Park Commission (est. 1914) and the Long Island State Park Commission (est. 1924).

The preservation of elite leisure landscapes through local politics is an important yet unexplored chapter of New York metropolitan growth. For all the scholarship on Progressive park planning in greater New York, particularly due to popular interest in master builder Robert Moses, little attention has been paid to the role of private landowners in regional planning. Formidable home rule opponents, often dismissed as parochial, effectively implemented a vision of private leisure on the metropolitan periphery.⁷ Uncovering the park protests on the North Shore—and parallel protests across the Sound in Connecticut—makes visible the struggle to define the spatial, governmental, and cultural relationship between localism and regionalism and the nature of urban growth. Regionalism demands the treatment of city and hinterland jointly and in consideration of a shared public interest. Regional park planners did not think in terms of localized community identity or values but in terms of a rational and balanced park network to service a generalized public. Localism, well captured in Tiffany's story, rejects this perspective in favor of a multiplicity of small, autonomous publics. Estate communities defined recreation as a private commodity rather than as a public right. The story of property owner mobilization against parks reveals the contest between private rights and public power at the center of regional development.

The wealthy residential communities of southwestern Long Island Sound provide an opportunity to study a variety of localism espoused by estate owners and the shared strategies with which they fought public recreation programs. The process by which estate enclaves identified state parks as a threat essentially reveals the personal and community values perceived as endangered. A comparison of two contemporary contests over beach control on Long Island and in Connecticut in the first three decades of the twentieth century makes visible the role of property rights and the relevance of government forms in regional development. The estate enclave of Greens Farms, Westport, in Fairfield County, Connecticut, and the estate region of Long Island's North Shore, which included Tiffany's Oyster Bay estate, successfully blocked state park planning. The commonalities between Greens Farms and the North Shore allow for a comparison of the way in which local communities privatized land traditionally open to public recreation and shaped regional land-use patterns.

Greens Farms and North Shore estate districts emerged as homogeneous, tightly knit, highly restricted communities in the early twentieth century. New York City's wealthiest families established country retreats in both locales to segregate themselves from the urban public sphere. Class privilege, manifest in landscape tastes and leisure preferences, framed these communities' elite social identities.⁸ Estate owners shared a fundamental disregard for the general public and public infrastructure that catered to it. This shared animus, manifested as opposition to regional planning and state intervention in local land-use through parks, justifies their comparison. Greens Farms is located fifty miles from New York City in the commuter corridor of the New York, New Haven, and Hartford Railroad (NYNH&H). The North Shore is a territory of serrated hills and harbors stretching twenty miles east from Queens to western Suffolk County and south to the Hempstead Plains in central Long Island. Formerly rural fishing and farming centers, both

locations became Gilded Age estate districts for New York City manufacturers and magnates in emerging banking and investment industries.⁹ Yet the size differences of these enclaves shaped protest strategies. While Greens Farms, a coastal district of just four square miles, boasted a collection of powerful New York City businessmen, the North Shore was home to the largest geographic concentration of power in America. None other than the nation's sixty richest men constructed estates there, including J.P. Morgan, William Randolph Hearst, Vincent Astor, Henry Clay Frick, Jay Gould, Henry Ford, Pierre DuPont, William Whitney, Charles Pratt, and William K. Vanderbilt.¹⁰ Furthermore, variations in local government resulted in different strategies to oppose regional planning. Whereas Greens Farms exploited the New England town tradition and the corresponding vacuum of regional county power to challenge state park planning, North Shore millionaires used village incorporation to aggregate their interests across a hundred square miles.

Estate owners brought shared cultural priorities into the local political arena to block social change and develop park planning alternatives. Localism has roots in the long tradition of home rule based on participatory decision making in local democratic forms of governance. Such autonomy protects local prerogatives on the assumption that state government cannot know what is best for a locality. On Long Island and in Connecticut, albeit for different reasons, counties lacked the power to mediate between state and entrenched home rule politics. The localized politics of exclusion common to Greens Farms and the North Shore coalesced around the maintenance of elitism and exclusivity. Residents depended on geographic isolation to maintain fantasy landscapes dedicated to leisure and free from the industry and class conflict of nearby urban centers. This secluded lifestyle came into conflict with the regionalism forwarded by new planning professionals who expanded the scope of park planning from city to metropolitan scales in the early twentieth century.¹¹

Residents of these estate enclaves shared a fierce determination to privatize the environment amenities of their communities. Louis Comfort Tiffany and his rich neighbors expanded to a regional scale the expectations for privacy and leisure exhibited at Greens Farms. From 1910 to 1932, North Shore barons incorporated local municipal governments with the power to wield power over public land use and made the territory inaccessible to outsiders. Across the Sound, the privileged localism of Greens Farms landowners remained paramount until 1937 when Connecticut finally managed to complete its long-planned state beach at Sherwood Island in Westport. For the first two decades of Sherwood Island State Park's existence, adversaries thwarted all efforts to develop state-owned beach as a public park. From 1914 to 1937, the island was the focus of hostilities between vested wealth and public rights in which property owners mobilized against Connecticut's state park commission.

Part I: Sherwood Island and the Connecticut Shore

In 1914, Albert M. Turner identified 230-acre Sherwood Island as the best site for a state beach in Fairfield County, setting the stage for a showdown between the Connecticut State Park Commission (CSPC) and nearby estate owners who recoiled at the idea of thronging holiday crowds in their midst. Turner knew the Connecticut shore intimately. He knew the rocky beaches of the narrow southwestern Sound, the modest sand dunes of its Rhode Island border, and the omnipresent pungent mud of its salt marshes at low tide. For three months in 1914, he hiked the coast from New York to Rhode Island. Hired by newly minted CSPC, Turner surveyed Connecticut's 245-mile coastline for a large, scenic beach well removed from the pollution pouring from the industrial ports of New Haven and Bridgeport. Turner's report, one of the first state park surveys in America, became a foundational document of American state park ideology.¹² Of the 245 miles Turner walked, approximately 45 were inside city or borough limits, including a

frontage of 6.5 miles of city parks. Turner found 70 miles of the shore tightly packed with private beach cottages and an additional 40 of large, costly residences. Only 90 miles remained available for state beaches.¹³

The park commission prioritized a state beach program because the majority of Connecticut's population lived in the state's somewhat narrow and rolling coastal plain.¹⁴ In 1914, the state's average population density was 231 persons per square mile, but along the Sound this ratio reached 529 persons per square mile. Fairfield County's coastal commuter corridor along the NYNH&H already housed a quarter of the state's 1,114,756 residents. The CSPC hoped to establish five evenly spaced 2.5-mile-long beaches. "From the date of the first meeting of the Commission it has been plainly evident that the field most urgently demanding attention," the CSPC observed in 1914, was the "shore of Long Island Sound. Its popularity for purposes of recreation is almost universal, there can never be any more of it, and the rapid development of the last two decades has left very little of it accessible to the public."¹⁵ Turner identified 230-acre Sherwood Island in Westport, a former farmers' collective and tide mill site, as the only potential state beach in developing southwestern Connecticut.

Turner faced significant obstacles in his search for a state beach site in Fairfield County. First, state law privileged private use of the beach over common public use. Connecticut allowed owners of upland property to use the foreshore for docks and other purposes without specific grants.¹⁶ Connecticut courts furthermore ignored recreation as part of the public's right to use tidelands and limited these public rights to only unobstructed access for navigation.¹⁷ Second, property values were skyrocketing. As late as 1898, Connecticut's beaches had often been included free in the sale of adjacent property or priced by acre. By the 1910s, beachfront was priced more expensively by foot; land that had sold for \$400-\$1,000 an acre now sold for \$15-\$40 a foot, or \$3,000-\$10,000

an acre.¹⁸ Increasing real estate values threatened the preservation of Connecticut's shoreline. "Natural scenic beauty and the unrestricted private ownership of land are things apart, and quite incompatible," Turner concluded. "The small landowner fairly clogs the landscape with his wooden dreams, and the big one walls it up."¹⁹ The field secretary acknowledged that "to the fortunate few who may have a country house or a shore cottage with an automobile or so," a public beach was unnecessary. Without state beaches, however, Turner worried the majority of the public would soon face only "the dusty highway and the No Trespass sign."²⁰ (Figure 2).



Figure 2. Connecticut's privatized beaches.

Note: "The shore of Long Island Sound," Turner reported, had become "an almost endless row of individual vagaries, nondescript caricatures of habitations, alternating with miles of sea-walls, land-walls, and hedges" concealing expensive estates. This photograph, which the Field Secretary included in his first report to the CSPC, captures the privatization that so worried Turner. The sign reads "\$10 REWARD for the correction of any person caught trespassing upon these premises [sic] day or night with or without dog or gun." Turner captioned the image "One good reason for State Parks."

Source: Report of the State Park Commission to the General Assembly for the Fiscal Year Ended September 30, 1914 (Hartford: Hartford Printing Company, 1914), State Archives, Connecticut State Library.

Turner advocated park design to serve the collective public and included recreation in his definition of the public good in 1914, nearly a decade before these ideas gained nationwide credence. At the end of World War I, fifty-five years after the establishment of the nation's first state park at Yosemite, two-thirds of states lacked state parks. Not one had successfully developed

a comprehensive state park system.²¹ Turner's philosophy that Connecticut had a responsibility to protect public beach use from privatization proved unpopular in exclusive Greens Farms. Estate owners there defined access to the shore as a specialized local prerogative and took a stand against accessibility for the larger public. In 1914, Turner reported that a substantial section of Connecticut's tidelands had already passed into private hands and would "more jealously guarded each year as its value increases."²² His fear proved a reality in Greens Farms, where park opponents successfully stalled state beach development for nearly a quarter century.

Picturesque Greens Farms, located fifty miles from New York City in the developing corridor of the NYNH&H Railroad, flourished as an estate community for industrial, banking, and investment magnates during the Gilded Age. New York business tycoons such as Edward T. Bedford, an associate of John D. Rockefeller, transformed former colonial farms into palatial summer estates—Bedford became Westport's largest taxpayer—and forwarded a powerful vision of privileged localism.²³ The keystone parcel of the CSPP's park plan was the high ground between the mill pond and the NYNH&H tracks. In 1921, however, George W. Gair, an executive of a Brooklyn-based paper goods firm, had purchased a 53-acre parcel that included this site.²⁴ Gair acquired large sway in local politics because of the half-million dollars he paid in yearly taxes and his appointment as Chairman of Westport's Board of Finance in the 1920s. Determined to preserve the seclusion of his new Greens Farms estate, he organized an anti-park constituency of powerful Republican estate owners including his neighbor Bedford.²⁵ The Greens Farms community occupied a small geographic range of just four square miles. Park opponents lived in proximity to each other and Sherwood Island. They were also all taxpayers and voters in Westport. The public who lived outside of Greens Farms' socioeconomic, spatial, and jurisdictional boundaries were

seen as invaders. Gair mobilized his community with “jaws set, teeth clenched, and one slogan, ‘They Shall Not Pass.’”²⁶

Based on Turner’s suggestion, the CSPC first purchased acreage on Sherwood Island in 1914. By the close of 1917, however, the commission owned just 30 piecemeal acres. Only visitors willing to ford New Creek at low tide could enjoy state-owned Alvord Beach.²⁷ The lack of signage, accessible roads, and clearly marked parking made locating public holdings akin, an early visitor complained to a local newspaper, to searching for “a light hid under a bushel.”²⁸ Because of these limitations, the CSPC considered the park useless until further development.

Greens Farms residents envisioned an exclusive patrician estate community incompatible with a plebian public park. The prestigious Sturges family complained that visitors built fires on their beach and lawn at the foot of Pine Creek.²⁹ Gair found such behavior appalling and issued a call-to-arms to preserve the sanctity of the domestic waterfront of Greens Farms. Locals bathed at the town-owned Burial Hill and Compo Beaches and had no need of a park at Sherwood Island. “Home sanity,” he claimed, was at risk because of out-of-towners, “with the usual ‘don’t-care-a-damn’ spirit for the locality,” who Gair predicted “would change Greens Farms, with all its unique charm and quiet home life, into a Coney Island and kill many places like mine.”³⁰ It was inappropriate of the state, in the words of Gair’s constituent Harry R. Sherwood, to “come into Westport and ruin a good part of [Greens Farms] property.”³¹ To Greens Farms residents, localism meant exclusive neighborhood control of development and use of the shore.

In rejecting the idea of a regional public, Greens Farms localism exacerbated the park crisis in Fairfield County that had inspired the CPSC’s plan for Sherwood Island. In the 1920s, Fairfield failed to meet the ideal of an acre of park for every hundred persons, a ratio identified by the planners of the *Regional Plan for New York and Its Environs*, and lagged behind its neighbors.

Southwestern Fairfield County provided one acre of parks for every 332 residents, while the Bronx provided one acre per every 209 persons and Westchester provided a stunning one acre for every 28.³² In Fairfield County's cities, the situation was even worse. Bridgeport, for example, possessed only one park acre for every 401 persons.³³ As an idealized category, a region is defined by a shared geography and structural political and economic processes within which residents find commonalities in political, economic, and social trends. Greens Farms localism, however, reveals the extent to which residents drew internal boundaries that segmented the region.³⁴ To Greens Farms residents, the regionalism that drove state planning was synonymous with public access and outsider control. Both were unwanted. Greens Farms fought these dual aspects of regionalism—the influence of outsider state planners and broadly defined recreational public. For example, Frederick M. Salmon, an influential Westport representative in the state legislature, did not believe his hometown had any responsibility to provide parks for a regionally-scaled public. He dismissed park support exactly because it emanated from Norwalk and Bridgeport. “Let those cities clean their own polluted harbors,” Salmon said, “and they won't have to depend on Westport for clean bathing waters.”³⁵ The Greens Farms philosophy of isolation led residents to deny any responsibility to address the public recreation needs of nearby cities.

Following Sherwood Island State Park's inception in 1914, Westport's Town Clerk predicted that nearby landowners “would try to put the State in an embarrassing position” by holding up the purchase or transferring or developing the property.³⁶ He was right. Arthur Sherwood restricted his 39 acres in the center of the island for residential use through covenants, while other anti-park allies engaged in a flurry of real estate transactions to subdivide nearly 2,000 feet of shore, including the area informally used by recreationalists as parking.³⁷ Between August and December 1924, three real estate companies incorporated, bought Sherwood's land, and platted the center of

the island for restricted residential use. These subdivisions, combined with the nearly fifty acres Bedford sold to the Gair family, secured almost 100 acres from state reach.³⁸ (Figure 3).

Sherwood Island residents doggedly policed property boundaries to prevent the few excursionists who found the public beach from spilling onto private property. They installed concrete walls and high wooden fences. Frustrated visitors found “most of the beach from high to low water mark fenced off in the interest of private owners, with a high barrier of railroad ties and guarded by a big yellow dog, unmuzzled.”³⁹ One excursionist angrily concluded that the typical Sherwood Island resident “has the advantage, due to greater wealth, of being able to own land bordering the beach and thereby thinking he is owner of the beach and the water in front of his property.”⁴⁰ Estate owners effectively, in the words of the *Bridgeport Sunday Post*, “claim[ed] the foreshores for their own.”⁴¹

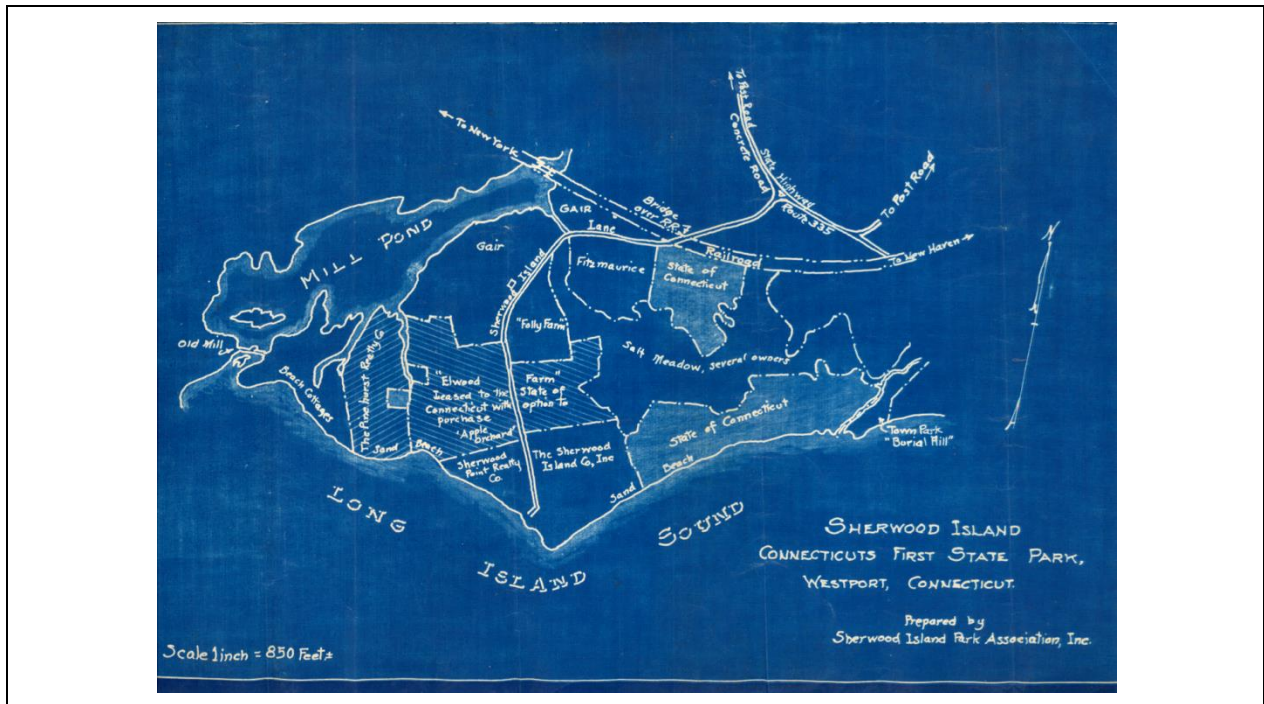


Figure 3. Sherwood Island Park Association properties map of Sherwood Island.
 Note: While this map was created in 1932, these private parcels came out of the 1920s scramble to block the state park.
 Source: William H. Burr, Jr. Papers, MS B112, Box VII, Folder 5, Fairfield Museum and History Center.

Greens Farms did not stop at intimidation and physical barriers to isolate state-owned Alvord Beach. The community's elite localism functioned as a political strategy which Gair and his allies mobilized through local government. At an October 27, 1924, town meeting, Gair fathered and ushered through an aggressive anti-park resolution: "Resolved: That the town of Westport does not desire the state of Connecticut to acquire additional land at Sherwood Island for park purposes. Resolved further that the town of Westport does not desire a state park at Sherwood Island. Resolved, that the representatives from this town to the next General Assembly do their best to prevent an appropriation for any such purpose."⁴² This resolution made Gair's opinions municipal policy, as seen in the town's 1929 dredging of New Creek. Gair and cottage tenants on the western tip of the island complained to the town executive board that the mud and stagnant water of New Creek at low tide bred swarms of insects. In the summer of 1929 Westport's selectmen approved and contracted out the dredging of the creek on the grounds of mosquito control. New Creek became a twelve-foot channel extending 450 feet.⁴³ Since fording the creek was the only way to reach Alvord Beach, the dredging effectively disrupted access to the state-owned waterfront. Outraged park supporters castigated Westport and "Gair's ditch" as a blatant attempt to thwart public access to the beach.⁴⁴ Demonstrators from inland Redding, Ridgefield, and New Canaan Hill forded the creek to protest the physical and social barriers preventing public use of the shore.⁴⁵ Nothing came of the protest.

George W. Gair not only aligned local politics with his interests but extended his community's privileged localism in the state legislature to wield private power over public property. Gair's Greens Farms constituency enjoyed substantial influence in the state Republican Party. Comptroller Frederick M. Salmon, the chief fiscal administrator of state accounting from 1923 to 1932, and fellow Republicans in control of the Appropriations Committee of the General

Assembly allied with park opponents.⁴⁶ By the early twentieth century, the Republican Party, drawing votes from white, Protestant suburbanites and rural residents, controlled the state legislature.⁴⁷ The state assembly honored Westport's anti-park resolution and consistently denied the CPSC the funds necessary to finish purchasing land at Sherwood Island. In 1921 the General Assembly denied the park commission their entire \$535,000 request; by 1924 the CPSC had held 139 meetings and submitted plans to five successive sessions of the General Assembly without successfully securing additional financial support to finish Sherwood Island State Park.⁴⁸ The substantial progress at Hammonasset State Beach in eastern New Haven County underscored the state's persistent evasion of funding for Sherwood Island. By 1924, three years after Hammonasset's opening, the state had spent \$130,960 for 565 acres and the construction of first-aid and lifeguard stations and a 1,400-locker bathhouse there and only \$12,959 for the acquisition of 48 noncontiguous acres at Sherwood Island.⁴⁹ In contrast to Hammonasset, the CSPC deemed its Westport beach a failure.⁵⁰ In April 1923, Park Commissioner George A. Parker had resigned to protest the legislature's inaction. William H. Burr, one of the only Greens Farms residents who supported the park, commented on the obstructionism and subsequent resignation to Turner, "Sorry Mr. Parker resigned, but now we know what we are up against."⁵¹

Having successfully blocked the completion of Sherwood Island State Park for a decade and a half, in 1931 Republicans in Hartford went as far as attempting to totally depower the state park commission. In that year, the Republican-controlled General Assembly created a special subcommittee to relieve the park commission (renamed the State Park and Forest Commission [SPFC]) of its control of parks in Fairfield County.⁵² The subcommittee toured Sherwood Island under the care of Gair and Westport's First Selectman King W. Mansfield, a proponent of beach relocation; the subcommittee subsequently recommended abandoning the territory in favor of a

new park at Roton Point, Norwalk.⁵³ Protest erupted in Fairfield's cities and from its planning organizations. The editor of the *Bridgeport Post* condemned the state for considering the \$700,000 Roton Point project and abandoning property that it had owned for seventeen years. The president of the Fairfield County Planning Association accused the subcommittee of neither visiting Roton Point nor appraising the land before issuing a "flabby" and "amorphous" report that served only Greens Farms' anti-park agenda. Because of the uproar, the bill was recalled and effectively killed.⁵⁴ Nevertheless, that the General Assembly created such a subcommittee underscores the power of Republican Greens Farms elites to block state-sponsored regionalism.⁵⁵

Throughout the 1920s, the state legislature acknowledged Westport's obstructionism and its own "policy of inaction."⁵⁶ This inaction, secured by Republican interests, was exacerbated by the fact that Connecticut counties lacked the power to mediate between state and local politics. The state's New England town tradition situated governmental authority in local jurisdictions. At its founding as a colony in 1636, Connecticut created town government. It did not create county jurisdiction until the 1660s. A secondary form of government, the county lacked a chief executive who could forward a regional development program.⁵⁷ As a result, inland residents were left with no effective county authority to demand recourse; they could do little more than write angry letters to the editor condemning the state's pandering to the "guard of New York commuters" to keep the "common herd from the back towns" off the beach.⁵⁸

For over two decades, the state failed to guarantee the rights of the public in the face of vested interests. New park planners in greater New York, led by Turner of the SPFC, forwarded the idea that Connecticut had a responsibility to provide beaches to the regional public and called for a regional perspective at the same time Gair and his constituents mobilized against Sherwood Island State Park. Gair's cohort both protested this regionalism and articulated an alternative vision of a

privatized shore. Greens Farms estate owners romanticized the coast as a stretch of small villages and estates dispersed across open land. Their privileged strain of localism bolstered this fantasy by rejecting a regional conception that linked their enclave with industrializing centers like Bridgeport and the right of a broad public to recreate alongshore, even though the state held Sherwood Island in trust for the public. Planners predicted Fairfield would become a county of large cities woven together by intensive suburban development. “What Westchester County is today Fairfield County will be tomorrow,” the Fairfield County Planning Association urged. “What Bridgeport is today, the other cities of the County will be tomorrow.”⁵⁹ Prosperous Bridgeport boasted the state’s largest park system; suburbanizing Westchester boasted the nation’s most celebrated comprehensive county park system. Each was an example of growth and successful park planning. While the SPFC successfully built parks across the state, through home rule Greens Farms rejected state parks as well as this vision of regional planning for the coastal corridor.⁶⁰

Part II: Long Island’s Gold Coast

In the same years that Greens Farms estate owners challenged an inclusive vision of public recreation in Connecticut, on Long Island’s North Shore wealthy individuals sought seclusion and private leisure on an even greater scale. Louis C. Tiffany and Walter Jennings on Cold Spring Harbor both closed former popular resorts. At Glen Cove, Standard Oil co-founder Charles Pratt built a stunning 1,100-acre family compound and privatized three-quarters of a mile of waterfront and more than 40 adjacent acres of land under water.⁶¹ In addition, as Tiffany’s privatization strategies reveal, beneficial enjoyment grants became stepping stones to even greater privatization as estate owners looked to control not just riparian beaches but nearly forty miles of shoreline.

Greens Farms localism was rooted in spatial proximity and neighborhood homogeneity. North Shore resistance to state parks, however, occurred on a much larger geographic scale. Because of the palatial scale of individual estates and their aggregation across northern Long Island, the region's elite anti-park coalition spanned a collection of homogenous municipalities. In addition, differences between state and county power structures in Connecticut and New York offered landowners different tools to exert control over local public recreation. North Shore barons cumulatively employed beneficial enjoyment grants and home rule governance to secure their private playground.

The concentration of Gilded Age wealth on the North Shore gained the region the nickname the "Gold Coast" by the first years of the twentieth century. Nick Carraway's cheeky summary, "I had a view of the water, a partial view of my neighbor's lawn, and the consoling proximity of millionaires" in F. Scott Fitzgerald's *The Great Gatsby* (1925) captured the region's defining characteristics.⁶² The 110-square-mile Gold Coast was definable because of its hilly topography, its waterfront of deep fjord-like bays, and the homogeneity of its millionaire population. Home to the largest concentration of wealth and power in the United States, the district encompassed more than six hundred estates virtually undisturbed by industry, public parks, schools, or subdivisions.⁶³ Gold Coast barons built a landscape of private leisure and display composed of extravagant estate compounds including greenhouses, casinos, pools, and personal polo fields and golf courses. Utilities magnate John E. Aldred summarized, "That part of Long Island was inaccessible. We, Mr. Guthrie and I, the Pratts and the Morgans wanted to keep it so."⁶⁴

The snobbery and obstructionism of Gold Coast millionaires who strove to preserve their privileged playground dominate the narrative of North Shore development. The popular attention to Robert Moses's incendiary battle with millionaires over state parks and the Northern State

Parkway, as told in Robert Caro's *The Power Broker: Robert Moses and the Fall of New York* (1972), directs the reader away from a more nuanced understanding of Moses's conflict with New York City's industrial aristocracy in Long Island development. By the end of his career in the early 1970s, Moses faced popular and scholarly condemnation for his personal ambitions and the institutional failure of urban renewal. Until recent revisionist scholarship, this criticism overrode the fact that Moses had enjoyed widespread popularity as a Progressive-era park planner.⁶⁵ Yet his popularity eclipsed shortcomings in park plan execution, specifically on the North Shore: neither wholesale criticism nor praise adequately addresses the Gold Coast battle between regionalism and localism of which Moses was a part. Reckoning with the obstacles mounted by private property interests refocuses the narrative of Long Island development on the power of elitist home rule to shape public land-use patterns. This point of view reveals the limits of regionalism—and Moses's power—in the New York metropolis.

Long before Robert Moses unveiled his 1924 plan to make Long Island a public playground for New York City urbanites, beneficial enjoyment grants like Louis Comfort Tiffany's proliferated along the North Shore. These grants, which empowered riparian landowners to privatize and build on tidelands, were the first step landowners took to insulate beaches from public use. In 1850, the New York State Land Board, which managed state-owned public land, created beneficial enjoyment grants. Because of the Public Trust Doctrine, a legal trust established at the nation's founding, the government is required to preserve public use of the shore.⁶⁶ While under Public Trust Doctrine the state could legally divest and make private the shore, in theory the public's rights remained paramount. Between 1880 and 1920, however, the Land Board managed state-owned foreshore as property liable to divestment. On the North Shore, grants encompassed nearly the entire western shore of Hewlett's Point north of Little Neck Bay; the majority of the eastern

shore of Hempstead Harbor; and nearly all of the western shores of Oyster Bay and Cold Spring Harbor.⁶⁷ In total, the number of beneficial enjoyment grants challenged public access to North Shore beaches.⁶⁸ Gold Coasters extended the privacy of the estate first across public beaches with beneficial enjoyment grants and then across contiguous estates through village incorporation. Such legal mechanisms fostered an extraordinary period of hinterland growth in which local proprietary interests effectively barred the public from the entire North Shore.

In 1910, Louise and Roswell Eldridge pioneered estate incorporation in New York State in Great Neck, Long Island. Speculators developed subdivisions in the southern section of Great Neck peninsula near the Eldridge estate Udalls in the early 1900s. These new residents, largely of modest means, called for the incorporation of villages and special districts drawn to include estates, such as Udalls, whose high property taxes could be exploited to cover the majority of the costs of new municipal services.⁶⁹ Faced with increased taxation, the Eldridges preemptively incorporated the territory around Udalls as the Village of Saddle Rock on October 26, 1910. The estate made up all but 10 percent of the new village's territory. Village status sheltered their estate from inclusion in any special districts, removed it from the Town of North Hempstead's tax roll, and gave the Eldridges legal oversight of village public works.⁷⁰ Until 1910, state Village Law required a minimum population of two hundred persons over a square mile or less, constraining incorporation to territories with moderate or high population densities; on May 7, however, the legislature had amended the law to allow the incorporation of districts less than one square mile with fifty to two hundred persons.⁷¹ The amendment made possible the transformation of the 126-acre Udalls and its approximately fifty servants and family members into a municipal entity. Roswell Eldridge's influence in state politics probably enabled the passage of this amendment. The incorporation of Saddle Rock empowered the Eldridges to dictate use of nearby public land.⁷²

Beginning with the Eldridges in 1911, Gold Coast estate owners constructed village boundaries in service of particular ideological and material interests, namely, the community's leisure and aesthetic preferences and privacy expectations. The intensive incorporation of estates or groups of estates as villages created a millionaires' district across the North Shore between 1911 and 1932, the period during which it was possible to incorporate small areas with populations of more than fifty persons. Sociologist Dennis Sobin employs the term "estate village" to define incorporated villages primarily or exclusively composed of contiguous large estates that generally lacked traditional village centers. More than twenty-four estate villages were incorporated between 1911 and 1932, including Lake Success, Laurel Hollow, Old Westbury, Saddle Rock, and Sands Point.⁷³ Incorporation did not service community-building. Estate villages emerged as exclusive spaces where like-minded industrialists did not so much interact but maintained parallel lives in gracious seclusion. As a form of government, the incorporated village epitomized the privileged, exclusionary localism of estate owners. Estate interests achieved political hegemony through the fragmentation and the spatial exclusion of potential resistance from middle-class property owners. Of the service communities that supplied estates with labor and provisions and the commuter railroad stops at Great Neck, Glen Head, Locust Valley, Oyster Bay, and East Norwich, all except Great Neck remain unincorporated.⁷⁴ In the nineteenth century, incorporation was generally employed to supply suburbanizing districts with urban municipal infrastructure of streets and sewerage. In contrast, estate owners incorporated exclusive villages to suburbanization and the ensuing public works taxes and assessments.⁷⁵

Incorporation formalized societal fragmentation and abetted North Shore elitism. Not only did estate villages skirt developing suburban districts, they stretched to embrace contiguous estates to further solidify a homogenous population of Gold Coast barons. In 1926, Louis Comfort Tiffany

and his neighbor the prominent lawyer Henry W. DeForest sponsored the incorporation of Laurel Hollow. The two families comprised seven of the fifteen people who voted on the incorporation of the less-than-square-mile community. Laurel Hollow village government developed under Tiffany's thumb. DeForest's son-in-law became mayor; DeForest and Tiffany's son-in-law received two of the three village trustee positions; and Tiffany's architect became road commissioner.⁷⁶ Working with like-minded neighboring estate owners, Tiffany finally achieved control over development.

Land transfers between estate-holding families were a common practice on the Gold Coast. Property owners sliced parcels from their estates and sold them within their cohort to create the minimal population required by law for incorporation without having to include subdivisions. Leading up to the vote for the consolidation of the villages of Barkers Point and Motts Point into the village of Sands Point, a local reporter observed, "From the real estate transfers recorded in the County Clerk's office . . . one would think a boom had struck the Point section. But it was only to create a few more freeholders . . . as will be readily understood by a careful reading" of the records.⁷⁷ To enable consolidation, the Guggenheims, Kingsburys, and Laidlaws sold family members land. Of the twenty real estate transactions, all but four unfolded within families. All transactions carried only nominal prices. Howard Kingsbury was president of Barkers Point and James Laidlaw was the attorney who had overseen the village's incorporation: both had explicit vested interests in a successful consolidation. Representatives of the excluded subdivisions speculated, with probable accuracy, that school tax avoidance drove the land transfers for incorporation. The three villages successfully consolidated in July 1912.

Gold Coast incorporation took on a distinctive pattern. That at times incorporation appeared to be a charade of democratic voting underscored the power of estate owners in the creation of a

typical “millionaire municipality.” Estate owners spearheaded incorporation to serve personal goals and ran, usually uncontested, for positions on the new village boards. Charles E. Ransom, the town clerk of Oyster Bay who conducted ten incorporation elections in the twenties recalled, “[i]n most comparatively few home owners were eligible to vote. . . . On several occasions the entire vote was cast in the first hour . . . in almost every instance the election was held in luxurious surroundings and the hosts did everything possible to make the hours pass pleasantly.”⁷⁸ Ransom generally oversaw the vote and Winslow S. Coates usually acted as the attorney for the petitioners. Contestation was rare. Local businessmen who depended on estate business tended to vote with estate owners, as did the large portions of the village population employed on estates. Estate owners were simultaneously voters’ employers, campaigning politicians, and election hosts, providing refreshments. Voting against such figures would have been at the least uncomfortable. In Saddle Rock, for example, Roswell Eldridge was mayor from incorporation in 1911 to his 1927 death, when his wife Louise succeeded him—in an election held on Eldridge property. She subsequently held the office through the 1930s.⁷⁹ In the words of a *New York Times* headline, estate village incorporation could be easily summarized: “Millionaire Village Born as Iced Drinks Clink; 13 Voters Create Muttontown, L.I., Unanimously.”⁸⁰

Exclusionary laws ensured privacy through spatial and social distance, the inherent purpose of estate village governance. Incorporation withdrew land from town oversight; this home rule made local prerogative over land use largely untouchable.⁸¹ Villages across greater New York passed ordinances to ban outsiders from local beaches. In Westchester County, New York, across the Sound, Rye’s efforts to restrict parking on local roads were overturned by the county’s progressive Board of Supervisors. In contrast, the Gold Coast villages of Lake Success, Kings Point, and Sands Point all passed ordinances restricting parking near parks and swimming spots to restrict users to

residents within walking distance. Following incorporation, Tiffany's Laurel Hollow immediately restricted beach use to residents. Lake Success prohibited "meeting on sidewalks."⁸² Estate owners additionally used municipal status to bar industrial and commercial land use through zoning.⁸³ Cove Neck banned the erection of "amusement concessions and 'hot-dog' stands" on the peninsula in its first official ordinance.⁸⁴ When incorporation was proposed for Lake Success in 1927, one resident complained that the proposed village zoning was "so rigid . . . as to deprive the property owners therein all the free use of their property." A majority of the area's residents, however, welcomed restrictions that could bar city recreationalists, and approved incorporation.⁸⁵

Beneficial enjoyment grants and restrictive village ordinances eroded the publically owned shore unfettered by effective challenges until the 1920s. The New York Attorney-General's 1911 worry that the proliferation of beneficial enjoyment grants had engendered a "radical departure" in the preservation of public beaches was never critically examined.⁸⁶ Estate villages' legal closure of old rights-of-way and unlawful private encroachment exponentially compounded waterfront privatization. After its initial survey of the shore in 1924, the Long Island State Park Commission (LISPC) concluded that such lax government oversight and "pre-emption by private owners and the closing up of old rights of way" that had provided beach access between estates made the shore practically inaccessible.⁸⁷ In a 1925 speech to the legislature, Democratic Governor Alfred E. Smith lamented that the state's tradition of selling public waterfront had occurred with "apparently no thought of the future on the part of [the Land Board] directed towards retaining in the public possession for recreation, health and numerous other public purposes."⁸⁸ Having abdicated its sovereign trust of the foreshore, the state was in danger of squandering a unique public amenity.

Restrictive village laws designed to exclude the wayfaring public rankled the regional public and politicians, outrage that gained support from the powerful State Council of Parks and LISPC,

both established by Robert Moses in the 1920s. In June 1925, a riot erupted in the village of Huntington when local police barred nonresidents access to the beach.⁸⁹ In response, Governor Smith called a special summer session of the legislature. Broadcast statewide on the radio, Smith criticized Gold Coast barons for monopolizing the waterfront. “After you leave the city line . . . you can ride in an automobile about fifty miles and you cannot get near the water.” The governor went on to condemn local government for parochial isolationism of restricted park and beach access.⁹⁰ Hailing from the Irish slums of Manhattan’s Lower East Side, Smith reportedly told Nassau’s landed elites who complained parks would bring “the rabble” to the North Shore, “I am the rabble!”⁹¹ For nearly a decade, Smith, a well-known urban machine Democrat, was the principal figure of New York State’s powerful Progressive Party. Smith implemented widespread civil service and social reform in his four terms as state governor between 1918 and 1926. His staunch support of urban working-class rights included the right to public recreation.⁹² New York State, Smith declared, would not bend to wealthy residents who deemed the general public “undeserving of the superior views” of the North Shore. In concluding “private rights must yield to the public demand,” Smith effectively declared war on Gold Coast localism.⁹³

Estate villages and beneficial enjoyment grants pre-dated state park plans, yet in 1924 North Shore privatization became the LISPC’s main target in a fight that revealed this phenomenon to the region. The 1924 creation of the LISPC was part of Governor Smith’s sponsorship of public recreation and regional planning. Smith declared that “the cure for the evils of democracy is more democracy” to which Robert Moses added, “when rich and poor can play side by side at a state-controlled resort, that theorem is demonstrated.”⁹⁴ Smith and Moses, the first president of the LISPC, claimed that Long Island’s expansive waterfront was a natural playground for New York City.⁹⁵ The LISPC sited parkways along the northern and southern sides of the island as well as

parks and beaches.⁹⁶ According to the commission, the Northern State Parkway through Wheatley Hills would do little damage to local aesthetics or property values, since the right of way represented only a fraction of the average estate. Governor Smith rationalized, “the same boulevard which carries the millionaire from his office to the threshold of his golf club or estate should carry the City man in his small car out to parks and the shorefront in the open country.”⁹⁷ But Gold Coast millionaires valued the North Shore’s uniform inaccessibility. The LISPC’s proposed Northern State Parkway through Wheatley Hills, although platted along the southernmost section of the Gold Coast, was thus seen as a threat to the entire region.

Gold Coast barons wielded their influence in both local and county government to fight state park planning. Paralleling the way Greens Farms exploited Connecticut’s feeble county government, the Nassau County Republican Party, the party of estate owners, rendered the potentially powerful county government of New York toothless. In the early twentieth century, Boss Wilbur Doughty’s Republican machine took control of Nassau and fostered a decentralized, one-party system that let county powers lie fallow while incorporated villages dictated regional policies.⁹⁸ Having depowered county government, in 1924 and 1925 Nassau representatives moved to subordinate all state park land acquisitions, and thus all LISPC plans, to approval by the state Land Board.⁹⁹ The LISPC enjoyed complete independence in state government, free from checks and balances by any other municipal or state bureau. Of the Land Board’s two appointed appraisers, one was brand new, formerly the owner of a paint shop in Buffalo, and neither had experience in park planning; the board seemed a likely forum in which Nassau Republicans could place individuals willing to block LISPC plans. Governor Smith condemned this attempt to subject park planning to local “influence and manipulation” and summarily vetoed the bill.¹⁰⁰ Unlike Greens Farms, however, Gold Coasters failed to block parks at the state level.

When efforts to block the LISPC park plan failed in the legislature, estate owners organized the Nassau County Committee (NCC) to co-opt regional planning to support North Shore isolation. The committee declared that its 264 members, who owned in aggregate 18,000 acres, spoke for regional residents who resented “interference of the state in local affairs” and wished to be “freed from the LISPC” that made park and parkway plans “without regard . . . to local needs.”¹⁰¹ In 1925, the NCC hired respected landscape architect Charles Downing Lay to complete an independent survey of Long Island’s beach and parkway needs. Lay recommended that “the whole territory of the northerly part of Nassau County be omitted from any plans for parks or parkways” until the district was “ripe” for development—an unspecified and distant future date.¹⁰² An impressive range of park planners and landscape architects echoed Lay’s call to preserve the Gold Coast and offered an alternative to the LISPC’s plan.¹⁰³ Regional planning and localism were not mutually exclusive—regionalism, as Lay’s *A Park System for Long Island* reveals, could forward local community goals.¹⁰⁴ Wholly local struggles over public versus private amenities repeated across contiguous estate villages and shaped the regional development of the North Shore. Far from merely parochial, the state park battle profoundly shaped the estate district’s government and its residents’ lifestyles.

In 1929 the landmark *Regional Plan for New York and Its Environs*, which on the whole stressed the importance of a comprehensive public park network, also omitted regional parks and parkways from the North Shore.¹⁰⁵ Celebrated Scottish planner Thomas Adams, director of the plan, argued that the Gold Coast should be preserved because its lack of development had a public value. “Wealthy citizens inclined to use their money in developing and preserving the natural landscape,” the Committee on the Regional Plan said, “are creating for the Region . . . something that may be as valuable from a cultural point of view as any collection of works of art.”¹⁰⁶ Private estates

preserved beautiful landscapes at no cost to the public and indirectly contributed, the recreation specialist for the plan said, “to the health and enjoyment of all citizens.”¹⁰⁷ Adams valued the landscape’s uniform beauty but did not acknowledge that its aesthetic could be ideological in and of itself—a manifestation of the Gold Coast’s politics of exclusion. He agreed with Lay that North Shore parks were unnecessary since the gracious landscaping of far-flung estates veritably constituted parkland.¹⁰⁸

Estate village zoning ordinances preserved the North Shore from parks as well as from industry and subdivision sprawl. The NCC and Thomas Adams of the Regional Plan codified estate village exclusionary laws as good land-use planning. Adams celebrated the estate landscape as “open” development that essentially balanced the dense “closed” development of New York’s urbanizing outer boroughs.¹⁰⁹ This theory of open development grew from and contributed to the planning debates of the 1920s and 1930s on the best way to control growth. Cities, leading planners Lewis Mumford and Frank Lloyd Wright said, had grown too big, too congested, and too polluted.¹¹⁰ Estate villages, however, mitigated sprawl. Penetration of closed development into the Gold Coast, Adams warned, would constitute nothing less than “a public misfortune.”¹¹¹ Adams deemed valuable estate villages’ restrictive land-use patterns and lack of development intellectually defensible.

While Gold Coasters’ localism appears at first glance contradictory to regional planning goals, estate owners easily enlisted regional planners to secure elite estate land-use. Thomas Adams tried to convince the LISPC that his assessment of the North Shore was not a challenge to the commission’s mission but a legitimate alternative perspective and an important land preservation technique.¹¹² Unlike Greens Farms residents, Gold Coasters did not outrightly reject regional planning. They did, however, insist that it occur on self-serving terms that flattered their sense of

importance. The NCC used regional planning theory to validate their exclusive claim to the region's best environmental amenities and neutralize the authority of planners who advocated overriding village priorities through a regional public recreation program.¹¹³ The regional plan accommodated and ultimately sanctioned elite privacy created by the mutually reinforcing decisions of aggregate estate villages. Neither Robert Moses, in his role as park planner, nor Governor Smith, with his reputation as a champion of the urban masses, could forgive North Shore residents for walling off the shore and leaving the public with only "dust and dirt."¹¹⁴ To them, estate village politics of exclusion could not be excused, even if they did consequently aid the overall balance of land use in New York's hinterlands. No matter the alternative plans presented, the LISPC continued to call for North Shore parks and parkways.

The Limits of the Public Sphere Alongshore

A shared taste for elitist, private recreation and residential patterns became the basis of group and social distinction in Greens Farms and on the North Shore in the early twentieth century. Localism enabled landed elites to secure such preferences from state-sponsored public recreation. Historians who dismiss localism as a multitude of autonomous, small publics unconcerned with any large, shared project miss the power of hinterland actors to collectively shape metropolitan growth.¹¹⁵ A vernacular regionalism emerged from the choices of North Shore magnates-turned estate village leaders. Landowners made calculated decisions that cumulatively fostered a homogeneous private leisure landscape.¹¹⁶ Incorporation functioned as a powerful regional development tool, albeit rooted in exclusivity rather than the progressive reform traditionally associated with regionalism. Gold Coast regionalism preserved its community's taste for sparse residential development. In 1930 Nassau's population density per acre was 12 persons, and the Committee on the Regional Plan predicted no substantial change for the coming decade.¹¹⁷

Neither the eventual creation of Sherwood Island State Park in Connecticut nor the park and parkway plan for Long Island were entirely successful endeavors for their corresponding park commissions. The LISPC failed to convince incorporated villages that their attempts “to secure isolation from their city and suburban neighbors” would be best served by regional parks to contain urban recreationalists.¹¹⁸ After four years of rancorous negotiations, in December 1929 the commission acquiesced to a five-mile detour around Wheatley Hills.¹¹⁹ Not only did Gold Coasters successfully reroute the parkway south of their estate region, the LISPC was unable to establish a single state beach in the region until the 1970s.¹²⁰ In Connecticut, the legislature refused to appropriate to the state park the nearly half a million dollars necessary to complete land acquisitions on Sherwood Island until 1937, following the Democrats’ capture of the state government during the Depression. The delay forced the state to spend large sums on property subdivided expressly to block the park.¹²¹

Albert Turner’s call for Connecticut state responsibility over public beaches remained unanswered for thirty years. The National Conference on State Parks (est. 1921), however, embraced Turner’s 1914 CSPP report as a foundational text for beach preservation in conjunction with California’s 1928 state park survey. In this survey of potential parklands, leading park planner Frederick Law Olmsted Jr. demanded the “vigorous safe-guarding” of beaches.¹²² Today California enjoys a reputation for the protection its state law affords public recreation alongshore.¹²³ But California’s early beach management parallels that of New York State. After achieving statehood in 1850, California authorized the sale of public tidelands and, in 1868, established the Board of Tideland Commissioners to facilitate such sales.¹²⁴ Yet a decade later, the state reformed such practices, amending its constitution to forbid the sale of shorelands near incorporated municipalities. In 1909 the legislature extended this protection to all tidelands. It was

not until the 1930s that California's Supreme Court prohibited the freeing of tidelands from the public trust—until then California, like New York, allowed the privatization of shore deemed nonessential to commerce and navigation.¹²⁵ Finally, in 1938, the state created the California State Lands Commission to safeguard public beaches, rejecting exclusionary definitions of community beach use, although privatization threats remained.¹²⁶ Nineteenth-century parallels between New York's and California's management of public beaches, however, prove ahistorical the popular belief of the latter's beaches as intrinsically public. Twentieth-century parallels can be found between California and Connecticut state park commission's prescient articulation of the public's right to recreate alongshore. Future scholarship on the process by which states championed the publicness of beaches has the potential to further illuminate how government management, the public trust, and private rights are perennially entwined and contested alongshore.

In thwarting Progressive-era state beach programs, Greens Farms and the North Shore communities valued private privilege over the public good. Park protest in these estate districts makes visible the comparative powers of local versus regional governmental units to dictate public land use and the extent to which traditions of decentralized government empowered localized challenges to regionalism. This story reveals the importance for urban history scholarship to step beyond the city to examine metropolitan growth and regional planning from the perspective of local players on the periphery. The resulting beach battles led to three important and mutually reinforcing lessons. First, park obstruction underscores the exclusionism inherent in these estate communities. In Greens Farms, localism meant private consumption of the shore. On the Gold Coast, it meant collective consumption by a narrowly defined community. Estate community identity depended on keeping the public at large out. Such a vision of the public was particularly narrow given the extent to which high property values limited community entry to the wealthy.

Estate communities felt no compunction to provide outsiders access and rebuffed CSPC and LISPC attempts to do so. Second, the failure of state government to ensure public access to the shore in both places reinforced localism. Finally, home-rulers rejected state park planners as foreign invaders and endeavored to disable the state's power to affect regional plans. The lack of powerful county-level governance to balance local and metropolitan recreation needs augmented the ability of elites to block regional planning. In Greens Farms and on the Gold Coast, Progressive state park planners and the recreating public at large represent threats to localism that would not be borne.

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Notes

1. *Tiffany v. Town of Oyster Bay*, 192 A.D. 126 WestLaw (N.Y. App. Div. 1920).
2. The closing of Laurelton Hall brings to the twenty-first century the issues of democratic leisure and privatization of recreation spaces for elite use investigated in Paul E. Johnson's history of spinner-turned daredevil Sam Patch. Johnson unpacks how the 1827 bridge-opening ceremony in Paterson, New Jersey, was a contest over recreational space, a contest that regularly pitted the noise and physicality of working-class recreations against the privatized, contemplative leisure pursuits of the middle class. See Johnson, *Sam Patch: The Famous Jumper* (New York: Hill and Wang, 2003), 51.
3. Land under water grants convey to an individual the foreshore, the land between mean high and low tide, as well as the bay or harbor bottom as far out as it could be feasibly possessed to private individuals. See Frank B. Williams, "Foreshore and Rights in Land Under Navigable Waters in the New York Region," in *Public Recreation: A Study of Parks, Playgrounds, and Other Outdoor Recreational Facilities*, vol. 5, *Regional Survey of New York and its Environs*, ed. Lee F. Hanmer (New York: Regional Plan of New York and Its Environs, 1928), 202, 241.
4. Tiffany ignored the town's claim to the foreshore, built a groin to support landfill for a beach, and then took the town to court when it tried to dismantle his improvements. *Tiffany v. Town of Oyster Bay* 141 A.D. 720 WestLaw (N.Y. App. Div. 1910) at **912-913 and *Tiffany v. Town of Oyster Bay* 209 N.Y. 1 WestLaw (N.Y. 1913).
5. "Justice Callaghan Dismisses Injunction, Mr. Tiffany Can Not Stop Bath House Building," *Oyster Bay Guardian* (June 16, 1916), clippings. John Hammond email to author, January 27, 2012, Town of Oyster Bay official historian's collection. On Tiffany's nuisance claim, see *Tiffany v. Town of Oyster Bay* 104 Misc. 445 WestLaw (N.Y. Supp. 1918). The final case between Tiffany and the Town of Oyster Bay occurred in 1922. The court declared, "The town may not fill in, occupy, and obstruct with buildings the foreshore, under the pretext of providing for the public enjoyment, so as to interfere with the rights of owners of the upland, although they may still be able to reach the water. Their rights pass along the whole frontage of their property. . . . The fill does not enlarge the rights of the town in this regard." *Tiffany v. Town of Oyster Bay* 234 N.Y. 15 WestLaw (N.Y. 1922) at **226.
6. Lewis Mumford, *The Urban Prospect* (New York: Harcourt, Brace & World, 1968), 81, quoted in Hilary Ballon and Kenneth Jackson, eds., *Robert Moses and the Modern City: The Transformation of New York* (New York: Norton, 2007), 158.

7. Recent scholarship on regional planning has resuscitated Robert Moses's career by focusing on his achievements building parks, parkways, beltways, and bridges across the metropolis in the 1930s heyday of public works. See Owen Gutfreund's essay "Rebuilding New York in the Auto Age: Robert Moses and His Highways" in *Robert Moses and the Modern City: The Transformation of New York*, ed. Hillary Ballon and Kenneth T. Jackson (New York: Norton, 2008), 86–93.
8. For an overview of greater New York public works, see Mathew Gandy's urban environmental history survey *Concrete and Clay: Reworking Nature in New York City* (Cambridge: MIT Press, 2002). For Westchester County park and parkway planning, see Randall Mason, *The Once and Future New York: Historic Preservation and the Modern City* (Minneapolis: The University of Minnesota Press, 2009) and the work of Marilyn E. Weigold, "Pioneering in Parks and Parkways: Westchester County, New York, 1895-1945," *Essays in Public Works History* no. 9 (February 1980), as well as the Long Island highway summaries in Ballon and Jackson.
For a detailed examination of the connection between conservationism, elite suburban aesthetics, and politics of exclusion, see James S. Duncan and Nancy G. Duncan, *Landscapes of Privilege: the Politics of the Aesthetic in an American Suburb* (New York: Routledge, 2004).
9. On the rise of New York's industrial barons, see Sven Beckert, *The Monied Metropolis, New York City and the Consolidation of the American Bourgeoisie, 1850-1896* (Cambridge: Cambridge University Press, 2001).
10. Anthony Baker, Robert B. MacKay, Carol A. Traynor, and Brendan Gill, eds., *Long Island Country Houses and Their Architects, 1860-1940* (New York: Norton, 1997).
11. Mary Corbin Sies and Christopher Silver, eds., *Planning the Twentieth-Century American City* (Baltimore: The Johns Hopkins University Press, 1996).
Mathew Dalbey explains that a range of professional landscape architects, zoning experts, and intellectuals vied to define regionalism. In the nascent profession of city planning, regionalists of the RPAA (est. 1923) Benton MacKaye, Clarence Stein, and Lewis Mumford supported the theories of British planner Patrick Geddes and rejected existing urban patterns in favor of new structures for future social and economic development, such as Garden City suburbs. In contrast, the Russell Sage Foundation's Committee on the Regional Plan of New York and Its Environs, which became the RPA, worked within existing market limitations to mitigate congestion and sprawl. In greater New York, this academic debate overcame polemics and was instituted in practice, as seen in the regional plan's acceptance of existing land use patterns on Long Island. Dalbey, *Regional Visionaries and Metropolitan Boosters: Decentralization, Regional Planning, and Parkways During the Interwar Years* (Boston: Kluwer Academic, 2002).
12. For remarks by Turner's contemporaries on the importance of his report see Herbert Evison, ed., *A State Park Anthology* (Washington, DC: National Conference on State Parks, 1930), 195.
13. Turner additionally recommended Hammonasset Beach, Rocky Neck, and Bluff Point, all in eastern Connecticut, as state beaches. Albert M. Turner, "Report of Field Secretary," in *State of Connecticut Public Document No. 60, Report of the State Park Commission to the General Assembly for the Fiscal Year Ended September 30, 1914* (Hartford: Hartford Printing Company, 1914).
14. Turner, "Report of Field Secretary," (1914), 17.
15. Turner, "Report of Field Secretary," (1914). See p. 31 for goal of five beaches, and p. 30 for "From the date" quote.
16. In Connecticut, the law of land under water was found entirely on the decisions of the courts, with the exception of bulkhead and pier-head lines. The state's courts traditionally favored riparian owners over public claims to access rooted in traditional, unofficial land use. The state rejected the English doctrine of public easements by local custom, *Graham v. Walker*, 78 Conn., 130, 133–34, 61 A. 98, 99 (1905); see Jack H. Archer et al., *The Public Trust Doctrine and the Management of America's Coasts* (Amherst: University of Massachusetts Press, 1994), 104.
17. *Town of Orange v. Resnick* 94 Conn. 573 (Conn. 1920), cited in Williams, 204.
18. Turner, "Report of Field Secretary," (1914), 37–38.
19. Turner's 1917 "Report of the Connecticut State Park Commission to the Governor" was reproduced as Turner, "The Price of Procrastination," *A State Park Anthology*, 61.
20. Turner, "Report of Field Secretary," (1914), 23.
21. For a contemporary analysis of the emergence of state park planning in the United States, see Evison, *A State Park Anthology*. At the end of World War I, only New York, Indiana, Wisconsin, Connecticut, and California had something approaching established state park organization. Only after Secretary of the Interior Stephen T. Mather's 1920s reorganization of the nation park system the establishment of strong state park authorities in New York and California did an identifiable state park movement coalesce. A scholarly overview of state parks is available in Norman T. Newton's classic, comprehensive *Design on the Land: The Development of Landscape Architecture* (Cambridge: Harvard University Press, 1971), 555–75. Newton's monograph remains the standard reference the development of state park planning. I argue, however, that Newton's conflation of state and county park planning is simplistic. It detrimentally flattens the variations of funding and home rule essential to the success of county park planning versus the difficulties state park commissions faced in New York State in the 1920s and 1930s.
22. Turner, "Report of Field Secretary," (1914), 31.

23. Woody Klein, *Westport, Connecticut: The Story of a New England Town's Rise to Prominence* (Westport, CT: Greenwood Press, 2000), 135.
24. Three deeds filed between George W. Gair and the estate of Henrietta A. Jennings, Ester Sherwood Minor, and Dorothy Sherwood Minor July 12, 1921. *Town of Westport Land Records*, Book 38, 94–95, *Connecticut Town Portal- Land and Indexed Records* (2007–2013), <https://connecticut-townclerks-records.com/User/Login.aspx> (accessed December 15, 2012). See also “George W. Gair Resents William H Burr’s Criticisms and Returns the Attack” (March 21, 1929), William H. Burr, Jr. papers, MS B112, Folder 5, Box VII, Series D: William H. Burr Jr. Papers pertaining to Sherwood Island State Park, Fairfield Museum and History Center, Fairfield, Connecticut (“William H. Burr, Jr.”).
25. For the top ten individuals on Westport’s Grand List see the 1917 *Westporter-Herald* article cited in Joseph Elwood Betts, *The Sherwood-Elwood Connection: Story of the Transition of the Sherwood Elwood Farm to the Sherwood Island State Park* (Westport: El-Lo Press, 2011), 6.
26. “Militant,” “Act for the Island,” Folder 5, Box VII, William H. Burr Jr.
27. See Albert M. Turner, “Report of Field Secretary on Acquisition of Land,” *State of Connecticut Public Document No. 60, Report of the State Park and Forest Commission to the Governor for the Fiscal Term Ended June 30, 1924* (Hartford: Hartford Printing Company, 1924), 12.
28. “State Should Put Up Road Signs Leading to Island and Mark Off Parking Spaces Says Reader,” Clipping, Folder 5, Box VII, William H. Burr Jr.
29. “Mean Water, Mean Crowds,” Folder 5, Box VII, William H. Burr Jr.
30. “Proposed State Park Deal May Be Blocked By Residents,” Clipping, Folder 3, Box VII, William H. Burr Jr.
31. “Sherwood Island Park Dispute Is Aired at Capitol,” *The Hartford Courant* (February 13, 1931), 19.
32. The statistics for the Bronx used by the *Regional Plan for New York and Its Environs* were from 1927 rather than 1928; Hanmer, *Public Recreation: A Study of Parks*, 64. On the ideal ratio of country and city parks in greater New York, see Hanmer, *Public Recreation: A Study of Parks*, 127.
33. To the west of Westport, the city of Stamford’s situation was dire: the city had one acre of park for every 508 persons. In 1928, Norwalk to the east was home to 30,500 and had 110.5 acres of parks, or 1 acre of park for every 276 residents. Farther east, Bridgeport had a population of 165,000 and had 411 acres of parks. Stamford had 84.3 acres of parks for 43,000 persons; Hanmer, *Public Recreation: A Study of Parks*, 241.
34. Andrew Needham and Allen Dieterich-Ward, “Beyond the Metropolis: Metropolitan Growth and Regional Transformation in Postwar America,” *Journal of Urban History* 35 no. 7 (November 2009), 949.
35. “State Park Plan before Committee,” *The Hartford Courant* (March 27, 1925), 2. Greens Farms is an example of localism challenging the state’s attempt to make the region the focus of public policy by providing parks. On the formation of the region as a concept, see Thomas Adams, Harold M. Lewis, and Theodore T. McCrosky, *Population, Land Values, and Government* [1929] (New York: Arno Press, 1974), 204, quoted in Keith D. Revell, *Building Gotham: Civic Culture and Public Policy in New York City, 1898–1938* (Baltimore: Johns Hopkins University Press, 2005), 11n18.
36. William H. Burr to Edward E. Bradley, 1 May 1916, Folder 1, Box VII, William H. Burr Jr.
37. Turner, “Report of Field Secretary on Acquisition of Land” (1924), 20.
38. Turner, “Report of Field Secretary on Acquisition of Land” (1926), 12; “Westport–On the Sound,” *New York Times* (July 12, 1925), W5, and Sherwood Island Park Association, properties map of Sherwood Island, Folder 3, Box VII, William H. Burr Jr.
39. “Official Would Have Town Take Over Sherwood Island,” Clipping, William H. Burr Jr. Such defensive measures took place at both the state-owned Alvord Beach and the town beach at Burial Hill across New Creek. For a time, state park visitors frustrated in their attempts to reach Alvord Beach used Burial Hill Beach, but the town eventually restricted Burial Hill Beach use to residents.
40. “Not a Mean Property Owner” and “Beaches and Public,” Clippings, Folder 5, Box VII, William H. Burr Jr.
41. “Bridgeport Sunday Post 2/24/1929, 3 of 3,” Clipping, Folder 5, Box VII, William H. Burr Jr.
42. Copy of resolutions reprinted in “Town Meeting Called Oct. 27th 1924,” Folder 3, Box VII, William H. Burr Jr.
43. “Westport Dredged Creek to Isolate Park,” *The Hartford Courant* (August 4, 1929), A4.
44. “Bridgeport Editor Sees Nothing but Ulterior Motive in Town Dredging at Sherwood’s Island,” Clipping, Folder 5, Box VII, William H. Burr Jr.
45. Jamie Eves, “Beyond the Dry Highway and the No Trespass Sign: Albert Milford Turner, William H. Burr, Elsie Hill, and the Creation of Connecticut’s First Oceanfront State Parks, 1914–1942,” *Connecticut League of History Organizations Bulletin* 57 no. 2 (May 2004), 12.
46. “Public Beach for Fairfield County Asked,” *The Hartford Courant* (April 24, 1931), 3; see also “Politics: Maneuvering for Political Advantage in 1932,” *The Hartford Courant* (May 24, 1932), A8.
47. By the early twentieth century, white, Protestant suburbanites and rural farmers comprised the main voting blocks of the Republican Party that controlled Connecticut state politics. The state’s growing industrial centers such as New Haven, Norwalk, and Bridgeport housed increasing ethnic immigrant populations that tended to support the minority Democratic Party. In Fairfield County, for example, Norwalk housed a growing immigrant population that tended to support the minority

- Democratic Party but faced obstructionism from Republican bosses who additionally dominated urban borough politics. See Deborah Wing Ray and Gloria P. Stewart, *Norwalk: Being an Historical Account of That Connecticut Town* (Canaan, NH: Phoenix, 1979), 161–63.
48. Between July 1, 1925, and June 30, 1926, for example, no funds from the park commission's appropriations budget of over \$130,000 were spent on Sherwood Island. From the cash account, the SPC spent only \$27 dollars at Sherwood Island. "Report of the Treasurer," *State of Connecticut Public Document No 55-60, Report of the State Park and Forest Commission to the Governor for the Fiscal Term ended June 30, 1926* (Hartford: Hartford Printing Company, 1926), 57.
From the beginning, the State Park Commission faced funding obstacles. During World War I, the state allocated minimal funds to the SPC and for a time the federal government took over Alvord Beach as a potential military site. In part because of the lack of funds available for non-war-related programs in 1915, the SPC received \$20,000, a meager 2 percent of the million-dollar appropriation it requested as essential for park development. Over the next four years and two successive appropriation requests, the commission failed to secure additional funds to develop Sherwood Island.
 49. Turner, "Report of Field Secretary on Acquisition of Land" (1924), 12.
 50. Turner, "Report of the Field Secretary" (1920), 14.
 51. William H. Burr to Devo, January 10, 1923, Folder 2: 1920-1923 SISP Acquisition, William H. Burr Jr.
 52. "Current Comment: The Fairfield Shore Park," *The Bridgeport Times-Star*, reprinted in *The Hartford Courant* (May 15, 1931), 14, and "The Fairfield Park Commission," *The Hartford Courant* (May 12, 1931), 12.
 53. Since 1925, park opponents had variously argued to switch the state park to Great Marsh in Westport, Stratford Point to the east of Bridgeport, Cockenoe Island off Norwalk, and Calf Pasture at East Norwalk. See "Sherwood Island and What It Means to Connecticut–Fairfield County–The Town of Westport" (Connecticut Forestry Association and the Fairfield County Planning Association, 1925), Folder 3, Box VII, William H. Burr Jr. See also "Voters Decide against Park for Westport," *Times Star* (February 10, 1931), Folder 5, Box VII, William H. Burr Jr.
 54. Sanford estimated Roton Point would cost \$70,000. "Public Parks along the Shore," *The Hartford Courant* (April 30, 1931), 14. This debate can be traced through Connecticut's major newspapers. See "Current Comment: The Fairfield Shore Park," "A Veto Called For," *The Hartford Courant* (May 19, 1931), 12; "Politics: Maneuvering for Political Advantage in 1932 Campaign"; and "Sherwood Island and Roton Point," *Bridgeport Post*, Clippings, Folder 5, Box VII, William H. Burr Jr.
 55. The Secretary of the Connecticut Forest and Parks Association Robert M. Ross observed this explicitly. Robert M. Ross to William H. Burr, January 7, 1931, Folder 4: 1930-1937 SISP Acquisition, William H. Burr Jr.
 56. For the state's "policy of inaction," see "State Provides no Accommodations Not Even the Most Primitive," Folder 5, Box VII, William H. Burr Jr. The range of complaints against Greens Farms isolationism aired in editorials are captured in "Officials Violate Law, Levitt Holds," "Sherwood Island Park Dispute Is Aired at Capitol," and "Showdown on Sherwood Island," Folder 5, Box VII, William H. Burr Jr.
 57. Because of the importance of town government in Connecticut, county government never acquired the significance that it did in the rest of the country, including in New York State. In Connecticut, the county had neither direct taxing power nor the authority to create its own budget. The county did not have a chief executive authority and the three-person board of commissioners had no exclusive authority over any single activity. The county never wielded substantial authority and could not compete with towns as a source of government. Local government was lay in the New England town. This form of local government possesses powers like cities in other states but was governed by town meeting. This governance structure was firmly established by the time county government was created in Connecticut and as a result remained the source of political power and decision-making authority. Over time, the county level of government was stripped of its limited powers. Through the nineteenth and twentieth centuries, new state agencies took over county functions. As of October 1, 1960, county government formally ceased to exist in the state. See Rosaline Levensen, *County Government in Connecticut, Its History and Demise* (Storrs, CT: Institute of Public Service, Extended and Continuing Education, University of Connecticut, 1966), chapters 5–8.
 58. For "guard" quote, see "Militant." For "common herd" quote, see A. Jonstone, Letter to the Editor (September 1, 1924), Clipping, Folder 3, Box VII, William H. Burr Jr.
 59. "Sherwood Island and What It Means to Connecticut–Fairfield County–the Town of Westport," 9.
 60. "Sherwood Island and What It Means to Connecticut–Fairfield County–the Town of Westport," 4–5.
 61. On Jennings, see Robert B. MacKay, "Long Island Country Houses and Their Architects: 1860-1940" *The Long Island Historical Journal* 6 no. 2 (Spring 1994) 181, and on the Pratt compound, see Edward J. Smits, *Nassau, Suburbia, U.S.A.: the First Seventy-Five Years of Nassau County, New York, 1899 to 1974* (City, N.Y: Friends of the Nassau County Museum, 1974), 121.
 62. F. Scott Fitzgerald, *The Great Gatsby* (Oxford: Cambridge University Press, [1925] 1991), 8.
 63. The decade spanning 1905 and 1915 was a particularly active period of estate building; see Dennis P. Sobin, *Dynamics of Community Change: The Case of Long Island's Declining "Gold Coast"* (Port Washington: Ira J. Friedman, 1968), 4, 40.
 64. Helen Worden, "Where Are the Rich? Aldred Lost \$3,000,000 L.I. Estate," *New York World Telegram* (October 20, 1942), 17.

65. Robert Moses's career has fascinated the public and historians alike since he rose to prominence in New York state government in the 1920s. While his work was generally applauded by elected officials and the press during his first three decades of active public life, the defining history on Moses's career is Robert Caro's scathing biography *The Power Broker: Robert Moses and the Fall of New York* (New York: Knopf, 1974). In part, Moses's contributions to regional public recreation have been overlooked because of the long shadow of Caro's condemnation of Moses as undemocratic, racist, and dismissive of the poor. Political, social, and urban planning historians began revising Caro's assessment as early as 1989, with Joann P. Krieg, ed., *Robert Moses Single-Minded Genius* (Interlaken, NY: Heart of the Lakes Publishing, 1989). This collection grew out of a conference hosted by the Long Island Studies Institute at Hofstra University. It challenged a number of Caro's condemning conclusions and sought to resuscitate Moses's reputation as an unmatched planner and visionary. Unfortunately, this well-done collection enjoyed limited circulation. In a 1990 article, Jameson W. Doig advised urbanists to approach Caro's fixation on Moses's moral failings with caution. Doig states, "because of Caro's passion toward Moses, it is likely that careful studies of specific cases will find Moses less influential—and perhaps even less abusive, less despising of others. . . . It is likely that Robert Moses was as much a captive as he was a shaper of the economic and other social forces that have determined the rise and decline of American cities and suburbs in the 20th century." Doig, "Regional Conflict in the New York Metropolis: the Legend of Robert Moses and the Power of the Port Authority," *Urban Studies* 27, no. 2 (1990): 226. Joel Schwartz similarly argues that Moses could not have accomplished what he did if his projects had not aligned with conventional planning wisdom and did not garner the support of influential New Deal liberals. See Schwartz, *The New York Approach: Robert Moses, Urban Liberals, and Redevelopment of the Inner City* (Columbus: Ohio University Press, 1993). The turning point in Moses scholarship was the publication of Hilary Ballon and Kenneth T. Jackson's 2008 revisionist edited collection *Robert Moses and the Modern City: The Transformation of New York* published in conjunction with the three-part exhibition "Robert Moses and the Modern City: Remaking the Metropolis," Museum of the City of New York, January 27 through May 6, 2007; "The Road to Recreation," Queens Museum of Art, January 28 through May 13, 2007; and "Slum Clearance and the Superblock Solution," Miriam and Ira D. Wallach Art Gallery, Columbia University, January 30 through April 14, 2007. The collection outlines his historical and contemporary context and his legacy of public works.
66. Carol M. Rose, *Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership* (Oxford: Westview Press, 1994), 115.
67. Until 1850, New York State had made only grants concerning commercial waterfronts to promote commerce in urbanized ports. Between 1850 and 1940, the state made more than 110 grants for land under water on the Gold Coast. Only four were to town or village governments for public parks, not counting utility company easements. The majority of the grants were commercial and beneficial enjoyment grants to individuals. It is impossible to give an exact statistic on the number of beneficial enjoyment grants from the map records of the Land Board since not all the grants are identified by type. For example, Tiffany received a beneficial enjoyment grant but the Land Office maps do not identify it as such. *Map of the Shore Line of Nassau County, N.Y. Showing the Grants of Land Under Water Made by the Commissioners of the Land Office . . . Prepared for the Commissioners of the Land Office Under the Direction of Edward A. Bond, State Engineer and Surveyor 1901*, Series 119116, Maps of Grants of Lands Under Water [ca. 1777–1970], New York State Archives, Albany, New York.
68. *Map of the Shore Line of Nassau County, N.Y.*
69. An estate could be included without an owner's consent as long as the special district petition was signed by the owners of at least half of the assessed valuation of taxable property in the proposed district. Sobin, *Dynamics of Community Change*, 60.
70. See Laws of the State of New York 1910 Chapter 258, Section 33, *Laws of the State Of New York, Passed At The One Hundred And Thirty-Third Session Of The Legislature, Begun January Fifth, 1910, And Ended May Twenty-Seventh, 1910...*, vol. 1 (Albany: J.B. Lyon Company, State Printers, 1910), 416. See also "Movement to Abolish Great Neck," *North Hempstead Record* (May 24, 1928), 1. Nassau County Museum Reference Library Collection, Special Collections Department, Hofstra University, Hempstead, New York.
71. To incorporate a village, residents simply submitted a petition with the signatures of a certain percentage of taxpayers owning three-fourths of the value of the district and needed three-quarters of the votes of the district to secure incorporation. See Village Law, Laws of the State of New York 1909 Chapter 64 Section 2, *The Consolidated Laws of New York, Annotated, as amended To the Close of the Regular and Extraordinary Sessions of the Legislature of 1917 . . . Book 63. Village Law* (Northport, NY: Edward Thompson Company, 1918), 11.
In 1932, New York Village law was amended to halt the incorporation of estate villages. The amendment raised the minimum population from fifty to five hundred and set a maximum area of three square miles. This population–area ratio meant that only densely populated areas could incorporate—a collection of contiguous estates could never meet this population density. When law changed, still some North Shore estates remained unincorporated and thus defenseless. As a result, a new device was invented to make areas eligible for incorporation: expansion of existing villages. The new law only said a new village had fit within with three square miles but did not say anything about older incorporated estate villages expanding beyond this geographic range. Sobin, *Dynamics of Community Change*, 103.
72. Saddle Rock included only two large homes in addition to Udalls, one of which was occupied by the Treadwell family, Louise Eldridge's cousins. Sobin, *Dynamics of Community Change*, 100.

73. For an extended definition of estate villages, see Sobin, *Dynamics of Community Change*, 99–100. The twenty-four estate villages on the North Shore were Asharoken, Bayville, Brookville, Centre Island, Cove Neck, East Hills, Flower Hill, Huntington Bay, Kings Point, Lake Success, Lattingtown, Laurel Hollow, Lloyd Harbor, Matinecock, Mill Neck, Muttontown, North Hills, Old Brookville, Old Westbury, Oyster Bay Cove, Roslyn Harbor, Saddle Rock, Sands Point, and Upper Brookville in Nassau and Suffolk. For a comprehensive list of estate village incorporation and dates, see Sobin, *Dynamics of Community Change*, Table VII, 176.
74. Stephen Richard Higley, *Privilege, Power, and Place: The Geography of the American Upper Class* (Lanham, Maryland: Rowman & Littlefield, 1995), 37.
75. Jon C. Teaford, “Nassau County: A Pioneer of the Crabgrass Frontier,” in *Nassau County: From Rural Hinterland to Suburban Metropolis*, ed. Joann P. Krieg and Natalie A. Naylor (Interlaken, NY: Empire State Books, 2000), 31. For example, the town of Morrisania in the Annexed District, for example, aligned its public works with the city in hopes of eventual annexation. On Long Island, the villages of Hempstead and Sea Cliff incorporated in 1853 and 1883, respectively, to finance roads and sewers and bolster community development.
76. “Laurelton Long Island Becomes an Incorporated Village,” *Oyster Bay Guardian* 28, no. 23 (July 16, 1926): 1; reproduced in Donald Glenn Nelson, “The Incorporated Village of Laurel Hollow: An Historical Essay,” 6–7, History, Village of Laurel Hollow [website], (2013), <http://laurelhollow.org/content/History> (accessed December 12, 2012).
77. Guggenheim sold C. Guggenheim a 50-by-20 plot for a nominal fee; L. G. H. Greene sold 1 acre to F. S. Green; F. M. Hoffstot sold J. G. Hoffstot a parcel; F. C. Hicks sold G. L. Hicks a parcel; R. Hoe sold E. J. Hoe 5.5 acres; F. Hawkes sold A. L. Hawkes a parcel; H. T. Kingsbury sold A. C. B. Kingsbury a parcel; E. C. Laidlaw sold E. C. R. Laidlaw 7 acres; S. E. Lippincott sold J. T. Lippincott a parcel 100 by 25 feet; J. L. Laidlaw sold H. B. Laidlaw a parcel; C. N. Nelson sold C. N. Nelson 6 acres; C. W. Sloane sold to W. B. Sloane; L. W. Sherman sold to F. D. Sherman; C. M. Thayer sold to F. K. Thayer; W. D. J. Wright sold to E. H. Wright. Between families, Mott sold Fraser, McDonald sold to Lyon, Thayer sold to Plunkett, and Van Haeflen sold to Hatch. See “The Hearing Held,” *Sands Point, New York*, clipping, vol. 3, Port Washington News Index, Port Washington Public Library, Port Washington, New York; “Certification of Consolidation of Village of Sands Point With Villages of Barker’s Point and Motts Point into one Village by the name of ‘Sands Point’ (July 23, 1912), Clipping, Town Clerk Records, Village of Sands Point, New York.
78. Quoted in Sobin, *Dynamics of Community Change*, 103.
79. “Saddle Rock Re-elects Mrs. Eldridge; 9 Votes Cast in Old Mill on Her Estate,” *New York Times* (March 17, 1937), 18.
80. “Millionaire Village Born as Iced Drinks Clink; 13 Voters Create Muttontown, L.I., Unanimously,” *New York Times* (July 30, 1931), 21.
81. In the American system of municipal government, home rule, in contradistinction to centralized power, is celebrated as the traditional defense of local autonomy. Jon C. Teaford traces the origins of home rule in the depression of the 1870s, pioneered in Missouri and California, Saint Louis and San Francisco, against special-interest bills and leg jobbery as evils corrupting city. Home rule limited a state’s lawmaking powers in favor of municipally generated laws. See Teaford, *The Unheralded Triumph: City Government in America 1870-1900* (Baltimore: Johns Hopkins University Press, 1984), 106, 121.
82. Quoted in Kate Van Bloem, *History of the Village of Lake Success* (Lake Success, NY: Incorporated Village of Lake Success, 1968), 31–32.
83. For a brief overview of the evolution from property restrictions from covenants and deed restrictions to zoning, see Lawrence M. Friedman, *A History of American Law*, 3rd ed. (New York: Simon and Schuster, 2005), 315–16, 554. For an in-depth analysis, see Charles M. Harr and Jerold S. Kayden, eds., *Zoning and the American Dream: Promises to Keep* (Chicago: Planners Press, American Planners Associating, 1989), and the more recent Michael Allan Wolf, *The Zoning of America: Euclid v. Ambler* (Lawrence: University Press of Kansas, 2008).
84. “Wealthy Villagers Will Hold Election,” *New York Times* (April 2, 1927), 17.
85. “Record of the Public Hearing held at Town Hall, Manhasset New York, by the Town of North Hempstead on June 27, 1927, 1,” Office of the Town Clerk, Town of North Hempstead, Manhasset, New York.
86. As one example, the Town of Oyster Bay failed to convince the state Supreme Court of the existence of a public way along Cold Spring Harbor; “Fight Hard For Beach,” *New York Tribune* (May 9, 1912), 5.
87. *First Annual Report of the Long Island State Park Commission Organized Under Chapter 112 of the Laws of 1924, to the Governor and Legislature of the State of New York. May 1925* (Albany: Long Island State Park Commission, 1925), 37. See also J. Lance Mallamo, “Building the Roads to Greatness: Robert Moses and Long Island’s State Parkways,” *Robert Moses Single-Minded Genius*, 160.
88. New York State Association, *A State Park Plan for New York* (New York: MB Brown Printing, 1922), 5; see also *1925 New York State Council of Parks First Annual Report*.
89. Caro, *The Power Broker*, 194.
90. People who “stood back, with all the arrogance that comes with great wealth, and said: ‘I don’t care whether it takes any of my land or not. I don’t want to even see it from the porch of my house,’” Smith declared, were not the people the state was going to serve: “Governor Smith’s Address to the Legislature on Parks,” *New York Times* (June 23, 1925), 2.

91. A version of this quote is often attributed to Smith by his biographers. See Caro, *The Power Broker*, 187, and Frank Graham, *Al Smith, American: An Informal Biography* (New York: Putnam's, 1945), 140.
92. Smith began his career fighting for the rights of urban ethnic laborers and gained prominence in state government for his work in centralized administrative reform. Smith's popularity as governor is generally attributed to his support of the state government reform and Robert Moses's state park plan for Long Island. For an analysis of Smith's park stance as a strain of working-class environmentalism, see Robert Chiles, "Working-Class Conservationism in New York: Governor Alfred E. Smith and 'The Property of the People of the State,'" *Environmental History* 18, no. 1 (January 2013), 157–83.
93. "For Release in the Morning Papers of Tuesday, Jan 27, 1925," Reel 88, New York (State). Governor Smith, Central Subject and Correspondence Files, 1919–1920, 1923–1928, New York State Archives, Albany, New York.
94. Robert Moses, "Hordes from the City," *Saturday Evening Post* (October 31, 1931), 92.
95. "Notes by Thomas Adams: How We See Long Island," *A Plan for Nassau County, Long Island May 18, 1925*, 7, Reel 88, New York (State). Governor Smith, Central Subject and Correspondence Files, 1919–1920, 1923–1928, New York State Archives, Albany, New York. See also "Gov. Smith Thanks DeForest for Land," *New York Times* (May 7, 1928), 9.
96. Moses, "Hordes from the City," 90.
97. *Second Annual Report of the Long Island State Park Commission . . . to the Governor and Legislature of the State of New York. December 1926* (Albany: Long Island State Park Commission, 1926). For Smith quote, see "Governor Smith's Comment on Action of Legislative Leaders on the State Park Program on Long Island."
98. Nassau came into existence in 1899 when the three easternmost towns of Queens voted against consolidation with Greater New York and as comparatively new governmental unit lacked any strong political traditions. For a discussion of the Republican machine in Nassau see Teaford, *Post-Suburbia*, 19–29; Teaford, "Nassau County: A Pioneer of the Crabgrass Frontier," in Krieg and Naylor, *Nassau County*, 29–36.
99. "How Westchester Got Her Parks," *New York Herald Tribune* (April 8, 1926), Park Department Clippings, Series 98, *Westchester County Archives*, Elmsford, New York. For a detailed overview of the Land Board controversy in regards to the North State Parkway plan, see Caro, *The Power Broker*, 192–98.
100. "Governor Smith's Address to the Legislature on Parks."
101. Nassau County Committee, 6. Charles Downing Lay, *A Park System for Long Island; A Report to the Nassau County Committee* (privately printed, 1925), 1.
102. Lay, *A Park System for Long Island*, 8, 11.
103. Johnson, *Sam Patch*, 227. Edward Basset, the Committee's legal counsel, looked into the legislation that created the park commission and determined that the LISPC did not have the authority to build the Northern State Parkway. He reasoned, according to Johnson, "that taking land for a parkway without providing rights of access to adjacent owners would amount to a taking of property rights which would cost the state dearly in awards." Basset and the Regional Plan members regarded the NSP as a boulevard, not a parkway, and that the Long Island Motorway made it superfluous. The New York State Association, which first proposed a state park commission in 1922, similarly disagreed with the LISPC's Northern State Parkway. Nelson Lewis, a vanguard of the city planning and zoning movement and leading municipal engineer in New York City, endorsed Lay's argument for a mid-island parkway.
104. For example, residents in East Hills and Old Westbury, together owning twenty-six square miles, organized a lobbying fund to hire H. V. Hubbard, a former partner of Olmsted Brothers and head of the School of City Planning at Harvard, to speak against the Northern State Parkway. Hubbard reported that the best parkway plan for the North Shore was to upgrade the antiquated Island Motor Parkway. *First Annual Report of the Long Island State Park Commission*, 23.
105. *The Graphic Regional Plan: Atlas and Description . . .*, vol. 1, *Regional Plan of New York and Its Environs* (New York: Regional Plan of New York and Its Environs, 1929), 281.
106. *The Graphic Regional Plan*, 378. The Committee on the Regional Plan formed in 1922 to study and plan metropolitan growth in greater New York. In 1929, the Regional Plan Association (RPA) formed to implement the Committee on the Regional Plan's *Regional Plan of New York and Its Environs* (1929). In 1931, the two organizations merged. See Melissa A. Smith, "Russell Sage Foundation," *The Encyclopedia of New York City*, ed. Kenneth T. Jackson (New Haven, CT: Yale University Press, 1995), 1029.
107. *The Graphic Regional Plan*, 282. Hanmer, *Public Recreation: A Study of Parks*, 94.
108. For a discussion of suburban landscape aesthetics and politics of exclusion, see Duncan and Duncan. They argue "people from similar social and regional backgrounds develop common sensibilities and aesthetic appreciations; shared taste is mobilized as the basis of group belonging and equally as the basis of social distinction or exclusion," 56.
109. Thomas Adams, "A Plan for Nassau County, Long Island, May 18, 1925," quoted in Johnson, *Sam Patch*, 232.
110. For an overview of the intellectual debates on planning in this period, see Dalbey.
111. *The Graphic Regional Plan*, 378.
112. Even though Adams pledged the support of the Russell Sage Foundation to both Moses and Governor Smith and offered to collaborate in the preparation of plans for developing Long Island's park system, Moses approached the Committee on the Regional Plan as an adversary on Long Island. In his definitive history of the *Regional Plan of New York and Its Environs*,

David Johnson argues the Russell Sage Foundation at most participated indirectly in the fight for special privileges. Johnson, *Sam Patch*, 234–35.

113. Sam Bass Warner Jr. defines privatism as the concentration upon the individual and their search for wealth wherein the market arbitrates urban development, at the price of removing private investments in land from oversight by municipal planners. In his study of Philadelphia, Warner concludes that the tradition of privatism forbade the city from taking “the measures necessary to control its own growth.” Warner, *The Private City: Philadelphia in Three Periods of Its Growth*, rev. ed. (Philadelphia: University of Pennsylvania Press, 1987), 213.
114. “Governor Smith’s Address to the Legislature on Parks.”
115. This is the classic interpretation of Long Island’s fragmented government, first presented by Robert C. Wood in *1400 Governments: The Political Economy of the New York Metropolitan Region* (Cambridge: Harvard University Press, 1961) and repeated in Michael N. Danielson and Jameson W. Doig’s *New York: The Politics of Urban Regional Development* (Berkeley: University of California Press, 1983), 27–30.
116. Warner calls such work a “weave of small patterns,” see Sam Bass Warner Jr., *Streetcar Suburbs: The Process of Growth in Boston, 1870-1900*, 2nd ed. (Cambridge: Harvard University Press, 1978). Here I challenge the conclusions reached by Robert C. Wood’s classic overview of government fragmentation in greater New York *1400 Governments*. Wood contends that Long Island’s system of local governments, units of general jurisdiction and their satellites, small special-purpose districts, “is ineffective in the aggregate principally because its parts tend to cancel one another out” (Wood, *1400 Governments*, 173).
117. Regional Plan Association, “Requirements for Residential Land in the Region Analyzed by Counties,” *Information Bulletin* no. 19 (June 18, 1934), cited in Thomas Harrison Reed, *The Government of Nassau County: A Report Made to the Board of Supervisors...* (Mineola, New York: [n.p.], 1934) 2, n3.

For this idea that systematic concerted choices can accumulate into an unofficial plan, I am indebted to Mary Corbin Sies and Christopher Silver, “Introduction: the History of Planning History,” *Planning the Twentieth-Century American City*, 11.

118. *First Annual Report of the Long Island State Park Commission*, 15. Hanmer, *Public Recreation: A Study of Parks*, 193–94.
119. By 1929, the state had acquired three-fourths of the necessary rights-of-way for the parkway. Robert W. DeForest and Otto Kahn exemplify the influential role Gold Coast barons played in the final location of the parkway. Donating \$10,000, Otto Kahn preserved his private golf estate and the route shifted south to run through the DeForest estate. DeForest then negotiated to shift the route a second time; he dedicated 50 acres of his West Hills and Dix Hills properties to locate the parkway on the edge of his holdings.

“Press Release in the Morning Papers of Monday, May 7,” Reel 88, New York (State). Governor Smith, Central Subject and Correspondence Files, 1919–1920, 1923–1928, New York State Archives, Albany, New York. See also “Gov. Smith Thanks DeForest For Land,” *New York Times* (May 7, 1928), 9; *Report of the Long Island State Park Commission, For the Year 1930* (Albany: Long Island State Park Commission, 1930), 10. See also “Conference Held by Former Governor A.E. Smith on a Proposed Settlement of the Northern State Parkway Controversy” (December 1929), and “Joint statement by Robert Moses, President of the LISPC and Greenville Clarke, Counsel for the Nassau County Citizen’s Committee” (December 18, 1929), Folder 2, Box 3, Series 13915: Calendars and Minutes of Meetings of the State Council of Parks, 1925–1933, New York State Archives, Albany, New York. On the resulting detour, see Caro, *The Power Broker*, 185, 277–80, 301.
120. Construction began in July of 1931. The first section of the parkway to Roslyn was completed in 1933, the same year Grand Central Parkway, which it connected to, extended west to Kew Gardens. *Report of the Long Island State Park Commission, For the Year 1930*.
121. In 1931, the SPFC had leased 50 acres of the Elwood farm, including 300 acres of beachfront, with a five-year option to buy, between Gair’s estate and the subdivisions on Sherwood Point. The property was only accessible to state-owned Alvord Beach at low tide; “Shore Park in Fairfield County Sure,” *The Hartford Courant* (May 12, 1932), 1, and “Sherwood Island Bill for 435,000 Signed by Cross,” *Bridgeport Post* (April 29, 1937), at “Friends of Sherwood Island State Park: The 23-Year War,” <http://friendsofsherwoodisland.org/history/the-23-year-war/> (accessed 3 December 2012).

Only one upland holding of about 15 acres was free of restrictive encumbrances. For an overview of the restrictions the SPFC had to untangle, see Turner, “Report of the Field Secretary,” *State of Connecticut Public Document No. 60, Thirteenth Biennial Report of the State Park and Forest Commission to the Governor for the Fiscal Term Ended June 30, 1938* (Hartford: Hartford Printing Company, 1938), 10.
122. See Evison, *A State Park Anthology*. Like Turner, Olmstead urged and “enforcement of suitable police regulations governing the use of private land abutting” the coastline. He declared “public tidelands embrace a large and sometimes the major part of the area directly used for recreation at beaches all along the coast. The manner in which their use is controlled and regulated, or left free from regulation, can profoundly influence not only the manner of use of these public lands but also the manner of use and development of the immediately abutting upland even when not publicly owned.” See the selection on public tidelands from Frederick Law Olmsted Jr.’s 1929 *California State Park Survey* reprinted in *A State Park Anthology* as “Present-Day Outdoor Recreation and the Relation of State Parks to It” (Evison, *A State Park Anthology*, 25).
123. According to modern California state law, all beaches are public to mean high tide, and dry sand easements furthermore often extend the public realm upland. On the notion that California beaches represent a uniquely non-commercial public space, see Sarah Elkind, *How Local Politics Shape Federal Policy: Business, Power, & the Environment in Twentieth-Century Los*

Angeles (Chapel Hill: University of North Carolina Press, 2011), Chapter 1, “Oil and Water: The Public and Private on Southern California Beaches, 1920-1950,” and Ronald A. Davidson and J. Nicholas Entrikin, “The Los Angeles Coast as a Public Place,” *Geographical Review* 95, no. 4 (October 2005), 578–93.

124. Matthew Morse Booker’s *Down by the Bay: San Francisco’s History between the Tides* (Berkeley: University of California Press, 2013) examines the privatization of San Francisco’s and Oakland’s waterfronts and the Board of Tide Land Commissioner’s divestment of San Francisco and Oakland’s public waterfront to private parties. On the sales made by the Board of Tidelands Commission, see Appendix V of Greg Hise and William Francis Deverell’s *Eden by Design: The 1930 Olmsted-Bartholomew Plan for the Los Angeles Region* (Berkeley: The University of California Press, 2000).
125. The 1878 state Constitution provided that “all tidelands within two miles of any incorporated city or town, and fronting on the water of any harbor, estuary, bay, or inlet used for the purposes of navigation, shall be withheld from grant or sale to private parties, partnerships, or corporations.” See Joseph L. Sax’s important “The Public Trust Doctrine in Natural Resource Law: Effective Judicial intervention,” *Michigan Law Review* 68 (January 1970), 159.

In 1913, however, the state Supreme Court stated “the state may thereupon sell and dispose of such excluded lands into private ownership or private uses, thereby destroying the public easement in such portion of the lands and giving them over to the grantee, free from public control and use.” The court further held it was “obvious that the claim of the plaintiff to the effect that such lands cannot, under any circumstances, be alienated in fee to private parties to the exclusion of the public, cannot be sustained,” *People v. California Fish*, 166 Cal. 576 Westlaw (1913) at **591.

126. California solidified its reputation as a staunch defender of the publicness of its coastline in the second half of the twentieth century. The Public Trust Doctrine was incorporated into California’s Water Code (enacted 1943), its Fish and Game Code (enacted 1947), and the *California’s Endangered Species Act* (enacted 1970). In 1972, voters approved Proposition 20, which established the Coastal Commission to address concerns about overdevelopment of the coast. In 1976, the California Coastal Act established the committee as a permanent independent, quasi-judicial state agency.

Access to Malibu beaches remains one of greater Los Angeles’s most pressing contemporary public space problems. Development, illegal and misleading signs, and hidden rights-of-way have made the Malibu Beaches difficult for the public to use. A smartphone app released in the spring of 2013 democratizes beach access information as a social justice issue. Martha Groves, “Scouting out Malibu Beaches? There’s an App for That,” *L.A. Times* (May 27, 2013), 1.

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