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**NORTH BUCKHEAD CIVIC ASSOCIATION**

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Website — www.nbca.org • E-mail — nbca@nbca.org

Annual membership dues — Household \$25 / Business \$50 (12 months starting today or when your membership expires)  
Please enclose your check payable to NBCA

Name(s) \_\_\_\_\_ Date \_\_\_\_\_  
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➔ We (I)  are  are not interested in participating in a possible North Buckhead Neighborhood Directory. ⬅

Please contact me/us about possibly volunteering for:

- Beautification / Park
- Christmas Tree Sale
- Environment/Trees
- Legal/Professional Support
- Membership— Businesses
- Membership— Households
- Neighborhood Directory
- Neighborhood Signs
- New Neighbors - Greet
- Newsletter
- Playgrounds / Kids
- Sidewalks
- Social Events
- Stuff Envelopes
- Traffic Committee
- Volunteer Coordination
- Web Site
- Zoning/Land Use
- Other \_\_\_\_\_

Comments, suggestions, skills, talents, special interests, and services: \_\_\_\_\_

In addition to my \$25/50 for dues, I am also adding to my check: Landscaping \$\_\_\_\_ Legal \$\_\_\_\_ and Greenspace Fund \$\_\_\_\_



# North Buckhead Civic Association Newsletter

PO Box 420391, Atlanta, GA 30342 December 2007 www.nbca.org  
Mailed four times each year to over 3,500 North Buckhead homes

## Annual Tree Sale Dec. 1 & 2

North Buckhead Civic Association's annual Christmas Tree Sale will be held Saturday & Sunday, December 1 & 2, at Sarah Smith School — 370 Old Ivy Road.

This is NBCA's main fundraiser and a portion of the proceeds will be donated to the Sarah Smith PTA. We are offering Fraser Fir trees and wreaths from Horney Hollow Farms, NC. Again this year: we ordered some 75-foot rolls of garland.

Those who order trees early may select them prior to the public sale by coming early on Saturday Dec. 1 from 9 to 11 AM. The sale will be held on Saturday and Sunday from 11 AM to 4 PM.

We need volunteers to help with this event. Come have a great time, see your neighbors and receive a \$10 discount from pre-sale prices by working two hours. Make volunteering arrangements with David Dollar at ddollar@mindspring.com or 404-843-3131.

Order your tree by completing and mailing the form below. **For pre-sale prices, orders with payments must be received by Thursday, November 29.**

## Special in this Issue...

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- Nature preserve expanded. Page 11
- Fall Fling a great success! Page 13

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## Tree Sale Early Order Discount Form

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ (print carefully)

Quantity	Amount	Item	Pre-Sale Price	Regular Price
_____	\$_____	Tree 9' - 10'	\$105	<del>\$125</del>
_____	_____	Tree 8' - 9'	\$90	<del>\$105</del>
_____	_____	Tree 6' - 8'	\$55	<del>\$65</del>
_____	_____	Large Wreath	\$25	<del>\$30</del>
_____	_____	Small Wreath	\$15	<del>\$20</del>
_____	_____	Garland (75-foot roll of white pine)	\$40	<del>\$50</del>
		<b>NBCA Dues</b>	<b>\$25</b> (See mailing label for your membership exp. date)	

**Total \$** \_\_\_\_\_

Checks: NBCA, PO Box 420391, Atlanta, GA 30342

Your check must be received by November 29, 2007

Even larger trees & wreaths may be special ordered: David Dollar, ddollar@mindspring.com, 404-843-3131

## Copperheads and other local snakes: Facts and Myths...

By Erika Archibald

Recently, North Buckhead residents have reported spotting a number of "copperhead" snakes in the neighborhood, prompting a flurry of concern, amazement and questions. Several neighbors sent photos of the snakes basking on the street, which is indeed something you may see in the morning and evening, since the snakes are seeking some warmth or coolness from the pavement (being "cold-blooded" animals).

However, there are also several snakes in this region that look superficially like copperheads, and sometimes it's easy to make a mistake. In fact, there are approximately 42 species of snakes that are native to Georgia, only six of which are venomous. The copperhead is the only venomous snake you should see in our neighborhood (unless one of the neighbors transports and releases an exotic venomous snake...). Note that all non-venomous snakes here are protected.

One of the most common snakes we see in our urban areas is the brown snake, with a maximum length of about 12-14 inches, light to dark brown back, and a lattice pattern from the neck down about 2/3 of the body. This snake is usually found in ivy and brush piles. Other common snakes in the area are the common garter snake, eastern worm snake, black racer, and corn snake. The corn snake also has a pattern that can be confused with the copperhead's. It is orange/black with reddish-brown patches.

The copperhead can be identified by its bow-tie

**NBCA Standing Meetings**  
(NBCA meetings are open to the public)

**Board** — 7:00 PM, 4th Monday of month,  
Room S-103, Wieuca Road Baptist Church  
(Nov and Dec meetings combined to Dec 10.)

**Land Use/Zoning** — 7:00 PM, 3rd Monday of month  
Room S-103, Wieuca Road Baptist Church

**Playgrounds** — 7:00 PM on Nov 15th, and Dec 12th  
Room S-103, Wieuca Road Baptist Church

**Traffic** — Contact chair Robert Sarkissian  
oversark@bellsouth.net or 404-504-9444



Copperhead - October 2007 - Wieuca Terrace  
Photo by Mandy LeCompte

pattern (as seen from the top) and a solid brown head. Juveniles have yellow tails for about 3-4 years. They can grow to be an average of around 3 feet long. And yes, they are venomous. However, the only time to worry about being bitten is if you try to handle the snake (even if you intend to kill it), so the best thing to do is keep your distance. If you're walking the dog, make sure the dog doesn't get close to or step on the snake and you'll all be fine. Dogs have some immunity to copperhead venom, but will need to visit the vet if bitten anyway, to at least receive some antibiotics for the bite wound.

The average copperhead bite contains about 50 milligrams of venom. One hundred milligrams is considered lethal for humans, in general. It is not true that the venom is technically more potent in

the spring, it's just that the snakes have more of it then, having spent the winter in brumation (similar to hibernation) so you might get a larger (and therefore more dangerous) dose. Still, deaths from snakebites overall are extremely rare throughout the country, and it's more likely you will be bitten trying to harm or move the snake than if you just stay away. That said, if bitten, seek medical assistance immediately. Do not try any home remedies or any type of self treatment! If you are concerned about copperheads on your property, don't try to deal with them yourself. You can consult with experts at the Department of Natural Resources or the Chattahoochee Nature Center, or call a professional wildlife removal service.

Overall, however, the copperhead really doesn't want to waste its venom on people or dogs, because it needs the venom to use for killing its food, which includes mice, insects, lizards, amphibians and some birds.

Contrary to some commonly held misconceptions, snakes will not do the following: They won't chase people. They don't need to coil before they strike. And they won't seek revenge. Many kinds of snakes have patterns and triangular-shaped heads, not just venomous ones. On the other hand, snakes do a lot of good things for our environment, like eating in-

(Continued on page 3)

## Area Businesses Support NBCA

These businesses support your neighborhood association with their NBCA business memberships. Please support them.

**Aerus Electrolux** 404-233-3387  
**Dr Hal N Arnold, DMD** 50 Old Ivy Rd #100  
**at&t - Wireless Etc** 404-233-9898  
**Tishann Brown - Realtor** 404-310-5548  
**Buckhead Coalition** 3340 Peachtree Rd #560  
**Buckhead Realty-Jim Cosgrove, Broker** 404-841-5400  
**Carol Cahill, Realtor** 404-495-8398  
**Chapes - JPL, LTD** ChapesJPL.com  
**www.ClubhouseGAS.com Youth Sports**  
**DL Crawford, Assoc., Inc.** 3445 Stratford Rd #3403  
**Jackie Goodman, Realtor** 404-233-4633  
**Healing Quest: Pain/Stress Relief** 404-257-1843  
**Shirley Irek Piano Studio** 404-467-9451  
**Ivy Realty - Tom Hicks** 404-307-4488

**Jersey Mike's Subs** 3740 Roswell Rd  
**Jones & Kolb, CPAs** 404-262-7920  
**Kimera Mortgage** 770-395-7124  
**www.LakemooreColonyCondominiums.com**  
**Loridans Ventures** 404-872-1924  
**Kevin & Deb-C McGuire, Realtors** 404-233-0542  
**Miller Brothers, Ltd.** www.millerbrothers.com  
**Parc at Buckhead** www.parcatabuckhead.com  
**Pope & Land Enterprises** www.popeandland.com  
**Presstine Cleaners** 4455 Roswell Rd  
**Regent Partners** www.regentpartners.com  
**Scotland Wright & Assoc.** www.scotlandwright.com  
**Jennifer Sherrouse, Realtor** www.jennifersherrouse.com  
**The Cat Doctor, Inc.** 4716 Roswell Rd

Area businesses, please join us! Can you think of another way to get visibility for your business for so little money? To be listed here and become a business member for a year, send your \$50 check to: NBCA, P.O. Box 420391, Atlanta, GA 30342. (Use the membership coupon on page 16.)

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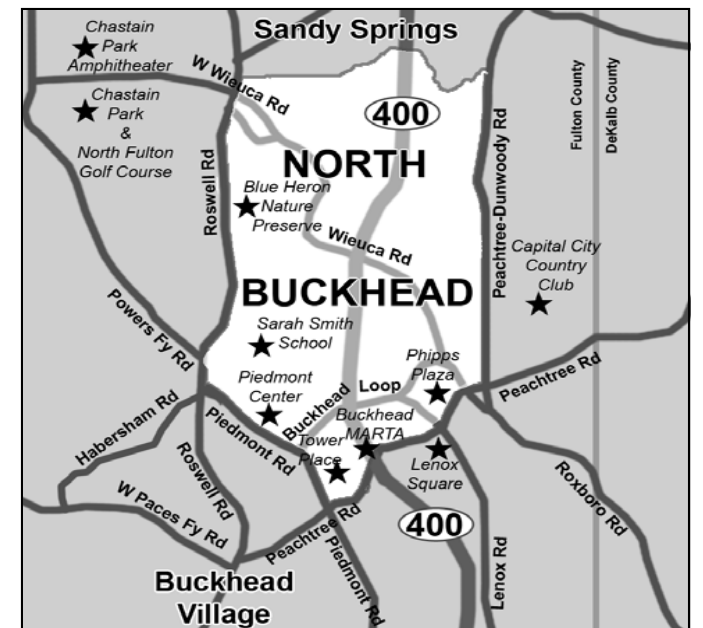
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## North Buckhead Area Map



North Buckhead and surrounding areas.

## Restaurant Review: Five Guys Famous Burgers (and Fries)

When you think about it, there really aren't that many restaurants in the single-family home part of North Buckhead (though there are lots in close-by Sandy Springs, middle and south Buckhead, Brookhaven, and so forth). And when the renovation of the Wieuca Shopping Center was completed recently, we actually ended up with fewer restaurants than before, and now all of them are chains of some kind, as opposed to some of the locally owned, unique little places we had there before.

One of the new places (as opposed to the renovated places like Willy's and Goldberg's) is Five Guys Famous Burgers and Fries, which is a chain whose locations in other cities have gotten very good reviews. So I thought I'd give it a try, even though, as a vegetarian, I knew there might be some limitations.

And, indeed, there were. Luckily I do eat cheese, so I had to opt for the grilled cheese. It was pretty good and gooey, although I can't think of when I've ever had a bad grilled cheese sandwich (I mean even grilled cheese at Waffle House is pretty good). Five Guys put the cheese into what I think was one of the hamburger buns (all flattened out), adding a nice bit of extra flavor and texture.

The fries are probably the only thing a true vegan could eat here. They are fried in peanut oil, which I suppose is reasonably healthy as far as oil goes, and you can see the fresh potatoes that they use right in their boxes. Actually, there's one more vegan option at Five Guys and it's free. There are boxes of roasted peanuts (in their shells) all over the restaurant, and little cans on each table where you can put the shells. These make a nice snack while you're waiting for your cooked-to-order grilled cheese. Five Guys also offers a "veggie" sandwich, but as far as I could tell, it would just be onions, peppers, pickles, mushrooms and a variety of sauces — i.e. all of the items they have available as toppings for your hamburger.

Various types of hot dogs are also available, but again no vegetarian ones. I asked both the counter staff and the franchise operators (who were meeting outside) about the possibility of veggie burgers and they said they had no options, due to strict and complete corporate control over the food. They emphasized that the burger meat is "fresh" and that it is hard to get and store non-frozen veggie burgers. I suppose that's true, so if you want to get a veggie burger, you'll still have to go to Johnny Rockets,

where the atmosphere is a bit more fun. However, it should be said that the Johnny Rockets veggie burger tastes downright weird and has a strange after-taste (which is not true of the veggie patties at Subway or Blimpie, which have somehow concocted really good ones).

Prices: Burgers start at \$4.19 and all toppings are free (including ketchup and relish!) A grilled cheese and Coke was \$3.76. So, it's another chain, but maybe a good option for taking the kids out after a game if Fellini's or La Fonda are too crowded...  
— Erika Archibald

### Five Guys Famous Burgers (and Fries)

Roswell/Wieuca Shopping Center  
4365 Roswell Road  
404-497-0899  
www.fiveguys.com

### Postscript submitted later in the interest of fair and balanced reporting:

After dusk one Wednesday evening, when the bobcats, wolves, and coyotes began to prowl, I went down to "Five Guys Famous Burgers and Fries" looking for the "carnivore's delight". Would I find it here? I ordered a Famous Burger bacon burger with two ample fresh "never frozen" beef patties. It was freshly cooked — immediately after I placed my order — and there were lots of free toppings to choose from. After I finished my meal, I licked my paws, howled at the moon a couple of times, and thought.... The bacon was crisp and the burger was tasty. The setting was comfortable and undemanding, the way we carnivores like it. But was it "the carnivore's delight"? I had to admit, I was delighted with the burger. The fries, although very fresh, could have benefited from another 30 seconds in the fryer. Still, the meal, including a drink, was worth the \$9-plus I had paid for it. Satisfied, replete, I made my way into the moonlit night. I would return.

— North Buckhead Carnivore

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## Copperheads — continued

(Continued from page 2)

sects and rodents.

For more information on Georgia snakes, visit the University of Georgia's website at [www.uga.edu/srelherp/snakes/index.htm](http://www.uga.edu/srelherp/snakes/index.htm). There you can find photos of copperheads and other common snakes as well as other useful and reliable information.

*We wish to thank the following neighbors for their reports of snake sightings:*

*Missy Nichols, Mandy LeCompte, Andrea Bennett, Richard Farnsworth, Leigh Ehrlich Schiff, David Denning, and Mike Davis. To see copperhead pictures taken in the North Buckhead neighborhood, visit [www.nbca.org/copperheads.htm](http://www.nbca.org/copperheads.htm).*

*Erika Archibald, Ph.D., is a wildlife volunteer at the Chattahoochee Nature Center.*

*If you have wildlife pictures taken in the neighborhood to share, e-mail them to Gordon Certain at [gordon@nbca.org](mailto:gordon@nbca.org). Please let us know when you submit your pictures if you want us to use your name or not on our web site, newsletter or in our e-mails.*

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## Peachtree Boulevard

By Gordon Certain

We have been writing about it for years and now it is done, at least part of it is finished. And it's beautiful and worthy of a great city and the great neighborhoods it abuts. Phase I of the Peachtree Boulevard project was officially opened on October 16. It is a credit to the BCID, the GDOT and the city, state and federal governments that it was funded and completed so magnificently. Most of all, credit goes to Scotty Greene, the person who spearheaded this important project.

Many of us from the neighborhoods were at the ribbon cutting ceremony, many who had worked long and hard to be sure the result would be a pedestrian and bike friendly street, as well as the centerpiece of Buckhead.

Among the people I saw were pedestrian advocate Sally Flocks (who heads the PEDS organization) and Kay Beynart (former NBCA president and long-time advocate for North Buckhead who now lives in Midtown). They reminded me of that day when the Boulevard project was just getting under way. The three of us walked Peachtree from Piedmont to Wieuca and back. Sally had the camera and I carried the folding ladder. At each intersection, Sally took photos highlighting existing pedestrian hazards while Kay and I steadied the ladder. We also noted broken sidewalks and tested crossing buttons (which often didn't work). Passing our list of these roadway deficiencies on to Scotty was a small beginning, but typical of the way the business community and neighborhoods joined in a wonderful common cause.



*Sally Flocks (L) and Kay Beynart on Peachtree, April 2000*

We have come a long way since then — a transformed Peachtree now invites pedestrians with its tree-lined eleven-foot sidewalks. We should all be very proud. And we are. Now, onto Phase II. On to Peachtree-Dunwoody and Roxboro.

## MARTA to Jump-Start Development in Buckhead?

Opinion by Gordon Certain, NBCA President

In a classic "bringing coals to Newcastle" move, MARTA proposes a solution to a problem Buckhead doesn't have: under-development. The AJC reported on October 17, 2007 that MARTA proposes to sell the "air rights" over the MARTA Lenox station to encourage denser development here in Buckhead and to provide MARTA with more funds. The article added that the "Related Group, a Florida-based development group, plans to build 13 condo towers in Buckhead, many within a few blocks of the Lenox station."

As everyone knows, Buckhead traffic is already bad. And it's bad before Related puts up their 13 towers, before a number of other towers along Peachtree are occupied, and just as ground is broken for Ben Carter's "Streets of Buckhead" project in the Buckhead Village and Sembler's new developments on Peachtree Industrial near Brookhaven and on Roswell south of 285.

As a long-time observer of our area, I have some thoughts on this general situation.

1. MARTA should be part of the solution and not a major contributor to the problem. If anyone believes that new occupants of MARTA's air

Metro Atlanta's motto:  
**"Build first, then plan"**

rights will only ride the train, I have some beach-front property to sell them at what used to be Lake Lanier. MARTA obviously has funding problems but selling us out and making the overall problem worse just isn't the right approach. Further, there are other ways to help MARTA.

2. While I truly appreciate the City's efforts to develop a comprehensive plan for transportation (for the very first time), we haven't seen it yet. So we shouldn't encourage even more development until we have a firm idea of what, year by year, our transportation capabilities will be to cope with the density we already have approved. It is an open question as to whether (and when) the City's new plan will propose adequate solutions to our many existing traffic problems, much less the new ones coming from projects like Related's. A larger question is whether the City's plan will take into adequate consideration the yet-to-be-defined developments like those MARTA wants. In any case, without enough money to implement a comprehensive transportation plan, we will continue to just play catch-up with Buckhead's starving Buc shuttle system, an inadequate MARTA and frequently gridlocked streets and intersections.

3. "Impact fees" are imposed on new construction projects to pay for new infrastructure (roads, schools, parks and so forth) required to accommodate each project's impact on the area. At least that's the intent. Yet, with all the current transportation impact fees collected from all the new projects in Metro Atlanta, there is very little money available to address the major traffic problems we already have, much less the new ones that are being caused.

Transportation impact fees should be increased significantly, both in Atlanta and in surrounding parts of Metro Atlanta. The increases should be big enough to finance the additional transportation capacity that these new developments require and cause. Some money should go to MARTA and to similar transportation services.

4. Longer-term, but soon — The misnamed gasoline tax has not been increased in many years. Gasoline taxes should be renamed "transportation user fees" to make it easier for Georgia's legislators to get the courage to increase them. Regional (or state-wide) gasoline user fees should be increased significantly. MARTA and similar

(Continued on page 5)

## Jackie Goodman

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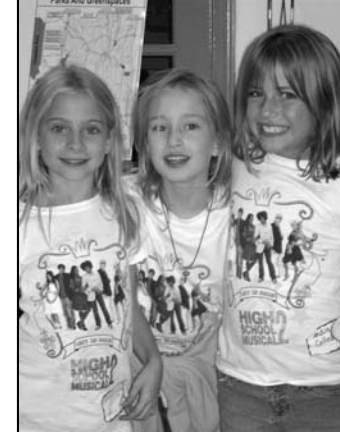


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## NBCA's Fall Fling a Great Success

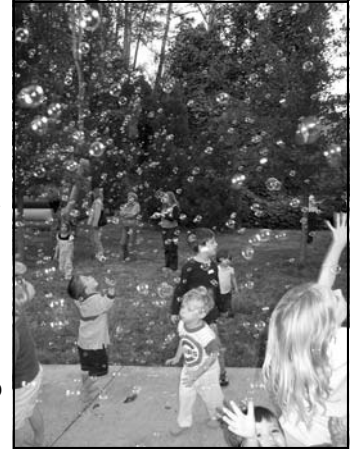


North Buckhead's Fall Fling on October 28 seemed like the best ever. As Councilman Howard Shook put it, we should bottle the Fling up and spread some around every day.

The food was great: pizza from Mellow Mushroom, arranged by former NBCA board member Carol Cahill and delivered fresh three times by Carol's daughter Lady Cahill and her friend. Other goodies were brought by Playgroups Secretary Mandy LeCompte and her husband Joe; by David Dollar and Michelle Kish. The overall event was coordinated by Piper Harris, our new Social Chair, who did a fabulous job — we'll keep her as long as she wants to be chair. Thanks to the many others who helped with the Fling and to Fe Nievera, our Volunteer Coordinator, for rounding them up.

This Fling was held in the magnificent park-like yard of Rich and Carol Lang. There was special interest in this site since NBCA is interested in assessing the neighborhood's interest in buying the site as a park. Whether it is a public park or a private park, or even if it can be acquired at all is an unanswered question, but almost all of the many attendees seemed to like the idea. A survey was handed out but not many responses were received. If you attended and want to comment belatedly, the survey form can be downloaded at [www.nbca.org/parks](http://www.nbca.org/parks).

About 300 neighbors celebrated fall in North Buckhead, We were also joined by City Councilwoman At-Large Mary Norwood, and District 8 City Councilwoman Clair Muller who reminded us that she was once president of NBCA.



## NBCA Officers, Board and Committee Chairs

<p><b>NBCA Board</b>                      Andrea Bennett abennett@bennettlaw.net 404-231-4130                      Gordon Certain gordon@nbca.org 404-231-1192                      Rita Christopher ritachristopher@bellsouth.net 404-237-5878                      Robert Cook robert.h.cook@att.net 404-822-7978                      David Dollar ddollar@mindspring.com 404-231-5137                      Dieter Franz cdf Franz@comcast.net 404-261-8697                      Waldtraut Lavroff waldalavroff@comcast.net 404-233-1355                      Bob Young youngebh@comcast.net 404-255-1315                      Robert Sarkissian oversark@bellsouth.net 404-504-9444</p>	<p><b>NBCA Officers</b>                      President Gordon Certain 404-231-1192                      Vice Pres. Rita Christopher 404-237-5878                      Secretary Bob Young 404-822-7978                      Treasurer Robert Cook 404-504-9444</p>	<p><b>Neighborhood Markers</b>                      Chair Robert Cook</p>	<p><b>Social/Special Events</b>                      Chair Piper Harris</p>
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<p><b>Web Sites</b>                      NBCA www.nbca.org                      NBCA Zoning www.northbuckheadzoning.com</p>	<p><b>Christmas Tree Sale</b>                      Chair David Dollar</p>	<p><b>Newsletter</b>                      Editor Gordon Certain                      Ass't Ed. Sue Certain</p>	<p><b>Traffic</b>                      Chair Robert Sarkissian</p>
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<p><b>Sidewalks</b>                      Chair Robert Cook</p>	<p><b>Playgrounds</b>                      Chair Zeb Bradford                      Sec'y Mandy LeCompte                      Playgroups Staci Wasserman</p>	<p><b>Web Sites</b>                      Chair Gordon Certain                      Zoning Andrea Bennett</p>	<p><b>Land Use and Zoning</b>                      Chair Walda Lavroff                      Vice Chair Andrea Bennett</p>

# Air Conditioning Condensate Recycling Actually Works

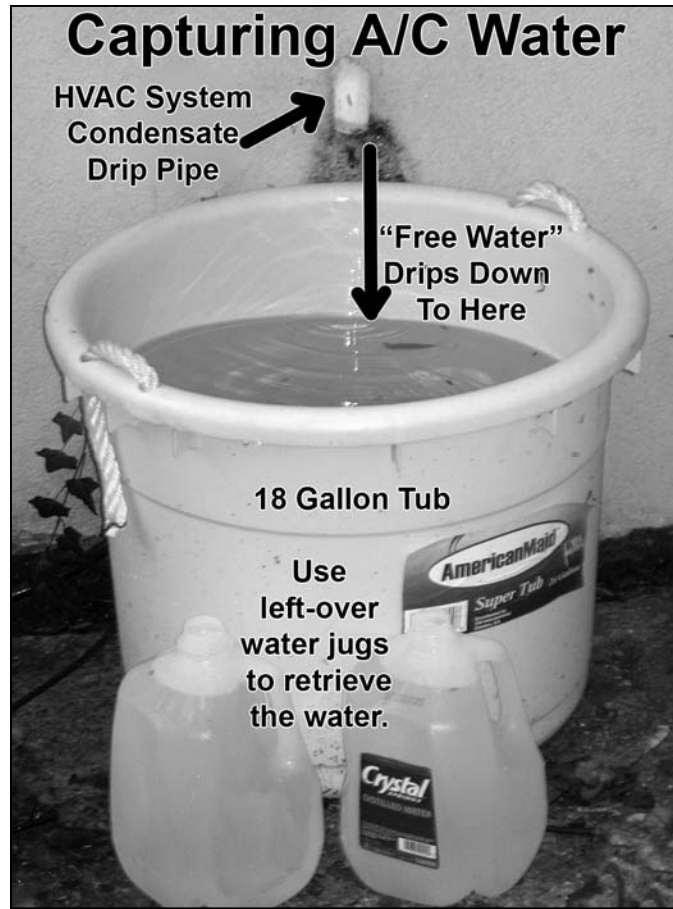
By Gordon Certain

Sue and I have been trying to save water for years. When we had our yard landscaped about ten years ago, the landscaper put in a drip irrigation system. I looked at how it worked and ordered more parts and a timer from the Internet and expanded it. I highly recommend "drip": it saves water and money.

Back in July when the drought got worse, we read in the AJC about other ways to save or recycle water. But we are variously too busy or too skeptical and didn't try some of the more arduous and unlikely solutions. Still, our minds were open.

We had seen water dripping from the our air conditioner when it ran, but that seemed to be just a few drops. Nevertheless, we put a tub under the drip tube of our HVAC system; fortunately, it just fit. It was very hot and humid when we first tried it out and we were amazed that the tub filled up with water in just a few days. Since then, we have used that recovered water to save our wilting plants in spite of watering restrictions. It is too cool now to use the tub, but we will do it again next year.

**Caution:** If you do this kind of water reclamation, please empty the tub completely every few days so you don't also raise a big crop of mosquitoes. *This is part six of our series: Reduce, Reuse, Recycle.*



## NPU-B Report

Our Neighborhood Planning Unit-B report came in too late to be included in this edition but you can read it on our web site. Among the topics covered are the City's new Geographic Information System, the Streets of Buckhead project and the Chastain Park Master Plan. Go to [www.nbca.org/NPU-B](http://www.nbca.org/NPU-B).

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This newsletter is directly mailed to about 3500 North Buckhead homes four times a year.

# Development — continued

(Continued from page 4)

local transport systems should get some of the gas money for their operations. At the same time, MARTA/GRTA/municipal transportation fares should be cut significantly. Property taxpayers should be given free MARTA cards. What's cheaper, building new roads or utilizing transit we already have? If MARTA is "free", maybe homeowners will occasionally hop on a bus or train rather than getting in their cars and clogging the roads (assuming they can find a place to park, another infrastructure issue). Perhaps most important to Buckhead, money must be found to complete the I-85/GA 400 interchange, the cause of much Buckhead congestion.

In summary, I am not against development — I get a lot of my income from commercial real estate holdings in another city. And I have recently been persuaded to believe that increasing density in Atlanta can significantly contribute to the solution of some of Metro Atlanta's various environmental, energy and traffic/transportation woes. But I am increasingly tired of seeing our citizens subsidize development that makes others richer and richer while we see our taxes go up and our quality of life becoming poorer and poorer.

Some say that if we increase fees, we will slow growth and that will be bad for Atlanta. They think that fees should be "affordable" (affordable to whom?) and that government policies should encourage growth, seemingly at any cost. My response is that growth that is not willing to pay for itself is already bad for Atlanta. Encouraging growth that is not willing to pay for itself means that we, the current residents, will have to pay for it. "Affordable impact fees" don't pay the whole cost of development and we have to pick up the balance.

We are not obligated by law to give away the Atlanta we love for one we don't — it's our choice to let it happen. Let's have new density, but let's have it pay its own way. No more free lunch. If under-funded transportation infrastructure is not the problem, why does Georgia need \$51 billion to fix its roads? Tell MARTA we don't want any more density at Lenox until we have a real transportation solution that can cope with it. Tell your state and Metro government officials to draw the line. Tell them you are tired of Metro Atlanta's philosophy of "Build first, then plan" and you want it to end. Now.

This is my opinion. If you agree or disagree, share your comments with me at [gordon@nbca.org](mailto:gordon@nbca.org) or PO Box 420391, Atlanta, GA 30342.

# Condo Corner

By Piper Harris, NBCA Social Committee Chair  
Despite what the media are saying, it is actually a great time to invest in the condo market if you have the chance. Atlanta is on the cusp of a near future boom and we are currently experiencing a low real estate market due to financial funding, saturation and large amounts of inventory. Yes, we are over-supplied by condominiums and as an owner of two condo's I know it's not the time to sell. However, it's a great time to buy due to incentives and extreme price cuts along with foreclosures. In the long run, the market will even out and the supply will get absorbed. When investing in a condo it should be for the long run, not the short run. I advise holding onto the property 7-10 years so you can get your investment back with appreciation.



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## A Paradox

By Robert Sarkissian, Chair  
NBCA Traffic Committee

A paradox — what better way to describe our traffic woes? On any given day, people in the residential parts of our neighborhood are upset with traffic speeding through our streets and are considering such calming measures as additional stop signs and speed humps. At the same time and literally just a block or two away, traffic is so congested and gridlocked that drivers and businesses are desperately seeking ways to speed up the flow. Just visit Old Ivy Road or Wieuca Road and then go over to the Piedmont/Peachtree intersection, Lenox/Piedmont, or Habersham/Roswell/Old Ivy to see what I mean.

It's hard to believe that ten years ago when I first moved here, I was teasing my former colleagues back in California about how great Buckhead living was. "It's like you're in the middle of this city without any of the city issues — like traffic, lack of trees and greenspace, and mess." And, "No traffic problems". But the onslaught of building without proper attention to infrastructure requirements has put us in a dire, reactive state.

And it is a big problem — one that's finally getting proper attention. Over the last few months we have

attended "Piedmont Corridor Study" planning meetings hosted by BCID (Buckhead Community Improvement District), BATMA (Buckhead Area Transportation Management Association), Kimley Horn (traffic consultants), and others. These meetings were held for representatives from businesses, civic associations and other stakeholders along and near Piedmont Road. All sensed that unless dramatic, well-thought-out changes are made, we will only be pushing on one end of a balloon to have it pop out somewhere else.

To facilitate the analysis, the Study broke Piedmont Road down into zones or segments, though the entire study only makes sense when viewed as a whole. Segment 1 (Piedmont Road from Roswell Road to Peachtree Road) has the biggest impact on North Buckhead. It includes the problematic Habersham/Old Ivy/Roswell Rd/Piedmont intersection (hereafter, called just "Habersham").

As reported previously, North Buckhead residents and our neighbors across Roswell in Tuxedo Park and Chastain Park were quite upset by the Study's initial recommendations for "Habersham". In response, I suggested that we initially consider alleviating some immediate and obvious issues, even though it amounts to nothing more than a band-aid fix:

- A new traffic signal at Powers Ferry
- Re-time the signals
- Employ adaptive signaling technology
- Widen the short Habersham leg to a full 4 lanes,
- Increase the stacking lanes for Piedmont north, and if possible Rowell north approaching the left turn at Powers Ferry.

This proposal warrants serious consideration and can be implemented within two years. [The Study's final recommendations are likely to closely parallel Robert's approach, above. -Ed.]

My longer-term counterproposal called for larger re-alignment of "Habersham" and involved traffic circle-like flow, the condemning of some commercial property and a freer flow of north-south traffic. Obviously, this or any real solution is at least five years away. [It is very likely that the Study will recommend that the City devise long-term solutions for "Habersham", solutions which consider interactions with other intersections throughout the area. —Ed.]

But the problem is so complex that extensive simulation and modeling of proposed solutions has to be performed to examine the best way to deal with the

(Continued on page 7)

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## Blue Heron Nature Preserve Expansion

By Nancy Jones, President,  
Blue Heron Nature Preserve

### Have you ever dreamed a beautiful dream and had it come true?

Well, that's what happened to me in October. Last month, the City Council of Atlanta voted and passed legislation to acquire five new acres for the Preserve. I have been so excited and overwhelmed my feet still aren't on the ground!

### Where is it?

The new property is the site of THW Design, Architects at 4055 Roswell Road. The site is directly across the street from Pike's Nursery and at the corner of Roswell and Lakemoore Drive. The purchase includes five acres of land including a lake and a beautiful wood and stone contemporary building. The building is large, 10,000 square feet. Normally the City does not like to maintain structures in passive greenspace areas due to maintenance and liability issues. I am hoping to change their mind about this particular building and dream a bigger dream of having a nature/educational resource center for our neighborhood.

### How did this happen?

The THW Architects have outgrown their site and needed to move. The Conservation Fund, thanks to Andrew Schock, loaned the City the purchase price of \$3.75 million until the City could pass the necessary legislation. This unique gift for our neighborhood would not be possible without the visionary understanding of Diane Harnell Cohen, City Parks Commissioner. Without Diane's enthusiastic support it just wouldn't have happened. Also, many thanks go to Ellen Wickersham with the Atlanta Development

Authority, who works closely with Diane on greenspace acquisitions. The legislation wouldn't have happened without our City Council representative Howard Shook, who did a masterful job of guiding the legislation through Council. His own personal support for greenspace for the 7th district was essential for this acquisition.

### Now what happens?

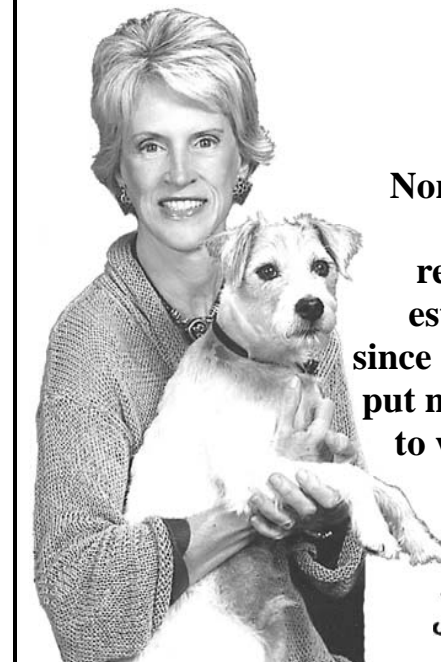
I am furiously working on a proposal to save the building; otherwise it will be razed. Big changes will be happening at Blue Heron with this new addition giving us a total holding of 25 acres of connected greenspace. Blue Heron is growing in many ways and I hope to be able to report to you many exciting changes for the future very soon.

Dream big... dreams can come true. Often the mistake we make is in not dreaming big enough.

*Nancy Jones is Chair of NBCA's Environment and Greenspace Committee. She is an art teacher at Saint Anne's Day School. Previously, she taught art at Sarah Smith Elementary School.*

*More information about the Blue Heron Nature Preserve is on-line at [www.nbca.org/BlueHeron](http://www.nbca.org/BlueHeron).*

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### Drought (Continued from page 10)

- Harvest rainwater. Get or make a rain barrel or several. Home Depot has instructions and inexpensive supplies to make your own using a plastic garbage can. There are lots of designs available on the internet too. One option is at: [www.raingardens.org/docs/rainbarrel.pdf](http://www.raingardens.org/docs/rainbarrel.pdf)
- If applicable, ask your homeowner's association or property manager to change landscaping practices and harvest rain to conserve water.
- Conserve energy — it's usually produced via heavy water usage. So turn off extra lights, turn up temperatures for the AC, and turn down temperatures for the furnace.

## Water-Saving Solutions for the Drought

By Jane Zoellick

Did you know your everyday actions make an important difference for Atlanta's long-term viability? You affect how long this region is going to be able to preserve human health, and sustain its ecological AND economic viability. In the face of our extraordinary

drought, please help preserve water, our most critical natural resource. Every drop counts. The positive sum of small actions, multiplied by all of us, can lead to dramatic effects. **Let's take steps together to turn the tide.**

Please do three things:

- At Home** Evaluate your home water usage and take steps to conserve inside and out.
- At Work** Ask your employer and property manager what's being done to conserve water, and let them know that it is urgent that they take steps to make a difference in water usage.
- In the Community** Ask for concrete plans, coop-

erative action and accountability from our elected, appointed, religious, and community leaders and from local businesses. Good public policy takes a long view and is both funded and enforced.

If each of us makes even small changes, they will add up positively to help

preserve personal health, the economy, and the environment. Safe drinking water, proper sewage treatment, and energy sources are at risk.

Please think about what you can do to conserve water and energy, and take action. Together, we can ensure the public good and the viability of this city, state and region for the future.

### For more ideas on conservation, see:

- [www.dca.state.ga.us/environmental/watersavebrochure.pdf](http://www.dca.state.ga.us/environmental/watersavebrochure.pdf)
- [www.conservewatergeorgia.net](http://www.conservewatergeorgia.net)
- [www.atlantawatershed.org/pdf/WaterConserBroc.pdf](http://www.atlantawatershed.org/pdf/WaterConserBroc.pdf)

### Easy Ways to Save Water

Here are some ideas to consider:

- Check for and fix any slow leaks in your toilets or faucets. Evaluate whether your residence is equipped with low flow models and consider replacement if you don't already have them.
- Take short showers instead of baths when possible. Consider turning off the water while you soap up.
- Turn off the tap when brushing teeth.
- Limit using your garbage disposal. Consider composting kitchen waste for use in your garden.
- Wait for full loads to run the laundry or dishwasher.
- Select "Energy Star" appliances when buying new; they use much less water and energy.
- Try putting a bucket in your shower or sink to catch water as it warms up or is used for rinsing. Or take a shower in a bath and plug the drain to capture the run off. (This is "grey water".) If you find carrying a full bucket difficult and you have a window that opens nearby, you may be able to add a length of hose to a manual or small electric bilge pump to more easily get this grey water out of your house and into your landscape or outdoor collection device.
- Use grey water, water from the drip hose of your air conditioner (See article on page 12), and water from your dehumidifier for your most important trees and shrubs.
- Let your grass go dormant. This is a natural state for grass, and it will revive when water is available.

(Continued on page 11)

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## Land Use/Zoning Committee

By Walda Lavroff, Chair

"Green is in" and other meeting observations...

With construction activity down, developers/lot owners who previously saw their "green" only in brick, mortar, and maximally built-out lots are increasingly perceiving "green" in greenspace and park land.

Our part of town is woefully undersupplied with public parks. Only most recently has this need been recognized and addressed. Now developers seek our support for the conversion (read sale) of their land into greenspace/parks. It is definitely a buyer's market for people who are able and inclined to create "legacy parks". (Ref: "Conservation Easements: Save Nature and Your Wallet" on page 8). And we welcome that.

As for meeting observations: applications which the Land Use /Zoning Committee has reviewed recently have been well attended by property owners adjoining the parcels under consideration. It is the task of our committee to bring the neighborhood per-

*A Paradox (Continued from page 6)*

area's current and future traffic burdens. Fortunately, simulation/modeling is one of the areas of expertise that Kimley Horn brings to the table. The situation is so delicate that a slowdown at the 400/Sidney Marcus intersection or even at the I-20 interchange, can back up traffic north past the toll booths, jam the 400/Lenox Road (Buckhead Loop) interchange, and ultimately back up traffic through Lenox/Piedmont and Piedmont/Peachtree.

Personally, I would love to see a recording of this backup phenomenon taken via satellite or aerial cameras. Videos taken over a few hours would really help to pinpoint where the nerve centers really are. With an all-encompassing view, solutions could be devised to accommodate both normal flow conditions and things like accidents. The technology exists and the money is theoretically there from impact fees paid by developers.

In the meanwhile, a big thanks to all of you who expressed concern over the intersection configurations. We also owe a debt of gratitude to the BCID for their initiative in starting and funding this study and to Denise Starling, BATMA Executive Director, who headed it up. The next public briefing for the Piedmont Corridor Study will be held on Nov. 14 (at a place/time TBD). Additional updates may be posted on-line at [www.nbca.org/PiedmontCorridor](http://www.nbca.org/PiedmontCorridor).

spective to the permitting process; therefore, participation by our residents is very important, particularly with complex applications.

Our Committee meetings serve as a forum for orderly discussion and often a first-time encounter between applicants and neighbors.

To that extent, we find it not useful when applicants send their hired "expeditors/facilitators" to represent them at our monthly meetings. Expeditors are not decision makers. They only act, more or less ably, as messengers. Accordingly, their services are well suited for City Hall application chores.

But when adjoining property owners take time off from work and our Committee members volunteer their time to help this community, they expect to negotiate with the actual applicants. Together we often work out alternatives to problems or arrive at acceptable compromise. Since "expeditors" cannot do that, they tend to prolong rather than to expedite the permitting process.

*Walda Lavroff, Ph.D. is a retired Georgia State University administrator and professor. She also recently completed four years of service as Chair of Neighborhood Planning Unit-B.*



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## Conservation Easements: Save Nature and Your Wallet

By Dan Weede

If you own undeveloped or partially developed property and want to continue to own the property in its natural state, but would also like to obtain some immediate economic benefit from that land, then you might want to consider a conservation easement for your property. Conservation easements are an increasingly popular method used to protect green space and water quality in Georgia. In addition to the environmental advantages of a conservation easement, an owner may also benefit financially from compensation paid for the easement or state and federal tax credits/deductions offered for a qualified donation. In addition to the state and federal tax benefits, a reduction in your property taxes is also a possibility when you establish a conservation easement. Note the land remains yours and you can sell it. But the conditions of the easement will remain and the next owner may not develop the land in a way that vio-

*"Conservation easements" provide a way for land owners to set aside land permanently so it will never be developed but still own the land. In return for this contribution to the public good, there may be monetary benefits. For example, you have a deep wooded backyard near a creek which you want to be greenspace: you may save on taxes by setting up a conservation easement.*

*This article may be technical for some readers, but it is potentially a valuable outline of the steps required. The author is Dan Weede who lives on Carmin Drive. Dan is a lawyer and is a partner with Alston & Bird in the commercial real estate group.*

lates easement conditions.

As you might imagine, the process of establishing a conservation easement will require the involvement of your attorney who will assist you in the process, but the summary of the process is as follows:

### **Step 1: Identify a Qualified Conservation Purpose.**

In Georgia, conservation easements are established by the Georgia Uniform Conservation Easement Act (codified under O.C.G.A. §44-10-1 thru 8). For this act to apply, the easement must be established for a conservation purpose. Examples of a "conservation purpose" include (i) retaining or protecting natural, scenic or open-space values of real property, (ii) assuring its availability for agricultural, forest, recreational or open space use, (iii) protecting natural resources, (iv) maintaining or enhancing air or water quality, (v) flood or wetlands protection, (vi) protection of creek buffers and other areas that serve

*(Continued on page 9)*

## Conservation Easements — continued

*(Continued from page 8)*

as habitat and corridors for native plants and animals, or (vii) preserving the historical, architectural, archeological or cultural aspects of real property.

### **Step 2: Contact a Potential Easement Holder.**

The conservation easement is really just a contract between you, as the owner, and the qualified "holder", where you give up certain rights to develop and/or use your property in order to preserve it for one of the purposes discussed above. Therefore, the next step for an owner is to locate a qualified "holder". In Georgia, the holder of a conservation easement must be a government or a charitable organization. Because of the limited resources in capacity of governmental organizations, conservation organizations such as land trusts are most likely to serve as easement holders. The potential holder can help answer questions related to the conservation easement process.

For general questions on this process you should contact either:

- Georgia Land Conservation Program at (404) 584-1101 or (404) 463-5717; or
- Georgia Department of Natural Resources at (770) 918-6411 and ask for Kristina Sorensen.

For a list of common holders of these easements, call:

- the Georgia Land Trust Service Center; contact Hans Neuhauser, Executive Director at (706) 546-7507 (the Georgia Land Trust Service Center maintains an updated list of all active Georgia land trusts at <http://www.gepinstitute.com/landtrust.asp>).

Additionally, the City of Atlanta is in the process of developing a system for responding to conservation easement requests by residents. Through its program Project Green Space, the City is dedicated to preserving green space around metro Atlanta. Currently, however, the City has not finalized a process for either serving as a holder or partnering with other organizations to hold conservation easements, but this could soon change. Questions regarding the City's conservation easement process or Project Green Space should be directed to Dee Merriam, City of Atlanta-Project Green Space at (404) 330-6143.

### **Step 3: Determine the Feasibility of a Sale or Donation of a Conservation Easement.**

An owner should work with the prospective holder to determine whether a sale or a donation of a conservation easement is the best option for you. Due to limited funds currently available for the purchase of easement, a donation is the most likely method to create a conservation easement. A donated easement may

be eligible to receive (i) a state income tax credit for the lesser of 25% of fair market value of the donation or \$250,000 and, (ii) a federal income tax deduction of up to 50% of your adjusted gross income, with any excess being carried over for up to 15 years following the year of donation (donations after 2007 may be limited to a maximum deduction of 30% of AGI with excess carried over for just 5 years if Congress does not renew this provision of the tax code).

### **Step 4: Determine Possible and Prohibitive Uses for your Property.**

The conservation easement that you negotiate with the holder will specify all the permissible uses for the easement land. The restrictions are usually very negotiable and the owner may be able to reserve limited rights to use or access the property depending on the specific holder.

While this article has only attempted to highlight some of the advantages and procedures for a conservation easement, for a more detailed treatment of this subject, including frequently asked questions and a basic example of a conservation easement, go to the NBCA web site at [www.nbca.org/Greenspace/Conservation\\_Easements/Conservation\\_Easements.pdf](http://www.nbca.org/Greenspace/Conservation_Easements/Conservation_Easements.pdf).

This article is also available at [www.nbca.org/Greenspace/Conservation\\_Easements](http://www.nbca.org/Greenspace/Conservation_Easements).



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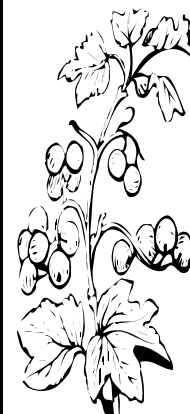
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