End of Month Meeting and Public Hearing
of the Town of Wilmington Town Board,
September 30,2026 Community Center 6:00 PM
To view the meeting remotely please go to
https://meet.goto.com/townofwilmington OR to call in, dial 1-408-650-3123 Access code:377-399-733

Attending Officers

Tim Follos- Supervisor
Darin Forbes - Board Member
Hanna Cromie – Board Member
Laura Hooker – Deputy
Randy Winch - Board Member
Dawn Stevens – Town Clerk

There were two people signed in and no one attending on the go-to site.

Public Hearing
Local law 6 of 2026

The public meeting was called to order at 6:00. ***Motion*** *was made to open the Public Hearing by Supervisor Follos and* ***seconded*** *by Hanna Cromie,* ***all*** *in favor. Supervisor Follos read the Notice for the Public hearing. Supervisor explained the law and asked if there was anyone who wished to speak. No one had any questions or comments. At 6:03* ***motion*** *was made by Tim Follos* ***seconded*** *by Darin Forbes,* ***all*** *in favor.*

There was no vote taken at this meeting.

Resolution No. 166-2026 **September 30, 2026**

RESOLUTION DECLARING THE TOWN OF WILMINGTON BOARD'S INTENT TO SERVE AS LEAD AGENCY FOR THE COORDINATED ENVIRONMENTAL REVIEW OF THE PROPOSED LOCAL LAW FOR FLOOD DAMAGE PREVENTION (TYPE I ACTION)

The following resolution was offered by Councilperson Laura Hooker who moved its adoption, and seconded by Councilperson Darin Forbes, to wit:
WHEREAS, the Town Board is considering the adoption of a proposed Local Law for Flood Damage Prevention applicable to all areas of special flood hazard within the Town of Wilmington (the Proposed Action); and

WHEREAS, the adoption of a local law is an action subject to environmental review under the State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law, and its implementing regulations at Title 6 of the New York Codes, Rules and Regulations, Part 617 (SEQRA); and
WHEREAS, the New York State Department of Environmental Conservation (DEC) has advised, and the Town Board concurs, that the Proposed Action constitutes a Type I action under 6 NYCRR 617.4; and

WHEREAS, a Type I action requires coordinated review among all involved agencies and the establishment of a single lead agency prior to any determination of significance, in accordance with 6 NYCRR 617.6; and

WHEREAS, the Town Board is the agency principally responsible for undertaking and approving the Proposed Action and desires to serve as lead agency for the coordinated environmental review of the Proposed Action; and

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WHEREAS, Part 1 of a Full Environmental Assessment Form (Full EAF) has been prepared for the Proposed Action and is available for circulation to involved and interested agencies;
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Wilmington as follows:

1. Classification. The Town Board hereby determines, subject to completion of coordinated review, that the Proposed Action is a Type I action under 6 NYCRR 617.4.
2. Intent to Serve as Lead Agency. The Town Board hereby declares its intent to serve as lead agency for the coordinated environmental review of the Proposed Action under SEQRA.
3. Circulation of Notice. The Town Supervisor and/or Town Clerk is hereby authorized and directed to circulate a Notice of Intent to Serve as Lead Agency, together with a copy of Part 1 of the Full EAF and the text of the Proposed Action, to all involved and interested agencies, including without limitation the following:
   - New York State Department of Environmental Conservation, Region 5 Office;
   - New York State Health Department
   - Adirondack Park Agency
4. Thirty-Day Coordination Period. The Notice shall advise each involved agency that any objection to the Town Board serving as lead agency must be received by the Town Board within thirty (30) calendar days from the date the Notice and Full EAF Part 1 are transmitted, and that if no objection is received within that period, the Town Board shall be deemed to have been established as lead agency for the Proposed Action.
5. Resolution of Lead Agency Disputes. In the event any involved agency objects to the Town Board serving as lead agency, the Town Supervisor is authorized to seek agreement among the involved agencies as to lead agency designation and, if agreement cannot be reached, to request that the Commissioner of the DEC designate the lead agency in accordance with 6 NYCRR Part 617.
6. Subsequent SEQRA Review. Upon its establishment as lead agency, the Town Board shall proceed to complete Parts 2 and 3 of the Full EAF, review the criteria set forth in 6 NYCRR 617.7(c), and make and issue a written determination of significance in accordance with 6 NYCRR 617.7, prior to taking any final action to adopt the Proposed Action.
7. Further Actions. The Town Supervisor and Town Clerk are authorized and directed to take such further actions and to execute and file such documents as may be necessary or appropriate to carry out the intent of this Resolution, including the filing, publication, and distribution of SEQRA documents in accordance with 6 NYCRR 617.12.
8. Effective Date. This Resolution shall take effect immediately.

Moved by Tim Follos **Seconded** Laura Hooker

HANNA CROMIE: ***Yes***
TIM FOLLOS: ***Yes***
DARIN FORBES: ***Yes***
LAURA HOOKER: ***Yes***
RANDY WINCH: ***Yes*** ***Carried 5-0***

Regular end of month meeting

RESOLUTION 167- 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.

Moved By *Laura Hooker* **Seconded by** *Darin Forbes*

HANNA CROMIE: ***Yes***
TIM FOLLOS: ***Yes***
DARIN FORBES: ***Yes***
LAURA HOOKER: ***Yes***
RANDY WINCH: ***Yes*** ***Carried 5-0***

RESOLUTION 168- 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 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.

Moved By *Darin Forbes* **Seconded by** *Hanna Cromie*

HANNA CROMIE: ***Yes***
TIM FOLLOS: ***Yes***
DARIN FORBES: ***Yes***
LAURA HOOKER: ***Yes***
RANDY WINCH: ***Yes*** ***Carried 5-0***

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Motion to introduce Lacal Law 7 made by **Tim Follos**, Seconded by **Laura Hooker**

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.

Resolution169-2026: 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.

Moved By *Tim Follos* **Seconded by** *Randy Winch*

HANNA CROMIE: ***Yes***
TIM FOLLOS: ***Yes***
DARIN FORBES: ***Yes***
LAURA HOOKER: ***Yes***
RANDY WINCH: ***Yes*** ***Carried 5-0***

Public Comment
Supervisor Follos opened the floor for public comment, no one wished to speak.

Adjournment was at 8:55 pm

Respectfully submitted,
Dawn Stevens