

Fort Monmouth Economic Revitalization Authority  
Board Meeting  
January 20, 2016  
FMERA Offices, 502 Brewer Avenue, Oceanport, NJ

**MINUTES OF THE MEETING**

**I. Members of the Authority present:**

- James V. Gorman, Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) - **V**
- Michael Collins, Assistant Counsel, Authorities Unit, Office of the Governor – **V**
- Dr. Robert Lucky, Public Member – **V**
- Lillian Burry, Monmouth County Freeholder – **V**
- Gerald Turning, Mayor of Tinton Falls – **V**
- John Patti, Oceanport Councilman – **V**
- Dennis Connelly, Mayor of Eatontown – **V**
- Donna Sullivan, Director of Real Estate, New Jersey Economic Development Authority (EDA) – **V**
- Kenneth J. Kloo, Director, Site Remediation Program, NJ Department of Environmental Protection (DEP)
- John Raue, Senior Policy Advisor to the Commissioner, NJ Department of Labor & Workforce Development (DOL)
- Helene Rubin, Section Chief, Division of Statewide Planning, NJ Department of Transportation (DOT)
- Gina Fischetti, Chief Counsel, Local Planning Services, NJ Department of Community Affairs (DCA)

**V - Denotes Voting Member**

**Members not present:**

**Also present:**

- Bruce Steadman, Executive Director, FMERA
- Gabriel Chacon, Deputy Attorney General (DAG)
- FMERA staff

**II.**

The meeting was called to order by Chairman James V. Gorman at 7:00p.m. who led the meeting in the Pledge of Allegiance to the flag of the United States of America.

In accordance with the Open Public Meetings Act, FMERA Secretary Bruce Steadman announced that notice of the meeting was sent to the Asbury Park Press and the Star Ledger at least 48 hours prior to the meeting, that a meeting notice has been duly posted on the Secretary of State's bulletin board at the State House, and the FMERA and the NJEDA websites.

The first item of business was the approval of the December 16<sup>th</sup> meeting minutes. A motion was made to approve the minutes by Dennis Connelly and seconded by Michael Collins.

Lillian Burry abstained from voting stating she was not at the meeting.

Motion to Approve: DENNIS CONNELLY Second: MICHAEL COLLINS  
AYes: 7

### III. WELCOME

Chairman James V. Gorman welcomed attendees to the meeting. Mr. Gorman stated that copies of the Board package were available at the door, and the Board package was posted to the FMERA website in the afternoon to give the public the opportunity to review the information in advance of the meeting.

Mr. Gorman stated that the meeting agenda called for the public to receive reports from the Staff Advisory Committees and the Statutory Committee meetings. Mr. Gorman stated that the reports are provided to allow for public input and transparency in the conduct of the Authority's effort to implement the Reuse Plan. Mr. Gorman stated that there is one board action; Consideration of Approval of Plan Amendment #4 permitting alternative development scenario in Oceanport.

The Chairman went on to state that there will be two public comment periods at the meeting based on the Authority's public meeting protocol. The Chairman reiterated his request for the public's cooperation in keeping comments as brief as possible. The Chairman continued by stating that in his role as Chairman he is required to conduct an orderly meeting and complete the meeting agenda in a reasonable time period. The Chairman concluded by stating that FMERA continues to welcome the public's constructive comments and ideas.

### IV. SECRETARY'S REPORT

Mr. Steadman stated that the proposals for the Request for Offers to Purchase (RFOTP) for Suneagles Golf Course are due on February 5<sup>th</sup>, and the Request for Proposals (RFP) for sublease of the McAfee parcel is also due February 5<sup>th</sup>.

### V. TREASURER'S REPORT

Jennifer Lepore, Senior Finance Officer stated that the Staff is beginning to prepare the Authority's 2015 Annual Report for presentation to the Audit Committee with the audited financial statements, which serve as FMERA's Comprehensive Annual Report to meet the requirements of Executive Order No. 37 (2006). It is expected that a draft report and statements will be available for review in mid-March, and finals presented to the Board in April. The Authority's independent auditors, Clifton Larson Allen have begun their audit of the Authority's 2015 operations. The Auditors will report on the Authority's financial statements and accompanying notes, as well as report on the Authority's internal controls and compliance with Government Auditing Standards. Field work will begin the week of February 23.

### VI. PUBLIC COMMENT REGARDING BOARD ACTION ITEMS [3 minutes re: Agenda Items]

Tom Mahedy of Wall Township read a sentence from the Plan Amendment #4 memo stating "staff believes the recommendation to identify and describe exempt contamination is beyond the scope of the amendment" asserting that FMERA does not want people to know where any toxic sites are located. Mr. Mahedy asserted that the NJSP and the Oceanport Police are not made aware of the contaminated sites at the Fort. Mr. Mahedy asserted that there is less open space in the amendment and no action to add additional open space. Mr. Mahedy stated that the geothermal site on the parade grounds should be saved. Mr. Mahedy asserted that high tech usually means war profiteering companies. Mr. Mahedy asked why the Army Restoration Advisory Board (RAB) no longer meets and asserted that the RAB computer system was hacked and all of the files were erased.

[Candice: is there more information that should be included here to define what "exempt contamination" means?] Mr. Steadman answered Mr. Mahedy by stating that the term "exempt contamination" was a mischaracterization of the environmental areas of concern that were previously identified in Army reports and the associated NJDEP responses, and that they have been dealt with in great detail via other means. Plan Amendment #4 did not change or impact any of these environmental sites and therefore they did not need to be addressed in the amendment. Mr. Steadman stated that all of Mr. Mahedy other assertions have been addressed

on many occasions in the past. Mr. Steadman stated that the RAB is an Army committee and maintenance of its schedule of meetings does not involve FMERA.

## VII. EXECUTIVE DIRECTOR'S REPORT

Bruce Steadman stated that FMERA and the Army are close to finalizing the Phase 2 Memorandum of Agreement (MOA). Mr. Steadman stated that there are two outstanding issues that need to be resolved which will involve the NJDEP. FMERA hopes to bring the final draft to the Board during Executive Session at the February meeting.

Jennifer Lepore, Senior Finance Officer gave the following update on RFPs and Contracts:

### Utilities

FMERA is currently working with the Oceanport Engineer on a proposal to submit a water main application to NJ American Water to accommodate the historic housing development, the fitness center, FMERA offices and additional pending building sales in the area surrounding the historic district. A draft agreement with JCP&L to own, operate and maintain the Charles Wood Area power system is undergoing final review and FMERA hope to bring it to the Board in February. This agreement will serve as a template for a Phase 2 agreement which is currently under discussion.

### Suneagles

At Suneagles, the operator has continued winter maintenance on all of the equipment. The course will remain open throughout the winter for play, weather permitting.

### Property Maintenance

Our Property Maintenance team is operating in winter mode, ensuring the facilities are prepared for the cold weather.

### Sublease of McAfee Center Complex – Buildings 600, 601 and 603

Last month, FMERA issued two RFPs for a Sublease of Building 601 and 603 in the McAfee Center Complex of the Oceanport Reuse area. The RFPs called for entities interested in the buildings specifically for research and development activities related to a scientific, engineering and/or information technology related use. FMERA received no responses to the RFP, which were due on January 8<sup>th</sup>. FMERA subsequently issued an RFP for a sublease of Building 600, the McAfee Center, also located in the Oceanport reuse area. The RFP allows for the option of leasing one floor, two floors or the entire building, and offers must include a plan to use the property for scientific, engineering and/or information technology-related uses. Proposals are due February 5<sup>th</sup>.

Candice Valente, Senior Project Officer gave the following update on RFOTPs:

FMERA's marketing and development staff concluded a busy and productive 2015, issuing 10 RFOTPs, bringing 10 projects to the Board for approval, and signing 7 Purchase and Sale & Redevelopment Agreements. FMERA is looking forward to continuing a high level of activity in the new year. The following is a town-by-town update:

In Oceanport, FMERA is currently in negotiations for the sale and redevelopment of the following 3 properties:

- Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;
- the 16,000 sf recreation building on Brewer Avenue known as the Dance Hall, which is projected for commercial reuse;
- Marina on Oceanport Creek.

FMERA executed contracts on another 3 parcels:

- Officer Housing Parcel, consisting of 117 historic housing units, where RPM Development is the selected purchaser;
- Fitness Center, where FM Partners is proposing to renovate and expand that facility;
- Russel Hall, the 40,000 sf former Garrison Headquarters building, to a NYC-based tech company, TetherView.

In Eatontown, FMERA has proposals in hand on 2 properties:

- Howard Commons site on Pinebrook Road, zoned for 275 homes and up to 15,000 sf of retail space;
- Expanded Parcel B site, the mixed-use town center property fronting Route 35, calling for approximately 250,000 sf of retail space and 302 housing units on up to 89 acres.

FMERA and Army representatives have evaluated the Howard Commons and Parcel B proposals, and have initiated negotiations with the highest ranked parties.

FMERA issued an RFOTP for Suneagles Golf Course on October 8<sup>th</sup>. A 10-acre section of the golf course is zoned for the construction of a new hotel & conference center. Tours are currently being given to interested parties, and proposals are due by February 5, 2016.

In Tinton Falls, FMERA is in discussions on 2 properties: Parcel F-2, the proposed Veterans Housing site; and Parcel F-3, the 3.5 acre gas station and convenience store site on Hope Road. FMERA expects to present a proposed contract for the sale of Parcel F-3 to the Board at the February 2016 meeting.

In addition, FMERA has executed Purchase and Sale & Redevelopment Agreements with:

- Lennar Corporation for Parcels C & C1, approved for 288 units of housing and 58,000 sf of retail development;
- Pinebrook Commerce Center, LLC for the Fabrication Shops, 45,000 sf of light industrial and flex space buildings on Pinebrook Road;
- RADAR Properties for Building 2525, the 86,000 sf office building on Heliport Drive to be occupied by Aaski Technology;
- Trinity Hall for the former Child Development Center on Hope Road to serve as that school's new home.

FMERA also received Board approval to execute a contract with Kiely Realty Group for the sale of the Pistol Range and the adjacent Satellite Drive Parcel.

FMERA and Cushman & Wakefield, the Authority's Master Broker, are preparing to issue a new round of RFOTPs in 2016. These include: Squier Hall, Barker Circle, Allison Hall, the Main Post Chapel and the Lodging Area in Oceanport, the 6 barracks buildings on Semaphore Avenue in Eatontown, which are targeted for arts-related reuse, possibly entailing artist live/work space, and the expanded fire house site on Corregidor Road in Tinton Falls. These RFOTPs will be released over the next few months.

FMERA and Cushman conduct several tours per week, and will be posting new flyers and information on available sites on FMERA's website in the coming weeks.

Cushman will also begin a marketing campaign targeting dozens of regional centers in New Jersey approved for participation in the EB-5 Immigrant Investor Program in the coming weeks. This federal program is designed to attract international companies looking for high-value investment opportunities in the United States. FMERA has already received strong interest from international groups exploring opportunities at Fort Monmouth through the EB-5 program.

Please refer to our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com), to obtain copies of our RFOTPs and to sign up for our monthly digital newsletters.

## Other Items

Mr. Steadman listed the following action items:

- FMERA will be conducting bus tours for each of the three host municipalities. The Tinton Falls and Eatontown bus tours have not yet been scheduled. The Oceanport bus tour was held on October 24<sup>th</sup>,
- Continued work with the N.J. Department of Environmental Protection to identify and resolve important environmental issues of concerns as they related to water and sewer.
- Continued meetings and tours with interested prospective employers and investors.
- Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities and their continued help on several projects.
- Continued meetings with Tinton Falls, Oceanport, Eatontown, and the County during the month regarding streets, utilities, redevelopment projects, and other important issues.

John Patti, designee for Oceanport Mayor Coffey, asked for information regarding the EB-5 program as to whether the development project must be located within an international trade zone. Mr. Steadman stated that the program was created to allow foreign investors to obtain a visa to the U.S in return for stimulating the economy through job creation and capital investment. Mr. Steadman stated that there has been interest by foreign companies regarding development at the Fort, and that Cushman and Wakefield has been working with their foreign affiliates to reach out to entrepreneurs who might qualify for the EB-5 program.

## VIII. COMMITTEE REPORTS

### a) AUDIT COMMITTEE (ROBERT LUCKY - CHAIRMAN)

Robert Lucky stated that the Committee did not meet this month. Mr. Steadman noted that the Audit Committee meets 4 times per year, that the 4 meetings in 2015 have been successfully completed, that the first 2016 meeting would be held in April; and that the staff is preparing the 2015 Annual Report and financial statements, and preparing for the 2015 audit in conjunction with the Authority's external auditors.

### b) REAL ESTATE COMMITTEE (JAMES V. GORMAN, CHAIRMAN):

Chairman Gorman stated that the Committee met January 12<sup>th</sup> and discussed the following:

- Discussion regarding the proposed plan amendment #4 for Russel Hall and Dance Hall in Oceanport. The Committee reached a consensus and agreed to recommend final approval of plan amendment #4 to the Board for approval.
- Discussion regarding the Purchase and Sale Agreement and Redevelopment Agreement (PSARA) with Monmouth County Parks System (MCPS for Parcel F-3. The Committee reached a consensus and approved the agreement.
- Discussion regarding the current status of negotiations with Two Rivers Water Reclamation Authority (TRWRA) related to sewer and infrastructure upgrades in the Oceanport Reuse Area. The Committee was pleased with the progress made by the staff on the new sanitary sewer system.
- Discussion regarding the status of the final negotiations with the Army related to the Memorandum of Agreement (MOA) for the Phase 2 properties
- Other items of discussion:
  - Parcel B
  - Howard Commons
  - Buildings 601 & 603
  - Chapel
  - Building 2525
  - Child Development Center
  - Russel Hall
  - Fitness Center

- Squier Hall
- Current and upcoming RFOTPs

c) ENVIRONMENTAL STAFF ADVISORY COMMITTEE (KENNETH J. KLOO, CHAIRMAN):

Kenneth J. Kloo stated that the Committee met on January 11<sup>th</sup> and discussed the following:

- Summary of Building 2525 parcel including the potential location of a former gas station on the site, historic fill and the adjacent stream.
- Discussion regarding the format and issuance of No Further Action letters by the DEP, as well as documentation provided by the DEP when no further remediation is required because contamination detected is not associated with a discharge.
- Description of redevelopment issues at the former Commissary, including the delineation of contamination at the site by the Army, and ongoing investigations.
- Discussion regarding the remaining issues involved in negotiations with the Army related to the transfer of the Phase 2 property. These included detections of polynuclear aromatic hydrocarbons, or PAHs, and remediation of same at specific parcels and throughout the Fort, landfill ownership and responsibility for long-term maintenance and monitoring, and the ability to secure No Further Action determinations from the DEP prior to transfer of the Phase 2 properties.

d) HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (BRUCE STEADMAN, INTERIM CHAIRMAN):

Bruce Steadman stated that the Committee did not meet this month.

e) HOUSING STAFF ADVISORY COMMITTEE (GINA FISCHETTI - CHAIRWOMAN):

Gina Fischetti stated that the Committee did not meet this month and will be meeting on February 4<sup>th</sup>.

f) VETERANS STAFF ADVISORY COMMITTEE (FREEHOLDER LILLIAN BURRY, CHAIRWOMAN):

Lillian Burry stated that the Committee did not meet this month. Ms. Burry stated that the work on the Teen center and recreational area has been completed and believes that the facilities would be an excellent marketing tool to those seeking housing on the Fort property.

IX. BOARD ACTIONS

A) The first item before the Board was the consideration of approval of Plan Amendment #4 permitting alternative development scenario in Oceanport.

A motion was made to approve by Lillian Burry and was seconded by John Patti.

The resolution and accompanying Board memorandum are attached hereto and marked Exhibit 1.

Candice Valente read a summary of the Board memo.

Bruce Steadman conducted a roll call vote.

NAME	YES	NO	ABSTAIN
James V. Gorman	X		
Michael Collins	X		
Robert Lucky	X		
Lillian Burry	X		
Gerald Turning	X		

John Patti	X		
Dennis Connelly	X		
Donna Sullivan	X		

Motion to Approve: LILLIAN BURRY Second: JOHN PATTI  
 AYes: 7

X. OTHER ITEMS

There were no other items before the Board.

XI. PUBLIC COMMENT REGARDING ANY FMERA BUSINESS [5 minutes re: any FMERA business]

Roseanne Letson of Oceanport asked that when the MOA is signed between FMERA and the Army, will there be any additional property at the Fort that the Army will transfer to the three boroughs. Ms. Letson asked if the Board meets at any other times during the month, due to the lack of interaction and questions from the Board members during the meeting. Ms. Letson stated that she would rather see the EB-5 program retain people in New Jersey as opposed to bringing people in from other countries.

Tom Mahedy of Wall Township asserted that the hacking of the RAB computers is a felony and asked what is being done about the hacking. Mr. Mahedy asserted that the proposed Veterans parcel is contaminated and the Veterans should be housed in the Nurses Quarters or the Officers Housing. Mr. Mahedy asserted that a big hole is being dug in front of the Veterans parcel and being filled with contamination. Mr. Mahedy asserted that the Child Development Center (Trinity Hall) and the occupants will be exposed to contamination during the demolition of the Myer Center. Mr. Mahedy asserted that the gas station next to the Teen Center, the Child Development Center and Building 2525 is contaminated. Mr. Mahedy asserted that the respective buildings within the 3 host municipalities should be given to the citizens of the towns. Mr. Mahedy asked for the contribution amounts given to the politicians from the companies that are given property on the Fort. Mr. Mahedy asserted that FMERA is closing the geo-thermal fields, and that they should continue to be used. Mr. Mahedy asserted that Army Site Manager John Occhipinti should be held accountable for the hacking of the RAB computers and should be present at the Board meetings to answer questions from the public.

Bruce Steadman answered Ms. Letson by stating that the MOA is the last document that will be signed which will bring FMERA and the Army to closing on the transfer of the Phase 2 property. Mr. Steadman stated that there will be no other land available, except for the approximately 60+ acres of carve-outs that will be transferred to FMERA after the Army has completed their environmental review and submitted the data to the NJDEP for final approval.

Mr. Steadman answered Ms. Letson by stating that the Board does not meet at any other time because that would constitute a public meeting. Mr. Steadman stated that the Board members do correspond with him via email or phone if there are questions regarding the Board actions, and that otherwise the Board has empowered the staff to manage the business of the Authority in accordance with the Statute and Bylaws. Mr. Steadman stated that the Committee meetings include information sharing for the particular subject matter of the specific committee.

Mr. Steadman answered Mr. Mahedy by stating that there is no policy to close or to not use the geothermal fields in the future, and that some of the fields will be used and others will not be used, based on the individual needs of the purchasers of those properties. Mr. Steadman stated that he has no knowledge of the RAB computers being hacked, and that the RAB is an Army entity. Mr. Steadman stated that there is no intention of digging a "big hole" at the Veterans parcel or anywhere else in the Charles Wood Area. Mr. Steadman stated that the demolition of the Myer Center will follow a formal engineering plan and will be completed in accordance with State and Federal regulations, and that the plan will take into account the proximity to neighboring buildings.

Mr. Steadman stated that retired Lt. Col. John Occhipinti is the Army Site Manager, and has no obligation to be present at the FMERA Board meetings. Mr. Steadman stated that Mr. Occhipinti is one of the finest people he knows, that his exemplary service to his Country should not be questioned, and that Mr. Mahedy should not make any attempt to damage his reputation or otherwise tarnish the record of his service in the U.S. Army. Mr. Steadman noted that Mr. Mahedy's other assertions have been addressed numerous times at previous Board meetings and did not warrant further discussion.

There being no further business, on a motion by John Patti seconded by Robert Lucky and unanimously approved by all voting members present, the meeting was adjourned at 8:00 p.m.

Certification: The foregoing and attachments represent a true and complete summary of the actions taken by the Fort Monmouth Economic Revitalization Authority at its Board Meeting.



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Bruce Steadman - Secretary



**ADOPTED**  
**January 20, 2016**

Resolution Regarding  
**Approval of Fourth Plan Amendment Permitting Alternative and Additional Development  
Scenarios in Oceanport**

**WHEREAS**, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:271-26(c), and the Land Use Rules, in N.J.A.C. 19:31C-3.27, authorize FMERA to amend the plan from time to time as development progresses; and

**WHEREAS**, pursuant to the FMERA Act and the Land Use Rules, FMERA must transmit any proposed Reuse Plan amendment to the governing body of the three municipalities for a 45-day comment period and then consider any comments prior to the Board approving or disapproving the amendment; and

**WHEREAS**, the proposed amendment #4, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses two Fort Monmouth properties in the Oceanport Reuse Area; and

**WHEREAS**, in accordance with the FMERA Act and the Land Use Rules, the Board approved transmitting the proposed Reuse Plan amendment #4 to the host municipalities at its October 21, 2015 meeting; and

**WHEREAS**, the 45-day comment period commenced on November 16, 2015; and

**WHEREAS**, the comment period expired on December 28, 2015 and responses were received from Tinton Falls, Eatontown and Oceanport; and

**WHEREAS**, FMERA staff reviewed the responses and provided an analysis of the responses and recommendations to the Real Estate Committee; and

**WHEREAS**, the Real Estate Committee reviewed the Reuse Plan amendment #4 and the responses from the three host municipalities, as well as the analysis from FMERA staff, and recommends adoption of amendment #4.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority adopts the responses and the reasons for the responses, contained in the attached memorandum, to the comments from the Boroughs of Tinton Falls, Eatontown and Oceanport.
2. As expressed in the attached memorandum, the Authority approves Amendment #4 to the Fort Monmouth Reuse and Redevelopment Plan that would permit alternative and additional development scenarios in the Oceanport Reuse Area.

3. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

ATTACHMENT

Dated: January 20, 2016

**EXHIBIT 1**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director

**RE:** Recommendation to Approve Proposed Plan Amendment #4 Permitting  
Alternative and Additional Development Scenarios in Oceanport

**DATE:** January 20, 2016

**Request**

I am requesting that the Members of the Board approve the proposed Amendment #4 to the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) that would permit an alternative and additional development scenarios in Oceanport.

**Background**

In 2008, the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) was completed and accepted by the U.S. Department of Housing and Urban Development and the U.S. Department of Defense, and serves as the Plan for the redevelopment and revitalization of Fort Monmouth to be implemented by FMERA. FMERA's enabling legislation, P.L. 2010 c. 51 (the Act), the Land Use Rules subsequently adopted in 2013, N.J.A.C. 19:31C-3 et seq. (Land Use Rules), and the Reuse Plan contemplate that amendments to the Reuse Plan would be required from time to time. Specifically, the Act authorizes FMERA "to adopt, revise, adjust, and implement... any aspect of the plan."

Reuse Plan amendments allow FMERA to respond to opportunities that arise through the Request for Offers to Purchase (RFOTP) process. In accordance with the Act and the Land Use Rules, prior to approving an amendment to the Plan, the amendment must be transmitted to the governing body of each host municipality for a 45 day comment period, at the end of which each municipality may provide FMERA with a written report containing the municipality's recommendations. Staff will review the report from each host municipality and prepare a preliminary analysis with reasons for accepting or not accepting the recommendations. This report shall be presented to the Board for its consideration and approval.

***Development Contemplated under the Reuse Plan***

The Reuse Plan currently envisions the redevelopment of the Oceanport Reuse Area for approximately 1.75 million square feet of non-residential uses and 720 residential uses. The Reuse Plan included development of a high-tech/green industry cluster, education/medical



campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground. The Oceanport Reuse Area also included the institutional/civic reuse of Russel Hall by FEMA.

In December of 2012, the FMERA Board approved Plan Amendment #2, which allowed for an alternative development scenario concept for approximately 16 acres in Oceanport for the Patterson Army Health Clinic (Clinic) parcel. This amendment allowed for the option to reuse the Clinic and allowed a medical clinic and offices at the Clinic. The completion of the renovation and sale of this parcel to AcuteCare Health Systems has quickly encouraged continued development in Oceanport.

#### *The Proposed Reuse Plan Amendment*

The attached proposed Amendment #4 prepared by the Authority's planning consultant, Phillips Preiss Grygiel, LLC (PPG) encompasses two Fort Monmouth properties in the Oceanport Reuse Area. With the exception of the removal of the former helipad on the Parade Grounds, the proposed amendment does not delete any provisions of the Reuse Plan or Land Use Rules but rather would supplement the Plan by proposing additional uses at the Russel Hall Parcel and an alternative land use at the Dance Hall Parcel. Staff recommends these changes as the highest and best use for each site based on the results of the respective Requests for Offers to Purchase (RFOTPs).

1. Russel Hall Parcel: The former Garrison Headquarters will be allowed for office/research uses, but excluding warehouse uses, in addition to the currently permitted institutional/civic use. Ancillary retail uses intended to serve the primary office/research uses will be allowed. Dedicated on-street parking on Sanger Avenue will be additionally allowed. The former helipad on the Parade Grounds will be deactivated.
2. Dance Hall Parcel: The alternative development scenario for the former recreation center (Building 552, or the Dance Hall) will allow for reuse for commercial/retail uses, which the amendment clarifies to include craft production; outdoor dining accessory uses would also be allowed. The alternative maintains some or all of Van Kirk Park as publicly accessible open space, including the construction of permitted accessory structures such as an outdoor performance stage. The alternative also maintains the existing roadway configuration of Brewer Avenue and parking areas totaling approximately 29,000 square feet, while Telegraph Avenue could be eliminated or privatized by the owner of the Dance Hall parcel.

Staff has reviewed the Amendment with regard to the criteria in the Land Use Rules, in N.J.A.C. 19:31C-3.27(c)5, for reviewing a proposed amendment and proposes the following conclusions:

1. This Amendment does not include any changes to residential uses and so would not change the total number of residential units planned in Oceanport.
2. This Amendment affects only the Oceanport Reuse Area. As to those portions of the Oceanport Reuse Area not modified by this Amendment, their value and use is increased due to the incorporation of market-driven interest and uses in the parcels that are modified by this Amendment.

3. This Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan; thus, the Reuse Plan would remain a rational coordinated land use plan.
4. This Amendment is consistent with the Authority's BRAC obligations and the negotiations related to the Phase 2 Economic Development Conveyance (EDC) agreement with the Army by aligning the planned uses with actual market-driven responses to RFOTPs.
5. The proposed Amendment includes changes to circulation envisioned in the Reuse Plan to address the land use changes. As indicated in the Reuse Plan, impacts on the existing gas, electric, water, wastewater and telephone utilities are to be evaluated at site plan review for a specific project.

The proposed changes included in the Amendment currently demonstrate an overall reduction in the open space preserved or protected in the Oceanport Reuse Area, although the planned retention of some or all of Van Kirk Park would largely offset the reduction. Staff is working on strategies to accommodate additional open space within Oceanport, in accordance with the Board approved guidance in the Suggested Implementation of Open Space Inventory for Redevelopment of Fort Monmouth.

In accordance with the Act and the Land Use Rules, on October 21, 2015, the FMERA Board approved the transmittal of proposed Amendment #4 to the governing body of each municipality for a 45-day comment period. The municipalities received Amendment #4 on October 22, 2015, although the 45-day comment period began on November 16, 2015, upon expiration of the Governor's 10-day veto period; the comment period ended on December 28, 2015. The correspondence received from Eatontown, Tinton Falls and Oceanport is attached.

The letter from Eatontown's Borough Administrator states that the Eatontown Borough Council passed a resolution recommending approval of Amendment #4 and that no comment or feedback was received from the Planning Board. The letter from the Tinton Falls Council President states that the Borough Council reviewed the amendment and has no comment.

Oceanport's comment stated that Amendment #4 was reviewed by the Borough Planner, Borough Engineer, Environmental Commission, Police Department, First Aid, Fire Department and Office of Emergency Management. The Oceanport Planning Board discussed the proposed amendment at a Regular Meeting and supported the proposed amendment. The Oceanport Borough Council passed a resolution including the Planning Board's comments and support of the proposed amendment. Per the request of the Borough, the Borough's contracted planning firm provided a review of Amendment #4. The review noted that the amendment is consistent with the objectives and principles of the Reuse Plan, the Borough's Master Plan, and other municipal planning objectives. The review also noted that the amendment does not list any additional open space created to mitigate the net loss in open space in Oceanport. The Planning Board also included a letter from the Borough Engineer which recommended the Planning Board support Amendment #4, with consideration to the following comments: (1) any outdoor music or performances comply with the Borough's Noise Ordinance and (2) outdoor dining shall provide a means to separate it from the public areas. Oceanport included a letter from the Oceanport Environmental Commission, which raised concerns on three issues. The Commission



recommends that (1) outdoor entertainment should not be an allowed use, (2) the amendment should expand on environmental issues and specifically identify and describe exempt contamination, and (3) the amendment should provide more detail on the proposed locations of bicycle paths, waterfront paths and other areas of public access.

Per FMERA's Land Use Rules, Authority staff must review reports from each municipality and provide a preliminary analysis of reasons for accepting or not accepting recommendations received from host municipalities. Staff has considered the concerns and recommendations made, and would note that future occupants of properties in the Oceanport Reuse Area of the former Fort are required to comply with the Borough's Noise Ordinance. In addition, FMERA's Land Use Rules provide specific screening requirements for outdoor retail areas. In response to the comments from Oceanport's Environmental Commission, staff believes the amendment options would support the highest and best uses of the parcels in Oceanport, as well as support ongoing redevelopment of the former Fort. Staff believes the recommendation to identify and describe exempt contamination is beyond the scope of the amendment. The proposed locations of bicycle paths, waterfront paths and other areas of public access are included in the Reuse Plan, and staff will pursue strategies to accommodate additional open space in Oceanport in accordance with the Board approved guidance in the Suggested Implementation of Open Space Inventory for Redevelopment of Fort Monmouth.

After reviewing the comments from the host municipalities, the Real Estate Committee recommends Board approval of Amendment #4.

Recommendation

In summary, I am requesting that the Board approve the proposed Amendment #4 to the Reuse Plan that would permit alternative and additional development scenarios in Oceanport.

  
\_\_\_\_\_  
Bruce Steadman 

Attachments: Proposed Reuse Plan Amendment #4  
Reports from Host Municipalities

Prepared by: Candice Valente