

## **Local Law #2 of the Year 2026:**

### **A Local Law to Promote Affordable Housing in the Town of Wilmington**

Be it enacted by the Town Council (“town board”) of the Town of Wilmington (“the town”) as follows:

#### **§1. Authority.**

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

#### **§2. Legislative Intent.**

In January of 2024 the town board of the Town of Wilmington, New York resolved to support the town’s designation as a “Pro-Housing Community.”

In doing so, the town board pledged to streamline permitting for affordable housing, and to enact policies to support a broad range of housing development. The town board begins fulfilling those pledges by enacting this local law.

#### **§3. Amendment to Article XVI of the Town’s Zoning Ordinance**

Article XVI (“Article XVI – Definitions”) of the Zoning Ordinance of the Town of Wilmington (hereinafter “the zoning ordinance”) is hereby amended. Pursuant to the adoption of this local law, the following words shall be added to Article XVI of the town’s zoning ordinance:

Dwelling, Tiny House – A dwelling unit of less than \_\_\_\_\_ square feet.

#### **§4. Amendment to Article IV of the Town’s Zoning Ordinance**

Article IV (“Article IV – Use Regulations”) of the zoning ordinance is hereby amended. Pursuant to the adoption of this local law, “Dwelling, Tiny House” shall be added to the Residential Use Regulations (“use table”) in Article IV of the town’s zoning ordinance.

#### **§5. Amendment to Article IV of the Town’s Zoning Ordinance**

Article IV (“Article IV – Use Regulations”) of the town’s zoning ordinance is hereby amended. Pursuant to the adoption of this local law, “Dwelling, Tiny House” shall require Site Plan Review in the Hamlet 1, Hamlet 2, and Moderate Intensity zoning districts.

#### **§6. Amendment to Article IV of the Town’s Zoning Ordinance**

Article IV (“Article IV – Use Regulations”) of the zoning ordinance is hereby amended. Pursuant to the adoption of this local law, “Dwelling, Manufactured Home” shall be added to the Residential Use Regulations (“use table”) in Article IV of the town’s zoning ordinance.

### **§7. Amendment to Article IV of the Town’s Zoning Ordinance**

Article IV (“Article IV – Use Regulations”) of the town’s zoning ordinance is hereby amended. Pursuant to the adoption of this local law, “Dwelling, Manufactured Home” shall require Site Plan Review in the Hamlet 1, Hamlet 2, and Moderate Intensity zoning districts.

### **§8. Amendment to Article XVI of the Town’s Zoning Ordinance**

Article XVI (“Article XVI – Definitions”) of the town’s zoning ordinance is hereby amended. Prior to the adoption of this local law, the definition of “Dwelling, Manufactured home” read as follows:

DWELLING, MANUFACTURED HOME – Homes manufactured post 1976 that are transported as complete homes or in sections on a permanent chassis that can be rapidly assembled. If built prior to 1976 a manufactured home is referred to a Mobile Home. All regulations referring to manufactured homes shall be equally applied to mobile homes.

Pursuant to the adoption of this local law, the definition of “Dwelling, Manufactured home” shall read as follows:

DWELLING, MANUFACTURED HOME – Homes manufactured after 1976 that are transported as complete homes or in sections on a permanent chassis that can be rapidly assembled. If built prior to 1976, a manufactured home is referred to as a mobile home.

**§9. Amendment to Article V of the Town’s Zoning Ordinance**

Article V (“Article V – Dimensional Regulations”) of the zoning ordinance is hereby amended. Prior to the adoption of this local law, the subsection of Article V regulating manufactured housing read as follows:

**Additional Density Requirements for Manufactured Homes**

A. Manufactured Homes. The minimum land area required for all mobile homes shall be 3 acres.

Pursuant to the adoption of this local law, the subsection of Article V regulating manufactured housing shall read as follows:

**Additional Density Requirements for Manufactured Homes**

A. Manufactured Homes. The minimum land area required for all mobile homes shall be 3 acres. The minimum land area required for all manufactured homes shall be 1 acre. No more than one manufactured or mobile home shall be permitted per lot.

**§10. Amendment to Article V of the Town’s Zoning Ordinance**

Article V (“Article V – Dimensional Regulations”) of the town’s zoning ordinance is hereby amended. The following words shall be added to Article V:

**Additional Density Requirements for Tiny Houses**

A. Tiny Houses. The minimum land area required for all tiny houses shall be 1 acre. No more than one tiny home shall be permitted per lot.

## **§11. Amendment to Article VI of the Town’s Zoning Ordinance**

Article VI (“Article VI – General Regulations”) of the town’s zoning ordinance is hereby amended. Prior to the adoption of this local law, the section of Article VI regulating manufactured homes read as follows:

### **Manufactured Homes**

A. Purpose. The purpose of this section is to promote the health, safety, and general welfare of the community, including the protection and preservation of the property of the Town of Wilmington and of its inhabitants by establishing specific requirements and regulations governing the installation of manufactured homes.

B. The installation of the manufactured home shall conform to the requirements of the NYS Building Code and the United States Department of Housing and Urban Development.

(1) All manufactured homes within the Town of Wilmington shall be installed on a permanent foundation with the wheel and tongue removed.

(2) The manufactured home shall have an approved metal, wood, or other suitable skirting or framing, properly ventilated and attached, which shall enclose the area from the bottom of the floor line of the mobile home to the ground, and which shall be installed within thirty (30) days of the installation of the mobile home.

Pursuant to the adoption of this local law, the section of Article VI regulating manufactured homes shall read as follows:

### **Manufactured Homes**

A. Purpose. The purpose of this section is to promote the health, safety, and general welfare of the community, including the protection and preservation of the property of the Town of Wilmington and of its inhabitants by establishing specific requirements and regulations governing the installation of manufactured homes.

B. The installation of the manufactured home shall conform to the requirements of the United States Department of Housing and Urban Development, the New York State building code, and the following additional terms:

(1) All manufactured homes within the Town of Wilmington shall be affixed to a permanent foundation with the wheel and tongue removed.

(2) All manufactured homes within the Town of Wilmington shall have a metal, wood, or similar skirting or framing approved prior to installation by the town's Code Enforcement Officer or Planning Board, which shall be properly ventilated and attached, and which shall enclose the area from the bottom of the floor line of the manufactured home to the ground, and which shall be installed within thirty (30) days of the installation of the manufactured home.

(3) All manufactured homes within the Town of Wilmington shall have wooden steps or decking for all entrances.

(4) All manufactured homes installed within the Town of Wilmington must be manufactured no more than five years prior to the home's installation.

(5) All manufactured homes within the Town of Wilmington shall have a roof pitch of 5/12 or greater.

C. All manufactured homes within the Town of Wilmington shall be ineligible for use, operation, or permitting as a "short-term rental," as the term is defined in the town's Local Law 1 of 2021.

## **§12. Amendment to Article VI of the Town's Zoning Ordinance**

Article VI ("Article VI – General Regulations") of the town's zoning ordinance is hereby amended. Pursuant to the adoption of this local law, the following subsection shall be added to Article VI:

Tiny House: Unless defined as an "accessory dwelling unit" according to the terms of the Zoning Ordinance of the Town of Wilmington, tiny houses built, installed, placed, or similarly situated after the adoption of this local law shall be ineligible for use, operation, or permitting as a "short-term rental," as the term is defined in the town's Local Law 1 of 2021.

### **§13. Amendment to Article XVI of the Town's Zoning Ordinance**

Article XVI ("Article XVI – Definitions") of the town's zoning ordinance is hereby amended. Pursuant to the adoption of this local law, the definition of "Dwelling Unit" shall be:

DWELLING UNIT – One or more rooms with provision for living, cooking, sanitary and sleeping facilities arranged for the use of one family or household, which shall not be less than \_\_\_\_\_ square feet. Excluding kitchens, bathrooms and hallways, there shall be a minimum of 70 square feet of habitable area provided for sleeping accommodations.

### **§14. Statement of Intent to Supersede**

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.

### **§15. Severability Clause.**

If any provision of this local law is found to be invalid, unenforceable, or illegal, the aforementioned provision shall be ineffective only to the extent of the invalidity, illegality or unenforceability, and the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

### **§16. 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.

## **Local Law #5 of the Year 2026:**

### **A Local Law Updating Wilmington’s Zoning Code to Address Clearcutting, More Accurately Define “Retail” Use, and Improve Notifications Sent to Nearby Property Owners**

Be it enacted by the Town Council (“town board”) of the Town of Wilmington (“the town”) as follows:

#### **§1. Authority.**

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

#### **§2. Legislative Intent.**

Wilmington, New York, is a town in Adirondack Park. The town is known for downhill skiing, the AuSable River, and, more recently, mountain biking. In conjunction with opportunities for outdoor recreation, the township’s primary assets are its proximity to the state forest reserve, its scenic beauty, and its unaffected rural character.

The town’s leaders have recognized this.

Completed in 1975, the town’s Comprehensive Plan states, “Natural resource protection and economic development must be identified as mutually supportive objectives.

The town’s first two land-use codes, adopted in 1975 and 1988 respectively, reflect this guiding principle.

The town’s third zoning code, adopted in 2013, does not.

In 2013, town officials viewed the earlier codes as impediments to residential construction and commercial expansion and adopted a significantly looser code. In the years since 2013, a series of large development projects — both commercial and residential, and both proposed and completed — have created tension and controversy in the community, and a feeling of dissatisfaction with the township’s direction became widespread. In 2025, Wilmington elected two new members of its town board and a new town supervisor — all of whom had, as candidates, pledged to tighten the town’s zoning code, rein in clear-cutting, and strengthen the authority of the town’s land-use boards.

These objectives are entirely consistent with the town’s Comprehensive Plan, which counsels the town’s future leaders to “Encourage pursuits compatible with [the town’s] natural resources. Activities should utilize and enhance these resources, rather than degrade or destroy.”

These objectives are also consistent with the town’s Local Waterfront Revitalization Program (LWRP). The town’s LWRP was adopted in 2010. It advises the town’s future leaders to “Prohibit the introduction of features that are discordant with the scenic elements of the

Town” and to “Avoid loss of economic, environmental, and aesthetic values associated with the open space, recreation, and natural areas.”

Wilmington’s leaders recognize what the authors of the town’s Comprehensive Plan understood: There is no need to choose between natural resource protection and economic development.

With this local law, Wilmington chooses both.

**§3. Article XVI of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

Article XVI of the town’s zoning ordinance is hereby amended, and the following definition shall be added to Article XVI:

LAND CLEARING – The clearing of trees and other vegetation from property in preparation for development.

**§4. Article IV of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

Pursuant to the adoption of this local law, the following uses shall be added to the Use Regulations (hereinafter “use table”) in Article IV of the town’s zoning ordinance:

- Land Clearing, less than two acres;
- Land Clearing, more than two acres;
- Land Clearing, more than three acres; and
- Land Clearing, more than five acres

**§5. Article IV of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

1. In the residential use table, “Land Clearing, less than two acres,” shall be a permitted use in all districts.

2. In the residential use table, “Land Clearing, more than two acres,” shall require Site Plan Review in the:

- Hamlet 1; and
- Hamlet 2 districts; and

Shall be a permitted use in the Moderate Intensity, Low Intensity, Rural Use, and Resource Management districts.

3. In the residential use table, “Land Clearing, more than three acres,” shall require Site Plan Review and a Special Use Permit in the:

Hamlet 1;

Hamlet 2;

Moderate Intensity; and

Low Intensity districts; and

Shall be a permitted use in the Rural Use and Resource Management districts.

4. In the residential use table, “Land Clearing, more than five acres,” shall require Site Plan Review and a Special Use Permit in all districts.

**§6. Article IV of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

1. In the commercial use table, “Land Clearing, less than two acres,” shall be a permitted use in all districts.

2. In the commercial use table, “Land Clearing, more than two acres,” shall require Site Plan Review in the:

Hamlet 1;

Hamlet 2;

Moderate Intensity; and

Low Intensity districts; and

Shall be a permitted use in the Rural Use, and Resource Management districts.

3. In the commercial use table, “Land Clearing, more than three acres,” shall require Site Plan Review and a Special Use Permit in the:

Hamlet 1;

Hamlet 2;

Moderate Intensity; and

Low Intensity districts; and

Shall be a permitted use in the Rural Use and Resource Management districts.

4. In the commercial use table, “Land Clearing, more than five acres,” shall require Site Plan Review and a Special Use Permit in all districts.

**§7. Article IV of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

1. In the industrial use table, “Land Clearing, less than two acres,” shall be a permitted use in all districts.

2. In the industrial use table, “Land Clearing, more than two acres,” shall require Site Plan Review in the:

Hamlet 1;

Hamlet 2;

Moderate Intensity; and

Low Intensity districts; and

Shall be a permitted use in the Rural Use, and Resource Management districts.

3. In the industrial use table, “Land Clearing, more than three acres,” shall require Site Plan Review and a Special Use Permit in the:

Hamlet 1;

Hamlet 2;

Moderate Intensity; and

Low Intensity districts; and

Shall be a permitted use in the Rural Use and Resource Management districts.

4. In the industrial use table, “Land Clearing, more than five acres,” shall require Site Plan Review and a Special Use Permit in all districts.

**§8. Article XVI of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

Article XVI of the town’s zoning ordinance is hereby amended, and the definition of “retail use” therein shall be changed.

Prior to the adoption of this local law, the town’s zoning ordinance defined retail use as:

Establishments providing goods, merchandise or services to the general public, for a fee, such as, but not limited to, banks, educational services, gift shop [sic], dry cleaners, laundromats, supermarkets and food stores.

Pursuant to the adoption of this local law, the town's zoning ordinance shall define retail use as:

Establishments providing goods or merchandise to the general public for a fee — including, but not limited to, gift shops, supermarkets, and food stores.

**§9. Article XIV of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

Prior to the adoption of this local law, Section A(2) of Article XIV of the town's zoning ordinance read as follows:

Such notice of hearing shall also be mailed directly by the Town to all land owners within a 500' radius at least ten (10) days prior to the hearing date.

Pursuant to the adoption of this local law, Section A(2) of Article XIV of the town's zoning ordinance shall read as follows:

Such notice of hearing shall also be mailed directly by the Town to all land owners within a 1000' radius at least twenty (20) days prior to the hearing date.

**§10. Article XIV of the Zoning Ordinance of the Town of Wilmington is hereby Amended.**

Prior to the adoption of this local law, Section A(3) of Article XIV of the town's zoning ordinance read as follows:

All costs are the responsibility of the applicant, and the applicant shall provide the envelopes with stamps. If subsequent, separate hearings are required by the reviewing board or requested by the applicant, the cost of additional notices and mailings shall be paid by the applicant prior to such notices being sent. This shall not include hearings held open or continued by the reviewing Board.

Pursuant to the adoption of this local law, Section A(3) of Article XIV of the town's zoning ordinance shall read as follows:

All costs are the responsibility of the applicant, and the applicant shall provide the envelopes with stamps. If subsequent, separate hearings are required by the

reviewing board or requested by the applicant, the cost of additional notices and mailings shall be paid by the applicant prior to such notices being sent.

**§11. Severability Clause.**

If any provision of this local law is found to be invalid, unenforceable, or illegal, the aforementioned provision shall be ineffective only to the extent of the invalidity, illegality or unenforceability, and the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**§12. Intent to Supersede.**

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 this Local Law.

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.

**§13. 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.

Resolution \_\_\_\_\_ of 2026: A Resolution Updating the Town’s Procurement Policy

**IT IS RESOLVED** that the Town Council (“Town Board”) of the Town of Wilmington (“the town”) hereby adopts the following procurement policy.

**IT IS FURTHER RESOLVED** that this policy supersedes and replaces the previous procurement policies adopted in 2014 and 2025.

## **PROCUREMENT POLICY**

### **PURPOSE**

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner that:

- (1) Ensures that town expenditures are in the best interests of the town’s taxpayers;
- (2) Ensures that the town acquires high-quality goods and services at the lowest possible cost under the circumstances; and
- (3) Scrupulously avoids extravagance, improvidence, favoritism, corruption, and fraud.

To further these objectives, the Town of Wilmington hereby adopts the following policies and procedures governing all procurement of goods and services which are not required to adhere to the competitive bidding requirements of General Municipal Law Section 103 or any other law.

## **STATUTORY EXCEPTIONS FROM THESE POLICIES AND PROCEDURES**

Alternative proposals or price quotes for goods and services shall be secured by use of:

1. Written requests for proposals,
2. Written price quotes,
3. Verbal price quotes, or
4. A similar method of procurement that furthers the purposes of General Municipal Law Section 104-b,

Except for procurements made pursuant to:

- General Municipal Law Section 103(3) (through county contracts),
- General Municipal Law Section 104 (through state contracts),
- State Finance Law Section 175-b (for agencies for the blind or severely handicapped),
- Correction Law, Section 186 (articles manufactured in correctional institutions), or
- The items excepted herein (see below).

## **EXCEPTIONS FROM THE TOWN'S PROCUREMENT POLICIES**

The Wilmington town board hereby sets forth the following circumstances when, in the sole discretion of the town board, compliance with the town's procurement policies may not be in the best interests of the town and therefore not required:

1. Emergencies where time is a crucial factor. An emergency can only be declared by the town board;
2. Procurement for which there is no possibility of competition (sole source items);
3. Procurements of professional services which, because of the confidential nature of the services, do not lend themselves to procurement through solicitation.

## **METHODS OF COMPETITION TO BE USED FOR NON-BID PROCUREMENTS**

**The methods of procurement to be used are as follows:**

- Verbal Quotes: The telephone log or similar record should record, at a minimum:
  1. Date
  2. Item or service desired
  3. Price quoted
  4. Name of vendor
  5. Name of vendor's representative.
  
- Written Quotes: Vendors should provide, at a minimum:
  1. Date
  2. Description of item or details of service to be provided
  3. Price quoted
  4. Name of contact.
  
- Requests for Proposals: An effective way to award contracts for professional services is to award them after a minimum number of professionals are contacted and asked to submit written proposals.  
Requests for proposals (RFPs) are used as a means of obtaining a wide variety of professional services. RFPs are used to obtain the services of: architects, engineers, accountants, lawyers, underwriters, fiscal consultants, and other professionals.

### **AWARDS TO ENTITIES OTHER THAN LOWEST RESPONSIBLE DOLLAR VENDOR**

Whenever any contract is awarded to an entity other than the lowest responsible dollar offer, the reasons why the award furthers the purpose of General Municipal Law Section 104-b shall be documented as follows:

- Documentation should be in writing and should address the Town of Wilmington's previous experiences with the chosen entity and/or with competing entities.

## **REVIEW**

The town board shall review and update these policies and procedures as it deems appropriate.

The town board shall be responsible for evaluating the town's various internal control structures to ensure compliance with the town's procurement policies.

## **UNINTENTIONAL FAILURE TO COMPLY**

The unintentional failure to fully comply with the provisions of the town's procurement policies, or with similar provisions of other government entities, shall not be grounds to void actions taken, or give rise to a cause of action against the Town of Wilmington or any officer or employee thereof.

## **PROCEDURES FOR DETERMINING IF PROCUREMENTS ARE SUBJECT TO BIDDING**

The procedures for determining whether a procurement of goods or services is subject to competitive bidding, and for documenting the basis for any determination that competitive bidding is not required by law, are as follows:

### **PROCEDURES FOR THE PURCHASE OF COMMODITIES, EQUIPMENT, & GOODS**

\$1 to \$500: Authorized personnel may submit purchase orders to the town's Account Clerk

\$501 to \$1,499: Purchases must be approved by the Town Supervisor

\$1,500 to \$2,999: Purchases require documented telephone quotes from at least three vendors (if available) and must be approved by the Town Supervisor

\$3,000 to \$9,999: Purchases require formal written quotes from three vendors and must be approved by the town board

\$10,000 and up: Sealed bids are required

Procurements will be awarded to the LOWEST RESPONSIBLE AND RESPONSIVE vendor.

Reasonable justification and supporting documentation are required when the procurement is not awarded to the vendor offering the lowest price.

Reasonable justification and supporting documentation are necessary when the required number of quotes cannot be obtained.

## **AWARDING OF CONTRACTS; HIRING CONSULTANTS**

Contracts shall only be awarded by the town board, subject to the following requirements; professional services, including but not limited to consultants, shall only be hired by the town board, subject to the following requirements:

Contracts & professional services requiring the expenditure of \$1,000 to \$3,000:

Documented telephone quotes from at least three vendors;

Contracts & professional services requiring the expenditure of \$3,001 to \$13,000:

Formal written quotes from at least three vendors;

Contracts & professional services requiring the expenditure of \$13,001 to \$19,999:

The town board must issue a formal request for proposals (RFP), with a response from at least three vendors;

Contracts & professional services requiring the expenditure of more than \$20,000:

Formal sealed bids in conformance with Municipal Law, Section 103.

The town board is not required to accept any of the bids, quotes, or proposals provided, and shall have the right and discretion to contact other vendors for price bids or quotes.

When a bid, quote, or proposal other than the least expensive bid, quote, or proposal is awarded, there must be written documentation of the reason for the award.

Quotes, bids, and proposals that exceed a monetary limit set by the town board shall not be awarded.

Procedures and practices not specified herein shall adhere to the requirements of General Municipal Law, Section 104-b.