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# Clairmont Heights

CIVIC ASSOCIATION

# NEWS

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**Fall 2008**

Learn the facts about the PATH bicycle/pedestrian trail.  
Visit the CHCA website [www.clairmonthights.org/PATH](http://www.clairmonthights.org/PATH) which is updated regularly.

## CHCA Board Members:

**Charlie Bleau**  
President  
Zoning Chair  
[pres@clairmonthights.org](mailto:pres@clairmonthights.org)

**John Maynard**  
Vice President

**Tim Bryson**  
Recording Secretary  
List Serve Administrator  
Website  
[info@clairmonthights.org](mailto:info@clairmonthights.org)

**Catherine Larson**  
Treasurer

**Jeff Mercante**  
Parks Co-Chair

**Nancy Ciliax**  
Corresponding Secretary

**Diane Buch**  
**Joe Greear**  
Newsletter

## Emory's Clairmont Campus: New Parking Deck to Bring Neighborhood Improvements

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By Tim Bryson

**\$925,000 in improvements are coming our way!** Emory University plans to expand the Clairmont Campus parking deck as part of their Hospital reconfiguration on Clifton Road. The CHCA Board has attended several meetings with Emory officials, and Emory has been responsive to our concerns and requests regarding traffic, alternative transportation, and creek impacts. Although the project still needs to navigate County approval processes, Emory has recently agreed to a set of conditions for that approval that would include over \$925,000 in improvements both within our neighborhood and along our common boundary on Clairmont Road.

\$600,000 of the total is designated to improve the Desmond/Starvine/Clairmont interchanges following the Clifton Corridor Urban Design Guidelines which Emory developed in consultation with surrounding communities like CHCA. This amount was calculated to fund a new traffic light and accompanying crosswalks across Clairmont Road at Desmond Drive (subject to State approval), an additional crosswalk at Clairmont/Starvine, and planted medians in the middle of the crosswalks. If the light is turned down by the State, then Emory will spend the money on improving the safety of the sidewalk from Desmond down to the light at Starvine Way, or work with us on an alternative. Read more about the guidelines at: <http://cliftoncommunitypartnership.org/walk/streetscapes.html>.

\$275,000 of the total will fund sidewalks to connect North Decatur Road to Desmond Drive along both North Superior Ave. and Willivee Drive. These sidewalks have been part of the CHCA agenda since at least 2006. The CHCA Board will be asking the County if it will complete the remaining loop from Willivee to the Trail crossing at Scott Circle.

The remaining \$50,000 is set aside for stream mitigation of Glen Creek which runs under North Decatur Road and behind Clairmont Circle/Webster Drive and under Desmond Drive to join South Peachtree Creek under the CSX trestle. CHCA will work with Emory to optimize use of the funds to stabilize stream banks, slow flood surges, and remove invasive kudzu.

Again, these projects are conditional on Dekalb County approving the permits for the Emory Hospital and upon State of Georgia approval of the improvements on Clairmont Road. Under the best scenario, the improvements will be completed within eighteen months.



## Guns in Mason Mill Park

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by **Tim Bryson**

Recently, two Clairmont Heights residents encountered and photographed some teenagers, who were using air rifles, at the Water Works ruins. County ordinance prohibits firing such weapons within 1500 feet of any residence, and there is no location within Mason Mill Park that is not within 1500 feet of residences. County ordinance also prohibits paint "in any form" within any park. That should include paint ball as well as the spray paint used by vandals, both of which have also been seen at the Water Works. We recommend calling the police (404-294-2911) if you see or hear guns being fired in the park or if you see people with paint.

**Sec. 16-72.** It shall be unlawful for any person to fire a gun, rifle, pistol, revolver, cannon, air rifle, firearm of any type or shoot a slingshot or bow and arrow within the unincorporated area of the county, within fifteen hundred (1500) feet of any residence, place of worship, business or public meeting place.

**Sec. 19-32.** Special prohibitions.

(a) Paint. It shall be unlawful for any unauthorized person to possess paint, in any form, in or on any park or other area owned or operated by the county for recreation purposes.

County Ordinances can be found at the following URL:  
<http://www.municode.com/Resources/gateway.asp?pid=10637&sid=10>

## Large Dead Trees

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by **John Maynard**

The prolonged drought and the Pine Beetle infestations have resulted in several large dead trees being removed within the neighborhood over the past year. Recently, the increasing number of large dead trees in the Clairmont Heights neighborhood has been brought to the CHCA Board's attention by concerned residents. These concerns fall into two categories: first, liability for damages if a dead tree falls, and second, replacing removed dead trees.

The CHCA does not offer any legal advice concerning property owners' legal liability for their large dead trees. However, several residents have said that discussions with their home owner's insurance company tend to indicate that if a neighbor's dead tree falls on your home or damages your property and you have previously informed them by certified letter of

your concerns with their dead tree the liability remains with the neighbor.

The CHCA Board encourages you to contact your neighbor to discuss any concerns you may have with a large dead tree possibly damaging your home. Residents are encouraged to discuss the matter with their insurance company and or legal counsel as needed.

Residents are encouraged to replace any dead trees they remove, one for one. Healthy, well-placed trees provide enormous environmental and aesthetic benefits. Please consider replacing canopy (Oak, Hickory) and understory trees (Dogwood, Redbud) as drought and planting conditions permit.

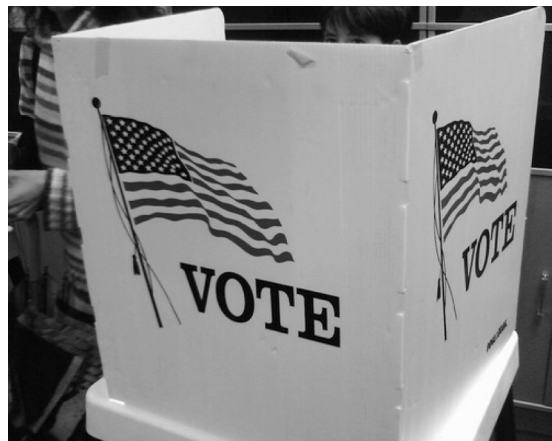
## CHCA Entry Sign Destroyed

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Early on the morning of Saturday, September 13<sup>th</sup>, between 12:30 AM and 8:30 AM, the new Clairmont Heights entry sign (at Desmond Dr. near Densley Dr.) was destroyed. It was knocked out of the frame and taken. No remnants of the sign itself were found on the site. The sign at N. Superior Ave. and N. Decatur Rd. remains intact.

The sign was designed and installed by Clairmont Heights' neighbors and each sign cost us, the CHCA members, about \$700. A police report has been filed.

Any information regarding this serious act of vandalism (or any of the many other acts of vandalism occurring within our neighborhood) will be very much appreciated! Please email information or suggestions regarding vandalism issues to [info@clairmontheights.org](mailto:info@clairmontheights.org).





## Vote Early and Avoid Lines

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### Advanced Voting:

In-person early voting for the General Election began Monday, September 22nd and ends Friday, October 24th. Now through October 24th registered voters can cast their ballot in person on weekdays. Advance voting will be held October 27th through October 31st. Final day for voting will be Election Day: November 4th.

### Hours and Location:

8:00am - 7:00pm  
 Memorial Drive Complex, Suite 300  
 4380 Memorial Drive  
 Decatur, GA 30032

### Absentee Voting:

Citizens are no longer required to give a reason in order to take advantage of Absentee Voting. Absentee Voting can either be done in person or by mail.

Go to <http://www.dekalbvotes.com> to print off a form. Completed forms may be submitted either by mail or FAX. Absentee Voting Applications may also be requested by calling 404-298-4020 or 3-1-1.

## PATH Pedestrian/Bike Trail: Why isn't it being finished between Mason Mill and Medlock Parks?

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### by Nancy Ciliax

Have you been strolling on the beautiful trail that starts at the parking lot at Medlock Park or at the Mason Mill Tennis Center then comes to a dead end that looks like an abandoned project? You can thank the Three Forks Alliance for that. They've sued the county to have the trail removed so all work must be stopped until the suit is settled.

Three Forks doesn't want the trail in their back yards. Dekalb County appeased Three Forks board member Fern Garber by moving the entrance to the trail to Medlock Park. Yet Fern continues to be a driving force to have the entire trail removed. Even though lots of neighbors are using the trail as is and loving it, Fern Garber, William Gowen and Maurice LeCroy of Three Forks Inc. continue in their pursuit to have the whole thing removed. Are they concerned about the neighborhood? Have they taken part in any of the tree planting, stream restoration or neighborhood improvement projects? No. Yet they claim to represent the neighborhood.

If you want to read the facts about the trail, go to the Clairmont Heights website: [www.clairmontheights.org](http://www.clairmontheights.org) <http://www.clairmontheights.org/>, click on Parks (on the left) and then on S Ptree Trail Project. Then browse our website for all kinds of information that concerns the Clairmont Heights Neighborhood.

If you want to let your Commissioners know how you feel about the Trail contact Commissioner Rader by email: [jrader@co.dekalb.ga.us](mailto:jrader@co.dekalb.ga.us) or phone: 404-371-2863. Commissioner Gannon by email: [kgannon@co.dekalb.ga.us](mailto:kgannon@co.dekalb.ga.us) or phone: 404-371-4909. The FAX for both is 404.371-7004. CEO Vernon Jones can be contacted by email at: [CEO@co.dekalb.ga.us](mailto:CEO@co.dekalb.ga.us).

## Coyote Facts & Coyote Control

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### By Diane Buch

*In order to compile this article, information was gathered from the website of Urban Wildlife Control and through conversations with John Underwood of Atlanta Animal Evictions, Inc.*

During the past year or so, there have been several reports of missing cats within our neighborhood. Although coyotes have been suspected in the disappearance of some of these cats, it is important to consider a few clues regarding coyote presence vs. fox, loose dog, owl or hawk attacks. First, there will be no sign of the pet's remains if it was a coyote attack. The coyote will take its prey back to its home base while owls and hawks consume their prey on sight. Dogs usually leave the animal behind. Also, try to learn to recognize and listen out for the coyote call.

Coyotes are members of the dog family. They share dog-like characteristics. They vary in color from off-white to near black. They vary in size but generally male coyotes are larger than the females. The average size of a coyote is 4 ft. long and 2 ft. tall. Their weight varies from 20 to 50 lbs. They live in small family groups containing an alpha male & female, the previous year's litter (who act as babysitters when the adults go scavenging for food) and the current year's newborn.

Coyotes are usually nocturnal but may be active during daylight hours during the young-rearing period (February/March, usually bearing four to five pups about two months later) and long summer days. Most sightings are around sunrise and sunset. Daytime



(Coyotes cont.)

activity by coyotes, without additional evidence, does not indicate rabies, although like all warm-blooded animals, coyotes may contract rabies. In urban areas, their primary diet is small rodents, opossums, poultry, rabbits, birds, frogs, cats, dogs and garbage. Consider the contents of your compost bin.

#### **How, when and why they become a nuisance pest:**

In rural areas coyotes are extremely shy and avoid contact with humans. In urban and suburban areas, coyotes can grow accustomed to buildings and human activity and associate them with a dependable food source. Some have been known to come up to homes if food is regularly present. As time goes by, they continue to get bolder since their presence is rarely challenged by man. They are definitely considered opportunists. Coyote populations are on a steady increase in North America, yet only a very small number of attacks on humans have ever been reported.

#### **Atlanta, Georgia coyote control:**

Homeowners should eliminate any food sources that are attractive to coyotes. Nuisance coyotes can be harassed with loud noises (shouting or banging pots and pans) or spray from a garden hose to encourage them to avoid certain properties.

If a coyote has exhausted their "natural" prey population for its range, your cat or dog are threatened. Pets can be protected by limiting their time outdoors and concentrating their outdoor activity to fenced areas under direct supervision. Taking all pets indoors at night is strongly advised. In addition, homeowners should eliminate other sources of attraction to coyotes including pet food left outdoors, full trash cans, bird feeders, table scraps, compost piles and decaying fruit and vegetables from your garden. Many homeowners have added birdbaths, ponds and fountains to their yards in order to attract birds, but water is a major attractant, especially during periods of extended drought. **NEVER FEED COYOTES!**

Homeowners should be aware that if they live near suitable habitat, electric fencing may be the only method to help keep coyotes from approaching their homes, although coyotes are capable of climbing 8 foot fences or digging under them. In cases where coyotes approach humans or where human presence is high, capturing and removing the problem coyotes may be necessary. Something to remember: coyote populations cannot be eliminated, but they can be controlled. Due to the recent problem of coyote attacks in the Atlanta metropolitan area, many coyote

trapping companies have popped up. Coyote removal is a skill, and the two companies mentioned above were highly recommended as both knowledgeable about coyote habits and skilled, reliable and humane removal of them. Under Federal and State regulations, when a coyote is captured, it cannot be released but must be euthanized.



### **Community Councils – Neighborhood's Canary in the Mineshaft**

**By Jim Smith**

The zoning process in Dekalb County involves 3 levels of public comments and hearings.

**1. The first level of this process** and the one that involves neighborhoods most directly is the Community Council Hearing. The Community Councils (hereafter referred to as C.C.) are groups of neighborhood representatives appointed by their district commissioner to hear presentations by developers of proposed projects. At this level, the developer is required to request permission for the rezoning and/or land use change needed to begin their project. Each regular district commission (1~5) has a C.C. The C.C.'s are purely advisory in that their decision, recommendation and vote are completely non-binding. Votes are taken on each project, and the results with accompanying comments are passed up to the Planning Commission and ultimately to the Board of Commissioners.

The key purpose of the CC's is to act as the proverbial canary in the mineshaft, alerting neighborhoods to proposed developments in their area. **Unfortunately, Clairmont Heights has not been represented on the District 2 Community Council for 2+ years**, since the author resigned after 8 years of service. As a result, CHCA has to rely on informal contact with other neighborhood associations for information on impending development projects. This means that we



(Community Councils cont.)  
are much less likely to find out about projects in time to have much of a say in their design or impact on our community.

**“WE (CHCA) DESPERATELY NEED TO HAVE REPRESENTATIVES ON THE COMMUNITY COUNCIL.”**

As a neighborhood representative, you won't have to attend every meeting (held monthly at a local library or meeting room). Representatives are allowed to miss up to 3 consecutive meetings before being asked to resign. If CHCA had two members, the load would be extremely light. **Please consider volunteering for just a couple of hours a month in order to have our neighborhood properly represented. NO PREVIOUS KNOWLEDGE OF ZONING IS REQUIRED.** We all started somewhere and learning how our County government operates is a continuous learning experience. The other CC members are very supportive of the new members and are to a person, more than willing to answer any question, no matter how basic.

**2. The second level of this process** comes before the Planning Commission which is again, aligned along Board of Commissioner districts but with only one member per BofC member, plus one elected by the BofC as a whole and one appointed by the CEO for a total of 9(5 regular districts, 2 at-large districts, 2 additional appointees). This group hears not only from the applicant and their opponents but will call upon the Planning Department staff for opinions about each proposal. Applicants and opponents each have 10 minutes to address the PC. Comments and the voting records of the Community Council are part of the documentation provided each PC member before their hearing. Similar to the C.C., the PC is only advisory, with their votes being non-binding, but results and comments being forwarded to the Board of Commissioners before they (the BofC) vote on an issue.

**3. The third level** comes before the Board of Commissioners, who has the job of making a binding decision regarding specific requests. Applicants and opponents alike each have 10 minutes to address the Board and then the Board discusses amongst themselves. As needed, the BofC can ask questions of the staff, applicants and opponents. The Board then votes to Approve, Approve with Conditions, Deny,

Defer, Defer “Full Cycle”, or Allow Withdrawal without Prejudice.

**Terminology Explained:**

**Approve** means the requested rezoning or land use change is agreed to and the proponent can proceed with their planned work.

**Approve with Conditions** means that conditions have been attached to the rezoning and that the applicant AND any subsequent owner of the parcel must abide by these conditions until they are removed by action of the Board of Commissioners.

**Denial** means that the application is turned down and that no rezoning application can be resubmitted for the parcel in question for 18 months.

**Defer** (for a time period) means that the Board wants more time to discuss; usually in committee and that the issue will be considered at a future named Board hearing.

**Defer “Full Cycle”** means that the issue is to go back before both the Community Council and Planning Commission and usually implies that the applicant will be making substantive changes and meeting with the neighborhood residents for their input.

**Withdrawal without Prejudice** means that the applicant has decided to withdraw their application and the Board is willing to permit that action without a vote to deny. This preserves the applicant's ability to resubmit their plans or some other plans at any future date.

This process might sound complicated, but remember, all a Community Council representative needs to understand is how the C.C. operates. The rest will come as you serve your neighborhood in this important volunteer position.

**Please consider giving up one night a month to help your community stay informed.**

Contact the CHCA Board via [info@clairmontheights.org](mailto:info@clairmontheights.org) to volunteer.



**CHCA/MANA Traffic Control Meeting #3**

About 25 people attended this third of four meetings. Notes from the first two meetings can be found at:

<http://clairmonthights.org/TrafficControl>.

The last meeting will be scheduled for early November, at which time it is hoped a final proposal will be submitted to the County.

A committee that includes John Maynard of CHCA and Kathryn Firago, Theresa Same, and Brenda Prather of MANA organized the meeting.

Their goal is to submit a list of signs to be posted at specified access points on the perimeter of the CHCA/MANA neighborhoods. Most of the signs prohibit cut-through access during rush hours with residents being exempted. Suggestions were made to add a sign: 1. to prohibit turns in the morning from N. Druid Hills onto North Hills and 2. to prohibit turns in the evening from Clairmont on to Powell. It was noted that an overly restrictive system would prevent non-resident access to Medlock Park and Medlock School. The committee will review the proposal accordingly.

Commissioners Jeff Rader and Kathie Gannon and Transportation Director John Gurbal have expressed their support. Since a couple of the roads are under State jurisdiction, approval and/or implementation will take some time. In addition, the County needs to pass a simple ordinance to allow exemptions for residents.

Commissioner Jeff Rader has expressed a willingness to sponsor such an ordinance. It may require that residents obtain a hangtag to identify them as residents. Decals were proposed as an alternative. Criteria for choosing one over the other included transferability and the appeal to burglars.

Captain Higdon of the Dekalb Central police district has already made a commitment to support the proposal. Other neighborhoods that have already instituted a similar system found that regular enforcement over the first four to six months seemed to suffice in preventing cut-throughs thereafter. It was suggested that Emory and Children's Healthcare instruct its employees explicitly not to cut through our neighborhood. It was also suggested that residents call 311 when they want more stop signs or more enforcement at a particular area. The more calls, the better.

The intersection at Clairmont and Desmond is one of the most problematic. The current proposal calls for no left turn from Desmond onto Clairmont for safety reasons. John Maynard noted that one of the conditions the County proposed for Emory's expansion of the parking deck at Clairmont Campus was the installation of bollards or a jersey wall to prevent vehicles from turning left onto Desmond from Clairmont Road. Emory is also negotiating with CHCA to add other conditions (see front page article).

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Clairmont Heights Civic Association

**MEMBERSHIP APPLICATION**

The Clairmont Heights Civic Association invites all residents of our Neighborhood to join.

**Get Informed & Involved!**

Membership runs annually. Dues are \$10.00. Make checks payable to Clairmont Heights Civic Association.

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

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Please send this application form and check to  
Catherine Larson 855 N. Superior Ave. Decatur, GA 30033