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December 13, 2018

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:

On behalf of Applicant and in accordance with our discussion at the meeting on December 11, 2018 and the memorandum from the Town Attorney dated December 12, 2018, we respectfully submit the revised attached Maintenance and Protection of Transportation Plan (“MPT” Plan). The MPT Plan has been revised as follows:

1. Revised to reflect that the walkway on the east side of Route 117 (the “East Path”) is an asphalt paved path.
2. Revised to add Note 10 that the Applicant shall maintain the East Path in a safe condition and free of snow and ice.
3. Revised to remove pedestrian reflectors to include a plastic pedestrian barrier installed in a manner acceptable to the New Castle Police Department and the Town Traffic Engineer.
4. Note 11 revised to add that the Applicant will check the placement of the barrier within two hours of cessation of snowfall and reinstall barrier as necessary.
5. Note 5 has been revised to indicate that construction lighting shall be operational from 4:00pm until 30 minutes after the closing of Whole Foods.
6. A catalogue cut of the temporary lighting is attached to the MPT Plan. Lighting shall be installed to the satisfaction of the New Castle Police Department.
7. Revised to indicate that speed through the construction zone will be reduced to 25 mph. Please note that as part of the NYSDOT original approved MPT signs have

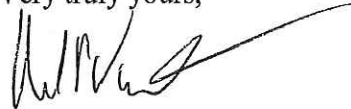
been placed at either end of construction zone noting increased penalties for speeding through the zone.

8. Revised to show the Route 117 Northbound travel lane is 12 feet wide.
9. Revised to note that a police officer will be located at the West entrance as determined necessary in the sole discretion of the New Castle Police Department.
10. Revised to include a Note 3 that the Applicant will provide flaggers at times and in locations as determined by the New Castle Police Department.
11. Revised Note 2 to extend Police presence until January 20, 2019.

The Applicant will seek any necessary approval from the New York State Department of Transportation for any of the above modifications. The required Certificate of Insurance and Indemnification will be provided under separate cover.

Thank you for your consideration. We look forward to meeting with the Board later today and tomorrow and to the opening of Whole Foods on Saturday, December 15, 2018.

Very truly yours,



MARK P. WEINGARTEN