



BrookNotes

December 2004

The Newsletter of the Brookwood Hills Community

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Brookwood Hills Considers Environmental Protection of Clear Creek

By Nicole Cook

The Brookwood Hills Community Club has been presented with a unique opportunity: to protect our Clear Creek property (the 52 acres of green space that runs between BWH and Armour Circle) permanently, and to be paid for doing so. Consequently, the Brookwood Hills Community Club Board has put together a Clear Creek committee to consider this opportunity, as well as to look at other issues pertaining to the long-term well being of the property.

In 1998, the City of Atlanta entered into a consent decree with the Upper Chattahoochee Riverkeepers, the EPA, and the Georgia Department of Natural Resources to improve the water quality in our City. As part of that decree, the City instituted the "Greenway Acquisition Project," a \$25,000,000 program to purchase waterways and conservation easements around streams within the city. All land and easements would be protected from future development. The City hired an environmental consulting firm that identified Clear Creek as a "priority 1" waterway, and the City then approached the Brookwood Hills Community Club to see if we would be willing to work with the City to environmentally protect our green space.

In response to the city's request, the Community Club Board created the Clear Creek committee. As the outgoing president, I agreed to chair the committee, and wrote in Brooknotes that people interested in serving on the committee should contact me. An outstanding group of neighbors agreed to serve: Walter Bland, Alex Summers, Esther and Jim Stokes, Doug and Susan Connell, Dan Bromstad, Jerry Luxemberger, John Helms, Brian Vroom, John Mulcahy, Carolynn Cooper, Rod Cook, Roy Trimble, Kathy Zickert, John Richardson, and Nick Sears. In all, the committee includes nine former Club presidents, including all the presidents involved in the original land acquisitions, several environmental and zoning attorneys, and several experts on native plants, as well as neighbors whose homes abut Clear Creek.

It is important to distinguish between selling land outright and placing a conservation easement on property. When land is sold outright, the former owner gives up all rights to the property and the new owner may do what he wishes with the land, subject to any applicable government regulations. In contrast, when a property owner sells or donates an easement, he is giving up only those rights expressly set out in the contract. In this case, the Club would be giving up the right to do things to the land that might environmentally harm it – such as building on it or clear cutting it. Nevertheless, the land would continue to be owned by the Community Club, there would be no public access to the property, and we could continue to use it in any way that was consistent with the easement – such as clearing out invasive plants like kudzu or allowing Club members access to the land.

The committee and the Board quickly concluded that there would be little, if any, support for selling our Clear Creek property outright, despite the City's assurances that the land would be placed in a permanent environmental trust. There are, however, two compelling reasons why it might be wise to place a conservation easement on the property. First, placing a conservation easement on the land would ensure that it would stay a green space forever. Indeed, the Community Club has periodically discussed donating a conservation easement to an environmental protection group like the Georgia Land Trust, so the City's offer is, arguably, a chance to be paid to do something we might eventually have done for free. That money could be used to improve the water quality and plant life on our land, or it could be used in other ways to benefit the Community Club. Second, placing a conservation easement on the property strengthens our negotiating position with the City and with developers about the kinds of businesses that should be allowed to operate in Armour Circle. The most current example is Allied Concrete Company, which still hopes to put a batch plant next to our Clear Creek property. Placing a conservation easement on Clear Creek visibly demonstrates our commitment to protecting it.

Of course, putting the land in a conservation easement comes with costs. The land's commercial value is a function of whether it can be developed. If we sell a conservation easement to the City, the land's financial worth declines dramatically. The City is now in the process of putting together an appraisal of the easement's worth, and the Clear Creek committee is getting its own independent appraisal. Eventually, the Community Club will have to decide whether the amount of money the City is willing to pay is enough to justify limiting our future uses of the land. (continued on p. 2)

Brooknotes is published monthly for residents of Brookwood Hills by the Brookwood Hills Community Club, 77 Wakefield Drive, Atlanta, Ga. 30309. Brooknotes is sponsored on alternate months by Patti Junger of Coldwell Banker/Buckhead Brokers and Sarah Hagood of Specialty Homes, Inc.

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Brooknotes welcomes articles, art work, photographs and story ideas. The deadline for the next issue of Brooknotes is Wednesday, January 5. Submissions may be e-mailed to brooknotes@yahoo.com or dropped off at 110 Huntington Rd.

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Security Alert Signs

When you see the **Security Alert** signs posted at the entrances to our neighborhood, please call the **Brookwood Hills Security Information Line 404-325-5114** for details concerning a recent security incident. These signs are a signal that an incident has occurred in the neighborhood and the information has been recorded on the hotline.

Clear Creek Property (cont'd)

At present, the Clear Creek committee is reviewing the City's proposed conservation easement language to ensure that the neighborhood retains rights that are important to us, such as the ability to eliminate invasive plants like privet and kudzu, and the right to keep trespassers off the land. The committee is also looking at the tax implications of selling the easement, and is considering other ways that we might tap financial resources to clean up the property and Clear Creek. We hope to be able to make a detailed presentation to the neighborhood at the Community Club's Annual Meeting in late January.

For those of you who would like to know more about the City's Greenway Acquisition Project in general, please see www.cleanwateratlanta.org. If you would like to know more about the Clear Creek committee in particular, please feel free to call or e-mail me at 404-892-9495 or nicolemiles@comcast.net.

"Friends" Poinsettia Sale a great success!!

Thank you to the many BWH neighbors & friends that purchased Poinsettias to help raise money for Children's Healthcare of Atlanta!

The BWH "Friends" group sold 446 plants! "Friends" groups throughout the city sold the holiday plants and raised almost \$25,000 for Children's Healthcare of Atlanta!

Thank you to **Heidi Leithleiter** who graciously opened up her home for the day to get the poinsettias distributed to the neighborhood. Thank you to the following people who distributed poinsettia flyers throughout the neighborhood: **Sharon Williams, Renee Bellavia, Terri Comer, Kelley Berman & Terri Thompson**. Also, thank you to the following people who worked throughout the delivery day to make sure each poinsettia found an owner: **Sharon Williams, and her daughter Meredith Williams, Shana Magruder, Margaret Mertens, Collum Posey, Jewel Nichols, Lauren Whitehurst, Kelley Berman, Molly Jackson and JoEllyn Bass**. An extra big thank you to **Renee Bellavia** for once again spear-heading this wonderful holiday tradition! Happy Holidays!

The next Brooknotes deadline for submissions is Wed. January 5. Please send submissions to brooknotes@yahoo.com or drop them off at 110 Huntington Road.

SECURITY BONUS REMINDER

Every year at this time we reflect on those people who need to be thanked for jobs well done. Barry Miller and his officers have been a big deterrent to criminals in our neighborhood. Please join the rest of the neighborhood in thanking this invaluable team by contributing to the Holiday bonus fund. Send your check made out to *Brookwood Hills Community Club* to Lisa Barnhart, 310 Camden Road.

Security Tips

- Lock your car doors and take your keys
- Do not leave holiday package in view in the car
- Be sure to lock the doors on your home, day and night.
- If you are traveling out of town, alert the neighborhood security patrol so that they can keep an eye on your house. The number is 404-325-5114.

Neighbors with contractors: Please ask workers at your home to keep their work areas clean and remove all trash. Also ask them to be courteous in parking and not block driveways. There are a lot of contractors coming into the neighborhood each day and if we all stay on them and their subs. it'll help maintain what we love about living here.

Spring Fling Pictures

If anyone would like to order pictures from the professional photographer who came to the BWH Spring Fling this year, please contact Sharon Williams (404) 355-5988.

TREES ATLANTA

If you got a tree from Trees Atlanta last month, please consider a donation to this great organization. For more information call 404-522-4097. Also please remember to water your new trees.



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C A L E N D A R

BWH Community Club

January Board meeting

Mon. January 3rd, 7:15 Social, 7:30 Meeting

At Bill & Judy Porter's, 51 Woodcrest

"Around Peachtree Battle" 5K Road Race

Sat. Jan. 15, 2005, 9AM

To Benefit the Atlanta Union Mission

More info: Vanessa & J.T. King, 404-355-0525

jtness@bellsouth.net

BWH Community Club Annual Meeting

Sunday January 23, 7 PM

Piedmont Hospital,
Rich Auditorium

Special thanks to Mark and Sharon Williams for the loan of the Bobcat on Tree planting day. This help was essential. Thanks!

CLASSIFIEDS

Looking to renovate? No job is too big or too small. Building Innovations, Brett Hudson owner, 404-275-6985
hudson_place@bellsouth.net. (recommended by: Lori Solomon)

I am in search of a wonderful family to employ my housekeeper/nanny. Coatie Persons, my housekeeper, has worked two days a week for me for almost six years. However, I am giving up at least one of my days and would love to find a lovely family for her to work. I think very highly of Coatie. She cleans, irons, polishes silver and baby-sits. She even takes care of the children while on trips. Coatie is extremely reliable and she drives. If you are interested please call me, Charlotte Maguire, at 404-351-0488.

FOR SALE: 2000 Volvo S80 Dark Blue 52,000 miles. \$14,000. Call Henry Kellum, work 404-352-3922 or home 404-876-8976



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