

Bay Breeze Point
Homeowner's Association
Board of Directors Resolution #081522

RE: Solar Panel Guidance

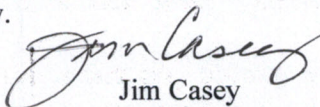
During Virginia's 2020 legislative session, both the House (NB414) and Senate (SB504) approved, and the Governor signed some basic guidelines on solar power that addressed both property owners' and HOAs. Basically the approved guidelines strike a fair balance between property owners' rights and HOA authority, i.e., the approved bill endorses owners' rights to install solar systems, while acknowledging HOA rights to approve installations and deny systems that are unsafe. Additionally, HOAs can approve guidelines on solar systems and include these guidelines within the HOA's "governing documents".

Solar power was not an issue when our original HOA's covenants were approved. The following solar panel guidelines have been approved by the BOD:

- All solar panels will be placed on the roof as close as possible to ridgeline of the primary residence.
- If at all feasible, panels should be placed so as to not be easily seen from the street.
- The panels shall be parallel to the roof plane, except for flat roofed buildings where the panel placement shall be reviewed on a case-by-case basis.
- The bottom of the panels will be a maximum of 2 inches above the roof.
- The roofing on the rest of the roof shall continue under the panels. This is to prevent awkward flashing details around them.
- Panels must be no more than 2 to 4 inches thick. Solar "water heating" panels may be used only for homes that have swimming pools.
- The trim of all the panels shall be black or dark gray but may be the same color, if available, as the existing roof. Panel frames shall be black or dark gray unless they can be closely matched to existing roofing.
- Solar roofing shingles are not permitted at this time. This technology is still being developed and may be considered in the future.
- A detailed drawing must be submitted that shows panel locations(s) and other necessary components. An aerial view (ex. drone/Google satellite view, etc.) of the roof should also be submitted.
- A variance, if submitted via ARB request, may be considered on any of these rules above since this technology is rapidly developing.
- No actual installation work may start until an ARB request has been submitted and approved. A certified and licensed installer must be used for installation.
- Although solar panels are designed and built to absorb sunlight, they still have a reflective value that could be a nuisance to neighboring properties. Installers must mitigate any potential for reflection onto living spaces and decks of neighboring homes by careful placement of panels or adjustments of panel angles within manufacturer's specifications. Placing panels near ridgeline should maximize solar benefits while minimizing negative impacts to neighbors. ARB approval of a request to install solar panels on a BBP homeowner's roof doesn't warrant/guarantee any contractor performance or subsequent adjoining neighbor issues or liability.

Authority: The above "solar panel" guidelines are provided and enforceable IAW Article VII, of the "Declaration of Covenants, Restrictions, Reservations and Easements of Bay Breeze Point".

Approving Action: This "solar panel" BOD Resolution replaces BOD Resolution #051921 and was approved on August 15, 2022. It is effective immediately.


Jim Casey
President

Atch: Panel examples