

Morgan Street / Birch Run Homeowner Association
Roof Mounted Solar Panels / System– Policy Statement Rev: 00 Dated 10.02.2023

MSBR Solar Panel Guidelines

The Board of the Morgan Street / Birch Run (MSBR) homeowner association (HOA) adopts these guidelines to ensure that property owners have the freedom to employ solar energy solutions, while ensuring that the design and installation of a roof mounted solar energy system (i) meets all requirements established by local, state, or federal, law, code, regulation, rule, and or permits and (ii) is compliant with the spirit of the HOA's Declarations and Covenants (D&C's), which requires the HOA to maintain the highest standard and uniformity of appearance for each property.

Definitions:

Solar energy systems – is defined as a photovoltaic system, comprising of solar electric generating equipment, installed on a rooftop, with a rated capacity of not more than twenty-five kilowatts.

Architectural Review Request:

All requests to install roof mounted solar panels must be submitted in writing, using the format provided, and approved, in writing, by the Architectural Review Committee (ARC) prior to installation. Applications submitted to the ARC will include the following information.

- 1) A diagram or picture provided by the licensed contractor, installing the system, showing the location of the system on the roof where the solar panel array will be mounted,
 - a) Where possible, photos of similar existing systems installed by the contractor installing the system, will be included.
- 2) Guidelines covering material, roof location, design parameter are detailed below:
 - a) **Color** - The color of the solar system components must be black on black, black panel, black screen, and black frame, and black mounting hardware
 - b) **Panel Mounting** - the plane of the array is to be parallel to the roof and not angled.
 - c) **Roof Location** - Location of the solar panels is to be either on a side or rear facing roof. Request for a front (street) facing location will include documentation from the solar contractor indicating this is the only feasible location for a solar array.
 - d) **Location Within Roof** - after considering any code or permit roof edge setback requirements the location of the panel array will be centered on the roof, with both the horizontal and vertical center lines, of the panel array aligned with the horizontal and vertical center lines of the roof section the panels are being installed on. The highest point of a solar panel array will be lower than the ridge of the roof and not visible from the opposite side of the building.
 - e) **Size and Shape** – the complete array of panels will be either square or rectangular.
 - f) **Piping and electrical connections** - will be located directly under and within the perimeter of the panels and placed as inconspicuously as possible when viewed from all angles. All piping and conduits will be run thru the attic, with no conduit running on the outside of the building.
 - g) **Energy Storage System (battery)** – The energy storage system (battery), if included in the project, will be installed indoors. Batteries should not be installed near habitable areas. While they are quiet, they can emit low level noise and vibrations.
 - h) **Exhibits A & B** – exhibit A is an example of a compliant systems; exhibit B is example of a non-compliant systems, examples are not intended to be all inclusive, offered as illustrations only.

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- 3) **Installation & Permits** - The installation of all solar systems shall only be done by a licensed and insured installer after all permits have been secured in accordance with local and state requirements.
- 4) **Code Compliance** - The solar power system must meet the requirements established by all local, state, or federal law, rules, regulations, and code requirements imposed by permitting authorities.
- 5) **Homeowner Insurance** – the ARC application for a roof mounted solar panel system will include evidence that the applicant has insurance coverage covering the roof mounted solar panel system and equipment. This coverage would include, but not necessarily be limited to, any damage that may occur to an adjacent property either during or after the installation of the roof mounted solar panel system.
- 6) **Adjacent Properties** – ARC request to include discussion, if any, of impact on adjacent properties.
- 7) **Solar System Maintenance** – the homeowner will be responsible for maintaining the roof mounted solar panels in the highest standard of appearance and in compliance with the HOA’s policy. If the roof mounted solar system, for any reason becomes non-compliant with the highest standard of appearance or if the homeowner chose to “disconnect” the solar system the homeowner will be responsible for the removal of the solar panels and returning the roof to its original condition.
- 8) **Variance Request** - A variance to any sections of these guidelines may be granted if compliance with these guidelines would increase the purchase price of the solar system by more than 10% or give cause for the system to not achieve a level of efficiency to render the project non-economic. If a homeowner seeks a variance based on system efficiency, the application will need to include documentation from installer stating how this determination was made. If variance is due to cost, the application would need to include a minimum of two bids depicting the cost of installation alternatives, including:
 - a) one bid in compliance with these guidelines.
 - b) a second bid depicting the desired variance.
 - c) the ARC may require bids or estimates from a second contractor to make an informed decision.
- 9) **Appeal Process** – in the event a homeowner application is rejected, the homeowner can appeal the process by either:
 - a) Submitting a revised application to the ARC that would address the basis for the rejection. A detailed description of the exact basis for the rejection will be provided in writing to the homeowner by the ARC.
 - b) Reaching out to any board member and requesting that a special board meeting be convened. The homeowner will provide a document summarizing the basis for the appeal to the board, at the time a special board meeting is requested.

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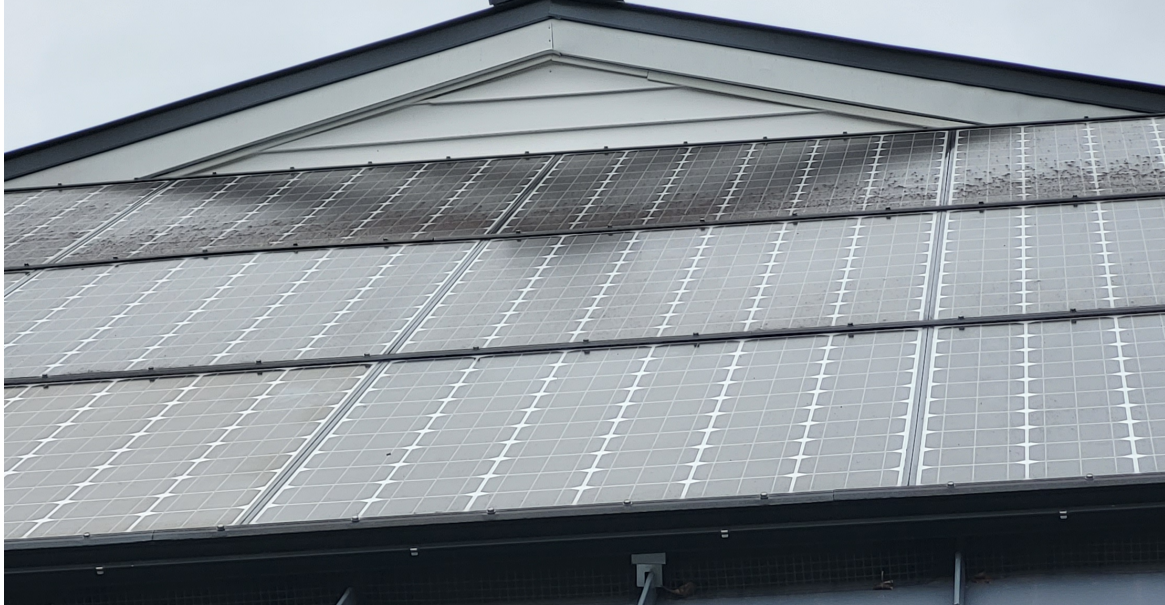
Exhibit A – photo of installation compliant with color, (black panel, black screen, black frame), shape, location within roof, location of piping and conduit guidelines.



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Exhibit B

Photo of installation **not compliant with Color** guidelines



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Photo of installation **Not Compliant with Piping and Conduit** guidelines



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Roof Mounted Solar Panel Installation Application

Applicant Name: _____

Applicant Address: _____

Attachment A –diagram or photo provided by the contractor installing the system showing the system location.

Installer's Name: _____

Installer's Address: _____

Installer's License Number: _____

Installer's Insurance Provider & Number: _____

Attachment B - Photos of similar, roof mounted systems, installed by the contractor installing the system.

Attachment C – Evidence of insurance coverage

NYSERDA (NY-SUN) application complete or to be applied for Yes ☐ No ☐

Comments: _____

Energy Storage System: Yes ☐ No ☐ Location: _____

Variance Request: Yes ☐ No ☐ Specific Guidelines: _____

Attachment D – Detailed rational for request for variance request

I attest that the requested to move forward with the installation of roof mounted solar panels will comply with all requirements established by local, state, and /or federal law, code, regulation, rule, and or permits and the HOA guidelines, which have been provided, in writing, to the installer.

Applicant Signature

Date

Approvals:

Susan Clare

Date

John Essig

Date

Fil Fina

Date