
ARTICLE XIII PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRDD)

§ 30.131 LEGISLATIVE AUTHORITY

In addition to any other powers and authority to plan and regulate by zoning, the Village of Avon hereby enacts requirements for the review of planned residential development plans and the establishment and simultaneous mapping of Planned Residential Development Districts (PRDDs) pursuant to the provisions of this local law.

§ 30.132 PURPOSE AND INTENT

- A.** The purpose of a PRDD is to encourage innovations in residential development for desirable future neighborhoods and to guide said development in ways that support the community's vision and goals as stated in the Village Comprehensive Plan.
- B.** This Article recognizes that while standard zoning and subdivision functions are appropriate for the regulation of land use in areas of neighborhoods that are already substantially developed, these controls represent a type of pre-regulation, regulatory rigidity and uniformity which does not permit the land development potential of a Planned Residential Development District (PRDD). The intent of the PRDD process is to provide flexibility in the Village's regulation of residential development in order to achieve the following objectives:
 - 1.** Residential development will be in harmony with the general purpose, goals and objectives of the Village Comprehensive Plan and this Chapter.
 - 2.** Residential development will comply with all applicable regulations of this chapter except as modified by the authority of this article.
 - 3.** Residential development will not have a substantial or undue adverse effect upon adjacent property, utility facilities, traffic conditions and other matters affecting the public health, safety and general welfare.
 - 4.** Residential development will be constructed, arranged and operated so as to not interfere with the development and use of neighboring property in accordance with the applicable district regulations.
 - 5.** Residential development will be served adequately by essential public facilities and services, such as but not limited to sanitary sewers, public water supply, stormwater drainage facilities, highway capacity and other services essential to residential uses.
 - 6.** Residential development shall provide an effective and unified treatment of the development possibilities on the project site making appropriate

provisions for the preservation of trees, streams, wetlands, natural topography and geological features and the prevention of soil erosion.

§ 30.133 APPLICABILITY

- A.** A PRDD shall be applicable to any area in the Village of Avon where the applicant can demonstrate that the characteristics of his holdings will meet the requirements and objectives of this Article.
- B.** A PRDD shall contain an area of not less than 15 contiguous acres. No land shall be designated for a PRDD if it is too small, too narrow in width, too irregular in shape or with topography too excessive to be planned and developed in a manner consistent with the purpose and objectives of this Article. The Planning Board may recommend the waiver of this minimum if the Board finds the proposed development to be in accord with the Village Comprehensive Plan.
- C.** The set of use and dimensional specifications for zoning districts under the Village of Avon Chapter 30 are herein replaced by the approval process in which PRDD becomes the basis for continuing land use controls.

§ 30.134 PRDD LOT & USE CONSIDERATIONS

- A. Permitted Uses.**
 - 1.** Residential uses may be of any variety of types. In developing a balanced community, the use of a variety of housing types and densities shall be deemed in keeping with the objectives of this Article. The Village Board shall determine in each case the appropriate density for individual projects.
 - 2.** Accessory uses such as private garages, storage spaces, recreational and community activities shall also be permitted as appropriate to suit resident needs.
 - 3.** Limited commercial, service, or other nonresidential uses may be permitted where such uses are intended to primarily serve the residents of the area and where such structures are scaled appropriately for the context of the neighborhood.
- B. Permitted Lot Sizes.** No lot shall be less than 10,000 square feet in area or 50 feet in width. Residential developments should consist of a mix of lot sizes, including but not limited to the following:
 - 1.** Small Lots – 10,000 to 20,000 square feet
 - 2.** Medium Lots – 20,001 to 40,000 square feet
 - 3.** Large Lots – More than 40,000 square feet
- C. Public and Open Space Requirements.**
 - 1.** Public and/or common open space shall be provided at a rate of at least 30% of a development's gross acreage. Designation and use of such public and/or

common open space area(s) shall be based on consideration of the following factors:

- i.** The need to protect for public use areas historically used by the public such as trails;
 - ii.** The avoidance of siting of structures in hazardous areas, wetlands, floodplains, or on steep slopes;
 - iii.** The protection of sensitive habitats and woodlots; and
 - iv.** The desirability of protecting scenic areas of the site.
- 2.** Lands to be preserved as open space may be dedicated in fee to the Village or other such public agency or may remain in private ownership. For public open space(s) that remain in private ownership, the Village may require granting of an easement guaranteeing the public's right of access and use.
- 3.** The Village may require the applicant or their designee to maintain all public open spaces and related facilities (and may require that bonding or other security be posted with the Village to guarantee maintenance) or may require payment of an in-lieu fee if the Village maintains the public open space and related facilities. If the applicant or their designee is to maintain public open spaces, prior to the issuance of any permits for construction, a bond or other approved security shall be posted guaranteeing such maintenance.
- 4.** Preservation and maintenance of all common open space and communal recreational facilities shall be guaranteed by a restrictive covenant describing the open space and its maintenance and improvements and running with the land as described in the approved site plan.
- D. Community Center.** Where required by the Planning Board, multi-family developments shall include a community center space of at least 3,000 square feet.

§ 30.135 BUILDING & SITE DESIGN STANDARDS

- A. General Building Requirements.**
- 1.** Individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.
 - 2.** Each dwelling unit shall be located, constructed and served by utilities in such fashion that such dwelling unit may be sold individually as a subdivision lot, condominium unit, or in a similar fashion as approved by the Village.
 - 3.** Façade treatments on all sides of buildings within the PRDD shall be comparable in amenity to provide a visually and physically integrated development. The scale, design, and detailing of structures should be consistent with and complimentary to the traditional character of the Village's existing neighborhoods.

4. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including, but not limited to, painted wood; natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; high-quality pre-stressed concrete systems; Exterior Insulation Finish Systems (EIFS); or glass. Prohibited materials include:
 - a) Smooth-faced gray concrete block, smooth-faced painted or stained concrete block, smooth-faced concrete panels;
 - b) Unfinished wood; and
 - c) Corrugated metal siding.
5. Air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, and commercial satellite dishes or telecommunications devices shall be thoroughly screened from view from the public right-of-way and from adjacent residential properties. Screening shall be architecturally compatible with the style, materials, colors, and details of the structure. Single- and two-family dwellings shall be exempt from this provision.

B. Single- and Two-Family Dwellings.

1. There may be not less than two and not more than six units in a townhouse or attached single family group.
2. Buildings shall be oriented with the primary façade and entrance facing the public street and shall provide direct connection to the Village's public sidewalk system.
3. Garage entrance/exit doors are prohibited on the front facade of buildings. Attached garages shall be located at least 10 feet behind the front building line. Detached garages shall be located in the rear yard.
4. One driveway not exceeding 12 feet in width for a single-car garage or not exceeding 18 feet in width for a two-or-more-car garage is permitted.
5. Off-street parking for single- and two-family dwellings may be provided for on approved driveways.

C. Multi-Family Dwellings.

1. Buildings are encouraged to be designed with the outward appearance of a single-family dwelling, utilizing complimentary materials, roof lines, and architectural detailing where appropriate. Entrances should be so oriented to resemble that of a single- or two-family dwelling.
2. Buildings shall not have large or long continuous wall or roof planes. Larger buildings shall be visually divided into smaller sections no longer than 50 feet in length by recesses, bays, gables, porches, or other architectural devices to prevent an out-of-scale, monolithic appearance.
3. Buildings shall be articulated into varied forms to create interest and variety and avoid an overly repetitive appearance. Differences in form and detail and breaks between buildings shall be orchestrated in such a way that adjacent

buildings and facades define a continuous street wall and the public realm of the street.

4. Every multi-family dwelling shall have a minimum setback of 10 feet from all interior roads, driveways and parking areas.
5. Buildings shall be laid out so that primary entrances face the public street. Each entrance shall be connected by sidewalk to the Village's existing sidewalk system so as to provide both an internal and external circulation network for pedestrians.
6. Garage entrance/exit doors are prohibited on the front facade of buildings. Attached garages shall be located at least 10 feet behind the front building line. Detached garages shall be located in the rear yard.
7. Every multi-family development shall be provided with proper garbage disposal units, together with refuse storage and collection area well maintained and screened in accordance with Subsection E.
8. The entire area of a multi-family development not improved for driveways, parking areas, or covered by building or walkways shall be landscaped to the satisfaction of the Planning Board.
9. Accessory structures, such as clubhouses, pools, pool buildings, storage buildings, and trash enclosures, shall be located in a manner that does not disturb or encroach upon the public realm of the site (pedestrian walkways, roadway, etc.).
10. In addition to any storage area within individual multi-family dwelling units, a minimum of 200 square feet of storage area shall be provided for each dwelling unit in a garage, basement, or other such space(s) accessible by all occupants.

D. Nonresidential Buildings.

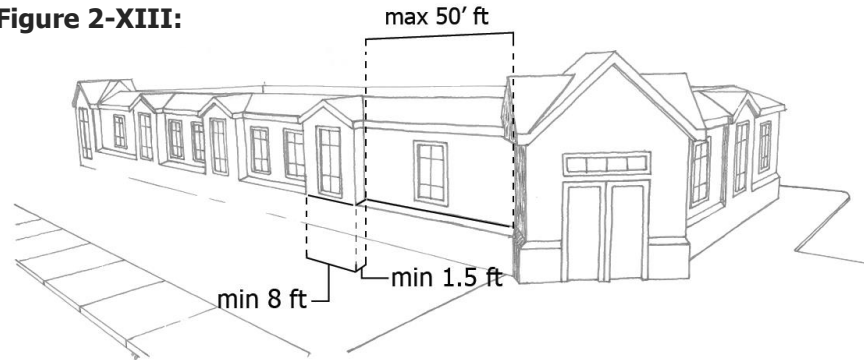
1. To the maximum extent practicable, buildings shall be arranged to orient to the streets and to frame the corner at the intersection of two streets, where applicable.
2. Buildings shall exhibit a clearly defined base, mid-section, and crown. This can be accomplished using a combination of architectural details, materials and colors. See Figure 1-XIII.

Figure 1-XIII:



3. Architectural details or features such as dormers, masonry chimneys, cupolas, clock towers, and other similar elements are encouraged.
4. All buildings shall have a prominent street level entrance visible and accessible from the public sidewalk.
5. Buildings located on corner lots shall have an entrance located on the corner that faces the intersection of two public streets to the extent practicable.
6. Varied building designs that avoid long, flat facades are required. No facade shall exceed 50 feet in horizontal length without a change in facade plane. Changes in facade planes shall be no less than one and one-half (1.5) feet in depth and eight (8) feet in length (see Figure 2-XIII). Any changes in exterior building material shall occur at interior corners.
7. All facades shall be designed to be consistent in regard to architectural style, materials, and details.

Figure 2-XIII:



E. Landscaping and Screening.

1. All nonresidential and multi-family development adjacent to a residential district or existing single-family use shall provide a landscaped buffer of at least 10 feet in width. Such buffer shall include coniferous trees, shrubs, fencing, or other such screening materials provided to the satisfaction of the Planning Board.
2. All dumpsters shall be screened from public view using a combination of solid fencing and landscaping elements, provided to the satisfaction of the Planning Board.
3. Trees shall be planted along the street frontage at a minimum of one tree per 40 feet of linear frontage. The use of salt tolerant species along roadway edges and drought tolerant species (xeriscaping) in areas without access to water is required.

F. Parking Lot Landscaping. The interior of all parking lots containing 10 or more spaces shall be landscaped in accordance with the following:

1. Primary landscaping materials used in parking lots shall be trees, which provide shade or are capable of providing shade at maturity. Shrubbery,

hedges and other planting materials may be used to complement the tree landscaping but shall not be the sole means of landscaping.

2. One shade tree shall be planted for every five parking spaces.
 3. A landscaped island at least eight feet by five feet shall be required for every five spaces.
 4. When adjacent to a residential district or use, a landscaped buffer shall be required to the satisfaction of the Planning Board.
 5. All landscaped areas shall be protected by curbing.
 6. An area for snow storage shall be provided for to the satisfaction of the Planning Board and so designated on the site plan.
- G. Landscaping Maintenance.** The following shall apply to landscaping, screening, and buffering elements for nonresidential and multi-family development only:
1. The owner of the property, or his designated agent, shall be responsible for the proper care and maintenance and replacement, if necessary, of all landscape materials in a healthy and growing condition.
 2. Maintenance shall include, but not be limited to; watering, weeding, mowing (including trimming at the base of fencing), fertilizing, mulching, proper pruning, and removal and re-placement of dead or diseased trees and shrubs on a regular basis.
 3. Improper maintenance shall be determined through periodic inspection by the Code Enforcement Officer. The Code Enforcement Officer may require a review and status report of plantings by a professional landscaper, arborist, or engineer. All reasonable costs for review and determination shall be at the expense of the property owner.
- H. Existing Natural Features and Wetlands.**
1. Existing mature specimen trees, historic landscape features, mature groves of trees, streams, wetlands, and prominent topography shall be conserved and incorporated into the development design to the greatest extent practicable.
 2. An undisturbed buffer shall be maintained around the perimeter of identified wetland areas to visually screen adjacent uses; to protect associated animal habitat and plant life; and to ensure a healthy wetland ecosystem is maintained.
 3. Site planning for wetlands and adjacent areas shall be consistent with state and federal guidelines and recommended best practices.
- I. Site Design and Connectivity.**
1. Site plans shall include considerations for vehicular, pedestrian, and bicycle traffic circulation, parking, and access both internally and externally to the PRDD development area.

2. Parking areas may be located in any yard other than the required front yard, and no closer than 20 feet to any property line.
3. All buildings shall be arranged so as to be accessible to emergency vehicles.
4. Utility lines providing electric, telephone, television or other services shall be installed underground.

§ 30.136 PRDD APPLICATIONS

A. Application Procedures.

1. Applications for the establishment of a PRDD shall be submitted to the Village Clerk. The Village Clerk may provide checklists of application submittal requirements and make those checklists available to the public. Application forms and checklists of required submittal information may be available in the Village Office.
2. For the purposes of the Article the terms "reviewing board" or "review board" shall refer to the board actively reviewing an application as determined by Section 30.137.
3. If an application is determined to be incomplete by the reviewing board, the Village Clerk shall provide paper or electronic written notice to the applicant along with an explanation of all known deficiencies that will prevent competent review. No further processing of the application will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 30 days, the application will be considered withdrawn.
4. At least seven (7) hard copies and one electronic version of required materials and maps shall be provided by the applicant, unless otherwise waived by the reviewing board.
5. A pre-application conference per Section 30.137(A) is encouraged prior to submitting a PRDD application.

B. Application Requirements.

1. PRDD application form, including the name, address, and signature of the applicant, owner of record, and developer, and seal(s) of the engineer, architect, or landscape architect who prepared the development plan materials;
2. Maps and plans drawn at a scale of forty feet to the inch (1" = 40') or such other scale as the reviewing board may deem appropriate, on standard 24" x 36" sheets, with continuation on 8 1/2" x 11" sheets as necessary for written information;
3. Certified land survey showing the boundaries of the property under consideration in its current state plotted to scale with the north point, scale, and date clearly indicated, or other document deemed acceptable by the reviewing board;

- 4.** Location of all existing properties, their ownership, and uses thereon, subdivisions, streets, easements, and adjacent buildings both on site and within 300 feet of the property in question;
- 5.** Description or narrative of the proposed land use plan indicating the location, number, and types of uses to be included in the PRDD area;
- 6.** Development plan indicating the proposed location and design of the following:
 - a) All public and private streets, off-street parking areas, loading areas, driveways, sidewalks, crosswalks, ramps, curbs, and paths;
 - b) All structures and their proposed uses, including all dimensions of height and floor area, exterior entrances, and anticipated future phases, additions, or alterations;
 - c) All parks, playgrounds, recreational structures and facilities, open spaces, common property;
 - d) All methods of waste disposal;
 - e) All areas of outdoor storage;
 - f) All signs, fences, retaining walls, and other minor site improvements; and
 - g) All fire and emergency zones, including fire hydrants.
- 7.** Grading plan with contour intervals of not more than five feet of elevation indicating all existing and proposed topographic features, including but not limited to areas of the site where grades exceed three percent (3%); portions of the site with a moderate to high susceptibility to erosion, flooding or ponding; and proposed site grading;
- 8.** Site plan of principal environmental characteristics, including the location of trees, natural areas, open spaces, streams, floodplains, wetlands, watersheds, and rock outcroppings. For large or environmentally intrusive developments, the Planning Board may require soil logs, test well, percolation test results, stormwater runoff calculations, and tree surveys;
- 9.** Landscaping plan and planting schedule indicating the location and type of proposed natural plantings, including but not limited to trees, shrubs, perennials, and grasses;
- 10.** Utility plan indicating the location of existing and proposed utility systems including sewage or septic, water supply, telephone, cable, electric, and stormwater drainage. Stormwater drainage systems shall include existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales;
- 11.** Plans to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
- 12.** Lighting plan indicating the location, height, intensity, and bulb type (LED, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must be shown;

- 13.** Elevations at a scale of one-square inch equals one foot, ($\frac{1}{4}'' = 1'$) for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color or materials to be used;
- 14.** Detailed traffic study when requested by the reviewing board, including:
 - a) The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 - b) The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site;
 - c) The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels and road capacity levels shall also be given.
- 15.** Analysis of the relationship of the site to the surrounding community, including principal ties to transportation, circulation, water supply, sewage disposal, adjacent neighborhoods, and other pertinent public utilities;
- 16.** General description of any anticipated community facility needs such as schools, fire protection, and cultural facilities, and some indication of how these needs are to be accomplished;
- 17.** A schedule for completion of each construction phase for buildings, parking, and landscaped areas;
- 18.** All NYS SEQR documentation as required by law; and
- 19.** All required fees and reimbursements, and an escrow deposit to cover professional review costs, if required.
- 20.** The reviewing board may waive application requirements or request additional information for the purpose of enabling it to evaluate the compliance of the proposed PRDD with the general intent of this article.

§ 30.137 PRDD REVIEW PROCEDURE

A. Pre-Application Conference.

- 1.** It is recommended that applicants request a pre-application conference with the Village Board to discuss the desirability and feasibility of the proposed project prior to submitting a PRDD application. The Village Board may hold such pre-application conference at a regularly scheduled meeting. The Planning Board may be invited to participate at the Village Board's discretion.
- 2.** The purpose of the pre-application conference is to provide the applicant with the opportunity to seek nonbinding, advisory direction from the Village to better prepare the applicant and application for the review process.
- 3.** Any comment by Village or Planning Board members shall not be construed as a formal decision by the board or be legally binding in any way.

4. Materials presented during the pre-application conference may be incomplete and/or conceptual in design. A complete PRDD application in accordance with Section 30.136 will be required for formal review and approval.

B. Subdivision Review.

1. A subdivision application may be submitted in conjunction with a PRDD application and processed concurrently.
2. All subdivision applications related to a PRDD must be in conformance with Chapter 31 of the Village of Avon Code and shall be reviewed as outlined therein.
3. If the design requirements of this Article are found to be in conflict with that of Chapter 31, the requirements of this Article shall take precedence.

C. Site Plan Review.

1. The review and recommendation of a PRDD application and site plan by the Planning Board shall serve as preliminary site plan review as provided for by Article XII (Site Plan Review) of this Chapter.
2. The review and approval of a PRDD application and site plan by the Village Board shall serve as final site plan approval as provided for by Article XII of this Chapter.
3. A PRDD site plan may constitute the entire proposed development or, if staged, only a portion thereof. If the project is to be constructed in stages, only that portion receiving final site plan approval may be effectuated.
4. If construction has not commenced or is not completed within three (3) years of the date of approval, all associated building permit and site plan approvals shall expire. The PRDD application shall undergo final site plan review as outlined in Article XII prior to commencing or resuming construction. An extension to this expiration period may be granted by mutual written agreement of the applicant and Village Board.
5. No building permit may be issued for any development that has not received final site plan review under this Article or that of Article XII.
6. No improvements constructed pursuant to a building permit issued after final site plan approval shall be used or occupied until the Zoning Enforcement Officer issues a Certificate of Occupancy.

D. Planning Board Review and Recommendation.

1. The Planning Board shall review the PRDD application, site plan, and its related documents with the purpose of providing the Village Board with a recommendation of action.
2. The Planning Board may hold a public hearing as part of their review. If a public hearing is held it shall be duly noticed and conducted.

3. The Planning Board final action shall be the issuance of a recommendation report to the Village Board to approve, approve with conditions, or deny the PRDD application.
4. The report by the Planning Board must be in writing detailing the findings of the application as it relates to the requirements of this Article and Chapter. A copy of this report shall be filed in the Village Clerk's office and submitted to the applicant and Village Board.

E. Village Board Action.

1. Upon receipt of a report from the Planning Board, the Village Board shall consider such PRDD application as a rezoning (map and/or text amendment).
2. As required by NYS Village Law, the Village Board shall hold a public hearing as part of its review. Such hearing shall be duly noticed and conducted.
3. Prior to issuing a decision, the Village Board shall ensure all SEQR documentation is complete. When acting as lead agency, the Village Board shall also provide an official declaration as required under SEQRA.
4. The Village Board final action shall be the approval, approval with conditions, or denial of the PRDD application and site plan.
5. If the Village Board approves the application and site plan, the zoning map and text shall so be amended.

F. Required Referrals & Notice.

1. All PRDD applications under consideration by the Village Board shall be referred to the Livingston County Planning Department as required by NYS General Municipal Law Section 239-m.
2. At least 10 days prior to the date of the public hearing, the Village Board shall provide written notice to the clerk of each town, village, and county that the proposed rezoned area lies within, borders on, or comes within 500 feet of.
3. Within five (5) days of adoption the Village Clerk shall file the rezoning with the Secretary of State.
4. Within 30 days after the final action of the Village Board, a report of the final action shall be filed with the Livingston County Planning Department.

§ 30.138 PRDD REVIEW CRITERIA

- A. The appropriateness of a proposed PRDD shall be evaluated based on the following considerations:
 1. Whether the PRDD corrects an error or inconsistency in the zoning law or meets the challenge of a changing condition;
 2. Whether the PRDD is in substantial conformance with the adopted plans and policies of the Village;

- 3.** Whether the PRDD is representative of a creative approach to the use of land through innovation and flexibility;
 - 4.** Whether public facilities (infrastructure) and services will be adequate to serve development of the PRDD;
 - 5.** Whether the PRDD will substantially harm the public health, safety, or general welfare or the value of nearby properties;
 - 6.** Whether the PRDD is compatible with the zoning and use of nearby property;
 - 7.** Whether the subject property is suitable for the proposed uses and development of the PRDD; and
 - 8.** Whether there is any gain to the public health, safety, and general welfare of the community due to denial of the application, as compared to any hardship imposed upon the landowner as a result of denial of the application.
- B.** The appropriateness of a PRDD site plan shall be evaluated based on the following land use considerations:
- 1.** Compatibility of the proposed project with adjoining land uses and with other proposed development, having particular reference to its probable effect on the value of other land and to the adequacy of features intended to promote the public health, safety, and welfare.
 - 2.** Adequacy and arrangement of motor vehicle traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.
 - 3.** Adequacy and arrangement of pedestrian and bicyclist traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
 - 4.** Location, arrangement, appearance and sufficiency of off-street parking and loading.
 - 5.** Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
 - 6.** Adequacy of stormwater and drainage facilities.
 - 7.** Adequacy of water supply and sewage disposal facilities.
 - 8.** Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.
 - 9.** In the case of multi-family dwellings, the adequacy of useable open space for play areas and informal recreation.
 - 10.** Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.
 - 11.** Adequacy of fire lands and other emergency zones and the provision of fire hydrants.

- 12.** Adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
- C.** The fact that an application complies with all of the specific requirements set forth herein shall not be deemed to create a presumption that the proposed development would result in a more efficient and desirable development that could be accomplished by the use of conventional zoning categories or that it would result in compatibility with the surrounding development; nor shall such compliance, by itself, be sufficient to require the approval of the site plan, or the granting of the zoning amendment to create a PRDD.
- D.** The Planning Board and Village Board may consult with other Boards, Village Staff, the Town of Avon, and other local, county, or federal agencies to aid in the review of a PRDD application.
- E.** The Planning Board and Village Board reserve the right to consult with private professionals in the planning, engineering, architecture, or related fields as necessary to aid in the review of a PRDD application.
- F.** Costs incurred by the Planning Board or Village Board for consultation fees or other extraordinary expense in connection with the review of a PRDD application shall be reimbursed by the applicant within 30 days of written request.

§ 30.139 INSTALLATION AND INSPECTION

- A.** The installation or improvements of any development shall be subject to observation and inspection at all stages by representatives of the Village of Avon and for such purposes. Free access shall be accorded and requested information shall be promptly submitted. All costs of observation, including testing of materials, shall be paid for solely by the developer. A sufficient sum shall be provided by the developer in either a letter of credit or cash prior to project beginning.
- B.** The Village Board shall require the applicant to furnish a letter of credit or cash for the faithful performance of the plan and specifications as finally approved.
- C.** The letter of credit or cash furnished for the installation of the required improvements shall be in the amount fixed by the Village Board and approved as to form, sufficiently and manner of execution.
- D.** The letter of credit shall be issued in favor of the Village of Avon and shall assure the complete installation of the required improvements within such period, not longer than three (3) years, as shall be fixed by the Board. The Board, with the consent of all parties to the letter of credit, may extend such period upon written application of the developer filed with the Village Clerk prior to the date of expiration or upon its own motion at any time prior to a declaration of default in the letter of credit by the Village Board.
- E.** The letter of credit shall be issued to the Village for an initial minimum period of one year.