

TOWN OF WORCESTER
Worcester, Otsego County, New York

Local Law # 2 of 2014

FLAG LOTS

ARTICLE I – ENACTMENT

The Worcester Town Council, consistent with its powers and authority under Article 16 of the Town Law of the State of New York, hereby enacts this Local Law # 2 of 2014.

ARTICLE II – TITLE

This enactment shall be known as the Law on Standards for Flag Lots.

ARTICLE III – PURPOSE

Town of Worcester Local Law #1 of 1976, entitled “Land Use Regulations,” sets lot area, yard and height regulations for permitted uses in land use districts. In order to provide for better economic development opportunities for rural land in the town, this local law establishes a review process for the approval of certain lots not meeting the required minimum frontage on a public road in the R-80 One Acre Residence-Agriculture District.

ARTICLE IV – APPLICATION

Notwithstanding any other provisions of law, the provisions of this local law will have effect in any instance in which an existing lot is proposed to be divided with or without existing structures or use or intent to build or use.

ARTICLE V – PROVISIONS

§1. Section 4.1 of Local Law #1 of 1976 is hereby amended by adding thereto a new paragraph, to be a new paragraph e, to read as follows:

e. Flag Lots.

1.A flag lot is any lot not meeting the required minimum frontage along a public road and where access to this road is by a strip of land narrower than the required minimum frontage. Flag lots may be permitted during the process of review of land use applications, following initial review and recommendation by the Planning Board and

final determination of approval by the Land Use Enforcement Officer, when appropriate, to allow for the economic development of back land areas, but only under the following conditions:

- A. the access strip of land shall be a minimum of fifty (50) feet wide and shall not exceed a grade of fifteen percent (15%);
- B. the minimum lot area, yard and height requirements shall be met, exclusive of the land contained in the access strip;
- C. minimum front, side and rear setback requirements shall be met, excluding the narrow access strip;
- D. no more than one (1) flag lot shall be served by a single access strip;
- E. access strips shall be at a minimum distance apart of at least 200 feet; and
- F. the access strip shall not be a right-of-way, but shall be owned in fee title by the owner of the flag parcel.

ARTICLE VI – ADMINISTRATION AND ENFORCEMENT

This local law shall be administered by the Land Use Enforcement Officer, following an initial review and recommendation by the Planning Board when any flag lot approval is proposed. Any proposed new structure, addition to an existing structure, or use, shall comply with applicable local land use, building code and state health code regulations. All administrative, enforcement and appeal provisions of Local Law #1 of 1976 shall apply.

ARTICLE VII – EFFECTIVE DATE

This local law shall take effect immediately upon its filing with the Secretary of State of the State of New York.