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STATE OF ILLINOIS  
Pollution Control Board

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**Public Comment**

**Illinois Pollution Control Board, Case # PCB 2007-146  
Fox Moraine LLC v. United City of Yorkville**

Fox Moraine complains that audience members disrupted the hearings. I attended most sessions and saw no such behavior. A quick review of the transcript shows that the hearing officer maintained control at all times.

Fox Moraine laments that the City Council did not adequately consider the findings of the City's hired attorney, Mr. Price. In fact, he revealed his opinion in his opening statement – the first day of the hearing, before any testimony was presented – when he said it was a good application that would probably be approved with only a couple of conditions. His written report merely elaborated on this predetermined conclusion. The City Council had sufficient time – the entire hearing – to evaluate his recommendation.

After having had the benefit of a rushed-through annexation and a favorable host agreement, it is ironic that Fox Moraine now chooses to portray itself as a victim of unfair treatment. To the contrary, the application had a fair hearing and was rejected because it did not meet the required criteria.

Please uphold the City's decision.



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