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From: Peter Skwirz <Peteskwirz@utrlaw.com>
Sent: Tuesday, January 13, 2026 2:15 PM
To: Cstaff
Cc: Little Compton & Warren Solicitor ; 'Mark Hartmann'; Gus Kreuzkamp; Gus Kreuzkamp; JAMES CHRONES; Cheryl Chrones
Subject: Request for a hearing; Application 2025-10-075, 25 Atlantic Avenue, Westerly, Plat 175, Lot 17
Attachments: App 2025-10-075, request for a hearing, 1-13-26.pdf; Public Notice CRMC File 2025-10-075-Chrones Fam Tr-Westerly.pdf
Categories: Britt

Dear Sir or Madam,

Attached please find my client's request for a hearing in the above-referenced application, along with the public notice issued by CRMC staff. A hard copy is being mailed to you as well. Please do not hesitate to contact if you have any questions or require any additional information or materials. Thank you.

- Peter

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January 13, 2026

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Coastal Resources Management Council
O. S. Government Center,
4808 Tower Hill Road, Rm 116;
Wakefield, RI 02879

And via email to cstaff1@crmc.ri.gov

**Re: Request for a hearing; Application 2025-10-075, 25 Atlantic Avenue, Westerly,
Plat 175, Lot 17**

Dear Sir or Madam,

I represent the Chrones Family Rev. Trust, whose trustees are Cheryl & James Chrones. The Chrones Trust owns of a coastal property located at 25 Atlantic Avenue in Westerly, Rhode Island, and identified on the Westerly Tax Assessor's maps as Plat 175, Lot 17. On May 12, 2025, CRMC previously issued a maintenance assent for the 25 Atlantic Avenue property, M2024-10-047, to allow maintenance of an existing revetment. That assent included the following condition:

"A maximum of 50 tons of undersized stone may be exchanged with 50 tons of new stone not to exceed 4.5 feet in diameter. All undersized stone must be disposed of offsite. This is a one-time allowance and shall not be provided in future assents."

However, upon undertaking this maintenance, my client's engineer determined that the 50-ton limitation is not sufficient to allow for proper maintenance of the revetment. Accordingly, my client submitted a new maintenance application, which has been docketed as Application 2025-10-075, seeking to replace a larger quantity of stone. On January 13, 2026, CRMC staff issued a

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COASTAL RESOURCES

public notice on Application 2025-10-075, enclosed. This staff notice concluded that “the work exceeds scope of maintenance and therefore is considered a new wall adjacent to Type 1 water (Conservation Area) on an Undeveloped Barrier Beach. New shoreline protection facilities are prohibited abutting Type 1 waters and on undeveloped barrier beaches per RICRMP Section 1.3.1.G.3.(a).”

However, the public notice issued by staff provided that my client could request a hearing on this matter. For the reasons that follow, we respectfully disagree with staff’s conclusion that this application exceeds the scope of a maintenance application. Accordingly, we are hereby requesting a hearing on Application 2025-10-075.

I. CRMC regulations define maintenance based on whether the design, purpose, or size of the structure is altered, not based on whether new materials are used.

CRMC regulation Rule 1.1.2(A)(83) provides a definition of “maintenance of structures.” “Maintenance of structures” is defined as “the reconstructing or repairing to previously approved conditions and dimensions a damaged or deteriorated structure or facility. Maintenance includes only those activities that **do not significantly alter the assented design, purpose and size of the structure.**” (Emphasis added). The relevant limitation in this definition is that “maintenance” must not involve a significant alteration to the “design, purpose and size of the structure.” This definition does not turn on whether new materials are used in “reconstructing or repairing” the existing structure. Instead, this definition considers “reconstructing or repairing” to constitute “maintenance” so long as the “design, purpose and size of the structure” is not significantly altered. It would make little sense to limit maintenance to only allow the use of existing materials. Most structures require new materials to be maintained.

Here, both before and after the maintenance activity, the revetment will remain a structure composed of layers of stone. Both before and after the maintenance activity, the revetment will



serve to protect the residence on the 25 Atlantic Avenue property. Both before and after the maintenance activity, the width, height, and size of the revetment will remain the same. Therefore, under the definition in CRMC regulations, the project qualifies as maintenance. Contrary to staff's conclusion, there is no CRMC regulation that would prevent this activity from qualifying as maintenance simply because old stone is being replaced with new stone.

II. The specific regulation governing maintenance of revetments provides that this activity qualifies as maintenance, because it is the minimum that is required to maintain the functional viability or structural integrity of the existing revetment at its current size, height, and footprint.

CRMC regulation Rule 1.3.1(G)(6) specifically deals with “Maintenance and repair of shoreline protection.” In particular, subsection (b) of this rule provides:

“Maintenance and repair of existing structural shoreline protection shall be **the minimum that is required to maintain the functional viability or structural integrity**. In the case of riprap revetments, the addition of limited quantities of riprap armor stone to existing damaged revetments may be allowed as a maintenance activity provided that no impact to coastal resources or lateral access results. All maintenance shall be in accordance with the policies and standards of the Coastal Resources Management Program.” (Emphasis added).

The relevant limitation in this rule is that the repair must be “the minimum that is required to maintain the functional viability or structural integrity.” This rule does not flatly prohibit or limit the use of new material in a revetment, so long as the use of new material is the minimum necessary to maintain functional viability and structural integrity. As made clear in the application materials, the 50-ton limit on new stone in the prior maintenance assent (M2024-10-047) is below the minimum necessary to maintain the functional viability and structural integrity of the revetment. Further, Application 2025-10-075 only proposes the use of new stone to the extent necessary to maintain the functional viability and the structural integrity of the revetment. Therefore, this application is properly considered maintenance, not new construction.



The former owners of this property did not have the revetment constructed to US Army Corps of Engineers (USACE) standards, resulting in undersized & non-angular stone in the existing revetment. The undersized stone has resulted in the lack of structural integrity in the revetment. The requested stone sizes in the maintenance application are justified by the USACE Coastal Engineering Manual standards, necessitating the importation of more than 50 tons of properly sized stones to ensure functional viability and structural integrity of the revetment. CRMC regulations expressly incorporate USCAE standards in revetment construction. Specifically, Rule 1.3.1(G)(5)(i) provides, “Riprap revetments shall be constructed of angular stone with a minimum unit weight of 165 lbs./cubic foot (such as granite). The size of stone shall be dependent upon the site's exposure to wave energy in accordance with the US Army Corps of Engineers Coastal Engineering Manual.” (Emphasis added).

III. There is no CRMC regulation that provides that an activity does not qualify as maintenance if a certain quantity of new material or stone is used.

The other relevant provisions of CRMC regulations are Rule 1.3.1(G), which sets forth design standards for shoreline protection structures, and Rule 1.3.1(N), which provides procedural and substantive requirements for maintenance generally. Application 2025-10-075 complies with these rules. No provision of these rules, or any other CRMC regulation, would limit either the use of new materials in maintenance generally, or the use of new stone in maintaining a revetment specifically. Accordingly, Application 2025-10-075 is properly considered maintenance of the existing revetment at 25 Atlantic Avenue. Further, as Application 2025-10-075 is only proposing to repair approximately 10% of the existing revetment, this maintenance activity does not require a new Council Assent, per Rule 1.3.1(G)(5)(i).



Please let me know at your earliest convenience when the hearing on this matter will be scheduled. Please also do not hesitate to reach out to me if you have any questions or require any additional information or materials on this matter. Thank you for your consideration.

Truly yours,

/s/ Peter Skwirz, Esq.

Cc: Anthony DeSisto, Esq.
CRMC legal counsel (via email only)

Mark Hartmann, Esq.
Asst. CRMC legal counsel (via email only)

Gus Kreuzkamp,
Director of Waterfront Engineering, RI
RI-Environmental (via email only)

Cheryl & James Chrones (via email only)

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