

Section 1: [Section 6] Architectural Control and Roof Alterations

No exterior alteration, roof-mounted solar collector, skylight, or mechanical equipment shall be installed on any roof or exterior surface of any building within Notch Brook Estates, it being the express intent of these Protective Covenants to preserve uniform dark shingle rooflines throughout the development.

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Section 6 (p. 1): Blanket Prohibition on Roof-Mounted Solar Collectors

Statutory / Legal Reference: 27 V.S.A. § 544 & 27A V.S.A. § 3-102

Statutory Comparison: Under 27 V.S.A. § 544, no deed restriction, covenant, or similar binding agreement running with the land may prohibit or have the effect of prohibiting the installation of solar collectors on residential structures.

CURRENT WORDING IN DOCUMENT:

[Section 6] Architectural Control and Roof Alterations - No exterior alteration, roof-mounted solar collector, skylight, or mechanical equipment shall be installed on any roof or exterior surface of any building within Notch Brook Estates, it being the express intent of these Protective Covenants to preserve uniform dark shingle rooflines throughout the development.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Section 6 ([Section 6] Architectural Control and Roof Alterations - No exterior alteration, roof-mounted solar collector, skylight, or mechanical equipment shall be installed on any roof or exterior surface of any building within Notch Brook Estates, it being the express intent of these Protective Covenants to preserve uniform dark shingle rooflines throughout the development.) to conform with 27 V.S.A. § 544 & 27A V.S.A. § 3-102 and the manual attorney audit recommendations for Notch Brook Estates Homeowners Association.