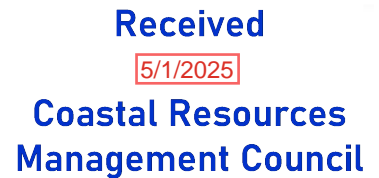




Thomas V. Moses
tmoses@marlawri.com



May 1, 2025

Via Certified Mail (#9589 0710 5270 2996 3739 98)
and Electronic Mail to cstaff1@crmc.ri.gov and council@crmc.ri.gov

Chairman Raymond C. Coia
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

Before the Rhode Island Coastal Resources Management Council
In the Matter of: TSL, LLC
CRMC File 2023-08-084; RIDEM Water Quality Certification Number 24-008 (MPL Only)

Chairman Coia:

Moses Ryan Ltd. writes on behalf of our client the Stone Harbour Condominium Association ("Stone Harbour") regarding the above-referenced application by TSL, LLC (the "Application" or "Proposal"). We write to reply to the Applicant's most recent correspondence dated April 30, 2025.

We reiterate that this Application is a contested case due to the substantive objections in the record, as well as the request for a subcommittee hearing. Management Procedures (650-RICR-10-00-1) Section 1.1(B) states:

a proceeding before the Council shall be considered contested when a substantive formal written objection and/or request for hearing is received by the Council from any interested party.

Our initial objection to this Application dated August 14, 2024, in addition to raising substantive objections, specifically requested a subcommittee hearing, thus making this a contested case.

As a contested case, a hearing before a subcommittee is required. The court in Dumplings cites the very same Management Procedures Section 1.5.3(A) that Applicant cites in their letter and then clearly states "**CRMC was required to send the matter to subcommittee for a full hearing and vote on the matter.**" Dumplings Ass'n v. Coastal Res. Mgmt. Council, No. PC-2021-00296, 2025 R.I. Super. LEXIS 7, at *11 (Super. Ct. Jan. 22, 2025) (emphasis added). Management

Procedures Section 1.5.3(A) itself directly states “Subcommittee hearing shall be required when a substantive objection is received from any party...” (emphasis added). Management Procedures Section 1.5.2 is also clear on the requirement for a subcommittee hearing, stating that

In the event an application or matter pending before this Council becomes a contested case as defined herein, the Council shall then schedule a public hearing before a duly authorized and appointed Subcommittee on the matter.

Our request for clarification on whether this will be confirmed as a contested case and whether a subcommittee hearing will be held still stands.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. V. Moses".

Thomas V. Moses, Esq.

*cc via electronic mail: Attorney Seth Handy, Counsel to TSL, LLC
CRMC Executive Director Jeffrey Willis
Mr. Justin Wolf Skenyon, CRMC
Attorney Anthony Desisto, Counsel to CRMC*

