

From: Matt Komonchak
To: [Michael Behrendt](#); [Karen Edwards](#); [Rick Taintor](#)
Subject: Mill Plaza Application - Engagement of Anchor Tenant
Date: Thursday, July 05, 2018 1:15:23 PM

Dear Chair Rasmussen and the Durham Planning Board:

Thank you for your service to the Town of Durham. If you are actively engaging the Hannaford Management Company / Ahold's Retail Business Services division ("Hannaford-Ahold") regarding the questions raised by its recent letter to you, please feel free to ignore the remainder of this letter.

I was surprised that, at your recent meeting on June 27th, you chose not to discuss the June 25 letter written to you by the Hannaford-Ahold. As you know, the letter from the supermarket chain's director of real estate stated that it did not support aspects of the current proposal made by Colonial Durham and went onto indicate that it has the legal right to reject those aspects.

I know that in the past, the Planning Board did not engage Hannaford-Ahold out of respect for the private contractual relationship between Colonial Durham and its Mill Plaza anchor tenant. However, it would appear that the Planning Board is now on firm legal ground making inquiries to Hannaford-Ahold. Why? Hannaford-Ahold's real estate director wrote voluntarily and publicly to you, the Planning Board, and therefore the topics raised in the letter, such as Hannaford's rights vis-a-vis parking, are now appropriate topics for public inquiry. Clearly, Hannaford-Ahold has no expectation that these topics would remain private.

Hannaford-Ahold's rejection of the proposed development through its letter addressed to the Planning board not only invites such inquiry, it requires it. By obeying unreasonable requests by Colonial Durham's attorney on June 27th to not inquire about the Hannaford-Ahold position, the Planning Board neglected to ask highly relevant questions regarding the redevelopment proposal before it.

For years, Durham residents have asked both the applicant and the town to engage Hannaford in this process, to no avail, and countless hours of Planning Board and community time were squandered. Now, finally, Hannaford-Ahold has engaged in our public process and, accordingly, the Planning Board has an opportunity to enter an important dialog with the anchor tenant. Engaging Hannaford-Ahold would allow the town and applicant to cut to the chase with regard to the Mill Plaza redevelopment, thereby bringing much-needed focus to this process, and freeing up your time for other important matters.

I believe a qualified attorney would tell you that Hannaford-Ahold's letter opens a door that was perhaps closed in the past, and gives you every right to ask critical questions that have gone unaddressed for far too long. Please address the issues raised by the letter that Hannaford-Ahold has written to you and engage the Mill Plaza anchor tenant in this application process.

Respectfully,

Matt Komonchak

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