

FREEDOM OF INFORMATION COMMISSION
FOR THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

Ralph Neunteufel,

Complainant

against

Docket # FIC 2025-0468

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 December 4, 2025, and February 5, 2026, at which times the complainant and respondents appeared, stipulated to certain facts, and presented testimony, exhibits, and argument on the complaint.

Subsequent to the hearings and pursuant to an April 20, 2026 order of the hearing officer, the respondents submitted an after-filed exhibit, which has been marked and admitted into evidence as: Respondents' Exhibit 1 (after-filed): two-page email from Jonathan Rosenthal to the Commission, dated April 30, 2026.

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 May 20, 2025, the complainant requested that the respondents provide him with “any and all emails and other communications between P&Z/Land Use and other Town Departments regarding the planned inspection of 740 Stepney R[oad] on or around Feb[ruary] 25[, 2025] including the events planning, cancellation and subsequent actions taken by P&Z/Land Use and/or other Town Departments” (“May 20 request”).
3. It is found that, by email dated May 20, 2025, the respondents acknowledged the complainant’s May 20 request.
4. By complaint received and filed on June 11, 2025, the complainant appealed to the Commission, alleging that the respondents violated the Freedom of Information (“FOI”) Act by failing to comply with his May 20 request for any and all emails and other communications between the respondent Land Use Office and other Town Departments relating only to subsequent actions taken by the respondent Land Use Office and/or other Town Departments

after the cancellation of the planned inspection of 740 Stepney Road on or around February 25, 2025.¹

5. Thereafter, by email, filed with the Commission on October 6, 2025, the complainant requested that the Commission impose a civil penalty against the respondents.

6. 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.

7. 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.

8. 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.”

9. It is concluded that the records described in paragraph 4, above, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

10. It is found that prior to the date on which the complainant filed his complaint with this Commission, the respondents provided the complainant with records responsive to his request for all emails and other communications involving *event planning* and *cancellation* of the planned inspection of 740 Stepney Road on or around February 25, 2025. At the hearing on this matter, the complainant testified, and it is found, that the respondents complied with the May 20 request as to these two categories. The complainant contended, however, that he was only challenging the respondents’ compliance with his request for any and all emails and other communications between the respondent Land Use Office and other Town Departments relating to “subsequent actions taken” by the respondent Land Use Office and/or other Town

¹ 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.

Departments after the cancellation of the planned inspection of 740 Stepney Road on or around February 25, 2025. As such, the complainant limited his complaint to this Commission to such records, as described in paragraph 4, above.

11. It is found that, prior to the first hearing on this matter, on or about November 24, 2025, the respondents provided the complainant with copies of all existing paper files pertaining to the property that were located in the physical file dedicated to the property, together with copies of emails that were located following an electronic search by the respondents' information technology technician.

12. It is found, however, that at the time of the first hearing in this matter, the complainant had not reviewed the records described in paragraph 11, above, and therefore was not sure whether the respondents provided him with a copy of all records responsive to his request. The hearing was continued to afford the complainant time to review such records.

13. At the continued hearing on this matter, the complainant claimed that the respondents failed to conduct a thorough search and provide him with all responsive records, as described in paragraphs 4 and 10, above. Specifically, the complainant contended, following his review of the responsive records already provided to him by the respondents in response to his May 20 request, that he believed that additional records, as described in paragraphs 4 and 10, above, existed.

14. With respect to the search for records responsive to the complainant's May 20 request that are still at issue, the respondents' witness testified, and it is found, that, prior to the initial hearing on this matter, she spoke with the former ZEO who advised her that there are no emails or other communications between the respondent Land Use Office and other Town Departments relating to "subsequent actions taken" by the respondent Land Use Office and/or other Town Departments after the cancellation of the planned inspection of 740 Stepney Road on or around February 25, 2025, because these matters were only discussed orally.²

15. At the conclusion of the continued hearing on this matter, the hearing officer ordered the respondents to provide an affidavit by February 28, 2026 from the former ZEO relating to the complainant's request for records described in paragraphs 4 and 10, above.

16. Notwithstanding such order, the respondents failed to timely file such an affidavit and, therefore, on April 20, 2026, the hearing officer issued a written order to the respondents to file an affidavit from the former ZEO no later than April 30, 2026, attesting to whether the respondents maintained any records described in paragraphs 4 and 10, above.

17. It is found that, on April 30, 2026, in response to the hearing officer's April 20, 2026 order, the respondents filed with the Commission an email from the former ZEO, dated April 30, 2026, in which he states, in part, that the complainant has been provided with:

² The Commission notes, based upon the witness testimony at the hearings, that the entirety of the staff of the respondent Land Use Office resigned in the time following the May 20 request but prior to the first hearing on this matter, and that such resignations interfered with the respondents' ability to respond to the complainant's May 20 request.

all existing digital communications that I am aware of from the Planning and Zoning Department of the Town of Easton. I queried co-workers to properly fulfill this effort. Mr. Neunteufel was also provided with a statement to this effect in November of 2025.

(Punctuation in original).

18. The respondents' post-hearing submission, described in paragraph 17, above, did not comply with the hearing officer's order, nor did it adequately address the respondents' search for records responsive to the portion of the request still at issue in this matter, as described in paragraphs 4 and 10, above. Specifically, the email does not address whether the former ZEO has knowledge of whether the respondents maintained any emails and other communications described in paragraphs 4 and 10, above.

19. Based on all of the foregoing, it is found that the respondents failed to provide sufficient evidence regarding the nature and scope of their search, and therefore, failed to prove that they conducted a diligent and thorough search for records responsive to the May 20 request. Accordingly, it is found that the respondents failed to prove that they provided the complainant with all records described in paragraphs 4 and 10, above.

20. It is therefore concluded that the respondents violated the disclosure provisions of §§1-210(a) and 1-212(a), G.S.

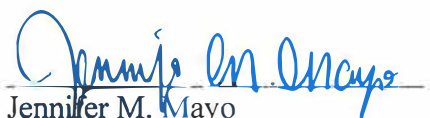
The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Within fourteen (14) days of the date of the Notice of Final Decision in this matter, the respondents shall undertake a search for records described in paragraphs 4 and 10, of the findings above. Within thirty (30) days of the date of the Notice of Final Decision in this matter, the respondents shall provide the complainant with a copy of any such records free of charge.

2. 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.

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 May 27, 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 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