

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Ralph Neunteufel,

Complainant

against

Docket #FIC 2025-0334

Zoning Officer, Land Use Department,
Town of Easton; Land Use Department,
Town of Easton; and Town of Easton,

Respondents

April 22, 2026

The above-captioned matter was heard as a contested case on October 24, 2025, at which time the complainant and the respondents¹ appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that on April 23, 2025, the complainant requested from the respondents “copies of any and all communications with Momentum Solar regarding the property located at

¹In his April 23, 2025, request, the complainant sought records from the “Planning and Zoning Department.” At the October 24, 2025 hearing in this matter, the respondents alleged that the request went to the Planning and Zoning Department, which is a separate public agency than the Land Use Department.

The Commission takes administrative notice of the organization chart for the Town of Easton (specifically, the most recent version provided in the Town’s 2024 financial statement) as well as the Town of Easton’s website describing the different Town Departments. Per the Town’s organization chart, it is found that the Planning and Zoning Commission, the Zoning Department, and Land Use Services are all separate and distinct public agencies. It is further found that, per the Town’s website, part of Land Use Services’ responsibilities includes “[s]erving the Planning and Zoning Commission, Zoning Board of Appeals and related enforcement capacities *under the Zoning Enforcement Officer*.” (Emphasis added.) Moreover, the Town’s website lists the Land Use Department as “*Land Use (P&Z)*.” Finally, it is found that: (i) the complainant submitted his April 23, 2025 request, in writing, to the Assistant Town Clerk on the Town of Easton’s standard form for records requests; and (ii) such request was routed to the Zoning Enforcement Officer. Based on the foregoing, it is found that the complainant submitted a request to the Land Use Department, which is the agency that maintains the records at issue in this matter.

740 Stepney [Road] including but not limited to emails, letters, notes, phone calls, transcripts, texts, etc. . . in the years 2024 and 2025.”²

3. By complaint received and filed on May 7, 2025, the complainant appealed to this Commission alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide records responsive to his request described in paragraph 2, above.³

4. Section 1-200(5), G.S., provides:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public agency, or to which a public agency is entitled to receive a copy by law or contract under section 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

5. Section 1-210(a), G.S., provides in relevant part that:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to . . . (3) receive a copy of such records in accordance with section 1-212.

6. Section 1-212(a), G.S., provides in relevant part that “[a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

7. It is concluded that the records described in paragraph 2, above, to the extent they exist and are maintained by the respondents, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

8. It is found that the respondents sent a copy of responsive records to an email address belonging to “Peter Neunteufel” on May 19, 2025. The complainant testified and, it is found, that “Peter” is his middle name, and he does have an email address using the name “Peter.”

² During the October 24, 2025 hearing in this matter, the complainant alleged that the respondents failed to provide the web-browser history from the Zoning Enforcement Officer’s computer. It is found, however, that based on the facts and circumstances of this case, the complainant’s April 23, 2025 request, does not reasonably seek web-browser history.

³ On October 6, 2025, the complainant requested that the Commission consider the imposition of a civil penalty against the respondents in over 20 of his pending complaints with the Commission, including the instant matter. To the extent such request sought to amend the complaint in the instant matter, such request is denied.

9. The complainant testified, however, that he had not received the email containing responsive records described in paragraph 8, above, prior to such email being admitted as evidence at the October 24, 2025 hearing in this matter.

10. While it is unclear whether the complainant ever received the respondents email described in paragraph 8, above, it is found that the administrative record clearly evidences that the respondents attempted to provide the complainant with responsive records on May 19, 2025.

11. It is found that, in searching for records responsive to the complainant's request described in paragraph 2, above, the respondent Zoning Officer searched his emails and located a chain of correspondence involving himself, at least one other member of the Land Use Department, a consultant for the Land Use Department, and Momentum Solar. It is found, however, that the respondents did not provide any evidence that email accounts for the other member of the Land Use Department and the consultant were searched.

12. Moreover, it is found that although the respondents testified that they do not keep "records of phone calls," they did not provide any evidence as to their search for text messages and only provided limited testimony regarding their search for notes – both of which are categories of records expressly enumerated in the complainant's April 23, 2025 request, described in paragraph 2, above.

13. It is found that the respondents failed to prove that they conducted a thorough and diligent search for records responsive to the complainant's April 23, 2025 request, described in paragraph 2, above. It is found, therefore, that the respondents failed to prove that they provided the complainant with all records responsive to such request.

14. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., by failing to provide the complainant with all records responsive to his April 23, 2025 request, described in paragraph 2, above.

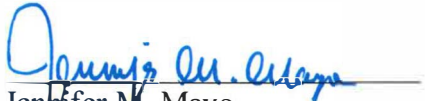
The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall conduct a thorough and diligent search for the records described in paragraph 2 of the findings, above. Such search shall include, but not be limited to, email accounts, text messages, and physical files. If such search requires the respondents to search personal devices, the owner of such device may conduct the search and provide the respondents with responsive records.

2. Within seven (7) days after completing the search for records described in paragraph 1 of this order, above, the respondents shall provide any responsive records to the complainant unredacted and free of charge. If, after conducting a thorough and diligent search, the respondents do not locate any additional records, they shall submit to the Commission, with copy to the complainant, an affidavit sworn to or attested by the person with the requisite knowledge indicating that no additional records were located and detailing the search for such records.

3. Henceforth, the respondents shall strictly comply with the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

Approved by Order of the Freedom of Information Commission at its regular meeting of April 22, 2026.

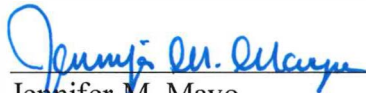

Jennifer M. Mayo
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

RALPH NEUNTEUFEL, 15 Hayes Street, Easton, CT 06612

ZONING OFFICER, LAND USE DEPARTMENT, TOWN OF EASTON; LAND USE DEPARTMENT, TOWN OF EASTON; AND TOWN OF EASTON, 225 Center Road, Easton, CT 06612



Jennifer M. Mayo
Acting Clerk of the Commission