

SUNDANCE ESTATES
HOMEOWNER'S ASSOCIATION
P.O. Box 31083, Santa Fe, NM 87594

POLICY #2016-01

INSTALLATION OF SOLAR COLLECTORS

PURPOSE

1. The purpose of this policy is to clarify the provision of the Sundance Estates Covenants and Restrictions ("Amended and Restated Declaration of Covenants and Restrictions for Sundance Estates Subdivision," or "C&Rs") relating to the installation of Solar Collectors in Sundance Estates. That provision is contained in paragraph (H) of Section 3.5 of the C&Rs, relating to "Architecture". That provision reads as follows

(h) Solar Collectors: Antennas and Satellite Dishes. Passive solar applications, or the orientation and design of the residence for maximum winter solar heat gain, will reduce the winter heating needs and will be encouraged. Insensitively positioned solar collectors can cause excessive glare and reflection, and can be approved only if they are integrated into the structure or landscaping and are not visible from the neighboring properties. No antenna, solar collector or satellite dish may be erected on any Lot or structure without the Lot owner first submitting to the Architectural Control Committee a written description showing the proposed location and dimensions of the device intended to be installed, together with a schematic showing how the same is to be screened from view so as not to offend neighboring Lot owners. No device described herein may be placed on any Lot without Architectural Control Committee approval.

BACKGROUND

2. In order to provide guidance to owners and to the Architectural Control Committee (ACC) in its consideration of any issues involving visibility of Solar Collectors from neighboring Lots, the Board of Directors of the Sundance Estates Homeowners Association hereby adopts this Policy.

POLICY & DEFINITION

3. In order to comply with the applicable provision of the C&Rs, solar collectors for residential use will be permitted. Solar collectors are defined as including photovoltaic panels as well as thermal installations. Solar collectors installed in Sundance Estates must be of the non-reflective variety and be integrated into the structure or landscaping so that the equipment is not visible from the street in front of the affected property or from any contiguous lot. Ground installations will be limited to a maximum of 6 feet in height, consistent with CC&R Article 3.5 (F).

ACC REVIEW PROCESS

4. Any proposed installation of Solar Collectors must be submitted for review and approval by the ACC before the equipment is installed. The proposed installation plan shall include: 1) a plot or building plan indicating the location of the Solar Collectors, including the locations and distances from street(s), structures on the owner's lot and contiguous lot boundaries; 2) drawings and or photo

graphs of the equipment to be installed including measurements of its dimensions; 3) a capacity analysis from the proposed installer; 5) method or materials proposed for screening; 6) and color and dimensions of screening materials or method. This information will also be made available to contiguous lot owners for review and comment. Once all of the required information is received, the ACC will completed it's review process in a timely fashion that will not exceed 60 days.

5. The owner shall permit the ACC to visit and inspect the proposed Installation site as an element of its review and approval process and may ask the owner to install "story" poles or other devices in order to better gauge the visual impact. The decision of the ACC will be final, unless that decision is appealed to the Board of Directors of the Homeowners Association within ten days of receipt of the ACC's decision. In the event of such an appeal, the decision of the Board will be final.

EFFECTIVE DATE

6. This policy shall be effective on April 7, 2016. It will thereafter apply to any solar collector that is installed in Sundance Estates.

Karl Klessig

Board President