

Man against machine on Nova Scotia's tony shore

Fight between residents and owners of ATVs turns nasty

by Dawn Rae Downton

All-terrain vehicles. They're a hot topic these days in an unlikely place: a few miles west of Halifax on Nova Scotia's choice south shore, in the comely seaside village of St Margaret's Bay. Who'd've thought? In St Margaret's, in Hubbards along the pearly lengths of Queensland Beach where already this year the sunbathers are out—everywhere you turn, the talk's of ATVs. Even in tony Chester where the yachts idle and the idle retire, the ATV acronym is a mantra on everyone's lips.

Everyone's but Turner's. It's nails that Turner thinks about now, not ATVs.

Turner lives in St Margaret's. Some evenings he walks the beach, but mostly he walks the St Margaret's portion of the Trans Canada Trail that's been made from the old CNR rail bed running the coast between Yarmouth and Halifax. Turner's a trail enthusiast all right, but Valerie Pringle's TV ad for the Trans Canada Trail Foundation riles him—just because he did contribute handsomely to the construction of the Trail a few years ago and regrets it now.

Turner's an architect, married with a pair of blond toddlers that run in his yard while we talk.

Because of them he won't let me use his last name, but he does tell me about nails.

Roofing nails, for instance: the stubby tacks with the wide flat heads that keep them upright when ATVers tuck them under the wheels of Turner's car at night because he speaks out against them, because he calls the police when they trespass, when they speed, and when they hit a buck that time on the trail, broke its legs, and left it to die. Turner shows me a handful of the nails he's collected from his under his tires. There isn't a morning now that he doesn't climb into his car and drive away without checking for nails first. His 3-year-old helps Daddy look.



Nova Scotia is the only province that allows all-terrain vehicles on the Trans Canada Trail.

The ATVers use roofing nails, but they're no good for blowing out ATV tires in return. For that, Turner needs spike belts. You can build your own, he tells me, or you can find them online. Commercial belts are big and mean, some as long as 20 feet. Turner imagines the ATV tires he could blow out with one of those buried on the trail by his house. But they're pricey, as much as \$500 US, so he builds his own; buries them, too. As darkness falls, Turner's always looking for the best place on the trail to lay a new belt. He scouts out the long empty stretches between houses where no one walks the dog or runs, where children don't play. Only ATVs roar along on the lonely spots, and that's where Turner's homemade spike belts take them out. He's wistful about it. A spike belt's not the best solution to what ails him. "Nothing takes out a tire like a .22," he says. There may be a war on here, but Turner's not up to using a gun. Not yet.

Bob Haagensen lives in St Margaret's too. He's a veteran of the Vietnam war, but unlike Turner he's left violence behind, for now, and he lets me use his name. These days he's an engineer, and to get to work he commutes the half hour into Halifax city proper. Like Turner, he moved out to Nova Scotia's south shore for the tranquility, but it's a rare night that he finds it. His property also borders the Trans Canada Trail--which his family, likewise, donated to--and every Friday and Saturday night in the wee hours the ATVs roar past his house in convoys.

**“Where do you live?
We’ll come and burn
you down”**

They're not allowed to, but it works for them. It's closing time, and they're using the Trail to get home from the bars. On the Trail it's safe. On the road, in a car, it isn't. On the Trail they don't get stopped and breathalyzed, and they can drink the drive away. Sundays, Haagensen picks up Moosehead cans from his yard. He doesn't know when he last had a good sleep. Some of his neighbours have sold and left. One, he says, went back to the city for the peace and quiet, selling at a loss of

\$50,000. Everyone's property values have fallen.

The Halifax municipality has a noise by-law prohibiting loud vehicles and machines from operating within a hundred feet of homes, but the RCMP doesn't enforce it in St Margaret's Bay. They say they can't; there's too much abuse, and too much ground to cover.

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"Our resources do not allow us to," says Sgt Bill Chisholm of the Tantallon RCMP, the detachment that tries to police St Margaret's. John O'Brien speaks for Halifax's By-law enforcement office. The noise by-law "is enforceable," he says, "but we only have nine enforcement officers to handle an area larger than PEI."

The by-law was the brainchild of a municipal councillor representing the city's affluent south end, where homeowners were bothered by university students and their motorcycles after hours. Bob Haagensen says the city has been slow to conceive that outlying residents have similar problems and deserve--and pay for--the same peace and protection. He's looking at legal strategies to make the city act. Haagensen can't believe that ATVs are on the Trail at all, let alone at full bore at two and three in the morning, right outside his door. Except for Newfoundland and Labrador and isolated parts of northern Alberta where rugged environments make them a transportation imperative, Nova Scotia is the only province that allows the machines on the Trail.

The Trans Canada Trail Foundation means its trails for runners, walkers, cyclists, horseback riders, and cross-country skiers. It avoids developing new arteries that ATVs might use. ATVs weren't part of the Trail concept. The Foundation judges them a hazard incompatible with the Trail's intended use. But the Foundation doesn't have the last word, because each bit of Trail and its upkeep, Canada-wide, is looked after by local councils of volunteers. Some of these groups are now falling apart under the ATV controversy. Jim Vance, Executive Director of the Nova Scotia Trails Federation, says that "some community groups are cracking under the strain. ATVs could be the straw."

Bob Haagensen has petitioned the governments of the Halifax Regional Municipality and the province to bar ATVs from his back yard, especially at night. No one responds except to point him to a government-sponsored report on off-highway vehicle use that's being cobbled together from community consultations throughout Nova Scotia and has already been delayed three times. The consultations and an early draft report called for rigorous curtailing of ATVs, but Haagensen's not hopeful. Rural Nova Scotians who like ATVs make an impressive voting block, and a similar report to government a few years ago was shelved. This one is being held back at the request of a cabinet minister in Premier John' Hamm's Tory government.

Haagensen says that vehicle manufacturers like Bombardier have the ear of government, and that the ATV clubs do as well. He points to chat rooms on the clubs' web sites where members are reassured that "there is much going on behind the scenes" to settle matters in their favour. Haagensen has queried his Tory MLA and his Halifax city councillor about tax dollars going into Trail maintenance and ATV clubs, since paying for his own torture sometimes seems more than he can bear. He has not had a reply, and nor did I when I tried to contact them.

Haagensen's been vocal lately, and now he's heard that ATV advocates in St Margaret's have been asking where he lives, which house. ATV detractors say it's a pattern: speak out, and your number's up. The RCMP confirms that gas tanks of protestors have been sugared, tires slashed, windows broken, barricades torn down. Where there's not vandalism, there's intimidation. It's why Bob Haagensen put himself on the line in the first place. He'd had enough, he says, when he heard an ATVer threaten to burn Linda Smith's house down.

Turner looks for the best place on the trail to lay a new spike belt. He scouts out the long empty stretches between houses where no one goes. Only ATVs roar along here and that is where Turner's homemade spike belts are so effective.

Linda Smith lives by herself in a small house in Simm's Settlement, a hop-skip from the Hubbards beaches. She too lives on the Trans Canada Trail, and she lives alone now. Fearing for her daughter's safety around the ATVers that goad them and routinely circle the house, she farmed the girl out to relatives last year.

Linda Smith lets me use her name. Everyone knows it now, after all, ever since she went public at the consultation in St Margaret's last fall for the government report. Speakers were asked to give their names and addresses at the mike. Smith went to the mike, gave her name, and then said she shouldn't have to. People harrassed by ATVs needed their anonymity guaranteed, she said. The hearings would silence them.

A line of ATVers in orange skidoo suits sat jeering at the back of the hall, just in front of Bob Haagensen. "Where do you live?" one shouted at Smith. "We'll come and burn you down." Smith has had a number of rows with ATVers on her lawn. She keeps a crowbar by her front door. Her brother Chris keeps a machete by his.

Chris lives nearby, in a handsome cottage he built in the seclusion of the woods thirty years ago. His private driveway is frequented by ATVs using it day and night as an access corridor to the Trans Canada Trail. Last weekend saw him hiding in his porch just out of reach of the machete, and his wife Marie-Christine cowering on the floor while she called 911 for rescue from a mob of ATV drivers banging on their door. A half hour earlier, Chris had struck an ATV in his driveway with a shovel. He'd told the driver to get off his property; the driver charged him; Chris struck. The ATV drove off, but returned with reinforcements: five friends on five more ATVs. They drove off when they heard sirens.

"Merde!" says Marie-Christine. "The police came too late." And what about Chris and Linda? "It's in the family," she says. "They're warriors. I feel like a consultant trying to calm them down. I don't know what kind of behavior is best, but certainly not cowardice."

One clear and cold October night last year, I sat with Turner in the brambles along the trail beside his house. It was three in the morning. Inside, the toddlers and Turner's wife were trying to sleep. Our thermos of coffee was done, Turner was out of infrared film, and a full moon rose icily over our heads. Turner had been shooting pictures that night. He wasn't making spike belts and burying them, not back then. Instead, he was photographing drivers going by, but his shots turned out to be useless because his subjects covered their faces. In Nova Scotia, ATV drivers don't have to register their machines, but those who do can obscure their plates with mud if they don't want to be recognized, or they can flip them over. Girls riding on the back can lean down and cover them. While I shivered that night, Turner had been jumping out of the bushes over and over again to take his pictures, and not a soul in them was recognizable, not a single license plate clear.

The RCMP won't investigate broken curfews or drunk drivers or speeding or trespassing, Turner explained to me, unless you have a photograph of the driver's face or his plate. Back in October, he was already talking about trying a bat next, if the camera didn't work out. Even then, he was thinking about nails and spike belts, and he talked about them too.

Trouble brews, rancour builds. If resorting to a bat seemed extreme, Turner said, some of his neighbours were talking about piano wire.