

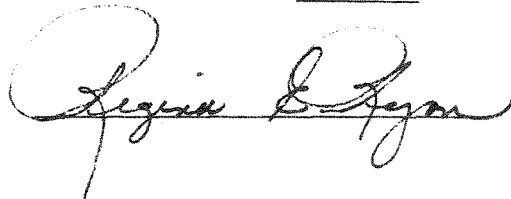


in which without the variance the petitioners will have no decent place to live. Poverty is not a factor here, since the petitioners are contemplating the construction of a home costing over \$40,000 (R. 49) and each of them is employed (R. 47). They have lived in the same house for over fifty years (R. 33), and for four years since the vandalism began (R. 48). As suggested by the Agency, the threat of missiles and of burglars can be significantly lessened by the installation of grillwork on the windows (R. 27-28). We are not convinced either that to remain in their present home for a little while longer would be intolerable or that finding alternative accommodations would be impossible, despite unsuccessful efforts so far (R. 15, 48), when compared to the urgent necessity for protecting Lake Michigan from further degradation, as graphically spelled out in our March 31 opinion.

The petition for variance is denied. This opinion constitutes the Board's findings of fact, conclusions of law, and order.

Mr. Aldrich and Mr. Kissel dissent for reasons to be stated separately.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 2nd. day of September, 1971.

A handwritten signature in cursive script, reading "Regina E. Ryan". The signature is written in dark ink and is positioned to the right of the typed text.