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*From the Editors Desk*

*02 January 2004*

### *The Siwanoy's Last Stand*

From the Fairfield County Weekly

"A secret deal gives Greenwich Point Park back to the Siwanoy Indians."

By Eric Friedman

Published 23 April 1998

In response to several requests for the date of the previously issued article by the Fairfield County Weekly, we have come upon a more recent story on the "Accessibility of Tod's Point" to the General Public. Approximately two-thirds of the way through the following story, we are told of the "Status of the Siwanoy" claims on the "Land of our Teenage Dalliances"

### *Leydon's Legacy*

From the Fairfield County Weekly

"If the state favors his case, Brenden Leydon hopes to celebrate at the beach."

By Ken Widmann

Published 21 June 2001



Brenden Leydon: "I'd like to have a victory party on the beach."

PHOTO COURTESY KEN WIDMANN

In 1994, Stamford resident Brenden Leydon was prevented from running in Greenwich Beach Park thanks to guards upholding its residents-only policy. A law student at the time, Leydon filed suit hoping to force the town to open its beach to the public. After initially losing the case at the trial level, Leydon defeated Greenwich in appellate court in May of 2000. The town has since appealed that decision to the state Supreme Court. The state's decision--which might finally allow all Connecticut residents the ability to enjoy Greenwich's curving sand and perhaps nullify the wide practice of charging higher entrance fees for non-residents--could arrive at any moment. The Weekly sat down with Leydon last week.

Weekly: What do you think the state's decision will be, and when will it occur?

Brenden Leydon: There is no way of knowing, really. It could literally be tomorrow, or December. I feel real confident about

it, I think I'm going to win. I think the law's pretty clear.

Weekly: The town has spent, what, like \$100,000 defending itself?

BL: I've heard \$500,000, I don't know. I think they spent \$100,000 before the [initial] trial. There's a Lucas Point Association, that's also a party [in the case], they own the land adjacent to the park. They formed a private fund-raising entity called the Greenwich Point Preservation Association and I've seen articles in the paper [mentioning] they just got their third \$5,000 donation of the month or whatever.

Weekly: Do you think Greenwich will squirrel away from actually enforcing the decision, should they lose?

BL: My guess is that they're going to try and I don't think the court's going to let them get away with it. If the court just says you have to allow non-residents in, and doesn't comment on fees, then we're back up again and it's five more years. Because, you know Greenwich is going to say, "Well, it's \$100 for non-residents" [to use the beach] and you've still kept us out. So hopefully the court doesn't allow that kind of nonsense.

Reading that [appellate decision] they leave open the possibility--and other courts have ruled this--that any fee differential is illegal, but they pretty strongly suggest that if any is legal it's got to be nominal and de minimus. When you take a town like Westport, where it's like \$20 for a season and if you want to go there for a day it's \$25 or \$30, that's not nominal and de minimus. I think what a lot of towns are doing would be knocked out by that as well.

Weekly: What would you like to see?

BL: It's reasonable to have a charge for upkeep and maintenance of the park. I don't think they should be wholly stuck with having to use their tax base to do it. To have a charge that offsets it I think is reasonable. But [the entrance fee should be] something that is not used for fund-raising, and non-differentiated between residents and non-residents.

Weekly: Why?

BL: Because it's something that's owned by the public. Yes, those people who live in those towns do have a tax base to support that. But the majority of the people, for instance in Greenwich, work in Stamford and New York City and use the roads and use the bridges and use the parks in those towns that they work in and think nothing of it. It's part of living in one nation under God indivisible--what we say in the pledge--we're not a series of isolated city-states. I venture to guess the vast majority of people who live in the towns that tend to be more exclusive feel free to go into the cities whenever they need something. If they were stopped at the border I think they'd throw a riot.

Weekly: You wonder if someone from Greenwich was hit with a \$20 entrance fee when they got to Central Park...

BL: Yeah! Or the mall in Washington. They'd be the first ones going crazy. The vast majority of not only the country but the world, the entire coastline, is accessible to the public and usable by the public and somehow we manage. The fears you hear from Greenwich have no basis in fact. They haven't been able to point to any example of "oh, this town opened to the public and it all went to hell." It's just nonsense.

Weekly: They say, "If the unwashed masses come it will ruin what we have, the parks will become a mess?"

BL: Yeah that's what they say, but what they have never attempted to answer is that anything that they would point to as a potential downside to this is treatable by existing law, without having to discriminate against non-residents. People are littering? Fine them for littering. People are blasting radios? Have a noise ordinance. There's plenty of things you can do to address those fears rather than just keep everybody out under the theory that if we let them in they'll break the law.

Weekly: Do you think it's mainly about class?

BL: That has a lot to do with it. You also can't look at Greenwich as one individual entity; it's 65,000 or so people. Frankly, I don't think they're worried about people who look like you and me walking in there; they're worried about how will come in behind me. People have said as much to me in Greenwich. They're like, "We don't care if you come in, but you know, blacks and Hispanics are gonna be coming in"--using more pejorative terms than that.

The other thing you'll notice if you talk to Greenwich people and say nothing about race or class, just talk about the case, is they're very quick to bring it up out of nowhere. [They say] "We give a lot of donations to charity..." It's just funny to hear their reasoning.

Weekly: Do you have any supporters in Greenwich?

BL: Yeah, I got a couple letters and calls from people who said they did support me. One was anonymous and said, "I'm from Greenwich and I support you, but I don't want anyone to know because I'll be kicked out of all my social clubs." A couple of people actually sent me checks--non-residents who owned commercial property were [supportive] because they send like \$10,000 a year to the town of Greenwich [in taxes] and they couldn't go to the beach. Which is really obscene. It's bad enough what they're doing with me but to have those people kept off, and the only reason they're kept off is because someone realized that allowing them in would potentially open the door [wider], so they kicked all those people out. You listen to their moral justifications of "well, the taxpayers should be allowed to do it [exclude]," then they still keep those people out. It is a surprising level of passion of people of Greenwich; they really get angry and emotional about it.

Weekly: Why do you think it touches such a nerve?

BL: Part of it is, again, because they know they're wrong. If you're totally comfortable with your position you're usually not going to get angry about it. When you know you're wrong you tend to react with bluster.

Weekly: Thomas Jefferson's original draft of the Declaration of Independence used the phrase "life, liberty and the pursuit of property..."

BL: From Locke's treatise.

Weekly: Do you think this case presents a look beneath the veneer of "the pursuit happiness," to reveal that America is more of a land-grab, not a proponent of the less-worldly endeavors that Jefferson's final version implies?

BL: I'm not totally comfortable being very grandiose with my position, but I do think it kind of represents the nobler ideals of what this country was founded upon as opposed to the more baser ones that people tend towards when they don't think as they should.

It's very hard to argue the Greenwich position with any legitimacy. And a lot of people will just say, "I know it's not really right but I live there and I'd rather have less-crowded beaches," which at least is honest. But I do think it's hard on a broader moral plane to support what they're doing.

**Weekly:** Have you gotten into many debates about the whole nature of land ownership? **We ran a hoax a few years ago about the Siwanoy Indians reclaiming Greenwich Beach.** They were here and they used the land, Greenwich residents own the land, and exclude.

BL: People see my case that way and see it as analogous to Indian claims--that they're gonna just take away all their property--and it's really not. All I'm talking about is public parks, and it's a relatively simple proposition: that public parks should be open to the public. I'm not saying everybody's backyard I can now camp out in. It's a very limited ruling that if it's a park anyone can go there. People have their own private property; I think they're free to exclude whenever they want. This case won't touch upon that in any way.

Weekly: In terms of public access, what would your ideal world look like?

BL: Connecticut is the worst state in the union in terms of the percentage of coastline that's actually available to the public. I don't think this one case is going to solve the large-scale problem, it's one small piece of the puzzle. There should be more public access generally speaking, and Connecticut is starting to move in the right direction. It's a little late and it's a lot harder now because this land is so much more expensive. At least in the city of Stamford they've been acquiring more property like this Treetops that they recently got.

Weekly: What's that?

BL: It was an area of land that the city could've originally had back in the 1970s for free, and they didn't take it because some knucklehead led a charge [claiming] that we'd be losing taxes that we could charge if someone else owned that land, plus there'd be a maintenance charge, so we're not gonna take this land for free. It was like 70-something acres. It's not any evilness, just lack of foresight and vision.

Weekly: And it's a view that nature is something to profit from, that an open field represents above all a money-making opportunity.

BL: Yeah, it's just a real short-sighted view. Just recently, though, Stamford and Greenwich got together and acquired that [Treetops land]. It's gonna be a part of a broad greenbelt area, and the state is doing those types of things as well. Those are important, I think they need to increase funding for that, and just generally allow more public access.

Weekly: When you go to the beach, what do you bring?

BL: Suntan lotion, umbrella, few beers, maybe a sandwich. If at all possible I'd like to have a victory party on the beach.

## *Deconstructing A Hoax*

From the Fairfield County Weekly

By Eric Friedman

Published 30 April 1998

Here at the Weekly, April Fools' Day is a two-day holiday, and last week's feature story ["The Siwanoy's Last Stand," April 2] was our gift to the town of Greenwich. The story was a piece of parody, satirizing the town of Greenwich's efforts to keep Greenwich Point Park an exclusive beach, open only to Greenwich residents, a policy that was recently challenged in Stamford Superior Court as unconstitutional and as a violation of the public trust doctrine.

We have written numerous news stories over the years regarding what's really happening. Given that our paper hit the streets on April Fool's Day this year, we decided to play a prank that would simultaneously tweak the town fathers of Greenwich and make an editorial comment about an important issue: the lack of beach access in Connecticut and the constitutionality of that restrictive access at Greenwich Point Park in particular.

While there is no woman named Joy Hartley, and her ancestor Aleshanee was an invention, the Siwanoy tribe was certainly there to greet the first white men who landed at Greenwich Point in 1640. The history books say that the tribe was indeed kicked off the continent into extinction by those European settlers.

Though the town of Greenwich may wish that the furor over their beach policy might die down of its own accord, our hoax, like Brendan Leydon's three-year legal battle, forced the town to actively acknowledge the level of dissent and resentment that does exist.

While most of Connecticut's 70+ miles of coastline is not open to the public, Greenwich has borne the brunt of the public's scorn over the issue simply for the arrogant manner with which they defend their property rights.

One Greenwich resident, reacting to word that last week's article was a hoax, expressed relief that he wouldn't have to sell his house for "half of what it was worth." He doubted the veracity of the story to begin with, he said, because if it were true, someone in the Bureau of Indian Affairs would have leaked it to the Kennedy Family, who would have stopped the deal.

The Weekly fielded dozens of calls from people who inquired about the story, most hoping that it was true. We disappointed these people, as well as the dozens more who appeared at Greenwich Point Park on Thursday. Some called the next day to complain of having been duped, but we prefer to think they became unwitting activists. If nothing else, the invented ceremony at the beach gave the dissenters a chance to see that they were not alone. If only for one day, we were able to show the town that the opposition to the residents-only beach policy is not an isolated few, but -- as Ms. Hartley might say -- strong like a river.

We were watching at sunset at the beach. One man, as he was turned away by police, remarked that it would have been really great if the Siwanoy actually had pulled it off. There were people who came quite a distance to celebrate with the Siwanoy -- some from Long Island, others, we heard, from Rhode Island. There was yet another man in a pickup truck who, acting a fool, leapt around making Indian noises, looking, we presume, to kick some ass. So yet another contingent was motivated to act out: the Indian-haters.

And there were some who put us in that category. We took one call from a Stamford man who had gone to the beach on Thursday and was incensed that we had made light of the Native Americans' suffering. Political correctness was never our strong point, but we certainly did hope to raise centuries-old questions about the treatment of Native Americans through the settlement of the continent by the white man. Yes, the Siwanoy were actually massacred because they had the bad luck to be residing in an inconvenient place -- in the way, on the land that would become the town of Greenwich. We thought that the Siwanoy's struggle meshed well with the issue of beach access. They're both, at their core, about land. The Indians used it, Greenwich owns it. And neither subject is too sacred or solemn to inspire a good honest chuckle.

## *Googlin thru Greenwich*



This photo comes up in a Google Search of the Words Greenwich Point.... I am not sure why... but it does. Further investigation of the website brings up the Greenwich Boat and Yacht Club. After surfing through it's

pages, one finds a similar photo in a section called "Nostalgia". It the wreck of the S. E. Spring, perhaps even the same set of rocks off Belle Haven.



Now this only makes me "Google" a bit further to find a section on the "Olden Days" in Greenwich, a tour of this site has brought up another "wreck" but this time it's the White Mountain Express in Greenwich, Conn.



Having just finished a little piece on Tod's Point and having written in the Past about the J. Kennedy Tod Mansion on the Pond... I find a photo of Innis Arden and the Dining Room.

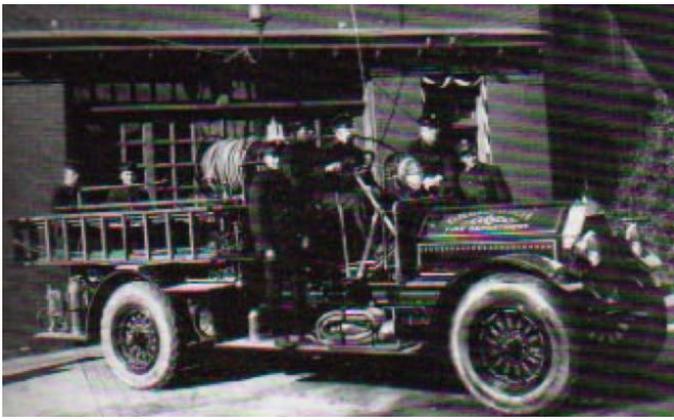


*Innis Arden, the shingle and stone mansion built in 1889 by Hunt & Hunt, architects for the Scottish immigrant J. Kennedy Tod, was located on Greenwich Point, then an island except at low tide. The mansion was demolished in the 1950's.*

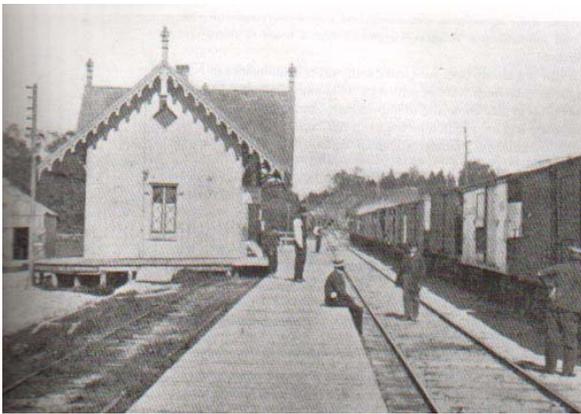
*The dining room of Innis Arden had walls paneled with Honduran mahogany, a decorative plaster ceiling, and a parquet floor.*

Wow , what a magnificent Building... I am "floored"... What a casino this would make... But the other photos included on the Greenwich Boat and Yacht Club, tend to focus on other modes of transportation and places around town. Following are a series of related photos.

First we have what is reputed to be the Fire Department and the Police Department, there were no dates attached to either photo, but from the fact that the Police only had a motorized bike, I would imagine they are an older photo than the Fire Department.



Since we are on the subject of old and older, there is always Greenwich Railroad Station on Railroad Avenue, the photo on the right is reputed to be in the 20's, the other is undated but carries the caption of the original.



Across the street from the original Railroad Station was Doran's Bar and Lunch Room. This looks like my kind of Place... I am not sure but those guys on the porch were probably the "Town Father's"... in more ways than one....



*Doran's Bar and Lunch Room, a favorite with Greenwich residents, on Railroad Avenue opposite the railroad station in the 1870's.*

Next on the dais is the Belle Haven Club. The Flag at the top of the club, was too large for the Pole, but otherwise this was quite the Establishment's Establishment.



And while we are on this Historic Journey... we stop at the original Home of the Post Road Iron Works as it was originally one of the Toll Houses along the Boston Post Road... A Toll road.

