

## Settlers Walk Homeowners Association

### Policy Resolution #2

#### Installation of Solar Systems, Panels and Components

A resolution pertaining to the following provisions.

WHEREAS, Article V of the Settlers Walk Homeowners Association ("SWHOA") Declaration of Covenants, Conditions and Restrictions establishes certain rules and regulations for protecting the aesthetic beauty, safety, and well-being of the community; and,

WHEREAS, it has been noted that there is a need to further clarify rules and/or guidelines in the Association's consideration of proposals to change or alter homes or property specifically for the installation and use solar systems, panels and equipment for use in generating energy for either direct use in the home or for external sale,

WHEREAS, it is the intent of the Board of Directors to establish proper and equitable guidelines and procedures for the residents from this time forth;

WHEREAS, there are no current applicable Federal, State or Local laws or ordinances regarding Solar Access (defined as the ability to install solar energy systems on residential and commercial property) or Solar Easements (defined as ability of one property to continue to receive sunlight across property lines without obstruction from another's property, including buildings, foliage, or other impediments) rights for home or property owners in the Community) that override or supersede the Association by-laws, rules or restrictive covenants, which in turn permits the Association to consider requests for these property changes or alterations based on its Community aesthetics, safety and property values.

WHEREAS, the technology, efficiency and costs related to current home solar system products are changing rapidly and could have a significant near-term positive aesthetic impact as the solar collection components are directly imbedded into standard home structural products such as roofing tiles, windows, and other products ("Integrated Energy Products"). These product changes, recently being made available to homeowners, make the equipment required to generate energy significantly less visible to the Community, as compared to most products today that are large, external protuberances to the existing home structure ("Non-Integrated Energy Products"), and can generally be considered by Community members as unsightly, inconsistent with aesthetics guidelines of the neighborhood, and potentially have higher safety risks.

WHEREAS, the placement of homes in the Community are at varied elevations and are visible from multiple streets and/or surrounding neighbors' homes, which makes it difficult to provide a single solution or set of guidelines that will limit any undesirable sight-line impacts of Non-Integrated Energy Products.

WHEREAS, The Board of Directors wishes to expand upon the Declarations, Covenants, Conditions, and Restrictions applicable to include further clarification of its consideration of home and/or property changes and alterations related to the installation and use of solar systems, solar panels and equipment.

THEREFORE, BE IT RESOLVED that the following guidelines shall be followed regarding the review of requests home and/or property changes and alterations related to the installation and use of solar systems, solar panels and equipment within the Settlers Walk Community.

- 1) Non-Integrated Energy Products solar panels cannot be installed on property ground, lower roofs/awnings or walls of the house.
- 2) Non-Integrated Energy Products solar panels proposed must be installed by a certified, licensed, and insured company.
- 3) All requests must be submitted via an alteration request to the board along with supporting documents for review.
- 4) Consideration of any Non-Integrated Energy Products solar panels, mounting hardware, related equipment, mounting hardware, and other externally visible components are subject to Board review and approval for aesthetics, color, shape, design, and quality of materials in consideration of the Community's architectural standards. Panels must be low profile and symmetrical in pattern.
- 5) Integrated Energy Solar Products, with energy-capture componentry not significantly visible from ground level will be subject to standard architectural review requirements of the Association in similar products (example: windows, roofs, etc).
- 6) Unless otherwise required due to changing legislation or ordinances, the Board has no obligation to require Community members, or the Association itself, to negotiate or agree to any Solar Easement proposals, nor will it address any claims of solar system sun impediments such as landscaping, buildings, etc. as long as the impediments being challenged are in compliance with existing Association rules regarding their existence.

Adopted this 8th day of June 2023

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Secretary