

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ZONING, PLANNING AND APPEALS**

CASE NUMBER: 22-ZPA-08-001

HEARING DATE: September 8, 2022

PETITIONER: County of McHenry, IL

OWNER: Village of Cary

LOCATION: 460 Cary Woods Circle

REQUEST: 1. A conditional use for the proposed new construction of the McHenry County Joint Firing Range (Gun Range) to be located on the current Village of Cary Public Works Property, and any other relief from the Unified Development Ordinance as may be required for this project

MEMBERS PRESENT: Khoury, Williams, Naatz, Kretschmer, Stefani, Jasper, O’Laughlin and Graziano

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Brian Simmons, Director of Community Development

Chairman Khoury called the meeting to order at 7:00 PM. Chairman Khoury reviewed meeting procedures for those present. Chairman Khoury presented minutes from a previous hearing for approval. The minutes were approved by voice vote.

Chairman Khoury called Village Case No. 22-ZPA-08-001.

Director Simmons stated the Petitioner, the County of McHenry, IL, is planning to construct and operate a gun range on the Village of Cary owned property located at 460 Cary Woods Circle. The proposed McHenry County Joint Firing Range will be for the use of local law enforcement agencies, including the Village of Cary, for police training. The subject property is zoned M Limited Manufacturing District. Under current zoning regulations, gun ranges require conditional use approval within this zoning district. The petitioner is seeking approval of a conditional use for the proposed facility. The ZPA hearing was properly noticed in the August 24, 2022 edition of the Northwest Herald newspaper. In addition, the Petitioner has completed the required written notice to property owners within 250 feet and staff posted a public hearing sign on the Subject Property.

Director Simmons reviewed the proposed location, construction plans and layout of the building.

The Petitioner’s representatives Mr. Mark Price and McHenry County Sheriff Bill Prim were available to answer questions from the Board.

Member O’Laughlin asked for additional information regarding the formal notice of the petitioner’s request. Director Simmons stated the language of the notice is standard for all petitions.

Member Jasper asked if the intent of the petitioner is for the proposed facility not to be open to the public. Director Simmons reviewed use of the proposed facility.

Chairman Khoury stated all feedback received on the petition by the Village has been entered into the record.

Chairman Khoury introduced the Mr. Mark Price, Project Manager for the proposed facility.

Mr. Mark Price presented a review of the plans for construction of the proposed facility. Mr. Price reviewed sound prevention measures with the construction and briefly detailed security measures for the building.

McHenry County Sheriff Bill Prim reviewed the need for the proposed firing range and training facility.

Member Jasper asked for detail about ownership and use of the proposed facility. Sheriff Prim stated the use of the facility would be for local law enforcement personnel from Algonquin, Cary, Lake in the Hills, McHenry, and the McHenry County Sheriff Department.

Member Jasper asked if the proposed building would house an armory. Sheriff Prim answered no, minimal ammunition would be stored at the site.

Member Naatz asked what hours the proposed facility would be in use. Sheriff Prim stated the proposed facility would be available for use around the clock. This will enable on duty personnel to complete required training while working and not require additional scheduling and overtime.

Member Kretschmer asked about staffing at the facility. Sheriff Prim reviewed detail on how the facility will be used.

Member Jasper asked Mr. Price for additional detail on sound and noise reduction measures for the building. Mr. Price reviewed specific materials that will be used for this purpose.

ZPA Board Members discussed with Mr. Price noise reduction options and details for this petition.

Chairman Khoury asked for detail on the construction timeline with this type of project. Mr. Price reviewed the construction process.

Member Jasper asked about sound/noise testing being done before the project would begin. Director Simmons stated sound abatement testing has not been scheduled.

Chairman Khoury opened the floor to public comment from those present.

Ralph LaMay, Root Lane, stated his concern about noise and is not in favor of the petition.

John Ericson, Cary Woods, stated he is concerned about noise that will be generated and is not in favor of the petition.

Peter Spizziri, Sterling Circle, stated he believes this project will benefit all police officers and is in favor of the petition.

David Hall, Hillside Rd., stated he does not believe the facility should be open 24 hours a day and is not in favor of the petition. He has additional concerns regarding noise affecting surrounding neighborhoods.

Laura Sherwood, Cary Woods, stated she believes the location is not appropriate for this type of use and she is not in favor of the petition.

Steve Swarz, Root Springs, stated he does not believe public funds should be used when other facilities are already available for this type of police training.

Lindsey Salicki, Cary Woods, stated concerns about the noise this use will generate and so is not in favor of the petition.

Mr. Mark Price responded to public comments and stated materials to be used are made and approved for this specific use. Sound reduction is a focus in the design of the proposed building.

Sheriff Prim spoke in regard to the process used for selection of the site. He also discussed the importance of having the facility available to police personnel on all working shifts.

Cary Police Chief Finlon spoke to the levels of sound and how it is measured. He stated the Police Department now must travel and pay for outside facilities for this training. He stated the Police Department studied various sites before selecting this location.

John Ericson, Cary Woods, Cary stated he disagreed with the location selected.

With no further comment on the petition from the public, Chairman Khoury closed the public comment portion of the meeting.

Member Kretschmer asked Mr. Price for additional detail on the construction of the proposed building and the ability of materials to reduce sound. He asked if a sound analysis study is to be done.

Mr. Price stated the sound abatement materials to be used are rated and stated noise levels would be to code.

Member Jasper recommended the Petitioner provide additional sound information before the next hearing.

Member Naatz agreed that an acoustical engineer could have provided additional information regarding sound levels.

Member Williams stated he agrees the use and need for this building is important but has a concern about sound levels.

Chairman Khoury asked Director Simmons to review the surrounding properties zoning classifications.

Director Simmons reviewed the surrounding area.

Member Jasper asked for detail on the firing range's disposal of spent ammunition. Chief Finlon reviewed the disposal process.

Member Williams asked what hours the Public Works facility is open. Director Simmons stated the facility is staffed 24-7.

Member Graziano stated he is confident the petition has been well researched and will be implemented properly.

ZPA Members discussed conditions in the staff report.

Chairman Khoury entertained a motion.

Member Naatz moved, seconded by Member O’Laughlin , to recommend to the Village Board of Trustees, approval of a conditional use for a gun range for the McHenry County Joint Firing Range to be located at 460 Cary Woods Circle subject to the conditions in the staff report.

Aye: Graziano, O’Laughlin, Jasper, Naatz, Khoury and Williams

Nay: Kretschmer

Abstain: None

Absent: None

Motion Passed: 6-1

Director Simmons reviewed meeting dates and future cases to be presented to the Zoning Board of Appeals.

Chairman Khoury entertained a motion to adjourn at 8:24 pm.

All Ayes by Voice Vote

Motion Passed

Respectfully submitted,



Susan Greene, Deputy Village Clerk