

Short Environmental Assessment Form

Part 1 - Project Information

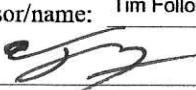
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Town of Wilmington, NY			
Name of Action or Project:			
Local Law No. 1 of 2026, titled "A Local Law to Amend the Zoning Ordinance of the Town of Wilmington"			
Project Location (describe, and attach a location map):			
Town of Wilmington, NY			
Brief Description of Proposed Action:			
<p>The town board of the Town of Wilmington, New York finds that the following amendments to the town's zoning ordinance will improve the regulation of land use within the Town of Wilmington, thereby protecting and improving the general welfare of the citizens of the Town of Wilmington. The Wilmington town council seeks to amend the town zoning ordinance in order to mitigate potential adverse impacts of large "big box stores" and similar retail businesses and require a vegetative buffer and screening for commercial development.</p>			
Name of Applicant or Sponsor:		Telephone: 518-946-7179	
Town of Wilmington, NY (Town Board)		E-Mail: Wilmintim@outlook.com	
Address:			
7 Community Center Circle, PO BOX 180,			
City/PO: Wilmington		State: NY	Zip Code: 12997
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			
2. Does the proposed action require a permit, approval or funding from any other government Agency?			
If Yes, list agency(s) name and permit or approval:			
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
16. Is the project site located in the 100-year flood plan?			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
17. Will the proposed action create storm water discharge, either from point or non-point sources?			
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes,			
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> YES <input type="checkbox"/> NO b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> YES <input type="checkbox"/> NO			
If Yes, briefly describe: <hr/> <hr/>			
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?			
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, explain the purpose and size of the impoundment: <hr/>			
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?			
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, describe: <hr/>			
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?			
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, describe: <hr/>			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor/name: Tim Follas		Date: 1/20/2026	
Signature: 		Title: Town Supervisor	

Resolution 26-2026: Amendments to the the Zoning Ordinance of the Town of Wilmington

RESOLVED:

Subject to a Public Hearing and further revisions made by the Town Council, if any, the Town Council of the Town of Wilmington, NY, shall take the actions necessary to enact Local Law #1 of the Year 2026.

Local Law #1 of the Year 2026

A Local Law to Amend the Land Use Code of the Town of Wilmington

Be it enacted by the Town Board of the Town of Wilmington as follows:

Section 1. Authority.

This local law is enacted under the authority granted by the General Municipal Home Rule law of the State of New York.

Section 2. Legislative Intent.

In 2013, the town board of the Town of Wilmington, New York, adopted the town's current municipal zoning ordinance. In the years since the adoption of that ordinance there have been developments in land use generally, with an increase in land development and building permits specifically, which were not anticipated by the town board when the town's current municipal zoning ordinance was adopted.

The town board recognizes the impact that future developments may have on the quality of life and economic well-being of adjacent and nearby property owners specifically, as well as on the residents and the positive economic development of the township generally.

The town board also recognizes the impact that future developments may have upon existing land uses, public services, traffic, and the mutually supportive objectives of natural resource protection and economic development identified in the town's Comprehensive Plan.

In accordance with the foregoing, the town board of the Town of Wilmington, New York, finds that the following amendments to the town's zoning ordinance will improve the regulation of land use within the Town of Wilmington, thereby protecting and improving the general welfare of the citizens of the Town of Wilmington.

Section 3.

Article V of the Zoning Ordinance of the Town of Wilmington is hereby amended to add:

- A. An individual retail trade use shall not exceed 8,000 square feet of floor area, whether in one building or more than one building.
- B. A grouped retail business use shall not exceed a total of 40,000 in all buildings that constitute the use.
- C. For the purposes of the size limits set forth herein, floor area shall include floor area or floor space of any sort within the building, as well as exterior space used for the sale or storage of merchandise.

Section 4.

Article IX, §F(1) of the Zoning Ordinance of the Town of Wilmington is hereby amended to add:

§F(1)(f).

Site plan approvals shall not be granted if the proposed use will have a materially adverse impact upon adjoining and nearby properties, or a clearly adverse aesthetic impact upon the Town of Wilmington.

Section 5.

Article X, §C of the Zoning Ordinance of the Town of Wilmington is hereby amended to add:

Article X §C(8).

Special use permits shall not be granted if the proposed use will have a materially adverse impact upon adjoining and nearby properties, or a clearly adverse aesthetic impact upon the Town of Wilmington.

Section 6.

The section of Article VI of the Zoning Ordinance of the Town of Wilmington titled “Site Improvements and Screening” is hereby amended to add:

A. Visual impact, screening, and setbacks

OBJECTIVE:

Ensure that all approved commercial projects preserve and, where possible, enhance the existing natural and aesthetic qualities of the project site and its environs.

GENERAL GUIDELINES:

- 1) Utilize existing vegetation and topographical features, preserve existing vegetation where possible, and employ careful siting methods so as to minimize the visual impact of all commercial development activities.
- 2) At least thirty (30) feet of natural vegetation shall be left in its natural or improved state adjoining any public street or highway or any adjoining property not in the same ownership.
- 3) The Planning Board and the Zoning Board of Appeals may, in their discretion, require additional measures to provide suitable screening, such as additional setbacks, planting, and fencing.

Pursuant to this Local Law, the previously existing subsection “A.” under the heading “Site Improvements and Screening” of the Zoning Ordinance of the Town of Wilmington, New York, shall be re-labeled as subsection “B.”

Section 7.

The Town Board hereby declares its legislative intent to supersede any provision of the Zoning Ordinance of the Town of Wilmington, New York, that is inconsistent with the amendments adopted hereby.

If any local laws, or parts of any local laws, are inconsistent with any of the provisions of this local law, this local law shall control.

The Town’s forms, rules, and regulations shall, to the extent necessary, be updated to reflect these amendments.

To the extent any provision of the Zoning Ordinance of the Town of Wilmington, New York, is inconsistent with this Local Law, this Local Law shall control.

Section 8. Effective date.

This local law shall take effect immediately upon filing in the office of the Secretary of State of the State of New York.

BE IT FURTHER RESOLVED:

The Town Council of the Town of Wilmington, New York, does hereby announce a Public Hearing on Local Law #1 of the Year 2026, which shall be held at the Wilmington Community Center at _____ p.m. on Wednesday, January 28.

BE IT FURTHER RESOLVED:

The Town Clerk of the Town of Wilmington, New York, town employees, and town officials are hereby authorized to publish required legal notices, and to take any additional measures to ensure that the above-described Public Hearing and all other actions necessary for the adoption of Local Law #1 of the Year 2026 conform with the laws of New York State and the laws of the Town of Wilmington.

BE IT FURTHER RESOLVED:

The Town Council of the Town of Wilmington, New York, does hereby authorize the Town Supervisor to communicate with, send documents to, and take similar actions with respect to the Adirondack Park Agency, the County of Essex, and any departments or employees thereof, to ensure that the processes through which the Town Council of the Town of Wilmington, New York, adopts Local Law #1 of the Year 2026 conform with the laws, requirements, and customary practices of the State of New York, the Adirondack Park Agency, and the County of Essex.