

MAY 2, 2014

ADDENDUM #2
TO
REQUEST FOR OFFERS TO PURCHASE
FOR

THE SALE OF REAL PROPERTY

Building 500 Main Post Chapel

Issued by the
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

Date Issued: March 14, 2014

Responses due by 12:00 P.M. EDT on May 9, 2014

This addendum is being issued to answer questions received during the RFOTF Question and Answer Period

1. **Question:** Zoning/Land Use regulations – It is our understanding that the Fort Monmouth Economic Revitalization Authority (FMERA) has adopted its own land use regulations that supersede local zoning and planning ordinances and that they will be in place for quite a number of years and will govern what can and cannot be done at the chapel. Is this land use regulation document complete and available for examination? What are the significant regulations that would impact the purchaser’s use of the chapel? In what ways do these regulations differ from those of the town of Oceanport, which we assume will eventually have jurisdiction?

Answer: The FMERA Land Use Rules can be found at the following link: http://www.fortmonmouthredevelopment.com/pdf/FMERA_LandUseRules_Adopted_7.15.13w_Tables.pdf . These rules supersede the local Oceanport zoning ordinances and will apply when any site plan application for former Fort Monmouth property goes before the Oceanport Planning /Zoning Boards.

2. **Question:** Road usage – Are there any restrictions regarding the use of the roads within Fort Monmouth to gain access to the Chapel, e.g. are all the roads considered to be public roads?

Answer: The status and use of the roadways will change. Currently the Army still owns the roadways which serve the Chapel. We will work with the successful bidder to ensure unfettered access for their tenants/clients as conditions and the status of construction may allow at any given time. Once FMERA takes title to all of the Main Post property, currently anticipated to occur in the first quarter of 2015, any security constraints the Army may have will go away. Also, the public currently has unfettered access to our offices currently and we will have other tenants and activities requiring access. Prior to the full opening of the Avenue of Memories and the West Gate we will have the option of opening other access points such as the Razor Avenue and Nicodemus Gates.

3. **Question:** Parking - What do the regulations specify regarding the number of required parking spaces?

Answer: See section 19:31C-3.7 Table 8, of the Land Use Rules. For places of worship one parking space per three seats.

4. **Question:** Signs - Do they permit us to place any permanent directional signs on Oceanport Avenue near the gate and/or just inside the gate and on the internal roads? What are the requirements regarding the size of the signs? If permanent signs are not permitted are temporary removable directional signs permitted on days when services and other events open to the public take place at the chapel?

Answer: See Section 19:31C-3.9 of the Land Use Rules for signage rules that would apply on the purchased property. FMERA has not developed signage guidelines for public places and roadways, something which we will contemplate addressing in the future. The current Land Use Rules are silent regarding signage on public land and roadways. FMERA will consider the need for temporary or interim signage for a transitional period during the initial redevelopment period. This issue can be addressed during the purchase and sale negotiation process.

5. **Question:** Utilities - More specific information about the required upgrades and connections to utility infrastructure would be very useful including any new laterals into new water and sanitary sewer that might have to be built.

Answer: Final disposition of utility connections has not been determined at this time. FMERA will allow the use of the existing utility systems until such time as the new systems are in place and serviceable. It is our intention to bring the connection points to the property border.
6. **Question:** Landscaping – Are there any relevant requirements pertaining to the landscaping of the property?

Answer: See section 19:31C-3.10 (f) of the Land Use Rules.
7. **Question:** EDC Agreement - The RFOTP states that the purchase agreement between FMERA and the purchaser “is subject to the U.S. Army and FMERA entering into a Phase 2 Economic Development Conveyance Agreement (EDC Agreement). ...The successful purchaser ... will be subject to the terms and provisions of the ... EDC Agreement”. Has the EDC Agreement been completed? If so, what does this agreement require of the purchaser?

Answer: Per the pending agreement with the Army, the EDC Application must be submitted to the Army by June 15, 2014 with an anticipated transfer of property date no later than March 15, 2014. Other than that, we do not foresee any EDC terms that would impact the purchaser of this property nor will anything be required of the purchaser.
8. **Question:** Clarification that the purchaser, if it is a church or house of worship, would not be subject to the NJ Law Against Discrimination regarding the hiring of ministers and church staff whose beliefs are in disagreement to that organization’s strongly held religious beliefs.

Answer: The same NJ Law Against Discrimination requirements and restrictions that generally apply in New Jersey will also apply to the use of the property FMERA seeks to sell. There is nothing in the FMERA Act (i.e. FMERA's enabling statute) that either increases or reduces the applicability or scope of the NJ Law Against Discrimination in connection with the use of property purchased from FMERA.