

**§100-28.B Criteria for approval of the NND.** In determining whether to approve an NND, the Town Board shall consider the following criteria and determine to what extent the proposed NND meets these criteria and whether the NND proposal, on balance, benefits the Town of Pine Plains:

- (1) creates a distinct neighborhood settlement area integrated with protected open space which may be used for agricultural, silvicultural, recreational, limited nonresidential and environmental protection purposes;
- (2) in its design, maximizes opportunities to provide a continuous system of open space which may be linked to open space areas on adjoining property;
- (3) creates opportunities and/or the potential to physically link the existing Pine Plains hamlet to the NND by creation of pedestrian and bicycle corridors and accessways;
- (4) promotes architecture and building design consistent with that existing in traditional and historic Hudson River valley communities including the Pine Plains hamlet;
- (5) promotes energy-saving and building techniques, like those promulgated by the U.S. Green Building Council;
- (6) includes a diversity of dwellings that satisfy the needs of various household types, age groups, and income levels in Pine Plains, and promotes affordable housing opportunities;
- (7) promotes traditional building and site development patterns with an interconnected and generally grid-like pattern of streets and blocks, except where topography and other unique environmental characteristics limit said pattern;
- (8) promotes use of neighborhood greens, landscaped streets, and "single-loaded" streets woven into street and block patterns in order to provide neighborhood identity and space for social activity, parks, and visual enjoyment, except where topography and other unique environmental characteristics limit said pattern;
- (9) meets the community service demands generated by an increased population associated with a NND;
- (10) is designed in accordance with the design standards set forth in §100-28.F;
- (11) preserves the site's biodiversity, maintains the diversity of plant and animal communities, protects significant habitats and insures long-term protection of water quantity and quality;
- (12) encourages protection of historical buildings and sites, sensitive archaeological areas and other important cultural resources;
- (13) encourages the conservation and enhancement of the visual quality and rural character of undeveloped areas of the Town by protecting visible open space and scenic vistas and encourages the creation and/or preservation of vegetative buffers along highways and between potentially conflicting land uses by the careful siting, design and buffering of building development;
- (14) minimizes flooding and erosion by protecting the functions of wetlands, water bodies, water courses, flood plains, areas of high water table, steep slopes, erosion hazard areas and natural vegetative cover;
- (15) minimizes stormwater runoff and maximizes the quality and quantity of groundwater recharge by reducing land disturbance, using natural drainage systems wherever possible, filtering runoff from impervious surfaces and maximizing on-site recharge;
- (16) provides special community benefits such as open space protection, public access to park land, hiking trails, biking trails and recreational resources;
- (17) provides for the construction or improvement of public facilities, services or utilities;
- (18) allows limited opportunity for nonresidential development through adaptive reuse of historic structures, or proposes uses that are allowed in the R district and will not compete with retail, personal service or other commercial uses intended to be accommodated in the Pine Plains hamlet.