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January 11, 2019

By Email and Hand Delivery

Honorable Robert Greenstein, Supervisor
and Members of the Town Board
Town of New Castle
200 South Greeley Avenue
Chappaqua, New York 10514

Honorable Robert Kirkwood, Chairman
and Members of the Planning Board
Town of New Castle
200 South Greeley Avenue
Chappaqua, New York 10514

**Re: Request for Amendments to Conditions of Approval for
Chappaqua Crossing – Retail**

Dear Supervisor Greenstein and Members of the Town Board, and
Chairman Kirkwood and Members of the Planning Board:

As you know, this firm represents SGP USPF V Chappaqua Retail Owner, LLC (the “Applicant”) in connection with the retail component of the project commonly referred to as “Chappaqua Crossing” located at 480 Bedford Road (N.Y.S. Route 117), Chappaqua (the “Property”). On January 7, 2019, we submitted a letter on behalf of the Applicant asking the Town Board and Planning Board to permit LifeTime Fitness and Pet Valu to open on February 1, 2018, provided that the Applicant has by that date met the conditions contained in the resolutions adopted by the Town Board (the “Town Board Resolution”) and Planning Board (the “Planning Board Resolution”) on December 13 and December 14, 2019 (collectively, the “Resolutions”), respectively, and the conditions for “Phase 2” contained in the “Interim Memorandum” dated December 8, 2018, from Louis Luglio of Sam Schwartz Engineering, D.P.C. to Sabrina Charney Hull, AICP, Director of Planning (the “SSE Memo”).

After further consideration, the Applicant, respectfully requests that in addition to LifeTime Fitness and Pet Valu, the Boards also consent to the opening of the other businesses (comprising approximately 17,000 square) identified in the SSE Memo as components of “Phase 2”, thereby permitting a total of up to 100,000 square feet to open provided that all conditions of the Resolutions and the SSE Memo for “Phase 2” are met. The Applicant believes that provided the MPT Plan is implemented, traffic operations in accordance with the MPT Plan continue to

Honorable Robert Greenstein, Supervisor
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January 11, 2019
Page 2

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be satisfactory, and all "Phase 2" conditions are satisfied, permitting the additional uses to open on February 1 would be in the mutual interest of all stakeholders, as it would avoid the time and expense of multiple returns to the Boards.

As you know, the traffic analyses provided by the Applicant and reviewed by the Boards and professional staff and consultants in December are for the opening of up to 100,000 square feet, and not just LifeTime Fitness and Pet Valu. We respectfully refer the Boards to the letter dated December 10, 2018, from John Collins, Ph.D., P.E. of Maser Consulting to the Supervisor and Members of the Town Board and Chairman and Members of the Planning Board (the "Maser Letter"), which we resubmitted on January 7, 2019. The Maser Letter confirms that provided the MPT Plan is implemented, the opening before the final traffic improvements are constructed of LifeTime Fitness, Pet Value and additional retail uses totaling up to 100,000 square feet will not present any potential adverse traffic impacts, and as you know, traffic in the area is currently operating satisfactorily under the MPT Plan.

We look forward to discussing this request with the Boards at our meeting on Tuesday, January 15, 2019. Thank you for your consideration.

Very truly yours,

Mark P. Weingarten
MARK P. WEINGARTEN
(902)

cc: Sabrina Charney- Hull, AICP
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