

INTERSTATE SANITATION COMMISSION  
60 HUDSON STREET  
NEW YORK CITY

INTERSTATE SANITATION COMMISSION

REPORT #18

November 23, 1937

R E P O R T

upon

C L A S S I F I C A T I O N

of

Long Island Sound

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INTERSTATE SANITATION COMMISSION

REPORT #18

November 23rd, 1937

REPORT UPON THE CLASSIFICATION

of

LONG ISLAND SOUND

AREA

The area included in this report is Long Island Sound and its tidal estuaries from the easterly boundary of the Interstate Sanitation District at the New York and Connecticut line on the Westchester shore and Port Jefferson on the north shore of Long Island to a line between Hunt Point in the Borough of the Bronx and Sanford Point in the Borough of Queens at approximately the easterly end of Riker's Island.

HEARINGS

The Hearings covering this area were held at White Plains on June 9th, at Huntington on July 28th and in Long Island City on June 23rd. The Hearings were authorized at the regular meetings of the Commission on May 5th and June 16th.

SUMMARY OF EVIDENCE  
AT WHITE PLAINS

Mr. W. G. Waterman, appearing for the New York State Conservation Department, set forth the attitude of that Department, particularly in regard to the shores of Long Island Sound. In referring to provisions of Section 312 of the Conservation Laws, he urged that the waters of Long Island Sound be cleaned up so that shellfish industry could be restored.

Mr. A. F. Dappert, appearing for the New York State Department of Health, read a statement previously submitted by Mr. Barron, which Mr. Dappert said he thought presented a very sound viewpoint and which urged the area of Long Island be designated Class 'A'.

Mr. James Berg, ex-Mayor of Mount Vernon, appearing for the Westchester County Sanitary Sewer Commission stated that Eastchester Creek had formerly been used for shellfish culture. He testified that the Westchester County Sanitary Sewer Commission had recently constructed a sewer that intercepted all of the pollution which previously entered that Creek and carried it to the Yonkers Treatment Plant. He stated that the pollution had been cleaned up and that there was very little, if any, sewage



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going into the Creek at this time. It was Mr. Berg's opinion however, that this Creek should be classed as non-recreational as, in his opinion, it was highly improbable that it would ever be used for bathing.

Mr. W. W. Young, consulting engineer for the Westchester County Sanitary Sewer Commission inquired if the waters two miles from shore and the waters one mile from shore would be classed as one area.

Before closing, Commissioner Macy, who had conducted the Hearing, directed the Secretary to summarize the opinions expressed. In doing so, the following statement was made, which is copied from the report of the Public Hearing at White Plains:-

"In determining the classification of an area, the law provides that the Commission shall classify the area as to its predominant expected use. Commissioner Macy very well brought out the fact that there is at least one portion of the water area under consideration today which is not used for recreational purposes. There are unquestionably some other small areas in the District which today are not being used primarily for recreational purposes. However, in considering the classification, I believe the Commissioners will have to consider the predominant use; otherwise, the classification of areas might be divided up into such small subdivisions as to make the purpose for which the Commission was formed difficult of accomplishment. Having classified the area, that does not in any way 'zone' that area. It has only to do with the degree of treatment that must be given to any sewage or other polluting matter entering that area.

"In summarizing the opinions stated today, it would appear that the opinions are unanimous in declaring the predominant use - mind you, I say, predominant use, of the area under consideration, as being recreational, and the area under consideration being all of the waters of the Westchester County shores with the exception of those abutting the City of Yonkers - which will be considered at a later hearing. If there is anyone who does not agree with the summary I have just made, it would be appreciated if he would make his thoughts known at this time so that we may have a full opinion of all those present."

In concluding the Hearing, Commissioner Macy stated: "That there has been a unanimity of opinion today, that the areas considered are essentially and predominantly Class 'A'."



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SUMMARY OF EVIDENCE  
AT HUNTINGTON

Dr. Guy H. Turrell, President of the Smithtown Chamber of Commerce stated that the Town owned a large park of about twenty acres and also maintained a park on the sandbar which forms St. James or Stony Brook Harbor. He also stated that people in automobiles come from long distances to visit the private beaches within the town. "Nissequogue River," he said, "is a natural feeding place for oysters." Although at the present time this river is condemned because of pollution, he stated that in the past many people derived their entire living from this source.

Mr. H. M. Bidwell, appearing for the New York State Conservation Department, submitted maps and presented evidence that the waters under consideration were used primarily for the development of fish life and shellfish culture. He urged that the area be designated Class 'A'.

SUMMARY OF EVIDENCE  
AT LONG ISLAND CITY

Richard V. Ross, appearing for the New York City Department of Health, expressed his interest in the waters of Long Island Sound for shellfish culture, and Arthur W. Tidd, appearing for the New York City Board of Estimate and Apportionment, stated that he always thought that these waters should be Class 'A'.

Edward T. Dalzell, representing Douglaston Manor Association, reported that they have a fine bathing beach at Douglaston.

Dr. Oberwager of the New York City Department of Health, expressed his opinion that the area should be classed 'A'.

PORT JEFFERSON  
PUBLIC MEETING

At the request of the Supervisors, I attended a meeting in Port Jefferson, which was called by the local authorities for the purpose of giving the voters a further opportunity of expressing their opinion concerning the desired classification of the waters in the vicinity of that harbor in particular, as well as their opinion concerning the expected predominant use of all Long Island Sound. The meeting was attended by more than one hundred citizens and the discussion was active and general. A vote was taken at the conclusion of the meeting and it was the unanimous opinion of all present that the waters in the vicinity of Port Jefferson must be maintained for recreational purposes, the development of fish life and shellfish culture. The citizens clearly stated that their entire livelihood depended upon their ability to attract vacationists and to continue the use of the waters for fishing and shellfish. A question was raised at that meeting concerning the difference in costs between the requirements of Class 'A' and Class 'B', and one of those present representing the taxpayers, emphatically stated that the cost was secondary in im-



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portance to their ability to continue to exist. He said that failure to maintain a high degree of purification would result in bankruptcy, due to the loss of business.

## COMMUNICATIONS

The Westchester County Department of Health presented a statement at the Public Hearing held in White Plains, wherein they said: "The character and use of the Long Island Sound waters has definitely developed as recreational, and sewage disposal has been adopted to this purpose. It is consequently recommended that the Long Island waters from the New York City - Pelham Manor line to the Port Chester - Connecticut line be classed as 'A'."

The Mayor of the Village of Poquott in his communication stated: "The people of our village are very much excited over this matter and are earnestly requesting me to urge that Port Jefferson Bay be given a Class 'A' rating."

The Knickerbocker Yacht Club expressed its interest in Manhasset Bay and trusted that this area will be kept for recreational purposes.

The Honorable Robert Moses, President of the Long Island State Park Commission, presented a map showing the location of Sunken Meadow State Park. This park, on the north shore of Long Island, is under the ownership and control of the State of New York. Mr. Moses said that substantially all of New York State Park frontage on salt water is on Long Island and it is of vital importance that sterility of these waters be obtained at all costs. He urged the water area should be included in Class 'A'.

The Sanitation Unit, Bureau of Marine Fisheries, New York State Conservation Department submitted data in considerable length. In concluding their statement, they set forth that the entire area along the north shore of Long Island is largely developed by various towns and by private individuals for bathing purposes, and also, that there is a considerable amount of boating in practically all of the harbors within the District under consideration. "It is therefore felt, they said, "that the Commission should classify these waters as Class 'A'."

On behalf of the Department of Health of Suffolk County, Mr. Cook, sanitary engineer submitted the desire of that Department that all water areas on the north shore of Suffolk County within the Interstate Sanitation District should be designated Class 'A'.

A resolution was received from the Town Board of the Town of Oyster Bay, which provides that "whereas the waters of the Town of Oyster Bay are now being used strictly for recreational purposes and the cultivation of shellfish, and whereas it is desired to maintain the waters in their present



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high state of purity and cleanliness, now, therefore, be it resolved that the Interstate Sanitation Commission be and is hereby requested to classify such waters under classification 'A'."

The Huntington Chamber of Commerce urged the abatement of pollution and the Incorporated Village of Sands Point offered a letter for the record that Manhasset Bay and Hempstead Harbor are entirely used for recreation and should be classified 'A'.

The Town of Smithtown submitted a voluminous brief, in which they conclude, "The Town of Smithtown, therefore, respectfully submits that the waters abutting the north shore of the Township of Smithtown should be classified under Class 'A', of Article VI, Section I of the Compact of the States of New York and New Jersey."

The Suwassett Garden Club of Port Jefferson petitioned the Commission to make the harbor Class 'A' and to maintain it so.

The Merchants Association of Port Jefferson suggested that the harbor be placed in Class 'A', in order not to destroy the shellfish industry, not to prohibit bathing and to avoid keeping away summer visitors from this area. This communication stated that the merchants depend upon this summer trade.

George W. Johnston of Port Jefferson stated in his communication: "It is a serious question in a town like ours, as every business-man is dependent on the summer visitors and every effort should be made to alleviate or destroy the menace which now exists which, in my mind, is not conducive to attract trade from out-of-town visitors. A great number of local Bay men depend upon clamming for a living and to deprive them of this source of revenue might add to the increasing relief burden. It is my hope that our harbor will be put in the 'A' classification."

All of the following communications also urged Class 'A': Ralph J. Hawkins, Attorney for Town of Brookhaven; the Manhasset Chamber of Commerce, whose recommendation was based on the recreational use of Manhasset Bay, the editor of the Port Jefferson Times, the Manhasset Bay Yacht Club, the Port Washington Yacht Club, the Town Board of the Town of Huntington, the Port Washington Village Welfare Society, the Port Jefferson Chamber of Commerce and the Village of Kings Point.

In connection with the hearing held in Long Island City, a communication was received from the Chamber of Commerce of the Borough of Queens, urging that the waters east of Whitestone Landing be placed in Class 'A' as this area is already predominantly recreational in character and requested that the Commission carefully study the area from Sanford Point to Whitestone Landing before determining the classification of those waters. The letter called the Commission's attention to the fact that in that area are to be found many commer-



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cial concerns as well as the Ward's Island and Tallman's Island Sewage Disposal Plants. Their presence may preclude an 'A' classification for these waters at the present time.

The Honorable Robert Moses, Commissioner of the Department of Parks, City of New York, addressed a communication to the Commission, setting forth the large number of facilities to afford the public enlarged recreational advantages which are being sponsored by the Park Department. Included in these facilities are the Grand Central Parkway extension, North Beach to Northern Boulevard, Flushing Meadow Park, Waterfront Park, Whitestone, Orchard Beach at Pelham Bay, Fort Schuyler Park and the Waterfront Park at Old Ferry Point. The Commissioner in his communication, questioned the ability to maintain these facilities for recreational purposes if the water areas immediately surrounding Manhattan were classified as 'B'. Although not stating so, the inference from this letter is that the Commissioner would like to have all the area around New York City classed 'A'.

The Bronx Chamber of Commerce expressed the opinion that from Hunt Point on the East River to the Bronx - Westchester line, the area is residential or recreational and that of the inland waters, the Hutchinson River is two miles residential or recreational, and two miles business; Westchester Creek, three miles business, and approximately one and three quarters, residential or recreational; and the Bronx River, while its entire six miles are at present practically all business, the Chamber of Commerce believes that the Park Department has plans that would change the best part of this area to residential or recreational classification.

## PROPERTY USE

The shore line of the area under consideration is used almost without exception for residential and recreational purposes. Some few exceptions do exist, such as: the holdings of the various sand companies along the shores of Manhasset Bay, oil and gasoline tank-parks and the commercial development of the Bronx River. A map, which is appended to this report shows the zoning restrictions which have been established by certain of the municipalities. It will be seen from these that it is the expectation, even in the more densely populated areas, to maintain the District as predominantly residential and recreational.

## USE OF WATER AREA

A map accompanies this report showing the area from which it is not permitted to take shellfish. Except for the proscribed areas, Long Island Sound is extensively used for fishing and shellfish culture. With the abatement of pollution, it is probable that most of the areas now proscribed may be reclaimed to their original use and shellfish culture within these areas will again be of considerable importance.



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EXISTING SEWAGE  
TREATMENT WORKS

Within the area under consideration there are a number of sewage treatment plants; however, there are but few that have been recently constructed and have a capacity sufficient to meet the needs of the near future. Those recently built appear to meet the requirements of Class 'A'. In many places within the area under consideration there are plants which are of insufficient capacity or that do not serve all of the territory which normally drains to the plant. Examples of this kind are the plants at Port Jefferson, Northport, Huntington, Oyster Bay, and Glen Cove. The plant at New Rochelle is a fine screen plant which normally would not meet Class 'A' requirements; however, the outfall from this plant extends far out into the Bay. The same type of plant exists at Mamaroneck, and here again the outfall is carried for a considerable distance from shore. Should the Commission classify this area as Class 'A', it is likely that these two plants will not meet the requirements, notwithstanding the fact that apparently the health authorities find that these plants do not create a nuisance.

At the Yonkers Hearing, questions were asked which indicated that there was a desire on the part of some to give consideration to a stratification of classification parallel to the shore-line. Such action would permit the area close to shore to be classified 'A', as a result of the intended recreational use made of the shore, and to consider a lower classification, that is Class 'B', for the off-shore area in order to permit the continuation of these plants unmolested. Such action, if adopted, might very readily establish a policy which would entirely destroy the purposes for which this Commission was formed. The off-shore area, particularly in Long Island Sound is used for fishing and much of the area is used for shellfish culture. The Compact expressly provides for a situation such as this in the second paragraph of Article X, so that if the Commission determines that the area should be classed 'A', it might invoke the authority of this Article and permit the existing plants to continue to operate subject to any future orders of the Commission, but with the understanding that should any new plants be built or any additions made to the existing plants, that it would meet the requirements of the designated classification.

The City of New York has now under construction a treatment plant at Tallman's Island. This plant is of the activated sludge type and the effluent therefrom will undoubtedly be able to meet the requirements of Class 'A'. There are however, two small plants at North Beach which are merely screening plants. These, however, are merely temporary



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and plans have already been made to divert the sewage from these plants to other plants at some later date. New York City's tentative plans for plants along the Bronx shore of the East River also call for activated sludge, so that it is reasonable to assume that any plant which the City proposes to build within this area will be able to meet the requirements of Class 'A'.

ENGINEERING  
ADVISORY COMMITTEE

The Engineering Advisory Committee composed of representatives of various Federal, State, County and local organizations, having a knowledge of the conditions within the Interstate Sanitation District, recommended that the area under consideration be designated Class 'A'.

CONCLUSION

The area under consideration is used predominantly for residential and recreational purposes, the development of fish life and shellfish culture. There are, however, local exceptions where business and commerce may be found; however, except on the Bronx River there is no long stretch of shorefront within the area under consideration that is used for business or commercial purposes. With the two or three exceptions, all of the evidence and testimony received over-whelmingly indicates the present expected and desired use of this area to be predominantly recreational, residential and to be reserved for fish life and shellfish culture. The westerly end of the area under consideration is a line between Hunt Point in the Borough of Bronx and Sanford Point in the Borough of Queens. This line extends across the East River at about the easterly end of Riker's Island. The question has been raised as to the advisability of ending the Class 'A' designation at this point, or whether it should be moved eastward to a point on line with a line between Throgg's Neck and Willett's Point, which forms the division between the East River and Long Island Sound and might readily be conceived to be the natural division line. It is true that there are some industries along the shores of the Bronx River, Eastchester Creek and along the East River between this line at Throgg's Neck and the line at Riker's Island.

There is, however, the area in the vicinity of Flushing Bay, which is now being developed for the World's Fair, and which will be continued by the Department of Parks as a major park development. Furthermore, the City of New York is already building one treatment plant at Tallman's Island, which will meet the requirements of Class 'A' and contemplates similar plants along the Bronx shore of the East River. It is not likely that any industrial plant along the shore of the East River between Riker's Island and



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Throgg's Neck will be seriously affected by Class 'A' designation in view of the City's sewage plants already under construction or contemplated. It is likely therefore that any industrial plant located within this area will be able to drain any normal effluent into City sewers and thereby be relieved of any special treatment of normal plant wastes. In view of the fact that it appears that no undue hardship will be imposed upon any industry as the result of the adopting of Class 'A', and in view of the urgent petition on the part of the Department of Parks that this area shall be designated Class 'A', and in view of the fact that the further the line of demarcation between 'A' and 'B' is moved from the area most intensively developed for recreational purposes, development of fish life and shellfish culture, the better that area will be able to serve its purpose. The line of demarcation for the westerly end of the area under consideration is adopted at the same place as was proposed by the Engineers Advisory Committee.

RECOMMENDATIONS

Because of the reasons set forth and because of the predominant expected use of this area, which in the opinion of the writer will be residential, recreational and for the development of fish life and shellfish culture, I recommend that the area of the Interstate Sanitation District, east of a line between Hunt Point in the Borough of Bronx and Sanford Point in the Borough of Queens be designated Class 'A'.

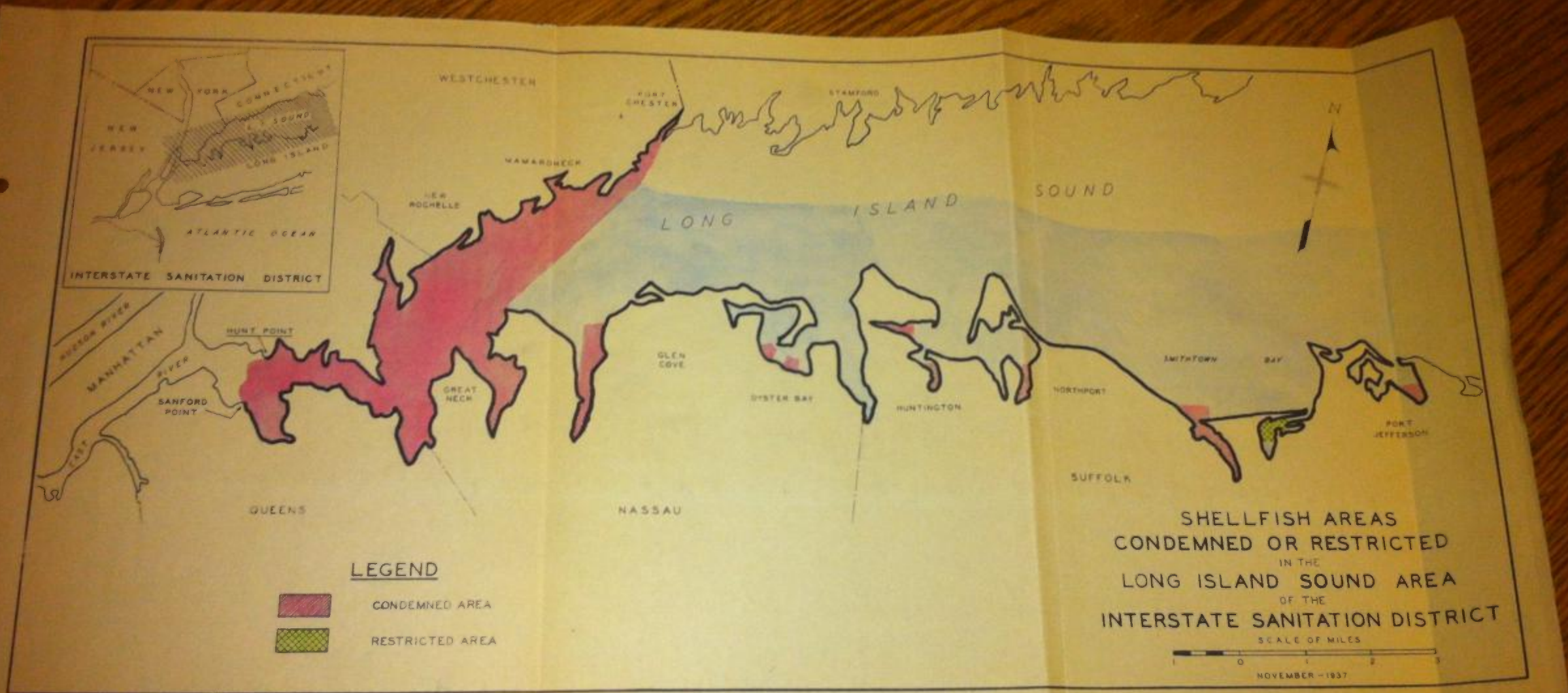
Respectfully submitted,

*Seth G. Hess*

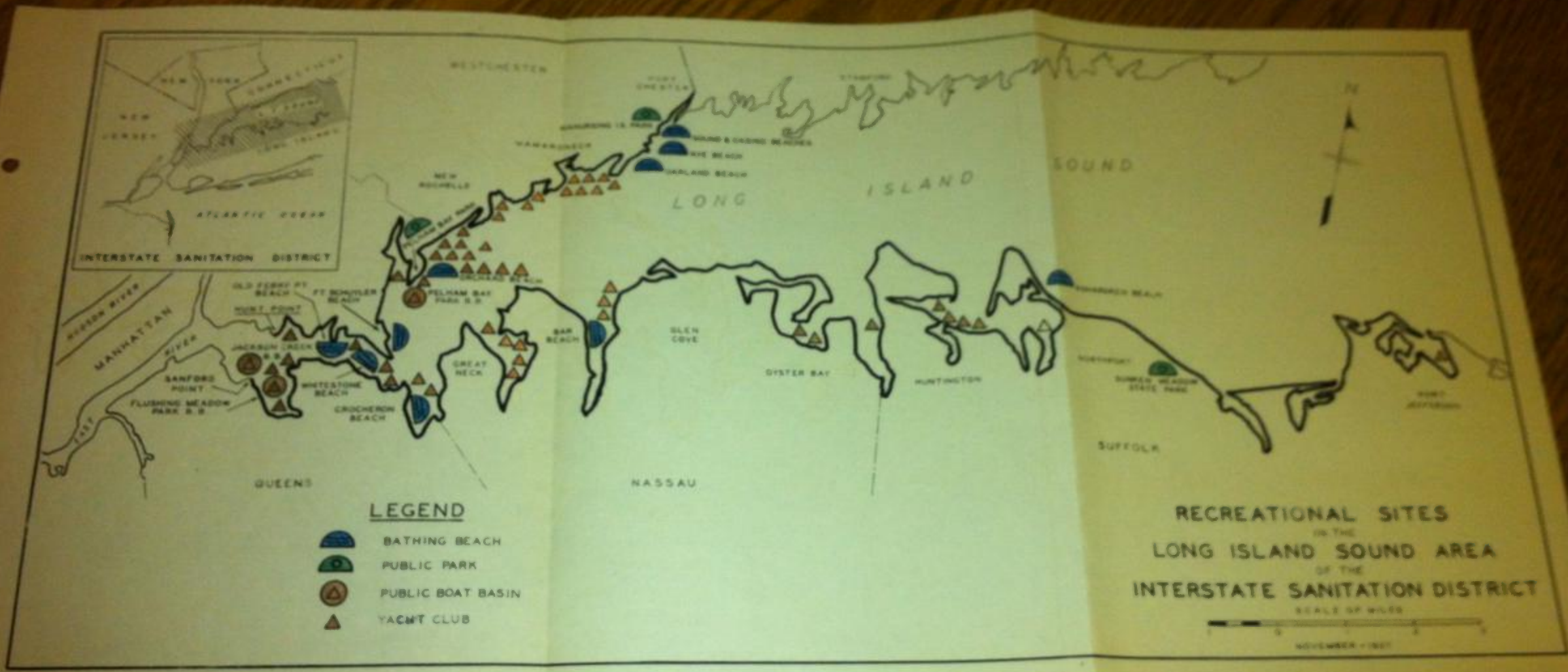
Seth G. Hess  
Chief Engineer-Executive Secretary

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**LEGEND**

-  RESTRICTED
-  UNRESTRICTED
-  UNREPORTED

**PREDOMINANT USE MAP  
OF THE  
LONG ISLAND SOUND AREA  
OF THE  
INTERSTATE SANITATION DISTRICT**

