

ILLINOIS POLLUTION CONTROL BOARD  
July 23, 2009

ANNE MCDONAGH and DAVID )  
FISHBAUM, )  
 )  
Complainants, )  
 )  
v. ) PCB 08-76  
 ) (Citizens Enforcement - Noise)  
RICHARD and AMY MICHELON, )  
 )  
Respondents. )

ORDER OF THE BOARD (by S.D. Lin):

On April 18, 2008, Anne McDonagh and David Fishbaum (complainants) filed a complaint against Richard Michelin and Amy Michelin (respondents or Michelons). Complainants alleged that the Michelons violated the numeric noise provision of the Board's noise rules at 35 Ill. Adm. Code 901.102(a). Complainants further alleged that the source of the allegedly offensive noise is the three five-ton air conditioners located eight feet from complainants' property line. The complaint concerns complainant's property located at 1464 Linden Avenue, and respondents property located at 1474 Linden Avenue, in Highland Park, Lake County.

On July 7, 2009, complainants filed a motion, stating in its entirety that:

As the Respondents have now relocated their three air conditioning units, the noise no longer enters our property. Therefore, Complainants move that the Pollution Control Board dismiss this matter.

The Board accordingly grants the motion, dismisses this action, and closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 23, 2009, by a vote of 5-0.



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John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board

