

**PLANNING BOARD  
TOWN OF MARILLA  
RECOMMENDATION**

Debbie Zimmerman  
Nathan Barnard  
Jay Walkowiak, Chairman  
Lorraine Martzolf  
Vinney Beisiegel, Vice Chairman  
Richard Rose  
Richard Janiga  
Clarence Gerhardt, Alternate  
Jen Seth-Cimini, Alternate

Beth Ackerman, Town Board  
Jason Paananen, Consultant  
Scott Rider, CEO  
Melissa Stark, Clerk

Date: September 15, 2011

Recommendation Two: To recommend the changes to the Flag Lot Code:

A recommendation was made at the September 15, 2011 Planning Board meeting regarding changes to the Flag Lot Code. The Planning Board accepted a motion by Richard Janiga and seconded by Debbie Zimmerman for the Town Board to approve changes to the Flag Lot Code.

The Proposed Flag Lot Code will read as follows with any changes in italics:

A. Flag lots shall be permitted in the Town of Marilla, provided that they meet all the requirements for a flag lot as set forth in this section and provided that they comply with all other applicable provisions of the Code of the Town of Marilla.

(1) Minimum width and area of flag lots. Each flag lot must have a minimum width of 300 feet and minimum depth of 300 feet with a minimum area of 90,000 square feet.

(2) Minimum setback for any structure to be constructed on a flag lot shall be 100 feet as measured from the edge of the flag lot that is parallel to the public highway that provides access to said flag lot. This shall be deemed the front setback.

(3) Minimum side and rear setback for any structure to be constructed on a flag lot shall be that required for the zoning district within which such flag lot is located.

(4) No more than two separate flag lots shall be allowed to be created on any individual parcel of land as set forth in the official records of the Town of Marilla Building Department as of the effective date of this provision.

(5) Flag lots shall only be allowed for single-family residential structures together with accessory structures. Multifamily dwellings (i.e., duplex, triplex, etc.) shall be prohibited.

(6) Each flag lot shall have its own separate private driveway that connects the flag lot to the public highway, with shared private driveways not permitted.

(a) Each private driveway shall have a minimum width of 30 feet with a hard surface of a minimum of 12 feet. *All private driveways should be located 5 feet from the property line.*

(b) No private *flag lot* driveway shall be located any closer than 200 feet to the nearest private *flag lot* driveway.

(c) Any private driveway that is more than 300 feet in length must contain a turnaround of sufficient size to accommodate fire trucks, ambulances and other emergency vehicles.

The issues that were discussed at the meeting were:

1. Clarification on driveway language.
2. Made improvements to an old code.

The vote of the member is as follows:

Debbie Zimmerman - aye  
Chairman Jay Walkowiak - aye  
Vinney Beisiegel - nay  
Richard Rose - aye  
Richard Janiga ó aye  
Nathan Barnard ó aye  
Lorraine Martzolf ó nay

Respectfully Submitted by  
Melissa R. Stark