

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint By

FINAL DECISION

Dennis J. Nolan

Docket #FIC84-6

Complainant(s)

July 11, 1984

vs.

Planning & Zoning Commission
of the Town of Beacon Falls

Respondent(s)

The above captioned complaint was scheduled for hearing March 1, 1984 at which time the parties appeared and presented evidence and argument on the complaint.

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

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.
2. By letter dated January 11, 1984 the complainant requested that the respondent provide him copies of certain records:
 - a) copy of the original complaint on which a notice dated October 1, 1983 was issued to Dennis Nolan.
 - b) copy of any prior or subsequent records maintained by the zoning enforcement officer which are applicable to or refer to above complaint.
 - c) copy of the original complaint on which a complaint (notice) was issued to Dennis Nolan. Notice dated August 6, 1980 (copy enclosed)
 - d) copy of any prior or subsequent records maintained by the zoning enforcement officer which are applicable to this complaint, in particular, the final disposition of the complaint, if any.

e) a copy of the minutes of any planning and zoning commission meeting or any other records maintained by the commission which are applicable to or contain references to the above complaints.

f) copy of the minutes of the planning and zoning commission meeting in which the reply to the notice to Dennis Nolan was received and/or discussed. This reply was delivered to the town hall on October 14, 1983 per postal receipt.

3. Approximately one month after receipt of the complainant's request the respondent replied through its attorney with the offer that if the complainant would contact the zoning enforcement officer and set up an appointment at a mutually convenient time, then he could obtain the records.

4. The respondents claimed that its limited staff made it impossible for them to provide him with the records unless the complainant came in for an appointment.


5. It is found that the respondent is required to provide the complainant with the requested copies under §1-15, G.S. and that nothing in the Freedom of Information allows the respondent to require the complainant to meet with the zoning enforcement officer.

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

1. The respondent shall provide the complainant with the copies of records requested by him.

2. The respondent shall henceforth comply with §1-15, G.S.

Approved by order of the Freedom of Information Commission at its regular meeting of July 11, 1984.



Mary Jo Jolicœur
Clerk of the Commission