

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)
John Mark Friedson,)
 Complainant)
 against)
 Town of Westport and Westport)
 Planning and Zoning Commission,)
 Respondents)

Report of Hearing Officer
Docket #FIC77-73
April , 1977

The above captioned matter was heard as a contested case on April 13, 1977, at which time the complainant and the respondent commission appeared, stipulated to certain facts, and presented testimony and argument on the complaint.

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

1. The respondent commission is a public agency within the meaning of §1-18a(a), G.S.
2. On March 29, 1977, the respondent commission gathered to discuss and work on a possible revision to the zoning laws of the respondent town.
3. The aforesaid gathering of the respondent commission was closed to the public.
4. By letter filed with this Commission on March 31, 1977, the complainant alleged that the aforesaid gathering of March 29, 1977 should have been open to the public.
5. The zoning laws of the respondent town are a matter over which the respondent commission has supervision, control, jurisdiction and advisory power.
6. It is therefore concluded that the March 29, 1977 gathering of the respondent commission was a meeting of a public agency within the meaning of §1-18a(b), G.S.
7. The respondent commission offered no defense to its closing the meeting of March 29, 1977.
8. The attorney appearing on behalf of the respondent commission admitted that it was not in compliance with the applicable provisions of P.A. 75-342 providing for meetings of a public agency to be open to the public.

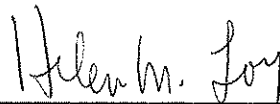
9. It is further concluded that the meeting of March 29, 1977 was required to be open to the public as provided in §1-21, G.S.

10. The meeting of March 29, 1977 is part of a series of meetings concerning revision to the zoning laws of the town of Westport.

11. At the hearing herein, the respondent commission promised that the remainder of its meetings, relative to the above, would be opened to the public.

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


1. Pursuant to the above promise, the respondent commission is hereby ordered to open to the public the remainder of its meetings involving changes in the town's zoning laws.



Commissioner Helen Loy

as Hearing Officer

Approved by order of the Freedom of Information Commission on April 27, 1977.



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