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January 16, 2023

VIA EMAIL TO: tony@adlawllc.net

Anthony DeSisto, Esq.
Anthony DeSisto Law Associates, LLC
450 Veterans Memorial Parkway, Suite 103
East Providence, RI 02914

Re: CRMC File #2017-12-086 (Perry Raso/Potter Road)

Dear Tony:

I am writing regarding the recent Meeting Notice issued by the Coastal Resources Management Council (“CRMC”) on January 4, 2023¹ notifying the public that the above captioned matter will be brought before the Full Council for their review on Tuesday, January 24, 2023, at 6:00 pm in the Administration Building, Conference Room A, One Capitol Hill, Providence, RI.

I respectfully request, on behalf of my clients that CRMC issue a new Meeting Notice with a zoom link and dial in phone number so that my clients and members of the public who are not able to attend in person may view this public proceeding virtually.² As you both well know, this matter is of great public interest with over 147 letters of objection submitted to CRMC. In addition, CRMC conducted 33 hours of virtual hearings over several months that included extensive lay and expert testimony and public comment from over 42 witnesses. During these hearings, CRMC notified the public that it could observe and participate virtually through a Zoom webinar platform provided by CRMC.

In addition, CRMC states in its Meeting Notice that “In accordance with CRMC’s Management Procedures 650 RICR 10-00-01 *new evidence* may be allowed which was not readily available at the time of the subcommittee’s hearings.” The Intervenors object to this inaccurate statement being made in said Meeting Notice as CRMC incorrectly cites the definition of new evidence. Specifically, CRMC’s regulations define new evidence as: “..that which is of a

¹ Although the Meeting Notice is dated January 10, 2023, it was emailed to legal counsel and the CRMC service list for the matter on January 4, 2023.

² As recently as November 2022 and December 2022, CRMC issued Agendas for its Semi-Monthly Meeting of the Full Council with a zoom link and dial in number.

material and controlling nature and was not by exercise of ordinary due diligence discoverable in time to be presented at the evidentiary hearing”. See 650-RICR-10-00-1 Section 1.1(K). Consequently, any future Meeting Notice related to the above captioned matter referencing the allowance of *new evidence* should reference the same.

Thank you for your consideration.

Sincerely,



Christian F. Capizzo

CFC:dad

cc: Elizabeth McDonough Noonan, Esq. (via email to enoonan@apslaw.com)
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