

TO: Members of the Board

FROM: Bruce Steadman
Executive Director and Secretary

DATE: August 2, 2017

SUBJECT: Agenda for Board Meeting of the Authority

1. **Call to Order – James V. Gorman, Chairman**
2. **Pledge of Allegiance**
3. **Notice of Public Meeting - Roll Call – Bruce Steadman, Secretary**
4. **Approval of Previous Month's Board Meeting Minutes**
5. **Welcome – James V. Gorman, Chairman**
6. **Secretary's Report**
7. **Treasurer's Report**
8. **Public Comment Regarding Board Action Items**
9. **Executive Director's Report:**
 - Update on Requests for Proposals (RFPs) and Contracts
 - Update on Requests for Offers to Purchase (RFOTPs)
 - Update on Marketing Effort
 - Action Items for Next Month
10. **Committee Reports**
 - Audit Committee – Robert Lucky, Chairman
 - Real Estate Committee – James V. Gorman, Chairman
 - Environmental Staff Advisory Committee – Kenneth J. Kloo, Chairman
 - Historical Preservation Staff Advisory Committee – Mayor Jay Coffey, Chairman
 - Housing Staff Advisory Committee – Gina Fischetti, Chairwoman
 - Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Board Actions**

- a. Consideration of Approval of Purchase and Sale Agreement & Redevelopment Agreement for Golf Course in Eatontown
- b. Consideration of Approval of Modification to Local Beneficial Use Process to Include Personal Property
- c. Consideration of Approval of Sale of Sewer Jet to Borough of Oceanport
- d. Consideration of Approval of Contract for Professional Real Estate Marketing Consultant Services and Clarification of Close-out of Master Broker Contract
- e. Consideration of Approval of Transmittal to Host Municipalities of Proposed Plan Amendment #8 Permitting Alternative Development Scenario in Eatontown

There will be no action at the meeting on the following item:

- f. Consideration of Approval of Legally Binding Agreement, Administrative Letter, and Purchase and Sale Agreement for Building 501 and Associated Property in Oceanport

12. **Other Items**

13. **Public Comment Regarding any FMERA Business**

- Responses to questions submitted online or in writing

14. **Adjournment**

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

DATE: August 2, 2017

SUBJECT: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include an Update on the Office of Economic Adjustment Grant and the Second Quarter Financial Summary; Update on Requests for Proposals (RFPs) and Other Contracts; Update on Requests for Offers to Purchase (RFOTPs); Update on Marketing Effort; and Action Items for Next Month.

Treasurer's Report

1. Second Quarter Financial and Operational Summary

With the close of the second quarter on June 30th, FMERA staff has prepared the financial and operational summary for the first half of 2017. Staff will present the financial and operational summary report to the Audit Committee at their next meeting.

2. Update on Phase 2 Financing

In July, FMERA requested that the Monmouth County Improvement Authority and its trustee issue a notice of redemption for a portion of the MCIA's Governmental Loan Project Notes, Series 2016B. \$7.6 million of the \$33.5 million in notes will be redeemed on or about August 11, 2017 using net proceeds from FMERA's sale of the Officer Housing and Russel Hall parcels earlier this year. Monmouth County lent the proceeds of the November 2017 note sale to FMERA to purchase the Phase 2 properties from the Army. We anticipate further reducing FMERA's debt to the County when MCIA's notes are rolled over in November.

Executive Director's Report

1. Update on RFPs and Contracts

The following is a summary of the status of RFPs and Contracts that FMERA has issued:

- Auctioneer: The Auctioneer's Group had two auctions in the month of July:
 - July 12th - Contents of Vail Hall and Building 1152 including communications equipment, power equipment and a DMS 100 telephone switch
 - July 26th - Construction site materials, transformers, cable, conduits, pipes

The next auction will be a small lot/memorabilia auction for the general public to be held on September 23rd. Flyers are available at the registration table for tonight's meeting. Please refer to The Auctioneer's Group website, www.theauctioneersgroup.com for more information.

- Utilities: We continue to experience issues with the old infrastructure including power failures, water leaks, inflow and infiltration that keep our sewerage pump stations working hard in overload due to the significant rainfall finding its way into the sewer system. On a positive note our property management team and their stable of sub-contractors has been able to deal with all of these issues. They also completed our fourth round of water system flushing to keep our water system in compliance. Bids were received by NJ American Water Company for the construction of the Main Post Historic District water main extension. We expect construct to commence within a month.
- Suneagles Golf Course: With the approval of tonight's Board action to authorize execution of a Purchase and Sale Agreement and Redevelopment Agreement for the Golf Course, FMERA will grant the prospective purchaser a license to use and occupy the property for \$1 triple net plus the quarterly payment due to the Morale, Welfare & Recreation Program of the Army's Installation Management Command for the lease of golf course equipment. Under the license, the purchaser will agree to operate and maintain the golf course for the balance of the current golfing season under the current rate schedule and honoring the current memberships, utilizing Linx Golf Management or another qualified operator. The purchaser further agrees to improve the golf course's landscaping and aesthetics prior to closing.
- Property Management/Maintenance: Our property management contractor, Chenega Operations Services (COS) has been stretched this summer due to the various utility issues, ongoing flushing, assistance to the Auctioneers and keeping the grass in check in response to requests. FMERA appreciates the ongoing assistance of the Oceanport, Eatontown, Tinton Falls and county public works employees in keeping the property presentable and safe.
- Marina: The Marina at Oceanport continues to attract a nice crowd and continues to offer new cocktail, dining and entertainment options.

2. Update on RFOTPs

The following is a town-by-town summary of the status of our redevelopment projects.

In **Oceanport**, FMERA closed on the Russel Hall building and associated property on June 23rd. TetherView Property Management, LLC, a private cloud computing services company relocated from New York to the 40,000 square-foot former Garrison Headquarters building. The company has been occupying the building under a lease prior to the closing, and have already completed extensive renovations for new and current tenants. This is the third closing in Oceanport this year. FMERA closed on the Main Post Chapel on February 27th, where Triumphant Life Assembly of God Church purchased the approximately 16,372 square foot building for use as a house of worship, and opened its doors in time for Easter Sunday services. FMERA also closed on the Officer Housing parcels on January 13th with RPM Development. The company is renovating the 117 historic housing units,

creating 68 market-rate for sale units, and 48 rental units; twenty (20%) percent of the total units will be available to low- and moderate-income households. FMERA and the Borough of Oceanport are working towards a closing on the 13-acre municipal complex located on Murphy Drive in the Oceanport section of the Fort.

Also in Oceanport, FMERA has executed contracts on 2 parcels:

- Fitness Center, where FM Partners, LLC, is proposing to renovate and expand the facility, and received site plan approval from the Oceanport Planning Board last month; and
- Dance Hall, a 16,000 square-foot former recreation building on Brewer Avenue, to AP Development Partners, for commercial and retail uses, including entertainment and restaurant purposes.

FMERA is in negotiations for the sale and redevelopment of the following 6 properties:

- Nurses Quarters, a 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital;
- the Marina, currently approved for exclusive negotiations with AP Development Partners, LLC, and currently operating as a marina/public boat ramp and restaurant;
- Squier Hall Complex, an approximately 31-acre site currently under negotiations with the sole bidder, where the RFOTP called for office/research, institutional/civic (including educational) and/or open space/recreation uses. The future developer will be required to retain Squier Hall, which is listed on the National Register of Historic Places;
- Lodging Area, a 15-acre site located on Parkers Creek currently under negotiations with the lead bidder, where the RFOTP called for medium density residential, institutional/civic and/or office/research & development uses;
- Allison Hall, where FMERA is in negotiations with the sole compliant bidder for the 13-acre parcel which includes the reuse of the historic building, as well as retail, office/research & development and open space/recreation uses; and
- Building 501, an approximately 1.7-acre site identified for conveyance to Family Promise of Monmouth County via a Legally Binding Agreement (LBA). Staff will present the finalized LBA, a supporting Administrative Letter and a Purchase and Sale Agreement with the company for Board approval at tonight's meeting.

On March 8th, FMERA issued an RFOTP for Barker Circle, also in the historic district in Oceanport. The RFOTP sought proposals for the repurposing of all of the Barker Circle buildings for residential, office/research & development, institutional and/or health care related uses. FMERA indicated it would accept proposals that included alternate uses for the former Fire House and Kaplan Hall to include office/research & development, retail or other commercial uses, as well as a museum or arts center use in Kaplan Hall, as originally called for in the Reuse Plan. Proposals were due by June 2, 2017, and five proposals were received. An evaluation committee has evaluated the proposals and plans to begin discussions with the lead bidder shortly.

In **Eatontown**, FMERA is in the process of executing a contract with Fort Monmouth Parcel B Redevelopment, LLC, for the expanded Parcel B property, which includes up to 89 acres for a mixed-use town center along Route 35. The PSARA calls for the development of approximately 350,000 square feet of retail, 40,000 sf of office space, and 302 housing units.

Also in Eatontown, FMERA has executed contracts on 2 parcels:

- Howard Commons, where American Properties at Monmouth, LLC, plans to build up to 251 residential units on approximately 64 acres on Pinebrook Road. American Properties will first be responsible for demolishing the existing housing units on the property; and
- Eatontown Barracks, 6 buildings on Semaphore Avenue on an approximately 4.4-acre parcel, where FMERA entered into a PSARA with Kenneth Schwartz for the development of a commercial arts-related project, including studio, performance and gallery space, as well as short-term residential units for artists.

FMERA staff will present a recommendation to approve a PSARA for the Suneagles Golf Course in Eatontown, which includes the reuse the Golf Course and Gibbs Hall and construction of up to 75 residential units.

On June 7th, FMERA issued a Request for Sealed Bids for Purchase and Lease of the Bowling Center in Eatontown. The RFB was seeking bids for the purchase of the building, an approximately 17,600 square foot, twenty (20) lane bowling alley, and the ground lease of the approximately 2.7-acre parcel, located at Saltzman and Wilson Avenues. The Reuse Plan calls for the reuse of the building as a bowling alley. Bids were due on July 10, 2017, and one bid was received. Staff is reviewing the submission and expects to present a recommendation at the next FMERA Board meeting.

In **Tinton Falls**, FMERA closed on Parcel F-3 on February 23rd. The Monmouth County Park System purchased the property to develop in conjunction with the adjacent Fort Monmouth Recreation Center and Swimming Pool. The former gas station and convenience store site, located along Hope Road, will allow the County to expand services and public open space amenities currently offered at the Recreation Center.

FMERA has executed contracts on another four projects in Tinton Falls:

- Parcels C and C1, with Lennar Corporation, approved for 288 residential units over the two parcels, and up to 58,000 square feet of retail development;
- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 square feet of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC, which is scheduled to close later this month;
- Pistol Range and Satellite Road Parcel, under contract with Kiely Realty Group for the reuse and upgrading of the former Pistol Range, and additional office and commercial uses on the combined approximately 5-acre parcel; and
- Recreation Center and Swimming Pool, under contract to the Monmouth County Park System, which is currently open to the public through a lease with the County.

FMERA is in negotiations with the lead bidder for a contract related to the sale and redevelopment of the Charles Wood Fire Station, an approximately 4-acre parcel along Corregidor Road in the Tinton Falls Reuse Area.

On June 26, the New Jersey Economic Development Authority (NJEDA) issued an invitation to bid on the abatement, demolition and site improvements for the former Myer Center and the adjacent building 2705. Bids were due on July 28th and 9 bids were received. FMERA and NJEDA will review the submitted bids shortly.

3. Marketing Update

FMERA issued a Request for Proposals for Real Estate Marketing Services on May 26th and received 8 compliant proposals on June 23rd. After evaluating the proposals and holding oral interviews with the two highest scoring proposers, staff will recommend the Board approve the selection of The Riddle Team, comprised of The Riddle Company, EMI Strategy and Return on Investment, Inc., to serve as the Real Estate Marketing Consultant. FMERA will engage the consultant to provide lead generation and prospect sourcing, and assist with placemaking and media and publicity exposure.

Please refer to our website, www.fortmonmouthnj.com, for more information and to sign up for our monthly digital newsletters.

4. Action Items for Next Month.

- Continued work with the N.J. Department of Environmental Protection to identify and resolve environmental issues of concern
- Continued meetings and tours with interested prospective employers and investors
- Continued outreach to our stakeholders in the 3 host municipalities, the County and others
- Continued collaboration with the NJEDA Trenton Office on marketing and business development opportunities

Approved By: Bruce Steadman

Prepared by: Candice Valente

ADOPTED
August 2, 2017

Resolution Regarding
Approval of a Purchase and Sale Agreement & Redevelopment Agreement with Martelli Properties, LLC for Golf Course in Eatontown

WHEREAS, on October 7, 2016, FMERA issued and publicly advertised a Request for Offers to Purchase (RFOTP) with a response date of December 7, 2016, in connection with the planned redevelopment of Suneagles Golf Course in Eatontown; and

WHEREAS, Suneagles Golf Course is a 171-acre property that includes an 18-hole golf course; a 37,125 sf banquet facility, the historic Gibbs Hall; two ancillary buildings, a sports bar and a golf maintenance building; and 42 vacant officer housing units known as the Megill Housing; and

WHEREAS, the Fort Monmouth Reuse Plan calls for the retention of the golf course, the renovation of Gibbs Hall, and the demolition of the Megill Housing units, to be replaced by a 150-room hotel/conference center, and Amendment #8 being presented on this day to the Board would add 17 residential units to the Megill Housing area; and

WHEREAS, FMERA received three compliant proposals for the Golf Course; the proposals were scored independently by an evaluation committee, and Martelli Development, LLC (Martelli) received the highest score and submitted the highest price proposal; and

WHEREAS, Martelli proposes to renovate Gibbs Hall as a first-class banquet facility, make capital upgrades to the golf course and restrict it to a golf course use for 40 years, demolish the existing Megill housing units and construct 75 new housing units, broken out as 60 luxury condominium townhomes and 15 affordable rental apartments, which constitute the required 20% affordable housing; and

WHEREAS, the terms of the proposed PSARA include Martelli's payment of \$5 million for the property; closing will occur within 90 days of satisfaction of the conditions precedent to closing, which include: Martelli obtaining all approvals necessary to develop the project; receipt of a final remediation document from either the New Jersey Department of Environmental Protection or purchaser's Licensed Site Remediation Professional; an amendment to the Reuse Plan to accommodate the project; and the consent of the NJEDA Board of Martelli as redeveloper; and

WHEREAS, Martelli will incur capital investment costs of approximately \$29 million to improve the property and will be obligated to employ a minimum of 34 permanent workers at Gibbs Hall and the sports bar and 39 permanent workers at the golf course or pay a penalty for each position not filled; and

WHEREAS, FMERA will grant Martelli a license to use and occupy the property for \$1 triple net plus the quarterly payment due to the Morale, Welfare & Recreation Program of the Army's Installation Management Command for the lease of golf course equipment; under the license, Martelli will agree to operate and maintain the golf course for the balance of the current golfing season under the current rate schedule and honoring the current memberships; and

WHEREAS, the Real Estate Committee has reviewed the proposed PSARA and recommends Board approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the selection of Martelli Properties, LLC, as the purchaser of Suneagles Golf Course in Eatontown pursuant to the October 7, 2016 Request for Offers to Purchase (RFOTP), on terms substantially consistent to those set forth in the attached memorandum and the attached Purchase and Sale Agreement and Redevelopment Agreement (PSARA) and with final terms acceptable to the Executive Director and the Attorney General's Office, and authorizes the Executive Director to execute the PSARA and take any necessary actions to effectuate the selection of Martelli Properties as the purchaser.

2. 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: August 2, 2017

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Purchase and Sale & Redevelopment Agreement with Martelli Development Group, LLC for Suneagles Golf Course

DATE: August 2, 2017

Request

I am requesting that the Board authorize the execution of a Purchase and Sale & Redevelopment Agreement (PSARA) with Martelli Development Group, LLC (Martelli) for Suneagles Golf Course (Suneagles) in the Eatontown section of the Fort.

Background

Suneagles Golf Course is a 171-acre property that includes an 18-hole golf course designed by noted architect A.W. Tillinghast; a 37,125 sf banquet facility, the historic Gibbs Hall; two ancillary buildings, a sports bar and a golf maintenance building; and 42 vacant officer housing units known as the Megill Housing. Gibbs Hall is listed on the National Register of Historic Places, and a portion of the golf course is subject to an archeological restriction that protects Native American artifacts. The Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) calls for the retention of the golf course, the renovation of Gibbs Hall, and the demolition of the Megill Housing units, to be replaced by a 150-room hotel/conference center. Under the Amendment #8 also being presented to the Board today, 17 residential units would be relocated from Howard Commons to the 10-acre Megill housing area, in addition to the existing uses. Suneagles is a Phase One property under FMERA's June 25, 2012 Economic Development Conveyance Agreement (EDC Agreement) with the Army. FMERA acquired title to the property from the Army in June 2014.

On October 8, 2015, FMERA issued a Request for Offers to Purchase (RFOTP) for the sale and redevelopment of Suneagles consistent with the Reuse Plan, however no compliant proposals were received.

After consultation with the Real Estate Committee and the Borough of Eatontown, staff issued a new RFOTP for Suneagles on October 7, 2016. The 2016 RFOTP indicated that FMERA would accept proposals substituting up to 75 units of housing for the hotel/conference center called for in the Reuse Plan. It also specified that the golf course would be conveyed subject to a minimum twenty 20-year

deed restriction limiting the use of that portion of the property to a golf course, and offering a scoring bonus to proposals committing to extend the deed restriction beyond the 20-year minimum requirement.

The RFOTP was advertised in the Asbury Park Press and the Star Ledger, and posted to the FMERA, New Jersey Economic Development Authority (NJEDA) and New Jersey State Business Portal websites. Proposals were due on December 7, 2016 and proposals were received from four entities: Chris Andersen Roofing & Erecting Company, Inc. ("Andersen"); Martelli Development Group, LLC ("Martelli"); Matrix Golf and Hospitality Investments, LLC; and Suneagles Partners, LLC. Andersen's proposal was found to be non-compliant because it proposed to develop housing on the property but failed to include the mandatory statement committing to comply with any and all legally imposed affordable housing requirements, including but not limited to setting aside at least 20% of the housing units developed on the property as affordable housing. On June 21, 2017, Andersen executed a Withdrawal of Proposal and Waiver of Standing to Challenge.

An Evaluation Committee consisting of four FMERA staff members and one Army representative independently scored the remaining three proposals, and then met as a team to review the scoring and rank the proposals. The proposal submitted by Martelli Development Group, LLC received the highest score and offered the highest purchase price.

Martelli has offered to purchase Suneagles for \$5 million, which exceeds the property's Floor Price, the average of the Army and FMERA appraisals. Martelli proposes to renovate Gibbs Hall as a first-class banquet facility, make capital upgrades to the golf course and restrict it to a golf course use for 40 years, and construct 75 new housing units, broken out as 60 luxury condominium townhomes and 15 affordable rental apartments. The Megill Housing units would be demolished. Martelli proposes to contract with Linx Golf Management, FMERA's current operator, to improve and operate the golf course.

Salvatore Martelli, who heads both Martelli Development Group and Martelli Signature Homes, possesses over 25 years of experience as a custom home builder and commercial developer/contractor, with projects in New Jersey, New York, California, Florida and Costa Rica. The project will be financed through equity and bank loans, and Mr. Martelli will guaranty the financing. The projected improvement cost is \$29 million.

Purchase and Sale & Redevelopment Agreement

FMERA staff is pleased to report that negotiations with Martelli have resulted in the following terms. Martelli will pay \$5 million for the 171-acre property; pursuant to EDC Agreement, FMERA will receive 37% of the net sale proceeds, with the Army receiving the remainder. In addition, commissions due regarding this transaction shall be paid by FMERA to Cushman & Wakefield. Closing will occur within 90 days of satisfaction of the conditions precedent to closing, which include: Martelli obtaining all approvals necessary to develop the project; receipt of a final remediation document from either the New Jersey Department of Environmental Protection or purchaser's Licensed Site Remediation Professional; an amendment to the Reuse Plan to accommodate the project; and the consent of the NJEDA Board. Purchaser may take title to each of the three sub-parcels (i.e. Gibbs Hall, the golf course and the residential tracts) in separate affiliated entities. Martelli will have 90 days to undertake due diligence studies, which may be extended if necessary to complete environmental investigations. Purchaser will diligently seek to obtain all required permits and approvals within 12 months from the end of due diligence, which may be extended for an additional 6 months if the purchaser has diligently pursued approvals. Additionally, the approval period may be tolled for up to 12 months for litigation, a moratorium, or due to force majeure. Purchaser will commence the Project within 90 days of receipt of

permits and approvals and complete the Project in phases, as evidenced by receipt of certificates of occupancy, within 36 months thereafter. Purchaser's total capital investment is estimated at approximately \$29 million, reflecting \$3 million for improvements to the golf course; \$3.25 million for the renovation of Gibbs Hall; and \$22.6 million for development of the market-rate and affordable housing. FMERA will convey the property in as-is condition, but with clear title and subject to the Army's on-going obligations under CERCLA to address pre-existing contamination that may exist on the property. FMERA has 6 months from the date of the Agreement to amend the Reuse Plan to rezone the Property for Martelli's intended uses and obtain any approvals required to adjust FMERA's housing cap to allow development of up to 75 housing units on the Property. If FMERA cannot achieve this, Martelli shall be entitled to cancel the PSARA.

Martelli will be responsible for the cost of demolishing the Megill Housing, including any associated asbestos or lead-based paint remediation. FMERA will have a right to repurchase the property if construction is not timely commenced or completed. Martelli will also be obligated to employ a minimum of 34 permanent full/part time workers at Gibbs Hall and the sports bar and 39 permanent full/part time workers at the golf course by project completion or pay a penalty of \$1,500 for each permanent position not filled.

Upon execution of the PSARA, FMERA will grant Martelli a license to use and occupy the property for \$1 triple net plus the quarterly payment due to the Morale, Welfare & Recreation Program of the Army's Installation Management Command for the lease of golf course equipment. Under the license, Martelli will agree to operate and maintain the golf course for the balance of the current golfing season under the current rate schedule and honoring the current memberships.

Based on the redevelopment provisions of the PSARA between FMERA and Martelli, FMERA staff concludes that the essential elements of a redevelopment agreement between FMERA and Martelli are sufficiently addressed and that it is not necessary for FMERA to enter into a separate redevelopment agreement with Martelli for its development of Suneagles.

Attached is a substantially final form of the PSARA between FMERA and Martelli. The final terms of the PSARA are subject to the approval of FMERA's Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the request and recommends Board approval of the PSARA with Martelli for the Golf Course.

Recommendation

In summary, I am requesting that the Board authorize the execution of a Purchase and Sale & Redevelopment Agreement with Martelli Development, LLC for Suneagles Golf Course in Eatontown upon the terms outlined above.

Bruce Steadman

Prepared by: Kara Kopach & David Nuse

ADOPTED
August 2, 2017

Resolution Regarding
Approval of Modification to Local Beneficial Use (LBU) Process to Include Personal Property

WHEREAS, in May 2016, the FMERA Board approved a process to address requests from host municipalities and the County of Monmouth to acquire real and personal property for local beneficial use (LBU); and

WHEREAS, as part of the Economic Development Conveyance transfers, the Army has conveyed to FMERA a number of items considered personal property, not attached with a specific building or parcel of real estate, much of which FMERA has been selling through auctions; and

WHEREAS, staff recommends modifying the LBU Process to apply to all personal property both associated with real property and stand-alone personal property; and

WHEREAS, the three host municipalities and Monmouth County would be notified of availability of personal property to be conveyed under the LBU and fair market value would be determined by the FMERA auctioneer under contract; and

WHEREAS, purchase price for the personal property may be discounted based on the existing LBU criteria and the applicability of the criteria will vary based on the type of personal property involved; and

WHEREAS, FMERA staff will attempt to negotiate a shared use agreement of the item, negotiate the best price, or recommend award based on the LBU score should more than one party express interest in a particular item of personal property; and

WHEREAS, the Real Estate Committee has reviewed the modification to the LBU process and recommends Board approval;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Board approves the modification to the process for Local Beneficial Use (LBU) requests from the three host municipalities and the County of Monmouth. The Executive Director or other staff authorized to execute documents pursuant to Operating Authority is authorized to do and perform all acts necessary to effectuate this action.

2. 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.

Dated: August 2, 2017

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Modification to the Local Benefit Use (LBU) Process

DATE: August 2, 2017

Request

I am requesting that the Board of Members approve modification to the FMERA LBU Process to include personal property not associated with real property.

Background

On May 18, 2016, the Board approved a process for request from FMERA's host municipalities (Tinton Falls, Eatontown, and Oceanport) and the County of Monmouth to acquire real and personal property for local beneficial use ("LBU"). The process includes a scoring with seven criteria to determine an LBU's potential impact on the overall redevelopment effort. The scoring is used to discount the LBU parcel's appraised value up to a maximum of 40%. Consideration for the LBU parcel can be cash, in-kind services (provided over a term up to 5 years), or physical improvements (e.g., roadway or infrastructure improvements).

As part of the EDC transfers, the Army has conveyed to FMERA a number of personal property, much of which FMERA has been selling through auctions. In March 2017, the Army transferred a number of vehicles, including a sewer Jet truck, to FMERA. FMERA notified the Auctioneer's Group of its desire to auction these vehicles. The Auction was advertised and there was significant interest by local municipal Departments of Public Works and the County in what was being auctioned. Oceanport officials asked for an opportunity to inspect and get a demonstration of the operation of both a street sweeper and the sewer jet truck. Oceanport officials expressed an interest in purchasing the sewer jet truck and offered a price that was within the range of what the auctioneer's group appraised it for. This prompted FMERA staff to review the LBU process for use to sell personal property to the host municipalities and the County.

Staff now recommends modifying the LBU Process to apply to all personal property both associated with real property and stand-alone personal property. The three host municipalities and Monmouth County would be notified of availability of personal property to be conveyed under the LBU. Fair market value would be determined by the FMERA auctioneer under contract. Purchase price may be discounted based on the existing LBU criteria. The applicability of the criteria will

vary based on the type of personal property involved so staff recommends that the existing criteria be maintained and scored appropriately. Should more than one party express interest in a particular item of personal property, FMERA staff will attempt to negotiate a shared use agreement of the item, negotiate the best price, or recommend award based on the LBU score. Once scored, the sale will be presented to the Board for consideration.

The Real Estate Committee has reviewed the proposed change to the LBU Process and recommends Board approval.

Recommendation

I am requesting that the Board of Members approve modification to the FMERA LBU Process to include personal property not associated with real property, to include notification to the Boroughs of Eatontown, Oceanport, and Tinton Falls and to the County of Monmouth the availability of personal property that could be acquired under this process.

Bruce Steadman

Prepared by: Rick Harrison

ADOPTED
August 2, 2017

**Resolution Regarding
Sale of Sterling Cleaner Sewer Truck to Borough of Oceanport**

WHEREAS, the Army transferred a Sterling Cleaner Sewer Truck MTD, VIN#2FAATAK41AJ0138 (Sewer Truck) to FMERA on March 2, 2017, via a Certificate to Obtain Title to a Vehicle (Standard Form 97-1); and

WHEREAS, FMERA contracted auctioneer advertised the Sewer Truck as an item for sale and identified an appraised value for the Sewer Truck at \$75,000-90,000; and

WHEREAS, FMERA received significant interest from the Borough of Oceanport for the Sewer Truck; and

WHEREAS, FMERA staff has reviewed the Local Beneficial Use (LBU) process to sell personal property to the host municipalities and the County, and by separate public Board action, has requested the Board approve a modification to the LBU process to include personal property not associated with real estate; and

WHEREAS, FMERA has scored the LBU in accordance with the LBU Evaluation process which resulted in an eligibility for a discount of 5%, which when applied to an appraisal of \$90,000 results in a purchase price of \$85,000, with the vehicle sold as-is, where-is, with no guarantee or warranty implied; and

WHEREAS, FMERA will provide a one-day training session for the Borough as part of the purchase and the Borough will loan the vehicle back to FMERA when needed, as a shared service if requested; and

WHEREAS, the Real Estate Committee recommends that the Board approve the sale of the Sewer Truck per the terms and conditions of sale as described in the attached memorandum;

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the sale of the Sewer Truck to the Borough of Oceanport per the attached terms and conditions of sale. The Executive Director or other staff authorized to execute documents pursuant to Operating Authority is authorized to do and perform all acts necessary to effectuate this action.
2. 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.

Dated: August 2, 2017

EXHIBIT 4

DRAFT

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Sale of a Sterling Cleaner Sewer Truck MTD, VIN#2FAATAK41AJO138, to the Borough of Oceanport

DATE: August 2, 2017

Request

I am requesting that the Board of Members approve the sale of a Sterling Cleaner Sewer Truck MTD, VIN#2FAATAK41AJO138, under the Local Beneficial Use process to the Borough of Oceanport (the Borough), for the sum of \$85,000.

Background

The Army transferred a Sterling Cleaner Sewer Truck MTD, VIN#2FAATAK41AJO138 to FMERA on March 2, 2017, via a Certificate to Obtain Title to a Vehicle (Standard Form 97-1).

FMERA has no long term need for this vehicle. The Borough of Oceanport does have a need for this vehicle and expressed interest in purchasing it from FMERA. FMERA had planned on auctioning the vehicle along with other vehicles that had been transferred to FMERA. The auctioneer had appraised the vehicle for \$75,000-\$90,000. The availability of the vehicles via auction was first announced at the March 15, 2017 Board Meeting. The Borough of Oceanport expressed interest in the Sewer Jet and street sweeper advertised in the auction listing and requested a meeting to inspect them. FMERA provided a demonstration of the vehicles to representatives from Oceanport and provided an opportunity to inspect them. The Borough offered \$85,000 to purchase the sewer jet vehicle. At the April 19, 2017 FMERA Board meeting, the Director of Facilities Planning again reported on the upcoming auction for "Construction and Landscaping Equipment/Supplies – this includes several specialty vehicles, trailers, lawn mowers, snow plows, fork lifts etc. For more information and a list of items being auctioned please visit www.theauctioneersgroup.com." The sale of the vehicle to Oceanport was discussed at the May Real Estate Committee meeting. It was recommended that the sale should be handled as a Local Benefit Use (LBU) conveyance and that FMERA should amend the LBU process to specifically address the sale of personal property not associated with the sale of real property.

FMERA has scored the LBU in accordance with the LBU Evaluation process which resulted in an eligibility for a discount of 5%, which when applied to an appraisal of \$90,000 results in a purchase

price of \$85,000. The Borough also requested that FMERA provide a one day training session for the Borough as part of the purchase. The Borough further indicated that they would loan the vehicle back to FMERA when needed, as a shared service if requested. FMERA will sell the vehicle as-is where-is with no guarantee or warranty implied

The terms and condition of sale is attached to this memo along with the LBU Evaluation Scoring. The final form of the agreement will be subject to the approval of FMERA's Executive Director and the Attorney General's Office.

The Real Estate Committee has reviewed the request and recommends Board approval of the sale of the Sterling Cleaner Sewer Truck to the Borough of Oceanport.

Recommendation

I am requesting that the Board of Members approve the sale the sale Sterling Cleaner Sewer Truck MTD, VIN#2FAATAK41AJO138, to the Borough of Oceanport per the attached terms and conditions.

Bruce Steadman

Prepared by: Rick Harrison

ADOPTED
August 2, 2017

Resolution Regarding the
**Approval to Select The Riddle Team for
Professional Real Estate Marketing Consultant Services and Closeout of Master Broker Services
Contract**

WHEREAS, section 9(j) of the Fort Monmouth Economic Revitalization Authority Act authorizes the Authority to issue Requests for Proposals (RFPs) and section 9(i) to retain consultants; and

WHEREAS, on May 26, 2017, the Authority issued a Request for Proposals for Professional Real Estate Marketing Consultant Services with bid submissions due by June 27, 2017; and

WHEREAS, the Authority received bids from nine eligible bidders; and

WHEREAS, technical proposals were evaluated by three independent evaluators and fee proposals were evaluated separately, with the scoring for the bidders' fee proposals integrated in to the technical evaluation scoring; and

WHEREAS, the two top scoring proposers were requested to participate in oral interviews, and following the oral interviews the Evaluation Committee completed its final scoring, with The Riddle Team scoring highest; and

WHEREAS, the evaluation committee recommends the selection of The Riddle Team with respect to its qualifications and experience, knowledge of best practices in marketing for economic development organizations and BRAC-related local redevelopment authorities, and its understanding of and plan to fulfill the RFP's scope of services; and

WHEREAS, pursuant to the RFP, the consultant will be paid on an hourly basis, with compensation capped during the first year of the contract at \$80,000, with up to four (4) one-year extension options at FMERA's discretion; the maximum compensation in any extension year will also be at FMERA's discretion; and

WHEREAS, Cushman & Wakefield (C&W) has served as the Authority's master broker for the past five years and FMERA will execute a letter agreement with C&W to close out the contract and clarify and confirm each party's continuing obligations; and

WHEREAS, the letter agreement will include the following provisions: C&W will be responsible for providing all records and documents produced or obtained by it during the term of the contract; the parties agree to revise the commission schedule such that C&W will be entitled to receive commissions on any transactions (other than for exempt properties) that were initiated prior to expiration of C&W's contract and that close within eighteen (18) months of the July 19, 2017 contract expiration date; and the form of the letter agreement will be subject to the review and approval of the Attorney General's Office; and

WHEREAS, the Real Estate Committee has reviewed and discussed entering into a contract with The Riddle Team and the letter agreement closing out the C&W contract, and recommends Board approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority authorizes the selection of The Riddle Team as the Professional Real Estate Marketing Consultant and authorizes the Executive Director to take all necessary actions to effectuate the selection.
2. The Authority authorizes the execution of a letter agreement with Cushman & Wakefield closing out the master broker contract and modifying the terms as described in the attached memorandum and authorizes the Executive Director to take all necessary actions to effectuate the agreement.
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: August 2, 2017

EXHIBIT 5

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Award of Real Estate Marketing Services Consultant Contract and
Closeout of Master Broker Services Contract

DATE: August 2, 2017

Request

I am requesting that the Members of the Board approve the award of a contract to The Riddle Team, a venture between The Riddle Company, LLC of Washington, D.C. as prime contractor and EMI Strategy of Newark, New Jersey and Return on Investment, Inc. of Annandale, Virginia, as subcontractors, pursuant to the Authority's Request for Proposals for professional services related to the marketing of the Fort and generation of prospect leads. I am also requesting the Members' consent to clarify and amend the Authority's compensation obligations in connection with the closeout of Cushman & Wakefield's master broker contract, which expired on or about July 19, 2017.

Real Estate Marketing Contract

A prime component of the Authority's mission is the marketing and sale of the Fort's property, which represents the necessary first step in the redevelopment process. The expiration of Cushman & Wakefield's master broker contract has provided staff the opportunity to reevaluate its marketing program. Based on that reevaluation, staff recommends that, rather than seeking to enter into a new contract with a broker, the Authority engage a consultant to market the Fort's remaining parcels and generate prospect leads, and the Real Estate Committee concurs. On May 26, 2017, the Authority issued a publicly advertised Request for Proposals for real estate marketing services (the "RFP") seeking proposals from qualified firms.

A pre-proposal conference was held on June 15, 2017 and proposals were due on June 27, 2017. FMERA received proposals from the following nine firms: Gavin, imediagroup, Iolite, Iris Communications, Kivvit, Pearl Partners, RevenFlo, The Riddle Team, and Wisdom & Craft/Rival.

The proposals were reviewed and scored by an evaluation committee consisting of three FMERA staff members engaged in the marketing and sale of the Fort's properties. The evaluation was based upon an initial review and scoring of the bidders' technical proposals, followed by the review and integration of the bidders' fee proposals. The two top scoring proposers, The Riddle Team and Kivvit, were requested to participate in oral interviews. Following the oral interviews, the Evaluation Committee completed its scoring of the two top-ranked firms, resulting in final scoring and rankings as follows:

Firm/Team Name	Score	Rank
The Riddle Team	2800	1
Kivvit	2440	2
Iolite	1640	3
Gavin	1640	3
RevenFlo	1490	5
Wisdom & Craft/Rival	1150	6
Iris	1120	7
Pearl Partners	1000	8
imediagroup	850	9

The Riddle Team scored highly with respect to its qualifications and experience; knowledge of best practices in marketing for economic development organizations and BRAC-related local redevelopment authorities; and its understanding of and plan to fulfill the RFP's scope of services. Of particular note, The Riddle Team possesses substantial experience in lead generation and prospect sourcing for real estate development projects.

The co-project managers for The Riddle Team will be Catherine Timko, CEO of the Riddle Company, and Emily Manz, President of EMI Strategy. Ms. Timko has been engaged in the fields of economic development and marketing for over 30 years, consulting on or directly managing projects totaling over seven million square feet of commercial space, including the redevelopment of Walter Reed Hospital and the U.S. Navy Yard in Washington, D.C. and Fort McPherson in Atlanta, Georgia. Ms. Manz is a Newark-based urban planner and an expert in placemaking and lead generation, focused on providing services for clients in New Jersey, New York and Rhode Island. The Riddle Team also includes David Nellis of Return on Investment, Inc., a strategic marketing communications agency based in Annandale, Virginia, that specializes in market research and analysis as well as online and offline creative services.

Pursuant to the RFP, the consultant will be paid on an hourly basis, with compensation capped during the first year of the contract at \$80,000. The contract will provide for up to four (4) one-year extension options at FMERA's discretion. Should FMERA exercise any extension options, the maximum compensation in any extension year will also be at FMERA's discretion. Staff is delegated the authority to approve compensation of up to \$100,000 per additional year but any amount in excess of that figure will be subject to the Board's approval. Based on The Riddle Team's hourly rates, the consultant will perform up to 620 hours of service in Year One, as opposed to 534 hours proposed by the second ranked bidder. The Authority will engage The Riddle Team via FMERA's standard form of professional services agreement.

Closeout of Cushman & Wakefield Master Broker Agreement

Cushman & Wakefield ("C&W") has served as the Authority's master broker for the past five years. Staff proposes to execute a letter agreement with C&W to close out the contract and clarify and confirm each party's continuing obligations arising out of Requests for Offers to Purchase and Requests for Bids issued during the term of the contract. C&W will be responsible for providing all records and documents produced or obtained by it during the term of the contract, including but not limited to prospect lists, flyers and property records. The parties also agree to revise the commission schedule such that C&W will be entitled to receive commissions on any transactions (other than for exempt properties) that were initiated prior to expiration of C&W's contract and that close within eighteen (18) months of the July 19, 2017 contract expiration date. C&W will not be entitled to a commission on any transaction closing after January 19, 2019. The form of the letter agreement will be subject to the review and approval of the Attorney General's Office.

The Real Estate Committee has reviewed the request to award a contract for Real Estate Marketing Consultant Services to The Riddle Company and to amend the C&W brokerage agreement and recommends Board approval.

Recommendation

In summary, I am requesting the Members of the Board approve the award of a contract to The Riddle Team for real estate marketing and lead generation services and the amendment of Cushman & Wakefield's brokerage agreement as outlined above, on final terms acceptable to the Executive Director and the Attorney General's Office.

Bruce Steadman

Prepared by: Candice A. Valente & David E. Nuse

DRAFT

ADOPTED
August 2, 2017

Resolution Regarding
**Transmittal to Host Municipalities of Proposed Eighth Plan Amendment Permitting
Alternative Development Scenario in Eatontown**

WHEREAS, the FMERA Act, P.L. 2010, c.51, in N.J.S.A. 52:27I-26(c), and the Land Use Rules, in 19:31C-3.27(c), authorize FMERA to amend the plan from time to time as development progresses; and

WHEREAS, pursuant to 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 Reuse Plan envisions the redevelopment of the Eatontown Reuse Area for approximately 1.96 million square feet of non-residential uses and 577 residential units; and

WHEREAS, the redevelopment of the Eatontown Reuse Area included development of a conference hotel and golf course, a lifestyle mixed-use center/technology incubator campus and municipal complex, and expansive green space including the Suneagles golf course; and

WHEREAS, the proposed Amendment #8, prepared by the Authority's contracted professional planner Phillips Preiss Grygiel, encompasses the Howard Commons parcel in the Eatontown Reuse Area, totaling approximately 64 acres and as described in the attached memorandum; and

WHEREAS, the Reuse Plan envisioned 275 new units of medium-density or townhouse housing at the site, open space/recreation and up to 15,000 square feet of convenience and/or mixed-use retail along Hope Road; and

WHEREAS, the land uses proposed in Amendment #8 include the development of up to 206 low-density residential units and 52 medium-density residential units and the new location for the remaining 17 residential units originally planned at the Howard Commons site to the Suneagles Golf Course parcel, with the development of the units proposed in the 10-acre Megill housing area; and

WHEREAS, the proposed amendment clarifies and amends the bulk, area and use requirements in the Land Use Rules governing this parcel, as detailed in the attached memorandum; and

WHEREAS, staff has reviewed the proposed Amendment #8 with regard to the guidance for reviewing a proposed amendment and reached the following conclusions: (1) this

Amendment does not change the total number of residential units planned in Eatontown; (2) this Amendment affects only the Eatontown Reuse Area, and the value and use of adjacent parcels in Eatontown are increased due to the incorporation of market-driven interest and uses; (3) this Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan; (4) this Amendment is consistent with the Authority's BRAC obligations and the negotiations related to the Phase 1 Economic Development Conveyance Agreement with the Army; and (5) this Amendment includes changes to circulation envisioned in the Reuse Plan to address the land use changes; and

WHEREAS, the Real Estate Committee has reviewed the proposed plan change Amendment #8, and recommends approval of the transmittal of the proposed amendment to the governing body of each host municipality.

THEREFORE, BE IT RESOLVED THAT:

1. For the reasons expressed in the attached memorandum, the Authority approves the transmittal to the governing body of each of the three host municipalities of the proposed attached Amendment #8 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Eatontown Reuse Area.

2. 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: August 2, 2017

EXHIBIT 6

MEMORANDUM

TO: Members of the Board

FROM: Bruce Steadman
Executive Director

RE: Recommendation of Transmittal to Host Municipalities of Proposed Plan
Amendment #8 Permitting Additional Development Scenario in Eatontown

DATE: August 2, 2017

Request

I am requesting Board approval of the transmittal to the three host municipalities of the proposed Amendment #8 to the Fort Monmouth Reuse and Redevelopment Plan (Reuse Plan) that would permit an alternative development scenario in Eatontown.

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. The amendment is required to be a report or statement with proposals that include the following:

1. A statement of objectives, assumptions, and standards on which the plan is based;
2. The relationship to Statewide, county and municipal planning objectives;
3. Proposed land uses; and
4. Any significant relationship to municipal and county plans as well as the State Development and Redevelopment Plan.

According to the Land Use Rules, the FMERA Board shall consider the following as guidance when reviewing a proposed amendment:

1. Whether the proposed amendment would result in a material change in the overall development yield or affordable housing obligations of the host municipality, or would result in any negative impact to the Authority's obligations pursuant to the Fair Housing Act of 1985;
2. Whether the proposed amendment would result in any significant adverse impact on other areas of Fort Monmouth;
3. Whether the proposed amendment would substantially impair the intent and purposes of the Reuse Plan;
4. Whether the proposed amendment would have any negative impact to the Authority's obligations pursuant to the Base Realignment and Closure Act (BRAC) and any agreement with the U.S. Army conveying Fort Monmouth property to the Authority; and
5. Whether the proposed amendment would have significant adverse infrastructure ramifications different from those envisioned in the Reuse Plan.

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 Eatontown Reuse Area for approximately 1.96 million square feet of non-residential uses and 577 residential uses. The Reuse Plan included development of a conference hotel and golf course, a lifestyle mixed-use center/technology incubator campus and municipal complex, and expansive green space including the Suneagles golf course. The Eatontown Reuse Area also included the creation of a mixed-income housing neighborhood on the approximately 64-acre Howard Commons parcel, located at the intersection of Pinebrook Road and Hope Road. The Reuse Plan envisioned 275 new units of medium-density housing, open space/recreation and up to 15,000 square feet of convenience and/or mixed-use retail along Hope Road.

The Proposed Reuse Plan Amendment

The attached proposed Amendment #8 prepared by the Authority's planning consultant, Phillips Preiss Grygiel, LLC (PPG) encompasses approximately 64 acres of Fort Monmouth property in the Eatontown Reuse Area. The proposed Amendment maintains the Plan's land use concepts and plans while permitting a development scenario for the parcel that, if pursued, would result in the creation of up to 206 low-density residential units and 52 medium-density residential units. The proposed amendment identifies a new location for the remaining 17 residential units planned at the Howard Commons site be relocated to the Suneagles Golf Course parcel, with the development of the units proposed in the 10-acre Megill housing area.

As permitted under the Land Use Rules, the proposed amendment clarifies and amends the bulk, area and use requirements in the Land Use Rules governing this parcel. This includes an increase in height for single family homes from 2.5 stories/35' to 2.5 stories/45', the height for apartments and stacked flats from 3 stories/45' to 3 stories/55' and the height for retail buildings from 2

stories/30' to 2 stories/35'. The proposed amendment changes the maximum impervious coverage from 60% to 70%. The proposed amendment also provides the following changes to the yard setbacks: minimum side yard setback of 1' for single family and 5' for multi-family units; minimum combined side yard setback for all building types of 10'; and minimum rear-yard setback of 20' for single family and 10' for multi-family units. In addition, the proposed amendment allows for rear lot lines of single-family homes adjacent to Pinebrook Road. Finally, the proposed amendment includes the following changes in relation to driveway construction: allows driveways to be less than 50' from intersections; reduces the minimum driveway width from 25' to 24'; and reduces the minimum distance of driveways to lot lines from 5' to 1'.

Staff recommends these changes as the highest and best use for the site based on the results of the Request for Offers to Purchase (RFOTP) and due to the constraints of the amount of buildable area available on the parcel. In April 2016, the FMERA Board authorized staff to enter into a Memorandum of Understanding with the Borough of Eatontown to coordinate an engineering study for the Howard Commons parcel. The engineering study included a wetlands delineation and a stream corridor survey for the flood hazard area encompassing Wampum Brook. The results of this analysis demonstrated the potential for limited buildable acreage along the northern boundary of the 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 would not change the total number of residential units planned in Eatontown.
2. This Amendment affects only the Eatontown Reuse Area. As to those portions of the Eatontown 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 parcel that is 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 existing Phase 1 Economic Development Conveyance (EDC) agreement with the Army by aligning the planned uses with actual market-driven responses and physical site constraints.
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.

In order for the Authority to begin the public process required before the Board considers approval or disapproval of the amendment to the Plan, FMERA staff is requesting approval to transmit the attached proposed Amendment to the governing body of each of the three host municipalities. The proposed changes included in the Amendment currently demonstrate an overall reduction in the active open space preserved or protected in the Eatontown Reuse Area, namely by removing a 5-acre ball field envisioned at Howard Commons in the Reuse Plan. Staff recommends that an alternate location for 5 acres of active recreation be identified elsewhere in the Eatontown Reuse

Area. Staff is working on additional strategies to accommodate passive and active open space within Eatontown, in accordance with the Open Space Memo.

The Real Estate Committee has reviewed the request and recommends Board approval to transmit Proposed Plan Amendment #8 to the host municipalities.

Recommendation

In summary, I am requesting the Board approve the transmittal to the three host municipalities of the proposed Amendment #8 to the Reuse Plan that would permit alternative development scenarios in Eatontown

Bruce Steadman

Prepared by: Candice Valente