

Whitestown Town Hall  
P.O. Box 325 / 3 S. Main Street  
Whitestown, Indiana 46075  
(317)769-6557  
Fax: 769-6871

August 15, 2005

Boone County Area Plan Commission  
ATTN: Steve Niblick  
116 Washington Street, Room 101  
Lebanon, Indiana 46052

Dear Plan Commission Members:

The Town of Whitestown has received notice that Primary Plat for the proposed Farmington Lakes subdivision has been placed on the September 7, 2005, Area Plan Commission agenda. The Town of Whitestown requests that the Primary Plat hearing be postponed until the following has been completed:

1. Determination of Utility Capacities: As of this writing, the developer of this project has neither met with Whitestown Utilities, nor requested reservation of water or sewer capacities. A meeting took place approximately 6 weeks ago with a representative of Whitestown Utilities and a representative of the 22 acre Stanley property to discuss the possible development of that acreage; however, no plan for the Town to provide utility service to that 22 acres was pursued or solidified. The 104 acre, 262 lot proposed Farmington Lakes subdivision has not been discussed with Whitestown Utilities. As utility capacities have already been reserved by other developers, Whitestown Utilities will need to study the availability and capacities specific to the needs of this development and its timeline for build-out. Once contacted by the developer and provided plans and pertinent information, Whitestown Utility will assess its ability and timeline for serving this proposed development. However, that study will not be initiated until the developer requests utility service.

2. Fiscal Impact: The public hearing for annexation of a portion of the Farmington Lakes development was held at our July 11, 2005 meeting. The requisite fiscal study for the annexation was premised on this land continuing to be farmed and that revenues to the Town and costs incurred by the Town to serve the annexed territory, for at least the immediate future, were based on unimproved farmland that generates modest tax revenue but requires little to no services; i.e. utilities, police, fire, road maintenance, etc. We understand that the developers attorney stated at the August APC meeting that the developer or a representative of the developer

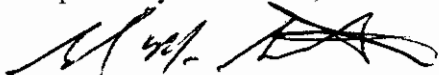
was in attendance at our July annexation hearing and heard the assertion that there was no immediate plan for development of the land being annexed and chose to not speak up. Unfortunately, as the fiscal impact to the Town is quite different for a 262 home subdivision than for farm ground, these impacts will now need to be studied. Neither Graystone Development, LLC nor its representatives have discussed this 262 home subdivision with the Town. The fiscal impact of this proposed development must be studied and a plan for minimizing any negative impacts must be in place before the Primary Plat is approved.

3. Town Thoroughfare Plan: While not officially adopted, the final draft of Whitestown's Comprehensive Plan calls for County Road 700 East to be the main north-south thoroughfare connecting SR 32 and SR 334. As this proposed development abuts CR 700 East, adequate future right-of-way needs to be established prior to Primary Plat approval.

The Town Council believes that had the developer approached the Town in a timely manner there would be no reason to delay Primary Plat approval. However, as the proposed development of this 104 acres of land adjacent to and soon to be within the Town limits has never been discussed with the Town's leadership or utility personnel, hearing and approval of the Farmington Lakes Primary Plat is premature.

The Whitestown Town Council respectfully requests that the Primary Plat for Farmington Lakes be removed from the September 7, 2005 Area Plan Commission agenda. We further request that, provided discussions between Graystone Development, LLC and the Whitestown Town Council and Whitestown Utilities begin in the very near future, the public hearing for the Farmington Lakes Primary Plat not be held until the APC's regularly scheduled November 2005 meeting, thus allowing adequate time to address all concerns referenced above and hopefully result in an approvable Primary Plat.

Respectfully Submitted,



\_\_\_\_\_  
Sam Sortor; Town Council President

**PROPOSED TIMETABLE**  
**FOR THE INVOLUNTARY CLARK/HASHMAN ANNEXATION**  
**BY THE TOWN OF WHITESTOWN**

2005

- Aug. 15 (Mon.) Town Council introduces the Annexation Ordinance and a resolution for adoption of a Fiscal Plan for proposed Annexation Territory. Town Council establishes and adopts the written Fiscal Plan.
- On or before  
Aug. 24 (Wed.) Town publishes<sup>1</sup>, mails and posts in the Town Hall the Notice of the Public Hearing to be held October 25, 2004, to all owners of real property within the Annexation Territory as shown on the county auditor's current tax list.
- Oct. 24 (Mon.) Town Council holds a Public Hearing on the Annexation Ordinance. (At least sixty (60) days after the introduction of the Annexation Ordinance and publication and mailing of the Notice)
- Nov. 23 (Wed.) Town Council adopts the Annexation Ordinance. (Not sooner than thirty days or later than sixty days after public hearing.)
- Nov. 30 (Wed.) Town publishes the Annexation Ordinance.

2006

- Jan. 30 (Mon.) Last day for property owner within one-half (1/2) mile of the Annexation Territory to appeal the Annexation because it is not contiguous to the Town. (Sixty days after publication.)
- Feb. 28 (Tue.) Last day for either sixty-five percent (65%) of the parcel owners within the Annexation Territory or the owners of more than seventy-five percent (75%) of the assessed valuation of the parcels in the Annexation Territory to file a remonstrance. (Ninety days after publication.)
- Mar. 1 (Wed.) Assuming that neither an appeal nor a remonstrance is filed, the Annexation Ordinance becomes effective and eligible for filing and recording.

<sup>1</sup> Publications must be made in the Lebanon Reporter. The Lebanon paper is published daily and notices must be delivered to the paper by 5:00 p.m. at least two (2) business days prior to the date of publication.