

VINEYARD GAZETTE

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Town May Vote Again on Energy Bylaw

By JACK SHEA

The Aquinnah selectmen will meet this morning to decide whether to call a special town meeting this summer to bring back the failed energy bylaw for another vote.

Selectman Camille Rose said this week she hopes to resubmit the bylaw.

“We need to explain the bylaw more simply. We had to use legal verbiage that was overly complicated. The [regulations] may have looked like over-regulation to voters but it’s really an attempt to protect their rights,” she said.

The energy bylaw failed to achieve a needed two-thirds majority by four votes at a final session of the annual town meeting last week.

At the request of the town, last December the Martha’s Vineyard Commission voted to designate a townwide energy district of critical planning concern in Aquinnah. Ordinarily DCPC designations trigger a yearlong planning process accompanied by a building moratorium. In this case the moratorium was limited to structures over 32 feet in height — specifically wind turbines.

But an unanticipated series of events this spring have resulted in a complete townwide building moratorium.

The MVC approved the draft energy district bylaw a few days before the annual town meeting was set to begin in May. The approval triggered a complete moratorium that would end once the town voted on the bylaw.

And that was the hitch: the town meeting was continued to second night with the bylaw still on the warrant, but there was no quorum on the second night — or the third. The town meeting finally resumed last week, and the bylaw failed.

Selectmen are now left with the question of what to do. They can call another special town meeting and bring the bylaw back, or ask the commission to rescind the energy district. In order to rescind the energy district the commission must first hold a public hearing — a process that takes about three weeks because of

legal requirements for posting notice of the hearing.

Selectman Jim Newman admitted the issue puts the board between a rock and a hard place. “There is risk to holding up building projects and I’m not comfortable with it. I just don’t know what other options there are if we are determined to have [energy] bylaws,” he said.

One building application is currently before the planning board but no recent applications have been received, town administrator Jeffrey Burgoyne said yesterday.

Aquinnah limits building permits to six a year.