

**Agenda of the September End-of-the-Month Meeting of the Wilmington Town Board
& PUBLIC HEARING**

Wednesday, September 30, 6 p.m.

1. Public Hearing on Local Law 6 of 2026: A Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36
2. Discussion / resolution: Local Law 6 of 2026
3. Discussion: 2027 Budget
4. Discussion / resolution: “Beautification” & “Donations” NYCLASS accounts
5. Discussion: Community Priorities Survey
6. Discussion: Handbook
7. Discussion / resolution: Request for a Reduction of the Speed Limit on Hardy Road
8. Discussion: Local Law 7 of the year 2026: A Local Law Amending the Regulation of Short-Term Rentals in the Town of Wilmington
9. Discussion / resolution: Purchase of Plow for Parks Department Truck
10. Announcements & reports
 - Zoning Ordinance
 - Logo
 - Comprehensive Plan
 - Speeding
 - Planning Board work session
11. Public comments

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

RESOLUTION _____ OF 2026: A Resolution Clarifying the Titles and Balances of the Town's Donations and Beautification Funds

WHEREAS the Town of Wilmington desires to separate, clarify, and update the titles and balances of its NYCLASS accounts to provide greater clarity in the Town's accounting and records;

NOW, THEREFORE, IT IS RESOLVED that the town board hereby directs the town's Account Clerk to transfer funds from the Town's NYCLASS "Beautification" account to the Town's "RM Donations" account so that exactly \$15,000.00 remains in the Beautification account; and

IT IS FURTHER RESOLVED that the Account Clerk is directed to retitle the "RM Donations" NYCLASS account as "Donations"; and

IT IS FURTHER RESOLVED that all future municipal donations shall be deposited into the "Donations" account, unless a donation is expressly provided by the donor for beautification purposes.

RESOLUTION _____ OF 2026: A Resolution Requesting a Lower Maximum Speed on Hardy Road

WHEREAS new construction as well as the addition of a large number of mountain biking and multi-use trails accessed via Hardy Road in the past decade have resulted in significantly increased bicycle and automobile traffic on Hardy Road in the the Town of Wilmington;

THEREFORE, IT IS RESOLVED that the town board hereby directs the Superintendent of Highways of the County of Essex to request that the New York State Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, establish a lower maximum speed at which vehicles may proceed on Hardy Road, a town road, between Springfield Road and New York State Route 86.

Local Law 7 of the Year 2026

A Local Law Amending the Regulation of Short-Term Rentals in the Town of Wilmington

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

Section 1. Legislative Intent.

The Town Council (hereinafter “town board”) has recognized that it would be beneficial for the Town to control and regulate the use of short-term rentals within the Town of Wilmington. These amendments to the Town of Wilmington’s Zoning Ordinance are intended, by placing amended limits on the number of short-term rentals allowed at any given time in the Town, to preserve and protect the health, character, safety, and general welfare of the residential neighborhoods and rural areas where short-term rentals are operated, and to mitigate the adverse effects of short-term rentals on the community. They are also intended to allow for temporary or intermittent relief from the limits on the number of short-term rentals provided herein to residents of the Town of Wilmington to avoid economic impacts on those property owners based upon unique circumstances.

Section 2. Definitions.

The Town’s existing definition of “Short-Term Rental” (“A dwelling unit that is rented, in whole or in part, to any person or entity for a period of less than 30 consecutive nights, including any residential building or apartment, single- or two-family dwelling, condominium, townhouse, guest house, cottage, cabin, or accessory dwelling which is rented as a living quarters for any period of less than 30 consecutive nights. This definition excludes hotels, bed and breakfast establishments, boarding houses, and school and non-profit dormitories; also excluded are owner-occupied homes. ...”) shall remain in place.

In addition, the following definitions shall be added to the town’s Short-Term Rental Law:

Hosted short-term rental: An accessory dwelling unit, as defined in the Zoning Ordinance of the Town of Wilmington, that is:

- a) Operated as a short-term rental, and;
- b) Located on a property that is the primary residence of an owner of the property, at which an owner of the property resides for at least 184 days per calendar year.

Applicants for Hosted short-term rental permits shall provide a sworn statement that the applicant resides at the property for at least 184 days per calendar year and satisfactory evidence, such as a driver’s license, that the property is the applicant’s primary residence.

Unhosted short-term rental: All other short-term rentals in the Town of Wilmington.

Section 3. Amending Article VI (8) of Town’s STR Regulations

Article VI(8) of the Town of Wilmington's Local Law Regulating Short-Term Rentals is hereby amended to read as follows:

The following limits and exceptions shall apply to short-term rentals:

- a) There shall be a limit of 100 unhosted short-term rental permits and 50 hosted short-term rental permits issued and in effect at any given time by the Town of Wilmington.
- b) This restriction shall not apply to timely renewals of existing permits or exemptions as provided herein.
- c) Exemptions to the limits of short-term rental permits authorized by subparagraphs a and b above may be granted by the Zoning Board of Appeals upon a showing of special circumstances by the applicant. Any exemptions so granted shall only be granted after a public hearing.
- d) Special circumstances for an exemption from the limits provided in subparagraphs a and b above may only be found to exist where an applicant demonstrates a unique short-term or intermittent (i.e., seasonal) need for a short-term rental permit.
- e) Special conditions may be imposed as part of the grant of an exemption to the limits provided in subparagraphs a and b above, including but not limited to: by limiting the duration of any permits so issued, and/or by requiring the periodic renewal of any permits so issued by the Zoning Board of Appeals after a subsequent demonstration of continuing special circumstances and a public hearing.

Section 4.

The terms of this Local Law shall supersede any other ordinances or Local Laws in the Town of Wilmington to the extent applicable.

Section 5.

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State.

Resolution_____ -2026: A Resolution Authorizing the Purchase of a Plow

WHEREAS the town board approved the purchase of a plow for a Parks Department truck at a cost of \$7500 via Resolution 100-2026; and

WHEREAS an invoice was recently provided to the town board by the Parks Superintendents showing a total cost of \$8085 for both the plow and the plow's installation; therefore

IT IS RESOLVED that a payment of \$8085.00 shall be made to Central Garage for the above-described purpose; and

IT IS FURTHER RESOLVED that the additional \$585 authorized hereby shall be drawn from the town's budget surplus ("fund balance") from the year 2025.