

WHO WILL SPEAK FOR BARE ASS BEACH?

WITHOUT GOING PUBLIC, REGULARS AT A 60-YEAR-OLD NUDE BEACH
AND GAY MEETING AREA IN TROY MOURN ITS IMPENDING DEMISE

By Miriam Axel-Lute

IN THE LATE AFTERNOON OF MAY 13, JOEY*, A WELL-TANNED landscaper who says he's about 40, is getting a leisurely hand job from another man in the sunshine by a bend in the Poestenkill. Next to the pair, another naked guy reclines on his stomach on a towel. It was a lot more populated here in the 1980s, Joey says. He laments the increasingly smaller numbers of places where one can just go and be naked. He knows plenty of spots in Vermont, but he works a long hard day, and would prefer some place nearer by to work on his lineless tan—and fool around occasionally if there's no one present who would be bothered by that.

Up above where Joey and his comrades are sunning, the rutted, worn gravel pull-off from Brunswick Road across from the City of Troy welcome sign gives little indication of what's below. On April 30 it is occupied only by a few cars and a bucket of smelly fish left behind by an overenthusiastic but flaky angler. Ten feet into the woods, there's a 3-foot-by-2-foot orange laminated sign lying face down on the leaves. It's a notice that a conceptual site plan review of a development proposal for the land below will happen on May 13.

The guys getting into their cars have seen the sign, but they don't think the proposal will go anywhere. "How are they going to do it? They would need to put sewers in with that river down there," says one. He pauses. "It's a beautiful piece of land though."

He's right about that. After a steep drop-off from the road, the land flattens out into a lush floodplain on either side of the Poestenkill, which flows swiftly through the middle. Along the bank, the narrow trails of grey sand are marked with many footprints, but the brand-new fiddlehead ferns at the water's edge are undisturbed. Overhead, the larger-than-expected Woody-Woodpecker profile (and laugh) of a rare pileated woodpecker moves up and down the trunk of a dead tree. A couple of paintball shelters blend fairly unobtrusively into the scene, looking like kids' tree houses. The quiet seems more suited to the wilds of Vermont than a spot just off busy Route 2.

At a point where the Poestenkill makes a 90-degree bend, there's a gravel beach. The wide open secret about this spot, and the woods behind it, is that it's been a nude swimming hole and gay pick-up spot in consistent use since the 1940s.

At the top of the dirt road that runs up the hill to Route 2 is a No Trespassing sign whose black letters have been spray-painted over in white. Bare Ass Beach, as it is known, is on private land, and its long-standing coexistence with the landowners may be about to come to an end.

The land was purchased by Dean Taylor, chairman of New York Power and Light and a powerful local judge, in 1942. It had been farmland. Taylor put it in his wife Mary's name in 1957. It was sold to Nordec Development and then to Troy resident Leonard Devito in 1991.

According to its regular users, and Taylor's son Peter, Taylor allowed people to use the land for recreation the entire time he owned it. Sometime in the late '40s or early '50s, it began to be used for nude swimming, first by high school students, then by gay men, says Andrew, who has been going to the land for 30 years. It evolved into a known gay pick-up spot, though regulars say that was usually confined to specific areas, and families continued to picnic and swim in other segments.

Aside from gay raids in the 1950s and sometimes having kids shout "faggot" at them when they emerge from the woods, beachgoers report having been left fairly undisturbed, a precious thing in a society that is repressive about sex and where the main meeting points for gay men involve, as Andrew says, someone constantly asking if you'd like another drink. "It's a refuge," he says, especially because many of the people who go there are people who, for one reason or another, "can't be out elsewhere."

In an era when getting the legal right to marry is the big fight for gay activist groups, Andrew feels like any will to defend meeting spots like this one has fallen by the wayside. "I'm not even sure the gay community cares about its own kind in this respect," he says. Though closeted himself, Andrew is frustrated with the sex-negative attitude of those who freak out about a place like Bare Ass Beach.

"If you really want to know the truth, it's a place of sexual encounter," he says. "No drug parties, no booze parties. . . . It relieves the tension of a lot of people who would be tense because they're too afraid to go into a gay bar or solicit people in other ways. Everybody is so afraid of sex in this country."

"New York doesn't get it," agrees Jared, an aging queen who is hanging out in the lower parking area off the dirt road (generally a clothed area) with a couple of friends, chain-smoking and trading barbs with uber-straight Chuck, who comes to the land to fish. "If you don't bother people in the woods, they won't do these things on the streets, you know?"

Jared has been frequenting the land for decades, and his friend Art, who's about to turn 67, says he's been coming since he was 13. The group waxes eloquent about the community of users and their live-and-let-live approach. Occasionally heterosexual nude bathers mix in with gay folks with no problem, they say, and plenty of folks come for other pursuits, like Chuck. Some may get a gentle ribbing, but they are thoroughly welcome.

But Ed Esposito, of the Provident Development Corporation, which is under contract with Devito to develop the land into a 56-unit luxury condominium complex, sees the use of the land a little differently. "We've gotta stop the riffraff," he told Troy's Planning Commission on May 13.

"They [enter] at their own risk and without permission," Esposito told me the day before. "This is pretty land, but they're not paying the taxes."

The plan he presented has compact row houses nestled on the higher ground of the property, leaving the floodplain for "an exclusive residential park," including amenities like a bocce court and picnic pavilion to be maintained by the homeowners' association. "We'd like the money to flow. It would be a high-end project," he said.

Neighbors of the property also had a few complaints at the May 13 meeting. "We have other names for that beach, because sometimes the people who go there park on our streets," said one resident of the nearby development Cheryl Court during the meeting's public comment period. She claimed she had heard gunshots on the property at night.

Patrick O'Reilly, a Brunswick Road resident, echoed her: "There's activity there none of us want to see, none of us approve of."

But these were side notes. The main concern of the dozen or so neighbors who showed up at the commission meeting was that the development was too dense, would create too much traffic on Route 2, and would spoil a prime undeveloped green space along the Poestenkill, disrupting plans to put a trail all along the river.

None of the speakers identified themselves as a user of the land, certainly not in its Bare Ass Beach incarnation. Afterward, a few were willing to defend general public use of the land. "I walk the other side of the creek," said one woman. "I'm not riffraff."

And Russell Ziemba, a member of the nearby Mt. Ida Preservation Association and a strong supporter of urban green space and a Poestenkill trail, said he cross-country skis up the frozen river in the winter. "We've lost population, and yet developers are building on green spaces that kids and people were once able to go on and use and

enjoy," he says. And the nude swimming, at least, doesn't bother him so much. "I don't think naked swimming is particularly bad," he says. "I did it as a kid."

"I'm sure the city would stand behind" ending the nude activity, said Esposito. But Mayor Harry Tutunjian said it hadn't been a concern of his, since it was on private property. He did note that since it is private, the owner has the right to stop allowing use of it at any time. He said the condo project sounded "very appealing" as a way to raise the tax base, and hopes public access would be included in the plan, though he recognizes that would be entirely up to the developer.

Troy's assistant chief of police, John Tedesco, also says the land hasn't really been a problem in his 28 years on the force. They don't patrol it regularly due to access-

its axles, broken glass from the windows coating its mauve upholstery.

That dumping is a big problem may be the one point on which the beachgoers agree with Esposito. But it isn't them, they say. Teenagers come in at night and trash the place, while they try to help keep it up. "The gays are out of there usually by 6 PM," for safety reasons, says Andrew. Jared saw the Dodge Ram drive in, full of kids yelling "faggot" and "suck this, suck that," he recalls. When it got stuck in the mud, the kids trashed it.

As they talk, Art picks up some small pieces of litter around the parking area, including Chuck's empty cigarette pack, and makes a tiny bonfire to dispose of them, while the others joke with him about being a pyro. He brushes off their banter and talks about the time a deer fell down

actually go forward. "I really don't think it's going to be saved," he says, sighing. "My major concern is that no one will show up at these public hearings. No one wants to get up and say I'm a gay man and I like this because . . ." That includes him. "I definitely can't go and open my mouth. I can't go," he finishes.

His fear seems justified. Jared and Art unconcernedly say they've seen development proposal after proposal come and go, but never pan out. Besides, says Jared, he couldn't afford to be publicly identified as gay.

Andrew feels like the owner owes something to the community that has enjoyed, and cared for, the land for so many years. "I understand the new owner's predicament," he says. "But they knew what they were buying. . . . It's been open to the public and being used by gay people for 60 years, so [we] should be consulted. . . . If it were any other type of interest, if it were birdwatchers, they'd have to set aside a piece of property for that activity."

Public access has not been ruled out as a requirement; some members of the commission seem interested in pursuing it, despite ominous rumblings from Esposito about how that would be considered a taking that would require compensation. And besides, say Jared and Art, it would hardly be the same with all those houses there anyway.

Melanie Trimble, director of the Capital Region chapter of the American Civil Liberties Union, says that unless the land is being developed specifically to run the gays off the property, rather than for profit, it's not a civil-rights issue. "They have the ability to gather together and buy that piece of property from the owner. If they really want the land, they should be brave and do it," she says.

Andrew realizes this, but feels it's too late. "My biggest peeve is I should've gotten on the bandwagon when the place was for sale and pushed the gay community to buy the property," he says.

Joey guesses the development might happen, but he's hoping it'll take a while for all the permits to go through. (The first zoning hearing on the project will be held on May 27.) "I hope this won't all be gone. I was hoping we wouldn't lose this summer," he says. Less than an hour later, a sign that change is coming faster than he had hoped for arrives in the form of a nattily dressed man wielding (literally) a big stick. He approaches Joey and his friend as they lie on their towels and in the same casual way you might say "last call" tells them, "I just wanted to notify you that your cars have been reported to the police and they will be here shortly."

"Never" is Joey's curt assessment of how often something like this has happened down here before, as he hurriedly dresses and runs off to his car.

And "never" is when a spot like this will be replaced if it's lost, says Andrew. "There's no other places for people to go."

**All names of beachgoers have been changed.*



NO PLAN FOR THE VAN: DUMPING LIKE THIS FRUSTRATES BEACHGOERS AND THE OWNER ALIKE.



WE'RE JUST HERE TO FISH: (L-R) JASON LAFFER AND BRIAN MCGARVEY.

bility issues, he says, but the complaints they do get about fighting, disturbances or, rarely, exposure "if people don't realize how close they are to the road," are very infrequent.

In fact, the only concrete problem that Esposito actually mentions to the commission is dumping. "Len Devito has had to personally fish rusted cars out of the creek," he told the commission. "It's a dump." He's got a point. If you enter the property from the dirt road rather than the foot paths down from the upper parking area, you'll see tires and a two-drawer filing cabinet, among other junk, off the road to your right. Just past the lower parking area, a black Dodge Ram is mired in mud up to

the steep embankment behind the cars and broke its leg. He eventually called in EnCon to come put it out of its misery; he felt it was the least he could do.

Like Jared and Art, Joey has been coming to this area since he was a child—his aunt and his father both came here—and he values it as one of the few remaining natural places in an increasingly built-up landscape. He points out where a pair of herons spent most of last year, and another spot where he just pulled some fishing line out of the water. The dumping comes in waves, he says.

Of all these decades-long devotees of the area, only Andrew seems to believe that the development will