

***Forrestal Village Community Services Association, Inc.***  
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**POLICY RESOLUTION NO. 55**

**Solar Panels in Princeton Landing**

WHEREAS, the Forrestal Community Services Association (FVCSA or Association) is not required to allow the installation of solar panels in the community per New Jersey Statute 45:22A-48.2 as the Association is responsible for roof maintenance.

WHEREAS, there are economic and environmental advantages to the use of solar panels, the Association will allow such installations, subject to the terms and conditions delineated in this Policy Resolution.

WHEREAS, installation of solar panels on a roof that is subject to the Golden Pledge Warranty does not void the warranty.

NOW, THEREFORE, BE IT RESOLVED THAT, Policy Resolution 55 be adopted with respect to Solar Panels.

**Definition of Solar Panel.** The term “solar panel” as used in this resolution shall mean any device, however denominated, consisting of solar cells intended to convert the energy from sunlight into electricity, including all equipment, wiring or appurtenances used in connection with the solar panel or the installation thereof.

**Requirements for Installation of Solar Panels:**

1. No solar panels shall be installed by any unit owner without the prior approval of the Covenants Committee. For purposes of this resolution the term “solar panel” shall mean any device, however denominated, consisting of solar cells intended to convert the energy from sunlight into electricity, including all equipment, wiring or appurtenances used in connection with the solar panel or the installation thereof.
2. Any unit owners wishing to install solar panels at their own expense on a building roof within the community must submit a written request on a form provided by the Association. Included with the form must be a copy of the contractor proposal to install solar panels that covers equipment specifications and layouts, electrical connections, expected lifetime, roof suitability, and other installation details to the management office and to the Covenants Committee. The contractor must certify that the roof can sustain the weight of the solar panels. At the discretion of the Property Manager, an engineer may be retained to render an opinion on the acceptability of the installation from an engineering perspective, including verification that the roofs upon which the panels are to be installed can sustain the weight of the solar panels and any other equipment related to the solar panels without incurring any damage to the roof. The unit owner proposing the installation shall pay the fees of the engineer and shall be required to pay a deposit to the Association in the estimated amount of such fees.

3. The roof on which any solar panel is to be installed must have at least ten (10) remaining years of useful life. Note that if a homeowner installs solar on an older roof, additional costs may be incurred for roof repair or replacement, which may alter the cost/benefit ratio of the solar installation.

4. The unit owner shall be required to execute a License Agreement prior to the installation on a form approved by the Board. The License Agreement shall be signed by all owners of the unit, shall be acknowledged and shall be in recordable form. The agreement shall provide that it is binding on the heirs, successors and assigns of the unit owner executing such document. The License agreement shall expressly provide that the unit owner shall be responsible for the requirements described within this resolution, and specifically those obligations described in this Policy Resolution, including the responsibility to maintain the solar panel, to remove the solar panel when directed to do so by the FVCSA in connection with repair or maintenance, and to remove the solar panel and restore the roof when it is no longer in use or has reached the end of its useful life. Further, the unit owners shall agree to maintain liability and casualty insurance covering the solar panels (naming the FVCSA as an additional insured) and indemnify, defend and hold the FVCSA harmless for any damage resulting from the installation of solar panels.

5. The unit owner shall be required to maintain the solar panel, to remove the solar panel when necessary for the repair or replacement of the roof and when it is no longer in use or has reached the end of its useful life, and restore, to acceptable conditions as certified by the on-site manager, any portion of the roof damaged as a result of the removal.

6. The unit owner shall provide evidence of adequate liability insurance naming FVCSA as an additional insured in the event the installation and/or use of the solar panel causes damage to the common elements or injury to any person or other property. Such obligation to provide evidence of such insurance shall remain in effect for so long as the solar panel remains on a roof.

7. While the unit owner shall be primarily responsible for the following, in the event that the unit owner fails to do so the Association shall have the authority to perform the necessary maintenance or removal of one or more solar panel at the unit owner's expense where:

- a) any solar panel has been abandoned, meaning that the unit for which it was installed is no longer using the electricity generated by one or more solar panels or the solar panel has failed;
- b) the unit owner has failed to properly maintain the solar panel;
- c) the unit owner has failed to repair any damage caused by the solar panel to the common elements;
- d) the solar panel has reached the end of its useful life and the unit owner has failed to remove it as required; or
- e) maintenance to the common elements is required and the unit owner has failed to promptly remove the solar panel to permit the maintenance to occur.

The Association shall thereafter have the right to pursue any and all remedies against the unit owner, its successors and assigns for failure to comply with its responsibilities hereunder.

8. Additional requirements.

- a. The preferred location is a rear-facing mounting. Street-facing installation will be allowed with documentation from the solar contractor indicating this is the only feasible location for solar array.
- b. The installation of solar panels shall only be done by a licensed installer. The installer must provide a certificate of insurance naming FVCSA as additionally insured. Insurance limits should be as follows: \$1,000,000 per occurrence, \$2,000,000 aggregate primary general liability, \$1,000,000 commercial auto liability, \$1,000,000/1,000,000/1,000,000 workers compensation and a \$1,000,000 umbrella policy.
- c. Discussion of the proposed installation with neighbors is encouraged, but not required, prior to requesting approval of Covenants.
- d. No ground mounts will be allowed.
- e. Frame support brackets and any visible piping or wiring must be painted to match the roof shingles.
- f. The installation must meet all applicable codes and applicable safety and performance standards.
- g. The panels must be well maintained. Individual panels that have been significantly damaged must be repaired or replaced.
- h. Pruning of trees that shade solar panels is not allowed without the prior approval of the FVCSA Landscape Subcommittee.

9. Effective Date. This Resolution shall be effective upon its adoption.

Resolution Type: Policy Resolution

Regarding: Policy Resolution No. 55 Solar Panels

ATTEST: \_\_\_\_\_

Date: July 23, 2018