



# Belle Terre Times

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## A LITTLE BIT OF HISTORY...CONTINUED

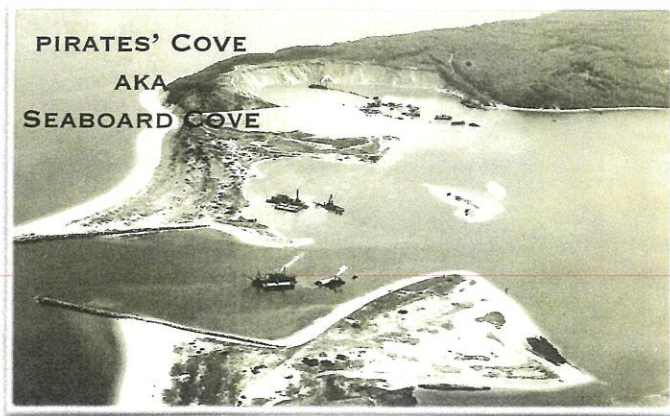


Mayor Bob Sandak

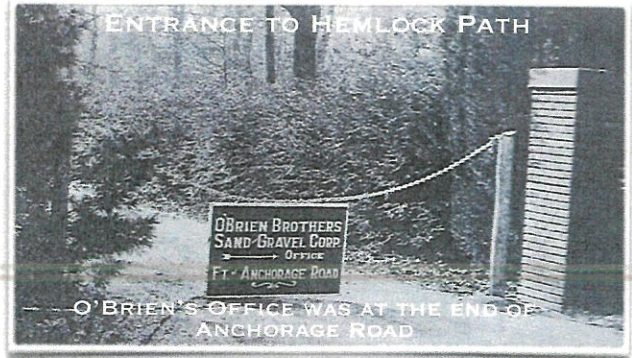
In our last issue we followed the development of the area that was to become the "Belle Terre Estates" from the 1600's to the 1920's.

Although "skyscrapers" were first erected in the 1890's, the building of the Empire State

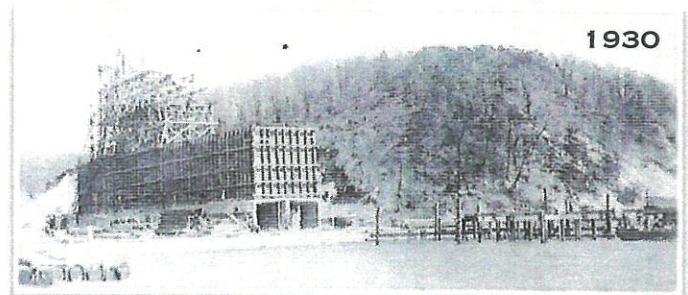
Building and the Chrysler Building in 1928-1931 heralded their modern age. Built with steel interior structures, the exteriors relied on masonry products cement, gravel and fine sand for their construction. Long Island sand and gravel were prized for their superior quality. During this heyday of city construction, The Seaboard Sand and Gravel Company set up huge dredging operations in Port Jefferson Harbor, specifically at the north end of Belle Terre and, after years of dredging, created what today is called Pirates' Cove.



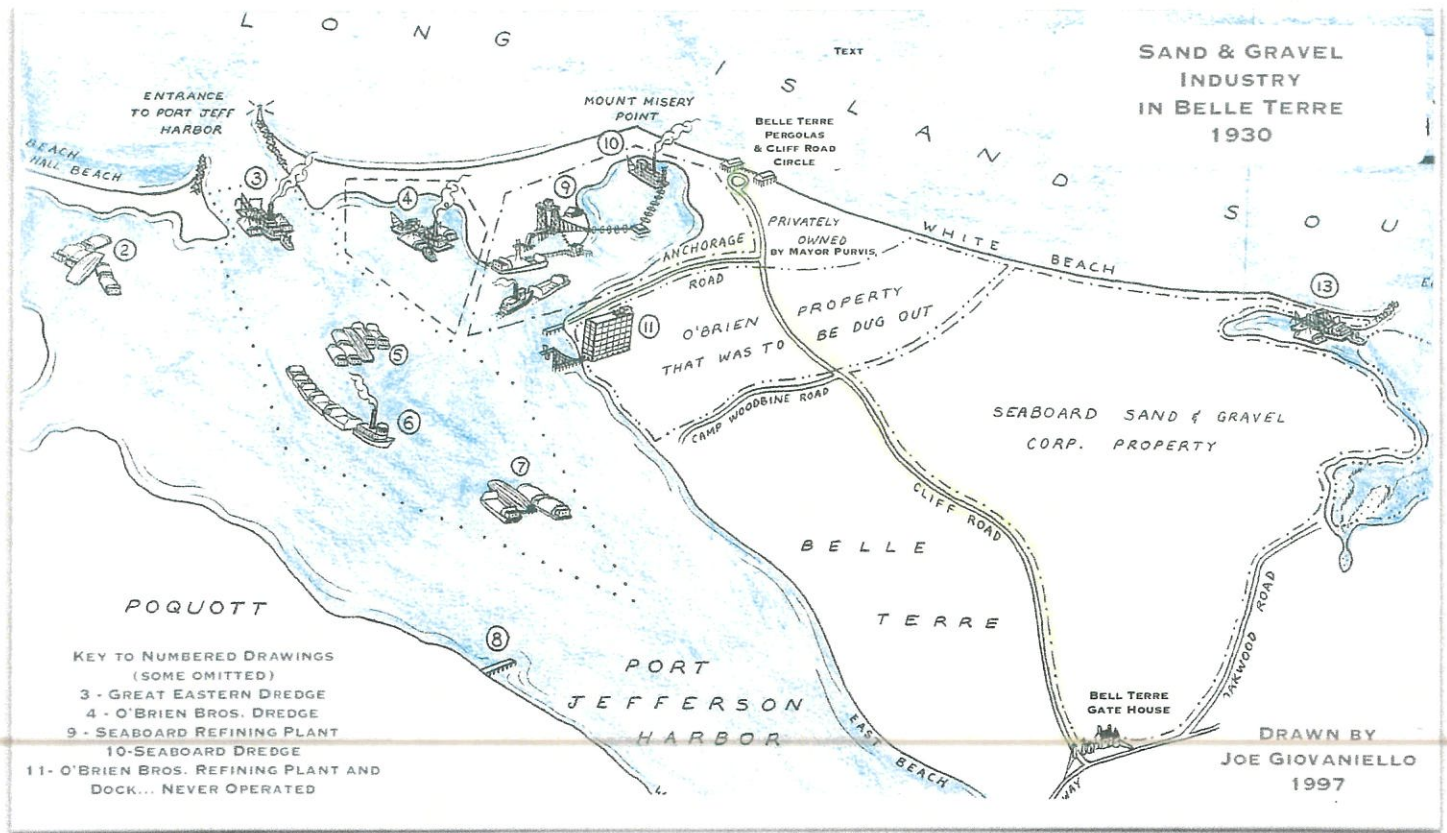
Mrs. Philomena Curran (nee Freel) owned land stretched from Port Jefferson Harbor to Long Island Sound through the center of Belle Terre. She knew that the 1907 covenant which prohibited business on any land in Belle Terre was due to expire in 1930. She founded a bogus operation, the Freel Sand and Gravel Company, and then hired a few trucks to remove an insignificant amount of sand from her property. In 1929 she sold her property, the former Alvord estate, to O'Brien Brothers, the largest sand and gravel company on the Eastern seaboard.



Owing to the fact that Mrs. Curran had previously established the Freel Sand and Gravel Co. before 1930, O'Brien Brothers was counting on having its new business "grandfathered in" to allow mining after 1930. They immediately began construction of a plant at the end of Anchorage Rd. whose cement foundation and dock remnants remain today.

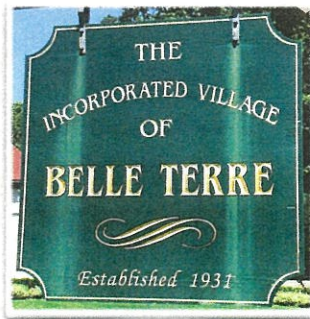






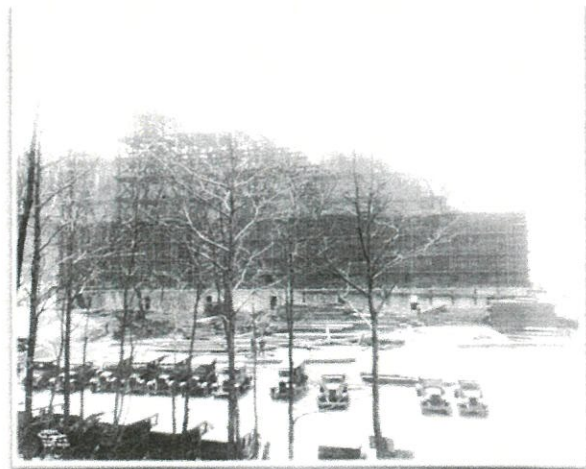
The residents of Belle Terre banded together led by Mr. Harry Purvis. He lived at the very end of Cliff Road and would have found himself living on an island (see map above) if the O'Brien brothers had dug out all of their property from the waters of Port Jefferson Harbor through to Long Island Sound.

They organized a march to Albany and petitioned for incorporation. Achieving that goal on January 8, 1931, the first mayor, Harry Purvis and his trustees, immediately wrote ordinances prohibiting any business in the newly Incorporated Village of Belle Terre.



O'Brien Brothers, however, persisted with construction of its plant, despite the ordinances. The Village filed suit, and a drawn-out court case ensued. Court orders were issued ordering O'Brien Brothers to cease and desist, but they paid no attention.

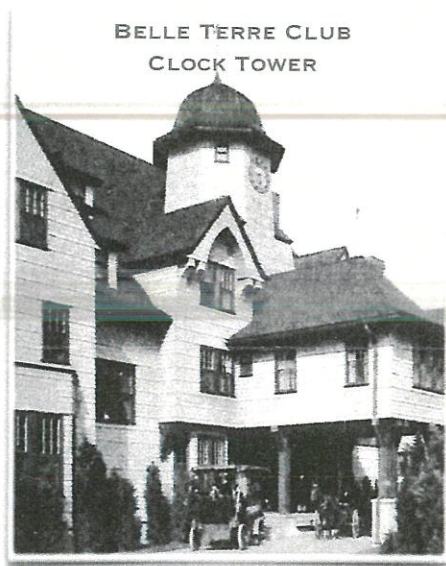
Finally, after an investment of many thousands of dollars, the mining operation was scheduled to begin. The mining superintendent was ready to throw the switch and activate the conveyor belts and screens to separate the sand from gravel. Company officials were there in a gala mood to see the successful compilation of several years' work and many thousands of dollars invested.



Winthrop Taylor, the attorney for the Village arrived and approached the superintendent, pistol in hand. He presented the court order and the superintendent turned to the company president and famously said, "I cannot throw the switch." Victorious, Belle Terre was thereafter safe from all mining activities.



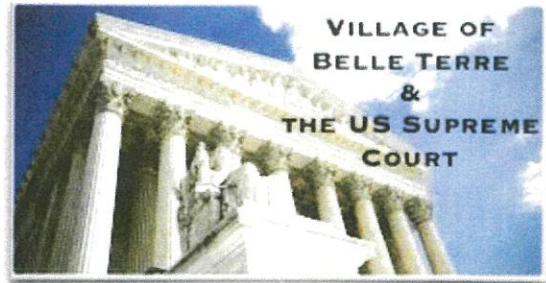
1934, however, was a tragic year for Belle Terre. The "Belle Terre Club" was by now open to the public and in December preparations were being made for Christmas festivities. On the evening of December 16<sup>th</sup> flames broke out. Fire departments from many towns were called, but firefighters were hampered by Belle Terre's traditionally low water pressure. By morning the Club had been destroyed. It was believed that the fire began because of a short circuit in the clock tower, but the actual cause was never ascertained. Saddest of all was the fact that the insurance policy had run out before December 16<sup>th</sup>, and the new policy did not take effect until January 1<sup>st</sup>. Thus, the Club was never rebuilt.



Another loss in 1934 was that of the Neoclassical pergolas at the point. Having fallen into disrepair and become a liability, they were dismantled. In many ways, 1934 marked the end of an era for Dean Alvord's dream.



In the 1940's Belle Terre numbered about fifty houses and was essentially a colony of summer homes. After World War II ended in 1945, the 1950's brought prosperity, and one by one new homes were built, many of them ranch style. The very first was at the corner of Cliff and Beach Roads. Thereafter, the pace of building accelerated into the 1960's and 70's until almost all buildable land became occupied. Today Belle Terre numbers three hundred and four homes instead of fifty.



The Village of Belle Terre gained national importance in 1974. Part of its original Codes included an ordinance restricting land use to one-family dwellings. The statute's meaning of "family" was one or more related persons or not more than two unrelated people. In the early 1970's, a Belle Terre family owned a house that they leased to unrelated students from Stony Brook



James von Oiste, Esq.

University, in violation of the Village's ordinance. When the Village attorney, James J. von Oiste (who served the village for 27 years), asked the owners to remedy the violation, the homeowners sued the Village seeking a judgment that declared the ordinance unconstitutional. Eventually, the case worked its way to the United States Supreme Court, which in 1974, by a 7-2 decision, found in favor of the Village. The Court held that the Village of Belle Terre's ordinance restricting land use to one-family dwellings did not violate the Constitution.

Shortly after this decision, courts in New York State found that the Village Code was in violation of new amendments to the State Constitution and therefore, unenforceable.