

STATE OF CONNECTICUT
FREEDOM OF INFORMATION COMMISSION

In the Matter of a Complaint by

FINAL DECISION

Ralph Neunteufel,

Complainant

against

Docket # FIC 2025-0336

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 November 4, 2025, at which time the complainant and respondents appeared 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 25, 2025, the complainant requested that the respondents provide him with “copies of any and all communications between the Planning and Zoning Department and the Building Department concerning the property known as 740 Stepney Rd or any part thereof.” (“April 25 request”). It is found that the complainant indicated in his request that he would like to receive responsive records in electronic format.
3. By complaint received and filed on May 7, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to comply with his April 25, 2025 request, described in paragraph 2, above.
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, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

8. It is found that by email dated May 19, 2025, the respondents provided certain records to the complainant that are responsive to his request, stating, “[t]he response is complete...No digital documents.”¹

9. At the hearing in this matter, the complainant claimed that the respondents failed to conduct a thorough search for and provide all records responsive to his April 25 request.² Specifically, the complainant claimed that the respondents failed to provide him with responsive records relating to certain violations cited against the property known as 740 Stepney Road, including, specifically, records related to a “vacant building located on the property [which] is in imminent danger of collapse and has not been properly secured against entry, in violation of 2022 Connecticut State Building Code Sections 117.1 and 118” and a “deck [which] has an open permit and has not been inspected in accordance with 2022 Connecticut State Building Code Section R109.”

10. The respondents contended that they conducted a “good faith” and thorough search in all locations where responsive records reasonably might be located, and that they provided the complainant with all records responsive to his April 25 request.

11. With respect to the search for records responsive to the complainant’s April 25 request, at the hearing on this matter, the respondent Zoning Officer, testified, and it is found, that the scope of the respondents’ search consisted only of a search of the Zoning Officer’s emails.

12. The respondent Zoning Officer testified, and it is found, that the respondent Department consists of three employees: the zoning officer, a secretary and a part-time

¹ The Commission notes that it is unclear from the record how “digital documents” differ from the electronic communications that were provided to the complainant on May 19, 2025 in response to his April 25 request. See respondents’ Exhibit 1.

² At the hearing in this matter, the complainant could not recall whether he received the respondents’ May 19, 2025 email, described in paragraph 8, above.

consultant. As already indicated in paragraph 11, above, it is found that the respondents only searched the Zoning Officer's emails and not the other employees.

13. The respondent Zoning Officer testified, and it is found, that the respondents searched his emails, using "a search command, just putting in key names" and that he looked under both sent and received emails. The respondent Zoning Officer testified, and it is found, that "he [the complainant] asked for electronic records so I looked for electronic records" and not paper files.

14. It is found however that the complainant's April 25 request was not limited to electronic records, rather the complainant sought to receive responsive records in electronic format.

15. It is found that the respondents failed to prove that they conducted a diligent and thorough search and provided the complainant with a copy of all records responsive to his April 25 request.

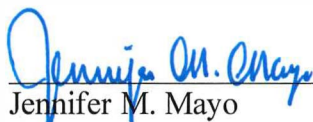
16. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

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

1. Within fourteen (14) days of the date of the Notice of Final Decision on this matter, the respondents shall undertake a search for all records responsive to the complainant's April 25, 2025 request in electronic or paper form. The respondents shall provide the complainant with a copy of such records, if any are located, free of charge. Within thirty (30) days of the date of the Notice of Final Decision, the respondents shall also provide an affidavit to the complainant and the Commission, prepared by a person with knowledge of the efforts taken, and detailing the scope and results of their search.

2. 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.



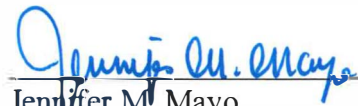
Jennifer M. Mayo
Acting Clerk of the Commission

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