

# Why a Hamptons Highway Is a Battleground Over Native American Rights



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SOUTHAMPTON, N.Y. — For the legion of rich and famous in New York, the unofficial start of summer means migrating east by luxury vehicle to the Hamptons, that slice of exclusivity at the end of Long Island.

But this Memorial Day weekend they were greeted with a jarring new sight along an otherwise piney, bucolic stretch of Sunrise Highway, the main artery leading to the Hamptons: two six-story illuminated billboards being hastily constructed by a local Native American tribe just in time for the high season.

Tall enough to rise above much of the tree line of this state roadway, the twin billboards — with bright electronic display panels operating around the clock — are about as far from the standards of the Hamptons as could be imagined.

The billboards are being put up by the Shinnecock Indian Nation, a tribe that for many centuries before this area was settled by Europeans in the 1600s occupied wide expanses of what is now some of the priciest real estate in the world and a summertime playground for the 1 percent.

Besides the 1,550-member tribe's modest reservation nearby, the small parcel spanning the highway at the billboards' site is nearly the only land the Shinnecock still retain. The tribe is partnering with an outdoor advertising company to run local ads on the billboards, as well as national campaigns for high-end brands like Rolex, BMW and Mercedes-Benz. Its members are determined to use the revenue as an economic engine to revitalize the tribe.

But the billboards have infuriated much of the Hamptons, where such signs violate government regulations. Stop-work orders have been issued by state and town officials who call them eyesores and distractions to drivers.

The tribe had defied a cease-and-desist order from the state Department of Transportation, as well as a stop-work order from the agency delivered by state troopers to the work site, said Bryan Polite, the tribe's chairman.

But on Friday, after state officials initiated legal action against the tribe to halt construction, a state Supreme Court judge issued a temporary restraining order against further work.

Still, the sign on the eastbound side of the highway was already completed and remained in operation through the weekend.

The signs are “clearly out of character” with the town's low-rise, low-key style, said Jay Schneiderman, Southampton's town supervisor.

The signs “violate the spirit of our local ordinances meant to protect the rural character of the town” and keep the area an attractive escape for New Yorkers, he said.

“The summer crowd comes here to escape the metropolis, only to find this urban element at the gateway to the Hamptons,” he said.

But the Shinnecock insist that their sovereign status exempts them from any government rules.

For weeks, they ignored government orders and continued to rush the signs up as officials scrambled to see if they could stop them. Tribal leaders say they will meet Tuesday to decide how to respond to Friday's court order so they can finish erecting the other sign at the site.



The tribe is defying local and state orders to stop the construction, arguing that it is building on sovereign tribal land. Heather Walsh for The New York Times

“We don’t recognize their authority on our sovereign lands,” Mr. Polite said.

The ads are targeted at the wealthy summer crowd driving past, often very slowly, in the notoriously congested Hamptons traffic.

Tribal members have been standing sentry at the construction site on the grassy shoulder of the highway, creating the possibility of a showdown if the authorities try to halt construction.

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A message on the signs welcomes drivers not to the Hamptons, but rather to the Shinnecock Nation, whose base is a 980-acre reservation nearby, just outside Southampton, a chic village filled with luxury boutiques and upscale dining spots.

The Shinnecocks say that as an indigenous people they have aboriginal title to the parcel, which allows them to build what they want, armed simply with a building permit issued by the tribe’s council of trustees.

The roadway is operated by the state, but since it is subject to federal highway regulations and runs through the Town of Southampton, numerous agencies have tried to sort out the jurisdictional questions.

Enforcement could involve confronting the tribe and risking an ugly standoff along a stretch where many influential visitors drive past; the Hamptons has no shortage of influence, especially this year with presidential candidates flying in for the kind of campaign fund-raisers that are a staple of any election cycle.

One regular is Gov. Andrew M. Cuomo, to whom the Department of Transportation answers.

Tribal members have been parking along the highway and gathering in lawn chairs, keeping an eye out for state troopers.



Town officials say the signs are an eyesore and are more suited to Times Square. Heather Walsh for The New York Times

Last week, several “No Trespassing” signs bearing the Shinnecock seal were posted at the site, and the tribe had several lawyers on rotation at the scene.

Mr. Schneiderman said the billboards were more appropriate for Times Square and were safety hazards that would distract drivers, cause rubbernecking and further exacerbate the already maddening traffic.

He and roughly 30 local elected officials recently signed a letter urging the tribe to find an economic project other than the signs.

Whatever the legality, Mr. Schneiderman said, “I’ve been trying to appeal to their conscience as good neighbors to voluntarily change direction and develop other economic engines.”

The tribe long believed its economic problems would be solved by opening a casino, especially after it gained federal recognition in 2010. But that effort has stalled amid internal rifts and legal problems.

Tribal officials would not disclose the financial arrangements of the billboard deal, but said that members would hardly get rich from the revenue, which would help fund social programs, maintain the reservation and create a tribal police force.

“This is not about driving Maseratis,” Mr. Polite said. “It’s about providing resources to the nation and creating programs so people can work.” About half the families on the reservation live below the federal poverty level.

The signs, which the tribe calls “monuments,” are topped with the Shinnecock’s official seal to make a territorial statement.



Bryan Polite, the tribe’s chairman, said the signs are “about providing resources to the nation and creating programs so people can work.” Heather Walsh for The New York Times

“It’s a marker of who we are, and to show people that this is our land,” Mr. Polite said.

“Yes, there are advertisements on them. But for many of our people who feel like they’ve been forgotten, seeing our tribal seal 60 feet in the air, it’s like we’re visible now,” he said.

When one of the signs was recently completed, members became “very emotional,” Mr. Polite said.

“Some of our elders were crying and there was a big sense of pride and euphoria,” he said. “They felt like our ancestors were smiling down on us for these monuments.”

Mr. Schneiderman acknowledged the town’s troubled history with the tribe.

“I know the Shinnecocks have been mistreated in the past — their land was stolen, their people were killed and the living conditions on the reservation for many are at poverty level,” he said. “I want to see the Shinnecock Nation thrive and I want to help them.”

Regarding the signs’ appropriateness, tribal members pointed out that the town’s zoning has failed to stop plenty of outsize mansions.

Lance Gumbs, the tribe’s vice chairman, pointed toward a nearby cellphone tower as an example of the town permitting other tall structures. And new condos were allowed at a location near the Shinnecock Canal, which the tribe had long considered a sacred place because it was a site where their forebears landed tribal canoes.

“They routinely desecrate our sacred land,” he said, “and they’re complaining about a sign on a highway?”