

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Ralph Neunteufel,

Complainant

against

Docket # FIC 2025-0458

Zoning Enforcement Officer, Land Use
Office, Town of Easton; Land Use Office,
Town of Easton; and Town of Easton,

Respondents

May 27, 2026

The above-captioned matter was heard as a contested case on February 27, 2026,¹ at which time the complainant appeared and presented testimony, exhibits, and argument on the complaint. The respondents failed to appear.²

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

¹ The undersigned hearing officer notes that the above-captioned matter was scheduled to be heard on November 20, 2025 at 1:00 p.m. On November 3, 2025, the respondents requested a postponement of this matter. Absent objection from the complainant, such motion was granted by the hearing officer on November 3, 2025.

On December 2, 2025, the Commission issued a Notice of Rescheduled In-Person Hearing for January 2, 2026 at 1:00 p.m. On December 31, 2025, the respondents requested a second postponement due to a “last minute conflict.” Absent objection from the complainant, such motion was granted. Such ruling advised the parties that: “[i]f there are any dates during the next eight weeks that you will **not** [be] **available**, please notify [Commission Staff] within **two business days**.” (Emphasis in original). The respondents did not provide any dates that they would not be available.

On January 6, 2026, the Commission issued a Notice of Rescheduled In-Person Hearing for February 27, 2026, at 1:00 p.m. On January 6, 2026, the respondents requested a third postponement due to a vacation that had been scheduled “this past Friday.” (i.e. January 2, 2026). The complainant objected to the respondents’ third postponement request. On January 12, 2026, the hearing officer denied the respondents’ third request for a postponement, and on February 19, 2026, the hearing officer denied the respondents’ motion for reconsideration filed on January 12, 2026.

² In lieu of their appearance on February 21, 2026, the respondents filed a written statement from their finance director stating that they had reviewed their files and located one responsive email. The submission was not in the form of an affidavit and was not admitted as evidence into the record; therefore, it has not been relied upon in this decision.

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that, on May 28, 2025, the complainant submitted a written request for electronic copies of the following records: “all records, notes, photos and other documents made by former [Zoning Enforcement Officer] ZEO Mark DeLieto regarding the property at 740 Stepney Road.”
3. By complaint filed on June 11, 2025, the complainant appealed to this Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to provide copies of the records described in paragraph 2, above.
4. Section 1-200(5), G.S., provides the following:

“[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 the following in relevant part:

[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 in November 2025, the respondents provided the complainant with paper copies of records responsive to other requests made by the complainant that were pending with the respondents.³

³ The Commission takes administrative notice of the volume of complaints filed with the Commission in 2025 alone by the complainant against the respondent town and its land use department and planning and zoning commission. These complaints total 96 in number and were filed by the complainant in a five-month span, between April 25, 2025 and October 14, 2025.

9. However, at the hearing on this matter, the complainant contended that the respondents did not provide copies of all records responsive to his request, described in paragraph 2, above.

10. Specifically, the complainant testified, and it is found, that the respondents' former ZEO inspected the 740 Stepney Road property in August or September 2022 with the complainant. The complainant also testified, and it is found, that he observed the former ZEO taking notes and photographs during the inspection, and the complainant had also exchanged emails with the former ZEO around the time of the inspection.

11. The complainant testified, and it is found, that he reviewed the copies of records described in paragraph 8, above, and did not receive any notes, photographs, emails with attachments or any other documents from the former ZEO responsive to his request, described in paragraph 2, above.

12. As already explained herein, the respondents failed to appear at the February 27, 2026 hearing on this matter. Consequently, it is found that the respondents failed to present evidence that they conducted a reasonable and diligent search and provided all records responsive to the request described in paragraph 2, above.

13. It is found, therefore, that the respondents failed to prove that they provided the complainant with all records responsive to his request, described in paragraph 2, above.

14. Accordingly, it is concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S., with respect to such request.

15. Notwithstanding, under the facts and circumstances of this case, the Commission, in its discretion, declines to consider the imposition of a civil penalty against the respondents.

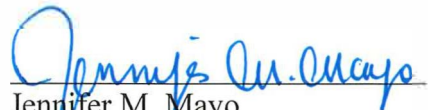
The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall undertake a search for records that are responsive to the complainant's request, described in paragraph 2 of the findings above. The respondents shall provide the complainant with a copy of such records, free of charge, and in electronic format when possible.

2. Within forty-five (45) days of the date of the Notice of Final Decision in this matter, the respondents shall also provide the complainant and the Commission with an affidavit, prepared by a person with the requisite knowledge detailing the efforts undertaken to search for and provide such records, and the outcome thereof.

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

Approved by Order of the Freedom of Information Commission at its regular meeting of May 27, 2026.

A handwritten signature in blue ink, appearing to read "Jennifer M. Mayo", is written over a horizontal line.

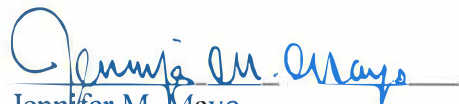
Jennifer M. Mayo
Acting Clerk of the Commission

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 ENFORCEMENT OFFICER, LAND USE OFFICE, TOWN OF EASTON;
LAND USE OFFICE, TOWN OF EASTON; AND TOWN OF EASTON**, 225 Center Road,
Easton, CT 06612



Jennifer M. Mayo
Acting Clerk of the Commission