

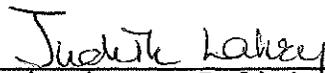
FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)	
Ingham Hill Corporation,)	Report of Hearing Officer
Complainant)	
)	Docket #FIC76-194
against)	
)	March 30, 1977
City of Willimantic and Zoning)	
Commission of the City of)	
Willimantic,)	
Respondents)	

The above captioned matter was originally scheduled to be heard as a contested case on November 29, 1976, at which time all parties appeared and agreed to have the matter continued indefinitely pending negotiations concerning possible non-adjudicative settlement of the same.

On March 16, 1977, the Commission received and made a part of the record of the foregoing the following documents: Withdrawal of Portion of Appeal; Stipulation of Facts; Stipulation to Order of the Freedom of Information Commission.

After consideration of the entire record, it is hereby recommended that the Commission accept paragraphs 1-6 of the Stipulation of Facts and further accept the consent order entered into by both parties in lieu of an adjudicative hearing. Such consent order shall have the same force and effect as an order issued pursuant to §1-21i, G.S.



Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on April 13, 1977.



Louis J. Tapogna, as Clerk of the
Freedom of Information Commission

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
INGHAM HILL CORPORATION,)
Complainant)
against) Docket #FIC76-194
CITY OF WILLIMANTIC and ZONING) January 31, 1977
COMMISSION OF THE CITY OF)
WILLIMANTIC,)
Respondents)

STIPULATION TO ORDER OF THE FREEDOM OF INFORMATION COMMISSION

The Complainant, Ingham Hill Corporation, acting herein by its attorneys, duly authorized, and the Respondent, Zoning Commission of the City of Willimantic, acting herein by its attorney, duly authorized, hereby stipulate to the entry of a judgment by the Freedom of Information Commission, subject to its approval, as follows:

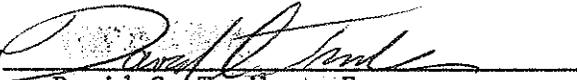
It is hereby ORDERED, that all actions of the Zoning Commission of the City of Willimantic taken at its meeting held on October 20, 1976, be, and they are hereby declared, null and void as a result of the Respondent's failure to properly notice said meeting, however, the action of the Respondent at said meeting by which it voted to deny Complainant's application for Site Development Plan approval, shall not be declared null and void by virtue of this Order.

COMPLAINANT, INGHAM HILL CORPORATION

By 

Andrew E. Becker, Esq. for
Dzialo, Pickett & Allen, P.C.
164 Court Street
Middletown, Connecticut 06457
Its Attorneys

RESPONDENT, ZONING COMMISSION OF THE
CITY OF WILLIMANTIC

By 

David C. Treiber, Esq.
21 High Street
Willimantic, Connecticut 06226
Corporation Counsel for
City of Willimantic

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
INGHAM HILL CORPORATION,
Complainant)

against)

Docket #FIC76-194

CITY OF WILLIMANTIC and ZONING
COMMISSION OF THE CITY OF
WILLIMANTIC,
Respondents)

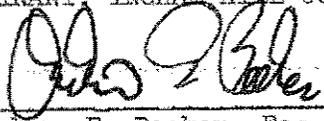
STIPULATION OF FACTS

The Complainant, Ingham Hill Corporation, acting herein by its attorneys, duly authorized, and the Respondent, Zoning Commission of the City of Willimantic and City of Willimantic, acting herein by its attorneys, duly authorized, hereby stipulate to the following facts:

1. Respondent is a public agency, subject to Public Act 75-342, being the City of Willimantic and the Zoning Commission of the City of Willimantic.
2. On October 15, 1976, Respondent placed a notice in the office of the City Clerk which purported to call a special meeting of Respondent for Wednesday, October 20, 1976, at 8:00 p.m.
3. Said special notice failed to include mention of a zone change for a certain area in the City of Willimantic which area includes property owned by the Complainant.
4. Said Commission at said meeting voted to initiate proceedings for said proposed change of zone.
5. Complainant was not present at said meeting.
6. Complainant was prejudiced as a result of the action of Respondent without notice to Complainant.

COMPLAINANT, INGHAM HILL CORPORATION

BY


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