

BROOKSIDE ESTATES HOMEOWNER'S ASSOCIATION POLICY ON SOLAR ENERGY SYSTEMS AND SOLAR POWER DEVICES

The Board of Directors ("Board") of the BROOKSIDE ESTATES HOMEOWNER'S ASSOCIATION ("Association") has adopted on this 2nd day of JUNE, 2020 the following policy, rules and guidelines to support homeowners and/or property owners interested in making improvements to their individual property, specifically, as regards to the installation of a Solar Energy Systems (hereinafter "SES") (sometimes referred to as Solar Power Devices, or "SPDs"), or any of their components and mechanisms, commonly known as solar panels, solar inverters, solar collectors, solar storage mechanisms, and their accessory components both electrical and mechanical.

The installation of exterior SES requires approval of the Architectural Control Committee (hereinafter "ACC") of the Brookside Estates Subdivision, and also requires a permit from the Planning, Building, and Development Department of the County of Lake (hereinafter "County").

Homeowners and/or property owners considering the installation of any SES on their property subject to the Rules of the Association are strongly encouraged to first contact the Planning, Building, and Development Department of the County of Lake for additional information on county permits, restrictions, and limitations before submitting a request to the Association.

Preamble

The Association recognizes that there may be interest by Association members in installing SES. Since these systems by nature must be installed external to the building, the Association has developed this policy to aid Association members in developing their solar projects within Association expectations, thereby minimizing the time for project review and approval by the Board. The Board recognizes the benefits of renewable energy sources, including solar, to overall energy programs within our society, and is committed to working effectively with owners proposing solar power projects.

Illinois Statutes and County Treatment of Residential Solar Power Systems

The Illinois Homeowner's Energy Policy Statement Act, 765 ILCS 165/1 et seq. (hereinafter "the Act"), establishes the legal right of homeowners who are members of Associations to install SPD and/or SES, and defines which solar energy systems are covered by its provisions. The Act prohibits homeowners' associations, condominium unit owners' associations, and common interest community associations in Illinois from adopting any measure, i.e. covenants, bylaws, rules, etc., that would prevent the use of solar energy systems on their homes.

Section 25 of the Act states that an SPD and/or SES shall meet applicable standards and requirements imposed by State and local permitting authorities, i.e. County, Township, Village, or Municipality. The Planning, building, and Development Department of the County of Lake is such a defined permitting authority.

Section 30 of the Act requires that the application for approval of any SPD and/or SES shall be processed and either approved or rejected by the Association within ninety (90) days after the submission of the application.

The entity within the Association that considers such applications is the ACC. The Board specifically finds that this statutory time frame for consideration and approval by the ACC of any SPD and/or SES shall replace and supersede the time frame provided for considering any other non-SPD and/or non-SES application.

Section 20 of the Act provides, in pertinent part, that within 120 days after a homeowners' association, common interest community association, or condominium owners' association receives a request for a policy statement or an application from an association member, the association shall adopt an energy policy statement regarding the location, design, and architectural requirements of solar energy system. An association shall disclose, upon request, its energy policy statement and shall include the statement in its homeowners' common interest community, or condominium unit owners' association declaration.

Definitions

The Association adopts the following Definitions set forth in Section 10 of the Act:

"Solar Collector" means:

1. An assembly, structure, or design, including passive elements, used for gathering, concentrating, or absorbing direct and indirect solar energy, specifically designed for holding a substantial amount of useful thermal energy and to transfer that energy to a gas, solid, or liquid or to use that energy directly; or
2. A mechanism that absorbs solar energy and converts it into electricity; or
3. A mechanism or process used for gathering solar energy through wind or thermal gradients; or
4. A component used to transfer thermal energy to a gas, solid, or liquid, or to convert it into electricity.

"Solar Energy" means radiant energy received from the sun at wave lengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

"Solar Energy System", also referred to as SES, means:

1. A complete assembly, structure, or design of solar collector, or a solar storage mechanism, which uses solar energy for generating electricity or for heating or cooling gases, solids, liquids, or other materials; and
2. The design, materials, or elements of a system and its maintenance, operation, and labor components, and the necessary components, if any, of supplemental conventional energy systems designed or constructed to interface with a solar energy system.

"Solar Storage Mechanism" means equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, or controls thereof, and gases, solids, liquids, or combinations thereof) that are utilized for storing solar energy, gathered by a solar collector, for subsequent use.

Association Regulatory Rules

Section 25 of the Act states that an SPD and/or SES shall meet applicable standards and requirements imposed by State and local permitting authorities. In addition to the standards and requirements imposed by State and local permitting authorities, the Board hereby adopts the following additional rules, requirements, and restrictions:

1. All SES/ SPD projects must be approved in writing by the Board, prior to commencing any construction activities on the exterior of the residence.
2. It is highly recommended that ACC approval be obtained prior to applying for interconnection of the SES with ComEd (as required by 83 IL Administrative Code, Part 466), and prior to seeking necessary County permits (the County may not issue permits without evidence of ACC approval pursuant to County Ordinance).
3. The homeowner and/or property owner shall file with the ACC detailed architectural drawings, depictions, or computer-generated images of the components and mechanisms to be installed, including the exact location and method of installation of said components and mechanisms, and provide a list of all components to be installed on the property, in addition to all of the other required filings and fees for ACC applications. The homeowner shall answer ACC questions and inquiries in a timely fashion, and failure to so cooperate shall be cause for the ACC to deny the application.
4. All SES installations are limited to and required to be roof-installed, limited only to that area of roof covering the living quarters of the house, and shall consist only of solar shingles, unless the Homeowner can prove that such a requirement has the effect of prohibiting the installation of an SES on the property. Such solar shingles shall be required to cover the entire roof area of the side of the roof upon which it is installed, except matching dead cell shingles may be used to comply with this requirement. The shingles used must substantially match the remainder of the roof of the home, or matching shingles must be installed. Such SES shingles shall not have visible grid-lines, and must be made of a material that minimizes the reflection from the sun. Such SES shall be installed on that portion of the home oriented to the south or within 45 degrees east or west of due south, and shall be installed at the same elevation of the original roof, directly upon the roof, unless the homeowner can show that the above design or installation requirements impair the effective operation of the SES or has the effect of prohibiting the SES, at which time an exception shall be provided upon good cause shown.
5. In the event the Homeowner proves that a solar shingle-based SES has the effect of prohibiting the installation of an SES, the Homeowner will be permitted to apply for approval of an alternative roof mounted SES, provided that such an SES must:
 - a. be mounted directly upon the roof, with no raised bracket system;

- b. cover 100% of the entire side of the roof upon which it is installed; and
 - c. be constructed of monocrystalline silicon with a black on black frame, black cell, black backing, no visible grid lines, and of the best available material designed to mitigate the amount of reflection of the sun onto neighboring properties.
6. No part of an SES shall be installed upon the ground, except for accessory equipment, such as inverters, boxes, or substations, which shall be installed no more than 10 feet from the house structure, and shall be screened with landscaping to completely hide any such equipment from view of neighboring properties or the street. No wires or conduit servicing the SES shall be exposed. All wires and accessory equipment to the SES must be completely hidden underneath the solar shingles or panels. No conduit or wiring shall be installed on the outside of the home, and shall be installed under the rafters of the roof or inside the walls of the house. For purposes of this policy, "house structure" shall include only that part of the building constituting the residence, and does not include any additions, decks, sun rooms, or any other non-original structure of the home.
 7. Applicants may apply for a variance from any of the above requirements, if they can show that any of the requirements has the effect of prohibiting the installation of an SES on the property.
 8. An SES shall be maintained in good working order. Any visible imperfections, or items that fall out of compliance with this policy, shall be repaired within 30 days of receipt of violation.
 9. Wind energy collection systems, rain water collection systems and landscape composting systems are not allowed by the Association.
 10. Applications must include an accurate representation as to where all installed components of the SES will be placed on the property. Except as provided above, SES applications for approval shall follow the procedures and requirements provided in the Brookside Estates ACC Procedures for Submission, Review, and Approval of Improvement Plans.

Approval Procedures

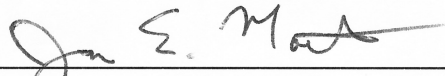
The location, design and architectural requirements of the above allowed systems are as follows:

1. When applying for approval by the ACC pursuant to this Policy, please be aware of the following procedures. **The homeowner applying for approval should not schedule with third parties for delivery of materials or installation of structures until the Board has granted approval, and all necessary permits required by the County of Lake have been obtained.**
2. Mail or Email a completed application, including the detailed information set forth herein to the ACC. Such application should be submitted directly to the Secretary of the Association.

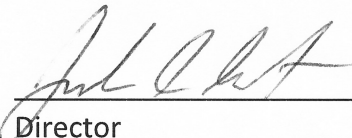
3. The ACC may request additional information, should the original submission require clarification. The ACC will communicate its decision in writing to the homeowner and/or property owner who made the application.
4. If the homeowner and/or property owner wishes to present additional information for consideration by the ACC, the homeowner and/or property owner should contact the a representative of the ACC no less than 7 calendar days after the filing of the application, and should supply the members of the ACC with at least three (3) copies of the application and attachments so copies can be available to the ACC.
5. Each member application for SES approval received prior to the adoption of this Energy Policy Statement (dated JUNE 2, 2020) is subject to the requirements set out herein. The ACC, however, will accept within 14 days, an "amended application" giving such applicant(s) opportunity to remedy any shortcomings. As an alternative, the member-applicant may meet with the ACC and present additional/updated information at such meeting.
6. The ACC will communicate its decision in writing to the homeowner and/or property owner who made the application.
7. Approval of the ACC only means the proposed SES meets the standards of the Association. This approval **does not** exempt any homeowner and/or property owner from obtaining the necessary approval from ComEd, or appropriate approvals and permits from the County of Lake. Additionally, the homeowner and/or property owner is/are strongly encouraged to contact ComEd and the appropriate Lake County governmental agencies for more information about necessary approvals.

Approved this 2nd day of JUNE, 2020


By:



 Director



 Director



 Director



 Director



 Director