

Agenda of the August End-of-the-Month Meeting of the Wilmington Town Board
Wednesday, August 26, 6 p.m.

1. Guest: Lucy Miraski (Director of Wilmington's Summer Youth Program)
2. Guest: Kaley Basile (BETA)
 - Hardy Kids race & potluck event
3. Guest: Michelle Clement (Regional Office of Sustainable Tourism)
 - Town logo & brand update
4. Announcements & reports
 - Assemblyman Cashman
 - Culvert replacement project
 - Assessor applicants
 - Community Priorities Survey
 - Beach concerts, staffing, boat rentals, etc.
5. Discussion / resolution: Animal control
6. Discussion / resolution: Zoning code amendments
7. Discussion: Town hall forum
8. Discussion / resolution: Supporting AuSable Valley Central School
9. Discussion / resolution: Clarifying budget lines / funds
10. Public comments

Please note: This agenda is in draft form and may change.

Local Law #5 of the year 2026
A Local Law to Amend the Zoning Ordinance of the Town of Wilmington

Be it enacted by the Town Board of the Town of Wilmington 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 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.

§3. Article X of the Zoning Ordinance of the Town of Wilmington is hereby amended

Subsection 3 of Section E ("Public Hearing on Special Use Permit") of Article X of the Zoning Ordinance of the Town of Wilmington shall be repealed and replaced with the following:

Such notice of hearing shall also be mailed directly by the Town to all land owners within a 600' radius at least fifteen (15) days prior to the hearing date. In addition, a sign notifying the public of the hearing shall be posted at the site of the proposed project at least 15 days prior to the hearing date. The cost of these notices shall be borne by the applicant and shall be paid to the Town prior to the hearing.

The Town's land-use board may, by majority vote, agree to expand the "notice radius" to a distance of not more than 1000'.

§4. Article XI of the Zoning Ordinance of the Town of Wilmington is hereby amended

Subsection B of the section titled "Hearing on Appeal" of Article XI of the Zoning Ordinance of the Town of Wilmington shall be repealed and replaced with the following:

Such notice of hearing shall also be mailed directly by the Town to all land owners within a 600' radius at least fifteen (15) days prior to the hearing date. In addition, a sign notifying the public of the hearing shall be posted at the site of the proposed project at least 15 days prior to the hearing date. The cost of these notices shall be borne by the applicant and shall be paid to the Town prior to the hearing.

The Town's land-use board may, by majority vote, agree to expand the "notice radius" to a distance of not more than 1000'.

§5. Article XIV of the Zoning Ordinance of the Town of Wilmington is hereby amended

Subsection B(1) of the section titled "Fines; Penalties for Offenses" of Article XIV of the Zoning Ordinance of the Town of Wilmington shall be repealed and replaced with the following:

(1) Criminal sanctions

Criminal sanctions are as follows:

(a) First offense: Fine of \$500, or six months imprisonment, or both.

(b) Second offense: Fine of \$1000, or up to six months' imprisonment, or both.

(c) Third offense and subsequent offenses (if committed within five years of the first offense): fine of not less \$2,000, or up to six months imprisonment, or both.

§6. 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.

§7. Effective Date.

The Town of Wilmington Zoning Ordinance, as amended hereby, shall take effect immediately upon its filing in the office of the Secretary of State of the State of New York.

RESOLUTION NO. _____ OF 2026

A RESOLUTION URGING NEW YORK STATE TO PROVIDE EQUITABLE AND SUSTAINABLE FUNDING FOR THE AUSABLE VALLEY CENTRAL SCHOOL DISTRICT

WHEREAS, the Town Board of the Town of Wilmington recognizes that a strong public education system is essential to the future success of our children, the vitality of our communities, and the long-term economic health of our region; and

WHEREAS, the AuSable Valley Central School District serves students throughout a large rural geographic area, including residents of the Town of Wilmington, while facing increasing costs associated with employee benefits, transportation, utilities, contractual services, and other operational expenses; and

WHEREAS, despite responsible financial planning by the Board of Education and District administration, the District has recently experienced financial challenges that required reductions to its proposed budget before it was ultimately approved by the voters; and

WHEREAS, the Town Board recognizes that rural school districts face unique challenges, including declining enrollment, large transportation routes, aging infrastructure, and limited opportunities to generate additional local revenue while continuing to provide quality educational opportunities for students; and

WHEREAS, the Town Board believes that New York State should provide funding that more accurately reflects the actual cost of educating students in rural communities and reduce the growing burden placed upon local property taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wilmington respectfully urges the Governor of the State of New York, the New York State Legislature, and the New York State Education Department to review and strengthen the State's school aid formulas, including Foundation Aid, to provide fair, equitable, and sustainable funding for rural school districts such as the AuSable Valley Central School District; and

BE IT FURTHER RESOLVED, that the Town Board respectfully requests that New York State increase its investment in public education so rural school districts are able to maintain educational opportunities, extracurricular programs, and essential student services without placing an excessive financial burden on local taxpayers; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward certified copies of this Resolution to Governor Kathy Hochul, Senator Dan Stec, Assemblyman Michael Cashman, the New York State Education Department, the New York State School Boards Association, and anyone else she deems appropriate.