

MUNSTER BOARD OF ZONING APPEALS
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: April 9, 2024

The announced meeting location was Munster Town Hall and could be accessed remotely via Zoom Webinar, a video conference application.

Call to Order: Mr. Raffin, Chairman, called the meeting to order at 6:45 pm

Pledge of Allegiance

Members in Attendance:

Brad Hemingway
Jennifer Johns
Sharon Mayer
Ed Pilawski
Roland Raffin

Members Absent:

Jonathan Petersen, Town Council Liaison

Staff Present:

Sergio Mendoza, Planning Director
David Wickland, Attorney

Approval of Minutes:

a. March 12, 2024, Draft Minutes

Mr. Hemingway stated he had one correction to note, where it reads "Mr. Buksa" it should read "Mr. Hemingway." Councilman Petersen asked that his name be corrected as well, it currently reads "Peterson" and should read "Petersen."

Motion: Mr. Hemingway moved to approve March 12, 2024 minutes contingent upon the noted corrections being completed.

Second: Ms. Mayer

Vote: Yes – 5 No – 0 Abstain – 0. Motion carries.

Preliminary Hearings:

- a. BZA 24-001 DEVELOPMENTAL STANDARDS VARIANCE: Aaron Adelman with SMJ International, representing Tesla, is requesting a variance from Section 26-6.701.B.1. to permit one 1'x 6" internally illuminated Tesla Logo sign on each (12) EV charging station located in the Target Parking lot at 8005 Calumet Avenue.**

Chairman Raffin announced BZA Petition 24-001, then asked Mr. Mendoza if the applicant was present and to provide a summary of the Petition.

Mr. Mendoza stated that Aaron Adelman with SMJ International is representing Tesla, and he is not sure why Mr. Adelman is not present. Mr. Mendoza continued by stating, the request is for a Developmental

Standards Variance to permit twelve double sided internally illuminated Tesla Logo Signs on each of their Electric Vehicle (EV) Charging Stations located in the Target parking lot. He continued by stating that our current sign code does not regulate signage on EV Charging Station and therefore they were advised to seek a variance per Section 26-6.701.B.1. to allow for EV Charging Station signage specific to Tesla Charging Stations. Mr. Mendoza also noted that additional information with regards to the dimension and square footage of the Tesla logo/signs was requested of the applicant and that information is still missing.

Mr. Petersen asked how was the applicant notified that additional information was needed, was it a conversation? Mr. Mendoza stated that the request was made via email after reviewing the application packet.

Ms. Mayer asked if the Tesla signs are out there now and was there previous discussion on the signs or plans they had previously viewed on this matter? She also asked if the other non-Tesla charging station had signs? Chairman Raffin asked if this ever went to Site Plan Review? Mr. Mendoza stated that he was made aware of Tesla appearing before the BZA to determine if the Use would be permitted as ancillary and that he did not review any of the previous Tesla files or minutes. He continued and said the images within the staff report and the prints that are in Exhibit C were submitted as part of their construction permit. He also said the other non-Tesla charging stations do not have logo signs on them. Mr. Mendoza concluded by stating he would research the previous files for additional information regarding this matter and reference it in the Public Hearing Staff Report for next month.

Mr. Pilawski stated he visited the site and can confirm the signs are there now and stated he measured the signs at 12 ¾ -inches by 17-inches but he read somewhere that the sign size is 1-inch by 6-inches. Mr. Mendoza stated that it appears the 1-inch by 6-inches measurement was noted on previous draft agenda but it was removed as an update to the agenda so that staff can receive confirmation from the application as to the size of their logo sign so it can be used as part of the Findings of Fact. He also requested that if a motion is made to set for Public Hearing it should be contingent upon the applicant submitting the size and square footage of the signs they are proposing.

Chairman Raffin asked if they set this for Public Hearing what assurances do they have that the applicant will appear and have the information requested? Mr. Mendoza stated that staff will contact Mr. Adelman and ask why there was no representation for the application at this meeting and advise him that if the town does not receive documentation from applicant regarding the Tesla sign dimension and square footage before the Public Hearing then we will not be able to move this request forward and the site will be in violation of our codes.

Motion: Mr. Hemingway moved to schedule BZA 24-001 for a May 14th Public Hearing.

Second: Ms. Mayer

Vote: Yes –5; No – 0; Abstain – 0. Motion carries.

Public Hearings: None

Findings of Fact: None

Continued Discussion Items/Other Business:

a. Board of Zoning Appeals Training Update

Mr. Mendoza stated he emailed a memo this afternoon to everyone regarding updates on Board and Commission Training. He stated he has been in contact with K.K. Fritz, a planning professional who offers training services for citizen planners, elected officials, and staff. He continued by stating that the memo has three attachments: a professional biography of K.K. Fitz, an outline of a 2-day planning workshop she previously conducted, and a redacted contract for basic training services from a local community.

Mr. Mendoza asked that the topics outlined in the workshop flyer and contract be reviewed and requested that topics of interest be forwarded to him so he can help to create a content specific training session with Ms. Fritz. He also asked about a date to hold a training session. He suggested perhaps a two-hour training session could be held before the May or June BZA/PC meeting.

Discussion ensued and it was determined that a training session before a regularly scheduled BZA and PC meeting would make for a long day and that a few board members would not be available until 5pm. There was also discussion with regards to having a training session on another weekday in the evening, but concerns were raised about availability and room conflicts. It was suggested that perhaps a Saturday in late May or early June would work better. Discussion continued and there was support for a Saturday training session. Mr. Mendoza stated he would reach back out to K.K. about this evening's discussion and work with Interim Town Manager Tricia Abbott, and Town Council President David Nellans on the logistics for hosting a Saturday training session in late May or Early June.

Next Meeting: Chairman Raffin announced the next regular business meeting will be held on May 14, 2024.

Adjournment:

Motion: Mr. Hemingway moved to adjourn.

Second: Ms. Mayer

Vote: Yes –5 No – 0 Abstain – 0. Motion carries.

Meeting adjourned at 7:00 pm

Chairman Roland Raffin
Board of Zoning Appeals

Date of Approval

Executive Secretary Sergio Mendoza
Board of Zoning Appeals

Date of Approval