



Town of North Judson Planning Commission
Meeting Minutes

March 13, 2025 – 8:00 AM

The North Judson Town Planning Commission met at the North Judson Town Hall, 310 Lane Street, North Judson, IN on the above date and time with the following present: Planning Commission Members Nick Radtke, Josh Brown, Ken Dolezal, Isaiah Collins, and Tony Dye; Town Manager Joe Leszek and Clerk-Treasurer Andrew Rowe were also able to attend.

The Pledge of Allegiance was recited.

Commission President Brown asked for approval of the agenda. Commissioner Collins moved to approve the agenda. Commissioner Dolezal seconded the motion, and all Councilmembers present concurred.

Commission President Brown asked for approval of the Minutes from the Regular Planning Commission Meeting on February 24, 2025. Commissioner Dolezal made a motion to approve those Minutes. Commissioner Collins seconded the motion, and all commissioners present concurred.

Business:

Planning Commission Member Vacancies

Commissioner Rowe stated that the Planning Commission still had one vacancy left to be filled. The Planning Commission contains seven seats, three Town-elected or appointed officials and four citizen-member positions appointed to the Planning Commission by the Town Council. Rowe explained that, of the citizen member appointments, no more than two members of each political party can be on the Commission. Currently, the citizen seat that is vacant is currently a non-democratic party seat. Discussion was had on way in which the position could be filled. Town Attorney Schramm noted that the Commission can still operate effectively with six members. After seeking Schramm's input, Rowe will present the idea at the next Town Council meeting.

Proposal to Modify Zoning Ordinances – Town Ordinances No.2025-01/2025-02/2025-03/2025-04/2025-05

Building Inspector Todd Jackson presented several ordinances updates to be reviewed by the Planning Commission. He started off with updates to Ordinance 98.1 by requiring storage containers to be placed on a solid base such as asphalt or concrete. These containers will only be allowed in Industrial & General Business zones. Storage Containers will only be allowed on approved business storefronts that are open to the public. Commission President Brown asked about current issues of storage containers on residential property. Leszek informed him that there is one which has not removed. If the Commission agreed to pass

Planning Commission Meeting Minutes
Thursday, March 13, 2025, 8:00 AM

the new ordinance, then Jackson would be able to deny the permit since the container does not meet the requirements. After the Planning Commission makes a motion and approves the ordinance updates then they will move them forward to the Town Council for Consideration.

Commissioner Radtke made a motion to recommend Town Ordinance No.2025-02: An Ordinance Establishing Definitions and Criteria for Accessory Structures in its current form to the North Judson Town Council for consideration and adoption. Commissioner Collins seconded the motion, and all commissioners present concurred.

Jackson stated that the current lack of a clear definition of a “dwelling” makes it difficult to enforce housing standards. Some of the major issues include individuals who are living in unsafe or unsuitable conditions. Agencies like Adult Protective Services have no legal backing to intervene because the town lacks an ordinance defining the minimum living standards. Jackson stated that for a dwelling to be defined as a residential structure it must include the following: Permanent heating source, sleeping quarters, sanitation facilities with running water, kitchen facilities, and utilities. Minimum standards will apply to all residential structures, permanent and temporary dwellings. Properties without the following requirements will be deemed uninhabitable and the Town will have the authority to issue violations and condemn properties deemed unsafe.

Commissioner Radtke made a motion to recommend Town Ordinance No.2025-01: Establishing Definitions and Criteria for Dwellings in its current form to the North Judson Town Council for consideration and adoption. Commissioner Dolezal seconded the motion, and all commissioners present concurred.

The Commission went on to discuss the next two ordinances regarding residential solar panels and commercial solar panels and batteries installation. Jackson explained that there needs to be clarification between commercial and residential solar. The commercial solar section specifies that it applies to industrial, general business, and commercial zoning. The residential solar section allows for installation in any zoning area for personal use. He will be specifying that residential cannot be used for commercial purposes or grid back-feeding. Radtke stated that the schools are looking into adding solar panels for on-site energy consumption, not for selling energy back to the grid. There was some concern about the schools zoning since the Elementary School falls within town limits, but the High School is located outside town and could potentially be under county jurisdiction. Jackson brought up a “two-mile” jurisdiction, indicating that certain regulations may apply even outside of the official town limits. There was a mention of a one-mile reference, but they were still unsure if there are any specific rules for that distance. Jackson explained that by having the two-mile jurisdiction, then the Town would have control on what is built near its limits, even if it’s outside the official town boundaries. The jurisdiction would act as a protective buffer as the town seeks to grow, giving local authorities influence over incoming developments including solar panels. It would also allow the Town to collect taxes and permit fees from new buildings or structures that fall within the two-mile range, which would otherwise go to the County. If a solar company wanted to build within the jurisdiction, the Town could require permitting. Their conversation highlighted the financial and regulatory advantages of exercising the two-mile jurisdiction but also acknowledges the complexity of tax distribution and the challenge of navigating county-town dynamics. The Commission did agree that they would prefer to do a one-mile jurisdiction instead.

Jackson stated that he currently has the ordinance written broadly to cover both town and agricultural land, which could make future jurisdictional expansion easier. The ordinance is written would allow the town to

expand jurisdiction in the future without having to rewrite the ordinance entirely, simplifying the process. The Commission mentioned the possibility of adding a mile or more to the jurisdiction later, indicating they are keeping the ordinance flexible for future expansion. Jackson presented a forward-thinking approach to jurisdictional planning, aiming to streamline future expansions while covering both solar and battery developments.

Commissioner Radtke made a motion to recommend Town Ordinance No.2025-03: An Ordinance Establishing Rules & Procedures for Solar Energy System Standards and Design for Accessory Use and Town Ordinance No.2025-04: An Ordinance Establishing Definitions and Criteria for Standards for Commercial Solar Battery Energy Systems in their current form to the North Judson Town Council for consideration and adaptation. Commissioner Rowe seconded the motion, and all members present concurred.

Jackson presented an ordinance regarding the drilling regulations and the need for better protections and oversights. The new requirements would go as follows: Must be a legitimate business, must carry insurance to cover any possible damage, they will be liable for up to two years after drilling is completed. Jackson explained that this would ensure that if any damage is discovered later, the Town can pursue compensation from the company. The Commission agreed to table the discussion until Jackson and Dye go over the ordinance details to avoid loopholes.

Additional Business Deemed Necessary by the Commissioners:

Some Commissioners had questions regarding whether there was an UTV ordinance that they would need to go over and discuss. Jackson was able to answer some of their concerns, but the decision would ultimately be up to the Town Council.

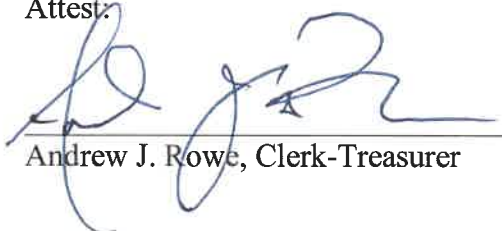
Adjournment

Commissioner Radtke made a motion to adjourn, Commissioner Collins seconded the motion, and all members present concurred.

Meeting adjourned at 8:55 A.M.


Josh Brown, Commission President

Attest:


Andrew J. Rowe, Clerk-Treasurer

Next regular scheduled meeting – TBD