

ILLINOIS POLLUTION CONTROL BOARD
June 27, 1985

HAWTHORN REALTY GROUP, INC.,)
)
 Petitioner,)
)
 v.) PCB 85-85
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY AND THE VILLAGE OF LINCOLNSHIRE,)
)
 Respondents.)

ORDER OF THE BOARD (by J.D. Dumelle):


This matter comes before the Board on June 18, 1985, as a petition for variance filed on behalf of the Hawthorn Realty Group, Inc. A hearing on the petition is hereby authorized. However, the Board on its own motion joins the Village of Lincolnshire as a party to this action pursuant to 35 Ill. Adm. Code 104.141 and 103.121(c). Hawthorn Realty is ordered to perform service of process on the Village pursuant to 35 Ill. Adm. Code 103.123. The Village may denominate itself as a party petitioner if it so desires.

The Board orders hearing to be scheduled within 14 days of the date of service upon the Village. The hearing officer shall inform the Clerk of the Board of the time and location of the hearing at least 30 days in advance of hearing so that public notice of the hearing may be published. After the hearing, the hearing officer shall submit an exhibit list and all actual exhibits to the Board within five days of the hearing. The hearing officer may by order set a schedule for submission of briefs. Such schedule shall provide for final filings as expeditiously as possible and in no event later than 70 days from the date of this order.

Unless Hawthorn Realty files an amended petition including proof to the Board of proper service upon the Village within 45 days, the variance petition will be subject to dismissal.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27th day of June, 1985, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board