

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)	
Jay Aaron, Complainant)	Report of Hearing Officer
)	
against)	Docket #FIC78-49
)	
Town of Redding and Planning)	May 2, 1978
Commission of the Town of)	
Redding, Respondents)	
)	

The above captioned matter was scheduled to be heard as a contested case on May 2, 1978 at which time the complainant appeared and presented evidence and argument on the complaint.

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


1. The respondents are public agencies within the meaning of §1-18a(a), G.S.
2. The respondent commission scheduled a public hearing on certain proposed amendments to the subdivision regulations of the respondent town for February 14, 1978.
3. At the meeting of February 14, 1978 the respondent commission voted to continue the public hearing on the amendments to the subdivision regulations to the next commission meeting.
4. The respondent commission failed to post a notice of the continued hearing on or near the place where the regular meeting was held within twenty-four hours of the time the hearing was continued as required by §1-21e and §1-21d, G.S.
5. At the respondent commission's next regular meeting on February 28, 1978 it adopted the aforesaid amendments to the subdivision regulations.
6. By complaint filed with this Commission on March 13, 1978 the complainant recited the above stated facts and asked that the Commission invalidate the action of the respondent commission because the aforesaid amendments to the subdivision regulations affect his property rights.
7. The complainant's pending application to subdivide his eleven and one half acre property will be affected by the change in subdivision regulations if the adoption of the amendments at the respondent's meeting on February 28, 1978 is valid.

8. The complainant had no notice that the hearing on the the vote the aforesaid amendments to the subdivision regulations would be held on February 28, 1978.

9. It is concluded that the absence of proper notice for the continued hearing on the aforesaid amendments to the subdivision regulations constitutes a violation of the notice requirements, §§1-21e and 1-21d, G.S.

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

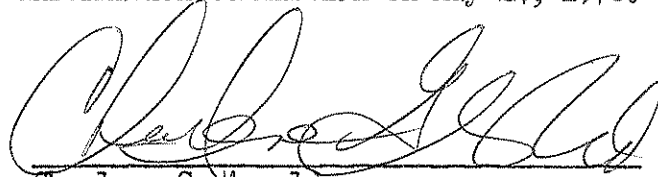
1. The vote by which the respondent commission approved amendments to the subdivision regulations of the respondent town at its February 28, 1978 meeting is hereby declared null and void.



Commissioner Donald W. Friedman

as Hearing Officer

Approved by order of the Freedom of Information Commission on May 24, 1978.



Charlene G. Arnold
Clerk of the Commission