

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by	)	
Meri Blitz, Complainant	)	Report of Hearing Officer
	)	
against	)	Docket #FIC77-9
	)	
Town of Montville and Planning	)	February 15, 1977
and Zoning Commission of the	)	
Town of Montville, Respondents	)	
	)	

The above captioned matter was heard as a contested case on February 7, 1977, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as defined by §1-18a(a) of the General Statutes.

2. By letter dated December 22, 1976 the complainant requested from the respondents a copy of a certain tape record. By letter dated January 1, 1977, the complainant further requested from the respondent commission certain information relating to a foreign corporation that was allegedly acquiring large tracts of land within the town.

3. Having failed to receive a reply within four business days, the complainant filed the present appeal with the Commission on January 19, 1977.

4. The respondents did not respond to the complainant's request within the time specified in §14(a) of P.A. 75-342.

5. At the hearing on this matter the respondents tendered compliance with respect to the requested tape record and the complainant, being fully satisfied, agreed to withdraw that part of her complaint relating thereto.

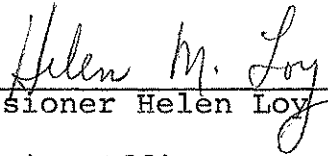
6. It is found that there does not exist a record containing the information requested relating to the aforesaid corporation.

7. Since there does not exist a record containing the information requested, it is found that the complainant has not been denied her right to a plain copy of a public record.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. Leave to withdraw that part of the complaint relating to the requested tape is hereby granted and the same is ordered withdrawn.

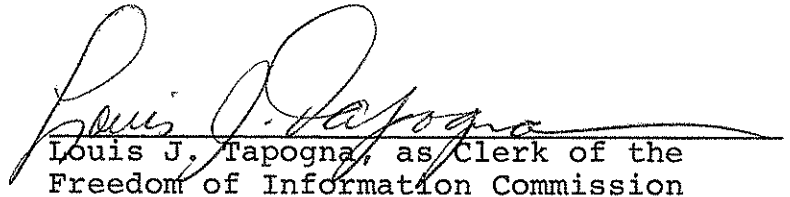
2. Henceforth, the respondents shall strictly comply with the time requirements of §14(a) of P.A. 75-342. It should be noted that compliance with P.A. 75-342 requires reply within four (4) business days and this matter could have been avoided had the respondent commission informed the complainant that the record did not in fact exist.



Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on February 23, 1977.



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