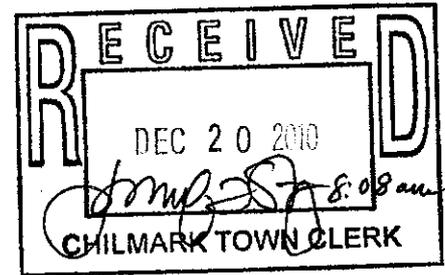




Memorandum



To: Town of Chilmark – Town Clerk
Planning Board
Board of Selectmen
Conservation Commission
Board of Health
Building Official
Board of Appeals

From: Jo-Ann Taylor, DCPC Coordinator
Martha's Vineyard Commission *JAT*

Date: December 9, 2010

Re: Island Wind District of Critical Planning Concern – Adoption of Regulation for the Town of Chilmark

Please be advised that on Thursday, November 4, 2010, the Martha's Vineyard Commission voted, as provided in Section 10 of the Acts of 1977 as amended, to adopt the following regulation to govern the Island Wind District of Critical Planning Concern in the Town of Chilmark.

1. No wind energy facility shall be permitted which extends within the Island Wind District of Critical Planning Concern unless approved by the Martha's Vineyard Commission as a Development of Regional Impact.
2. The boundaries of the Island Wind District Ocean Zone in the Town of Chilmark are as follows: that portion of the air space over all ocean waters which exceeds two hundred twenty feet (220') in height above mean sea level, and extending from the Mean Low Water Line seaward to the bounds of the municipal corporation.
3. The boundaries of the Island Wind District Land Zone in the Town of Chilmark are as follows: that portion of the air space over all lands and inland waters of the municipal corporation which exceeds one hundred fifty feet (150') in height above mean natural grade (for land areas) and/or surface water level (for inland water areas), extending from the Mean Low Water line landward; except school buildings and grounds.
4. This regulation shall remain in effect until the first to occur of

(a) adoption by the Town of Chilmark of implementing regulations for this DCPC, after such regulations in draft form have been approved by the Martha's Vineyard Commission as being in conformance with the District's development guidelines, or

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(b) November 3, 2011.

Note that Pursuant to Section 9 of Chapter 831 of the Acts of 1977, as amended, the moratoriums on development permits associated with the Land Zone and the Ocean Zone were terminated with this vote, restoring the Town's authority to grant development permits within the District.