

Kent's Ledge Revisited

By Leslie Staudinger

One sunshiny September day in 1993, two students discovered that the trail up Kent's Ledge was marked with posts and orange flags all the way up to the peak. Within days, some anonymous hiker had removed all traces of the stakes, hammering them into the ground and scattering leaves over the post holes. That was the end of the easy part.

The rest of story of the fight to save Kent's Ledge is simple on the surface. We organized people, circulated petitions, wrote letters to the editor, and worked on educating people on the issue. Standard stuff, with enough plot twists and weirdness to keep the process enticing. We were waiting for a response to the petitions when we heard from a VLS grad whose firm is in the business. The company proposing the tower had been bought by Nynex. Everything was on hold. We never got a response to the petition, and the whole issue just went away.

Word started circulating around town, a few weeks ago, that Nynex had called the Town offices and the Act 250 district commission asking about the process for building a tower on Kent's Ledge. A Valley News article January 22nd confirmed the story. So, here we go again.

In 1993 Con-Tel Cellular approached the town's Prudential Committee, which owns about 300 acres on Kent's Kedge, about building a cellular telephone tower on the peak and improving the trail as an access road to the tower. We learned this through calls to folks on the Board of Selectmen and Planning Commission we knew were friendly to planning and environmental issues. There was no story in the paper. A hotly contested broadcast tower was making news in Randolph Center, not only was it built, but it ended up with a blinking red light on top.

At the same time as the Kent's Ledge tower was proposed, a competing company, Atlantic Cellular, was applying for an Act 250 permit to erect a cellular telephone tower on Russ Hill (Gee Hill Road). The Act 250 permit was approved, and the tower was built, despite

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two formal Act 250 appeals from the Planning Commission about timely notice. Because the town plan for South Royalton had expired, the Planning Commission's arguments lacked teeth. Even with timely notice, there wasn't a whole lot they could say.

Things happened fast. Friends of Kent's Ledge became incorporated with \$15 and a four page form. We had about six students and a dozen towns people actively involved. We did a lot of research: on Prudential Committees, towers, the Act 250 process and potential arguments that we might use if it got to the permit stage. We got a lot of opinions from VLS graduates who remember Kent's Ledge well, and who are practicing law or working for the State. We learned that what the law says and how a town interprets the law may not be clear. We hit a lot of dead ends, even on things we thought would be easy; we got side tracked by stuff that turned out to be unimportant. We learned that towers are so new that there weren't a lot of easy answers, and lots of conjecture, at least in 1993.

I think that a combination of petitions and publicity helped slow things down. South Royalton lacks the kind of municipal regulations which commonly bring development to the attention of the public. It's up to the public to appoint themselves as watchdogs. We're it.

The Prudential Committee meets the first Tuesday of every month at 7 pm. They meet in the concrete building which is at the very end of the alley behind the business block, across from the railroad tracks. Their meetings are open to the public.

Kent's Ledge is owned by the Prudential Committee. In 1993, the Prudential Committee was negotiating a 20 year lease agreement with Con-Tel Cellular, at \$10,000 per year for the lease. The money could be used to pay off a \$700,000 bond that helped finance a state-mandated sewage treatment plant. The tower and an equipment building would be about 150 feet by 50 feet in size, 120 feet high, and would be located about 25 feet down the hill from the peak of the Ledge. The site would be surrounded by a hurricane fence.

Not living in the village, I had never heard of the Prudential Committee. South Royalton's was incorporated in 1883. According to the VT Secretary of State's "Fire Districts and How They Work", Prudential Committees are organized to run the affairs of a fire and water district (for example, constructing and maintaining sewers and reservoirs) with the right to levy a tax. They are required to follow Vermont's Open Meeting Laws, hold an annual meeting, and hold annual elections. We determined that the five member Committee could be petitioned to call a special meeting with 5% of the district's voters, or 17 of the 311 voters in 1993. We took a petition door-to-door in the district, and got 58 signatures. We also got 150 signatures on a petition of non-voters, simply to show town-wide support. The Committee held the opinion that any special meeting vote would be viewed as advisory, not binding.

Not many people in town think of Kent's Ledge as a hiking trail; to most, it is a pretty view from town. We held a community hike, to show people the pretty view from up top. One of our climbers was over seventy years old, had hiked all over Vermont and New Hampshire, and read about our community hike in the paper. We also had a selectman along, and a planning commission member who taught us a lot about what we were seeing. We got carried away and hiked the ridges til we hit North Windsor just south of Standing Stone.

The Prudential Committee was not happy with hikers on the trail, especially with dogs allowed to swim in the reservoir. We were reminded a number of times that the Committee could keep hikers out by putting a fenced gate at the underpass, and that they had tolerated the hiking although legally they could consider it trespassing.

Co-location seems a reasonable alternative. The Gee Hill Road site is remote. You can catch a glimpse of it, driving south on Route 14 by Welch's Hardware, up on the hill to the east. a lot of folks can see Kent's Ledge from their homes; it is visible as far south as the Sharon border on Route 14, from the village green, and from the north along Route 14 and Back River Road. The Fire Dept. has a tower on Elephant Hill which, in 1993, they had recently up-graded. They weren't interested in changing over to the new equipment a cellular tower would require.

Weird stuff happens. Vermont was hit with a drought of such proportions that some towns were applying for federal disaster relief funds. The water in our reservoirs dropped from a normal level of 12 feet to about 3 and a half feet. a boil water notice ran for weeks. The Prudential Committee was stressed. Late in October, someone shut off the power to five well pumps and the water levels dropped another six inches. Fingers were pointed — not publicly — at Friends of Kent's Ledge, at environmental law students (experienced eco-terrorists?)



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The grapevine in a small town is an invaluable source of information, both opinion and fact. If you ain't got no grapes, you're wasting time.

Who the landowners are who abut Kent's Ledge. Seems like an easy one, til you remember the last paragraph, above. The owners live out of state.

How to get Kent's Ledge protected in the town plan. The town plan for South Royaltown expired a few months the tower issue hit, in 1993. We still don't have a town plan. The plan has to be voted upon by the town, and the planning commission won't be offering their draft up for a vote this coming March. Without a town plan, the planning commission lacks an essential tool in an Act 250 process.

Alternatives. Co-location may not be technologically feasible. Sharing a site does not offer Nynex a different coverage area from their competitor. The Prudential Committee would not make any money. Would Kent's Ledge be attractive to a land trust? Given the lack of protection in our town plan, that may be an alternative worth pursuing.