



Village of New York Mills

1 Maple Street
New York Mills, NY 13417
www.nymills.com

315-736-9212
FAX 736-7561

Planning - Zoning Board of Appeals

Todd Martin, Chairman
Jim Bombace, Jr.
Tom Wadas
Jacqueline Wolanin
Don Spost
Joe Sroka
Steven Collins

April 29, 2025
Code Enforcement
ZB/PPB Meeting
John Constas
Josh Angotti

The meeting was called to order at 7:02 p.m. by Chairman Todd Martin, followed by the pledge.

Present – Todd Martin, Tom Wadas, Jackie Wolanin, Steven Collins, Tim Carey, Codes Officer John Constas, and Village Attorney Kathryn Hartnett by phone

RE: 65 Henderson Street

Christine Jarvis would like to move her State Farm Insurance office from 64 Henderson St, across the street, to 65 Henderson St. Her current landlord is reclaiming the space, she needs to vacate 64 Henderson St. by June 1. Christine recently acquired 65 Henderson St. and wishes to relocate office to this address. However, 65 Henderson St, and other properties on that side of the road are zoned residential, R-1. Christine is requesting a Use Variance for this address.

Open Forum:

Kerry Conley – Kerry states there has been so much change to this area of Henderson St. and the commercial encroachment over time does not justify allowing this business. It is inappropriate and unfair to the long-time residents of this neighborhood. How does putting a commercial business at the above address benefit the neighbors? It does not, it only benefits the business owner. She also questions if there has been any mitigation for the flooding issues on this property/street.

Christine Jarvis states her contractor checked with the DEC who stated their jurisdiction ends at the bank of Mud Creek.

Michael Lyons- Mike has lived on Henderson St. for 24 years. He has seen the severe flooding over the years stating adding additional parking areas will only make it worse. He recalls when Walgreen's was built, a fence was installed but a fence does not stop flood water or liter from coming on his property. Adding another commercial business adds to loss of privacy, more traffic, and decreases value of his property. He asks the board to stop the encroachment.

Nancy Marafioti- Nancy states this business will cause loss of privacy to the neighbors who often use their back yards. It will also cause additional traffic and noise. The yard already floods so it would be impossible to add a parking lot. Nancy has many photos showing flooding over the years. She spoke to the DEC several times, the DEC states if there is any evidence or

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verbal statements of past flooding, the DEC will conduct an environmental study. Additionally, Nancy has not been able to find any transaction showing the transfer of ownership of 65 Henderson St. to Christine Jarvis.

John Constas states he also called the DEC due to flooding issues at this address. Christine Jarvis would need to obtain a variance from the State of NY and the Village of New York Mills to add a rear parking lot. The State will not approve this due to the known previous flooding.

Due to commercial zoning statements from some speakers, John states Christine Jarvis has applied for a Use Variance for a non-conforming use, not a Zoning change to the property. If approved, the variance would be for Insurance only, not for any other type of business that may want to move in in the future. The zoning of the property will not change, it will remain R-1.

Colleen Conley – Colleen states all these commercial properties that continue to occupy Henderson St. are destroying the neighborhood where she grew up. There is so much traffic noise and lights in the evening that destroy the once quite area. When does it stop?

Open forum closed.

Tom Wadas states he has seen the flooding of Mud Creek for years and the situation has only become worse over the years with added businesses in the area. He is disappointed with the DEC for not taking care of Henderson Street. He thanks Christine for all she has contributed to the Village of New York Mills. Tom questions if State Farm corporate is aware of her situation and does her insurance office need to stay within a particular area? Has State Farm helped her relocate? Are there any other properties available? He states that the village is currently in litigation with another business on Henderson St. When does it stop? Perhaps when the village changes its codes. Tom feels the village should assist Christine in finding a new location.

Christine states, State Farm is aware but it is up to her to find a new location. She has been looking at other locations but thought moving across the street would be an ideal situation.

Attorney Hartnett asks Jarvis who her attorney is for the closing on the property. Jarvis states Ward Arcuri.

Hartnett also agrees that perhaps the village can assist in finding a different property for Jarvis to relocate her business if within the village boundaries.

Tim Carey asks Jarvis if she is willing to rent or own a property. She states she is open to either and has a few irons in the fire. If she is unable to obtain the use variance at 65 Henderson St, she will sell or rent the property.

Tom Wadas makes a motion to enter into Executive Session for legal advice at 7:55p.m., seconded by Jackie Wolanin. All in favor.

Exit Executive Session at 8:01p.m.

Tom Wadas makes a motion to table this matter pending further information. In particular, Christine Jarvis is to provide deed to 65 Henderson St. or proof of purchase. He also requests either the Mayor or Village Attorney speak with Christine Jarvis regarding other options. Motion seconded by Tim Carey.

Jackie Wolanin opposes, all other members in favor.

No further questions at this time.

A motion to adjourn the meeting at 8:03 p.m. was made by Tom Wadas, seconded by Jackie Wolanin.

Respectfully submitted,

Brenda Mitchell