



TOWN OF EAST HAMPTON

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East Hampton Town Will Seek to Appeal Recent Court Decision on “Truck Beach” on Napeague After Court Rules in Favor of Nearby Property Owners’ Claim that Beach is Privately Owned

Town will move to condemn the ocean beach to maintain public access, if appeal denied

“The Town Board will take any and all steps necessary to insure that East Hampton’s longstanding, cherished rights and tradition of public beach access continue now and for generations to come,” said East Hampton Town Supervisor Peter Van Scoyoc.

At issue is an approximately 4,000-foot stretch of the Napeague ocean beach just west of the Hither Hills State Park, which is commonly called Truck Beach and often accessed by four-wheel-drive vehicle users.

In the case of Seaview at Amagansett, Ltd. v. Trustees of Freeholders & Commonalty of Town of East Hampton, four homeowners’ associations representing nearby residents claimed that the area of beach bordering the residential streets, landward of the mean high water mark, was included in an 1882 land sale by the Town Trustees to Arthur Benson and that ownership was included in subsequent property deeds.

In 2016, the New York State Supreme Court rejected those claims and decided the case in favor of East Hampton Town and the East Hampton Town Trustees, upholding public ownership of the beach.

Prior to that ruling, East Hampton Town was poised to initiate condemnation proceedings over the beach to insure public access. That effort was suspended after the Supreme Court ruling.

However, in its Feb. 3 decision, the Appellate Court panel threw out the Supreme Court ruling, in favor of the property owners’ claims of title to the beach, and prohibited the Town Trustees and Town from issuing permits for vehicles to drive and park on the stretch of beach.

The ruling did uphold the right of the public to access the beach only for “fishing and fishing-related purposes.”

The East Hampton Town Board agreed this week to seek judicial approval to file an appeal of the Appellate Division decision, and to proceed with condemnation should that opportunity to appeal be denied.