

## **STREET LIGHTING STUDY Background**

The Running Deer HOA Board has reinitiated learning more about street lighting and the options available to us as a community so as to allow the homeowners to make a joint decision on the subject. This is in response to Board ideas on HOA improvement and several homeowner comments on:

- Safety (evening and morning pet walking, jogging, school bus stops, etc)
- Security (Vandalism and speeding deterrent)

Many believe this would protect our home values particularly as most newer subdivision construction include street lights in its base scope by the developer but this is an item that each homeowner must decide their own position.

This decision to install street lights cannot be made unilaterally by the RDHOA board and the process requires the resultant vote of the majority of homeowners. Petition by more than 50% of homeowners is required for a final decision after we obtain and present the facts to you. The 50% + 1 vote minimum is derived from West Chester Township requirements.

This document will provide you with information on the process, options, and answers to general questions as we know them today. Installing street lights in a subdivision is generally referred to as establishing a Lighting District.

## **Anticipated Questions & Answers**

### **Why were street lights not originally installed in Running Deer Estates?**

That was the choice made by the original, and subsequent developers of the subdivision during its phased build out. After such a decision, the homeowners have to enter into a Lighting District Agreement to have them installed.

### **What is a Lighting District?**

A Lighting District refers to an area of homes to which street lights are added that did not have them installed during the original neighborhood construction. In our case, the term refers to our entire Running Deer Estates Subdivision.

### **Will / Can street lights be installed without homeowner involvement?**

No. Street Lights cannot be installed without Homeowner involvement as a group. Street lights can be added by a 50% + 1 vote approval of the homeowners (via signing a petition).

### **What if 50% or less of the homeowners approve the petition?**

The subject is voted down by township voting rules and the topic is dropped. It can be started again in the future if there is critical mass to raise the topic again.

**50% “+ 1” vote approval sounds like there is a possibility many homeowners will be upset with the outcome?**

Yes, if the no votes are based on strong feelings and the minimum of 50% + 1 is the result. If the information we are able to gather on this topic warrants moving forward to a petition (for example, finding that costs are reasonable) we hope that the results would be very decisive - one way or the other, and not split 50% + 1 vs. 50%-1.

**Is the approval point >50% of those who vote or >50% of the total number of homeowners?**

It is >50% of all homeowners and not >50% of those voting.

**What if there are more than 2 people listed on my deed? Do both vote? What if we can't agree?**

Each home has 1 vote. We are checking with the township to determine how a split within 1 set of owners listed on the deed is treated.

I Rent the home I live in here at Running Deer, Do I vote?

Only the owner of record can vote. We take the owner of record as the party(s) listed on the deed of record with the Butler County Auditor's record. ([www.butlercountyauditor.org](http://www.butlercountyauditor.org))

**I have a Land Contract, what about me?**

If you are listed as the owner of record on the deed with the County Auditor you indeed vote. If you are buying the home via Land Contract but are not listed on the deed, then you are not the owner of record for this vote purpose.

**If street lights are added, will it cost me, if so how do they get billed/paid?**

Yes there is a cost but we believe you will find the cost relatively low and hopefully viewed high value but that is what this process will identify as the wishes of the homeowners. When we did a preliminary evaluation in 2006 (when Cinergy preceded Duke) on street lights the cost then was approx. \$6 per month and paid semiannually with the property tax.

Actual costs are based on the number of lights, style of light and post, desired installed locations and their individual distances from transformers. We will be 100% transparent with our study results as to estimated monthly costs.

Typically the costs are added to the property taxes but we will confirm the method.

**Why should I pay for all of this if I will move in the near future?**

You won't pay more than for the time you live in the subdivision nor more than the cost for the period while you live here. The costs are paid on an ongoing basis so there is no lump sum payment that covers future use you will not use.

**Are you referring to large telephone poles with city type street lights?**

No. There are several types of metal architectural lamp posts and lamps available. Photo examples of other local installations are provided at the end of this document.

**Who decides on the number and location of the lights if we approve of wanting them installed?**

As a Board, we have some flexibility in the number of lights and spacing. Where there are installed, they are usually placed at property line. Typically more infrequent spacing than every other home, alternated from side to side, leaves large dark zones between lights

**How many street lights would there be?**

That total number is flexible. Spacing should be relatively uniform and are typically placed every 2 homes so there are not 'dead light zones'. Short cul-de-sac streets would need some special treatment since their lengths vary. Lights are generally staggered to each side of the street and locations are also influenced by electric service transformer location.

**What if I want a light near my property or do not want one near me?**

For aesthetics, the spacing should be relatively uniform. Additionally, the lamp posts should ideally be located within 25 feet of the Electrical Transformers but can be located further for additional installation costs. (For example, if all the transformers are on one side of a street and lamp posts are desired to be alternately located on each side, there is additional cost to run wire under the street). If the required number of homeowners agree on having street lights, we will have some limited flexibility in placement but it will not be practical to work location agreement on a home by home basis. We would provide a subdivision layout to the homeowners and ask for input.

**Will my yard be trenched up for installation?**

No. There will not be a continuous trench along the full street length. Short trenches from the transformer to the lamp post are made and each light is on its own photocell. This eliminates the need for a long unsightly trench.

**What if trenching damages my TV, water or other service?**

Duke does the work so they are responsible for any repairs.

**Are the lighting options bright and annoying?**

This evaluation is ultimately up to the individual. The newer design lights are lower wattage ranging from 100 to 175 watts. More specifically, they range from 9,500 to 14,000 lumens. There are several street light options installed in neighborhoods within a 5 minute drive and are shown with the light style illustrations at the end of this document.

**Can any street opt out?**

No. Again, we do have limited flexibility in total number and some flexibility on locations. We want to avoid a situation like the inconsistent sidewalks between the first and last home building phases of the subdivision. There is no option for only part of the subdivision to be lighted.

**Can our costs be reduced through economy of scale if adjacent neighborhoods 'go in' on our process?**

Unfortunately no. There are no discounts for greater number of installations. The costs are simply on a per unit basis regardless of total number.

**Who maintains the system and are there maintenance costs?**

There would be a maintenance agreement with Duke Energy as part of the operating cost. It would cover lamp, light bulb, photo cell and infrequent vandalism. In the event of repetitive vandalism Duke reserves the right to charge. In event of vehicle accident, Duke reserves the right to bill the vehicle owner that caused the accident.

**Does the above mean that if someone repeatedly damages the light or lamp post that happens to be on my property line that my neighbor and I would have to pay for it?**

No, this would not be fair. While we have to formalize the method, we believe this should be paid for out of HOA funds if the vandals could not be found.

**How will you continue to communicate to the homeowners?**

We will use the newsletter, and website, and probably a special mailing when we have all the information and process to circulate the petition for your vote if we find the costs and other issues practical.

**Who can I contact if I have a question in the meantime**

You can send your question or comment via e-mail to our HOA e-mailbox where we will keep a running log on the website so all can continue to be informed.

**What is the overall Process to Evaluate and Decide?**

1. An incorporated entity initiates the process. In this case, our HOA Board.
  - Select physical boundaries (in this case, our subdivision)
  
2. Confirm Steps with West Chester Township and then Contact Duke Energy and develop a subdivision lighting plan
  - Location of lights
  - Range of light and lamp post styles
  - Determine costs options
  
3. Board provides detailed information to homeowners for review and consideration prior to any voting process
  - Proposed Light locations
  - Light and post options & costs by style along with a recommendation
  - Costs & how paid
  - Homeowners can comment on any location issues and if issues affect their vote
  
4. Board considers modification of the plan dependent on type and magnitude of input from homeowners.

5. Board circulates a Petition to the homeowners with the information on the specifics of the plan. The petition will include the details of what the homeowners are being asked (layout, lamp post style & wattage and costs)
  - If >50% approve & sign, the process continues. Otherwise it stops.
6. Board submits successful petition to the Township Clerk.
  - Coordinates and schedules a Public Hearing with Township Board of Trustees
  - If successful, process continues.
7. Installation is scheduled and begins.
  - Some maintenance easements may be necessary in order for Duke to maintain the underground wiring, lamp post base, change bulbs etc.
8. Duke Energy maintains the installation after installation
9. The Running Deer Board interacts with Duke Energy over any maintenance issues if they arise.

REFER TO NEXT PAGE FOR LOCAL INSTALLATION EXAMPLES

**Light Style Option Examples**



Acorn Style (electric)  
Attached to Foundation  
Can be Seen at Cobblers Creek  
& at Lakota Springs



Gaslight Look (electric)  
Attached to Foundation  
Can be seen at end of Tepperwood  
where Running Deer exits



Traditional Style (electric)  
No Foundation  
Providence Woods upper section