

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director and Secretary

**DATE:** March 16, 2022 – 5:00p.m.

**SUBJECT:** Agenda for Board Meeting of the Authority

1. **Call to Order – Mayor Jay Coffey**
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 – Mayor Jay Coffey**

It is with great regret that we acknowledge the passing of our Chairman and friend, Dr. Robert Lucky on March 11, 2022.

**The following statement is from Governor Murphy:**

*“It is because of pioneers like Robert Lucky that New Jersey became globally recognized as the home of technological innovation and invention. From groundbreaking research at Bell Labs to leading Fort Monmouth’s redevelopment and reimagination, he dedicated his life to making the impossible possible. With his passing, he leaves huge shoes to be filled, but we will build on his legacy as we seek to fully reclaim the title he helped us grab in the first place, as the world’s home for innovation.”*

6. **Secretary’s Report**
7. **Treasurer’s Report**
8. **Public Comment Regarding Board Action Items**
9. **Executive Director’s Report:**
  - Update on Utilities and Infrastructure
  - Update on Requests for Offers to Purchase (RFOTPs)
  - Update on Marketing Effort
  - Action Items for Next Month
10. **Committee Reports**
  - Audit Committee – Vacant, Chairman
  - Real Estate Committee – Vacant, Chairman
  - Environmental Staff Advisory Committee – Elizabeth Dragon, Chairwoman
  - Historical Preservation Staff Advisory Committee – Jay Coffey, Chairman
  - Housing Staff Advisory Committee – Robert Long, Chairman
  - Veterans Staff Advisory Committee – Lillian Burry, Chairwoman

11. **Board Actions**

1. Consideration of Approval of the First Amendment to the Grant Agreement and MOU between FMERA and the Two River Water Reclamation Authority.
2. Consideration of Approval of a Recommendation to approve Transmittal to Host Municipalities of Proposed Plan Amendment #18 Permitting an Alternative Development Scenario with respect to the Nurses Quarters Parcel in Oceanport.

12. **Other Items**

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

- Responses to questions submitted online or in writing

14. **Adjournment**

**Fort Monmouth Economic Revitalization Authority  
Board Meeting  
February 16, 2022  
Via Teleconference**

**MINUTES OF THE MEETING**

**Members of the Authority and/or Designees present via teleconference:**

- Robert W. Lucky – Vice-Chairman, Fort Monmouth Economic Revitalization Authority (FMERA) – V
- Lillian Burry – Monmouth County Commissioner – V
- Stephen Gallo – Public Member – V
- Jay Coffey – Mayor of Oceanport – V
- Anthony Talerico – Mayor of Eatontown – V
- Tracy Buckley – Tinton Falls Borough Council President – V - Designee
- Jamera Sirmans – Associate Counsel, Governor’s Authorities Unit – V – Designee
- Dave Nuse – Executive VP, Real Estate & Community Development, NJEDA – V - Designee
- Diane Dow – Director, Site Remediation Program, NJ Department of Environmental Protection – Designee
- Robert Long – Deputy Commissioner, NJ Department of Community Affairs – Designee
- William Riviere – Principal Planner, NJ Department of Transportation – Designee
- Wayne Smith – State Veterans Program Coordinator, NJ Department of Labor & Workforce Development – Designee

V – Denotes Voting Member

**Also present:**

- Bruce Steadman, FMERA Executive Director and Secretary
- Matt Reagan, Deputy Attorney General (DAG)
- FMERA staff:
  - Regina McGrade – Administrative Manager
  - Kara Kopach – Deputy Executive Director/Director of Real Estate Development
  - Sarah Giberson – Manager of Marketing & Development
  - Upendra Sapkota – Senior Project Officer – Planning & Development
  - Kristy Dantes – Director of Facilities & Infrastructure
  - Joe Fallon – Senior Environmental Officer
  - Jennifer Lepore – Accounting Manager
  - Laura Draushak – Director of Legal Affairs

The meeting was called to order by Vice-Chairman Robert Lucky at 5:00p.m. who asked for a moment of silence for unity and safety in lieu of the Pledge of Allegiance, given that the meeting was being held remotely by telephone.

Bruce Steadman explained the teleconference meeting protocol with regards to the Board and public’s participation. He stated that the February Board meeting was being held remotely, with Board, staff, and the public participating via telephone. He stated that all Board votes would be roll-call votes, for the purpose of verifying the Board members’ votes, including acceptance of the Minutes from the previous meeting. He noted that at the beginning of the Public Comment periods, he would ask members of the public who wished to make a comment or ask a question to state their name, and that he would call on each of them to make their comment or ask their question.

Mr. Steadman thanked the staff, Board members, and the public for their cooperation in accepting and following these modifications to the normal public meeting routine and noted that otherwise it was FMERA’s intention to adhere to a normal meeting agenda.

Bruce Steadman announced that in accordance with the Open Public Meetings Act, notice of the meeting and notice of the change in the meeting to a teleconference was sent to the Asbury Park Press and the Star Ledger at least 48 hours

prior to the meeting, and that the meeting notice has been duly posted on the Secretary of State's bulletin board at the State House, and the FMERA website.

The first item of business was the approval of the January 19<sup>th</sup> regular meeting minutes. A motion as made to approve the minutes by Lillian Burry and seconded by Jay Coffey.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Steve Gallo	X		
Lillian Burry	X		
Jay Coffey	X		
Anthony Talerico	X		
Tracy Buckley	X		
Jamera Sirmans	X		
Dave Nuse	X		

Motion to Approve: LILLIAN BURRY Second: JAY COFFEY  
Ayes: 8

### **WELCOME**

Vice-Chairman Robert Lucky welcomed attendees to the Authority's teleconference meeting. Dr. Lucky stated that a copy of the Board package was posted to the FMERA website to give the public the opportunity to review the information in advance of the meeting. Dr. Lucky noted the protocol regarding the two opportunities for the public to address the Board, with the 3-minute limit for agenda items, and the 5-minute limit for all other FMERA business.

The Vice-Chairman continued by stating that in his role he is required to conduct an orderly meeting and complete the meeting agenda in a reasonable time period. The Vice-Chairman continued by stating that FMERA continues to welcome the public's constructive comments and ideas.

### **SECRETARY'S REPORT**

Bruce Steadman stated that the Board meetings would continue to be remote teleconference meetings until further notice. Mr. Steadman stated that the FMERA staff continues to work daily on FMERA business and are working on several projects which are still moving forward through reviews, negotiations, approvals, and other tasks.

Mr. Steadman stated that Diane Dow, NJDEP Director, Site Remediation Program, the FMERA Board Designee and ESAC Chairwoman will be retiring. Elizabeth Dragon, NJDEP Asst Commissioner for Community and Economic Revitalization will be her replacement as the NJDEP Board Designee and the ESAC Chairwoman. Mr. Steadman thanked Ms. Dow for her participation on both the FMERA Board and the ESAC.

### **TREASURER'S REPORT**

Jennifer Lepore, Accounting Manager, stated that staff is preparing the Authority's 2021 Annual Report and financial statements for presentation to the Audit Committee, 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 in for review in mid-March, and the final documents will be presented to the Board in April.

The Authority's independent auditors, CliftonLarsonAllen, have begun their audit of the Authority's 2021 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 is scheduled to begin February 22.

**PUBLIC COMMENT REGARDING BOARD AGENDA ITEMS (3 minutes re: Agenda Items)**

There was no public comment.

**EXECUTIVE DIRECTOR'S REPORT**

1. Kristy Dantes, Director of Facilities & Infrastructure gave the following update:

- Update on Utilities and Infrastructure

The facilities, environmental, and site-maintenance team continues to operate to maintain the utility infrastructure to serve our developers, residences, and businesses. The team also handles the maintenance and inspections of the buildings.

FMERA is currently working on completing the following Deeds with the Army:

- The Group 5 Deed is in draft form at the Army level awaiting the Record of Decision from the Army Corps. of Engineers.

Other projects in process include:

- The installation of the Avenue of Memories water main is complete. Since August of 2017 22-thousand-feet, or 4 miles, of new water mains have been installed on the fort, linking Route 35 to the west, Broad Street in Eatontown and Main Street in Oceanport to the south, and Oceanport Avenue to the east. FMERA can now proceed with completely abandoning the former Army water supply system.
- The NJDCA funded \$5.2M for the installation of the East Interceptor, pump house, and force main along Oceanport Avenue has been transferred to Two Rivers Water Reclamation Authority. Proposals are due back to TRWRA in March.
- The NJDCA funded \$159,325 for the Professional Engineering Services with the Eatontown Sewerage Authority has been transferred for the sewer improvement projects within the Eatontown section of the Fort.
- Work associated with the Army's landfill capping project is wrapping up. Eight of the nine landfills are complete or substantially complete, and the final landfill, Landfill 8, will be completed by the end of February.
- On Monday, February 14<sup>th</sup>, there was a power outage in the East Gate area of the Fort. Residences along Allen Avenue lost power due to a failed component in a pad-mounted electrical transfer switch. The late hour, coupled with extreme cold, snow, location, and age of the equipment, created a challenge, and elongated the time it took to diagnose the issue and formulate a solution. Thank you to the coordinated efforts of the facilities team and Hi-Volt Electric.

2. Sarah Giberson, Manager of Marketing & Development gave an overview on property sales and RFOTPs.

FMERA continues to make good progress on the Fort's redevelopment, with about 86% of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 31 parcels, and another 6 parcels are under contract or have Board-approved contracts. Demolition and rehabilitation are underway Fort-wide, with extensive progress being made on the Loft (formerly known as the Dance Hall), the Commissary & Warehouse District, the Ridge at Suneagles Golf Course, and the Lodging Area. The Loft, rehabilitated for use as an event space and wedding venue, anticipates opening for business later this year. Closings are scheduled on the Allison Hall parcel and the Eatontown Parks parcel, for early March. The remainder of FMERA's projects are in various stages of development, many of which are still in the due diligence, design, and approvals phases. We look forward to the integration of additional businesses and amenities into the Fort community.

FMERA remains focused on the continued movement and progress of on-going projects at this time. With the highest and best use of the property and job creation in mind, FMERA released its Mega RFOTP, which staff believes will further our redevelopment initiatives and support the economic vitality of the region. Although the Board voted to terminate the RFOTP at its last meeting, FMERA plans to issue a new Mega Parcel RFOTP inclusive of additional acreage in the next several weeks.

The Mega Parcel RFOTP is seeking proposals for the redevelopment of an approximately 292-acre property spanning the Boroughs of Eatontown and Oceanport. FMERA has a strong interest in bolstering the innovation economy to create more and better jobs locally, as well as throughout the state, and to further revitalize Fort Monmouth. By supporting one or more key sectors, including but not limited to life sciences, information and high tech, clean energy, food and beverage, and film and digital media, staff believes Fort is positioned to serve as a regional hub for one of these dynamic industries and further attract other business within and around the Fort Monmouth area, as a result. The details of a new RFOTP will be available on our website in the coming weeks. Please note that the RFOTP process remains open and competitive to all interested parties. A formal evaluation process remains in place and all proposals will be evaluated against the included evaluation criteria once the proposal period closes.

FMERA staff is presently working a hybrid schedule with our offices open daily. We kindly ask that all visitors remain masked while on the property. Please visit our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com) and follow us on Instagram at @fortmonmouthnj for our latest updates.

### 3. Additional Comments by the Executive Director:

Mr. Steadman thanked the Boroughs of Eatontown, Tinton Falls, and Oceanport, and the County of Monmouth for their continued support and help on various day-to-day operating issues while FMERA continues working remotely; and noted the outstanding support and help received from our key state stakeholders: the Governor's Authorities Unit, Attorney General Office, NJEDA, DEP, the DOT, the DOL, the DCA, and many others.

Bruce Steadman gave an update on FMERA action items:

#### Action Items for Next Month.

- a) Continued work with the N.J. Department of Environmental Protection and U.S. Army to identify and resolve environmental issues of concern
- b) Continued meetings with interested prospective investors
- c) Continued outreach to our stakeholders in the 3 host municipalities, the County and others
- d) Continued collaboration with the NJEDA Trenton Office on business development opportunities
- e) Continued work on the water, sewer, and electric system improvements.
- f) Continued drafting and revisions of documents for the 30+ projects underway.

## **COMMITTEE REPORTS**

### 1. AUDIT COMMITTEE (ROBERT LUCKY, CHAIRMAN)

Robert Lucky stated that the Committee met on February 16<sup>th</sup> and discussed the following:

- Discussion regarding an Agreement between FMERA & JCP&L for the installation of electric distribution facilities on the Main Post. Pursuant to the Fiscal Year 2022 Appropriations Act \$12,500,000 of State Funds were appropriated for Fort Monmouth Electrical and Transportation. FMERA's electrical infrastructure on the Main Post is aged and trending toward obsolesce, as a result, FMERA must replace this infrastructure with a new substation and ancillary electrical equipment. Per the Agreement, JCP&L will provide the Main Post located in Oceanport and Eatontown, with a new substation to serve current and future development. The Audit Committee reviewed the request and recommended it to the Board for approval.

### 2. REAL ESTATE COMMITTEE (ROBERT LUCKY)

Robert Lucky stated that the Committee met on February 8<sup>th</sup> and discussed the following:

Mayor Talerico recused himself from the discussion regarding the 1<sup>st</sup> Amendment.

- Discussion regarding the 1<sup>st</sup> Amendment to the Redevelopment Agreement for the Myer Center Parcel in Tinton Falls. The 1<sup>st</sup> Amendment will allow RWJBH to modify its various buildings square footage ranges under the

Redevelopment Agreement to provide more flexibility during its approval process. The Committee reviewed the request and recommended it to the Board for approval.

Other Items of Discussion:

- Closings:
  - a. Allison Hall
  - b. Bowling Center
  - c. Eatontown Parks
- Howard Commons
- Mega Parcel Status
- Squier Hall
- JCP&L Substation & Distribution MOU/Contract
- TRWRA/ESA Update
- Landfill Update
- Voyagers' Community School

3. ENVIRONMENTAL STAFF ADVISORY COMMITTEE (DIANE DOW, CHAIRWOMAN)

Diane Dow stated that the Committee met on February 7<sup>th</sup> and discussed the following:

- The meeting opened with the introduction of Elizabeth Dragon, Assistant Commissioner for the Office of Community and Economic Development at NJDEP who will be replacing Diane Dow as Chairwoman of the Environmental Staff Advisory Committee on March 1, and Ken Kretsch, the representative for the Borough of Eatontown.
- FMERA staff provided the following information regarding Fort Monmouth as a Superfund site:  
It has come to the attention of FMERA staff that there may be some questions as to the environmental status of Fort Monmouth, as it relates to the National Priority List or Superfund list. For the record, Fort Monmouth is not, nor ever has been listed, nor is it proposed to be listed, as a Superfund Site.
- FMERA staff provided the committee with a detailed update, including any remaining carve-out parcels, the status of DEP permits, any Tidelands issues, and bald eagle and Osprey timing restrictions for the Mega Parcel. Staff also provided development updates for the Allison Hall and Lodging Parcels, the Eatontown DPW Parcel, the Eatontown Parks Parcel, the New Jersey City University Parcel and the Denholtz parcels.

4. HISTORICAL PRESERVATION STAFF ADVISORY COMMITTEE (JAY COFFEY, CHAIRMAN)

Jay Coffey stated that the Committee did not meet this month.

5. HOUSING STAFF ADVISORY COMMITTEE (ROBERT LONG, CHAIRMAN)

Robert Long stated that the Committee did not meet this month.

6. VETERANS STAFF ADVISORY COMMITTEE (LILLIAN BURRY, CHAIRWOMAN)

Lillian Burry stated that the Committee did not meet this month.

**BOARD ACTIONS**

1. The first item before the Board was the Consideration of Approval an Agreement between FMERA and JCP&L for Installation of Electric Distribution Facilities on the Main Post of Fort Monmouth in Eatontown and Oceanport.

Robert Long asked that with the Mega Parcel RFOTP, was there uncertainty regarding the electrical power needs and does the FMERA staff have an opinion on what the cost might be to increase power capacity.

Mr. Steadman stated that there has been an extensive evaluation of the current and anticipated load requirements and that while the 17KVA will be sufficient, FMERA opted to go to 22KVA. The Mega Parcel RFOTP includes language that electrical requirements for the current parcels not included in the Mega Parcel RFOTP is 12KVA, which would leave a balance of 10KVA for the Mega Parcel RFOTP parcels. The Mega Parcel RFOTP also states that if the developer of the Mega Parcel RFOTP requires additional electrical loads greater than 10KVA, then the developer would work with JCP&L for upgrades. FMERA will also be entering into an agreement for the design and replacement of the entire distribution system that would be downstream of the substation on the Main Post which is estimated to be between \$4-\$5MM.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 1.

A motion was made by Lillian Burry and was seconded by Jay Coffey.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Abstain
Robert Lucky	X		
Lillian Burry	X		
Steve Gallo	X		
Jay Coffey	X		
Anthony Talerico	X		
Tracy Buckley	X		
Jamera Sirmans	X		
Dave Nuse	X		

Motion to Approve: LILLIAN BURRY Second: JAY COFFEY  
 Ayes: 8

- The second item before the Board was the Consideration of Approval 1<sup>st</sup> Amendment to the Redevelopment Agreement for the Myer Center Parcel in Tinton Falls.

Mayor Talerico recused himself and left the meeting at 5:35p.m.

Kara Kopach read a summary of the Board memo.

The resolution is attached hereto and marked Exhibit 2.

A motion was made by Jay Coffey and was seconded by Steve Gallo.

Bruce Steadman conducted a roll call vote.

NAME	Yes	No	Recused
Robert Lucky	X		
Lillian Burry	X		
Steve Gallo	X		
Jay Coffey	X		
Anthony Talerico			X
Tracy Buckley	X		
Jamera Sirmans	X		
Dave Nuse	X		

Motion to Approve: JAY COFFEY                      Second:                      STEVE GALLO  
Ayes: 7

**OTHER ITEMS**

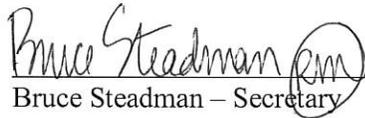
There were no other items before the Board.

**PUBLIC COMMENT REGARDING ANY FMERA BUSINESS (5 minutes re: any FMERA business)**

There was no public comment.

There being no further business, on a motion by Lillian Burry and seconded by Jay Coffey and unanimously approved by all voting members present, the meeting was adjourned at 5:45p.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.

  
Bruce Steadman – Secretary

**Resolution Regarding  
Agreement between FMERA and JCP&L for Installation of Electric Distribution Facilities on the Main Post of  
Fort Monmouth in Eatontown and Oceanport**

**WHEREAS**, pursuant to the Fiscal Year 2022 Appropriations Act, L. 2021, c.,191, Twelve Million Five Hundred Thousand dollars (\$12,500,000) of State Funds were appropriated for Fort Monmouth Electrical and Transportation; and

**WHEREAS**, FMERA's electrical infrastructure on the Main Post is aged and trending toward obsolesce, as a result, FMERA must replace this infrastructure with a new substation and ancillary electrical equipment. Based on the aforementioned funds, FMERA initiated conversations with JCP&L to fund new electrical infrastructure on the Main Post; and

**WHEREAS**, upon Board approval of the Agreement and the expiration of the Governor's 10 veto period of the Board meeting minutes, FMERA will notify N.J. Treasury who will appropriate up to the full \$12.5M to FMERA; the State fiscal year runs from July 1, 2021 to June 30, 2022 allowing FMERA to request the funds during this period; and

**WHEREAS**, BPU No. 13, Electric, Company's Tariff for Service (the "Tariff") and approved by The New Jersey Board of Public Utilities ("BPU" or "NJBP"), directs JCP&L to evaluate customer requests to increase capacity or extend facilities based on the expected return on investment to FMERA, taking into account any contribution by FMERA to such costs; in compliance with the Tariff, JCP&L has evaluated FMERA's request to extend facilities and/or increase capacity (the "Extension"), and has determined that, considering the cost to accommodate FMERA's request and the revenues necessary to be derived therefrom, JCP&L is agreeable to proceed with the installation of the Extension based upon the terms of the attached Agreement; and

**WHEREAS**, per the Agreement, JCP&L will provide the Fort Monmouth Main Post located in Oceanport and Eatontown, NJ with up to 17,000KVA of capacity to serve development within the FMERA property as outlined in the Initial Load Study, dated August 2020. FMERA and JCP&L mutually agree that JCP&L's assessment of current and programmed loads within the Main Post would be serviced by JCP&L providing 17,000KVA of power. However, in anticipation of the possible future development on the Main Post, FMERA has requested and JCP&L has agreed to install a 22MVA substation. The parties agree that if FMERA's requests a site load in excess of 17,000KVA, JCP&L will undertake a load study and will perform the necessary load calculation/engineering study to determine how to accomplish the requested increase in site load and budgetary estimate for the required material and work required to meet the requested load increase; and

**WHEREAS**, per the terms of this Agreement, the necessary sub transmission (34.5KV) and substation related work including a nameplate rated 22MVA substation transformer to provide requested capacity for the site. This also includes three distribution circuits originating from the new JCP&L owned substation and terminating outside the fence line of the new substation. Separate line extension contracts will be required to extend these circuits onto the FMERA property to serve the new loads. By separate agreement, JCP&L will engage with FMERA to determine if existing FMERA owned distribution infrastructure can be utilized to reduce the line extension work scope required by JCP&L. Per the terms of the agreement, associated work includes, new 34.5KVV sub transmission line tap and installation of 3 SCADA controlled switches and the installation of a new JCP&L substation. If necessary, JCP&L will require, and FMERA will be responsible for, supplying and installing facilities as designated by JCP&L; and

**WHEREAS**, FMERA has identified two parcels of land located on a portion of Block 110, Lot 4, which may be later subdivided by FMERA the site of the future substation ("Property"); and the Property currently contains Building #886 and certain environmental issues requiring remediation as described in the attached memorandum; and

**WHEREAS**, to accomplish the goals of this Project and the purpose of the Appropriated Funds, it shall be necessary for the FMERA to demolish Building #886 and undertake environmental remediation in order to make the necessary electrical improvements; and

**WHEREAS**, the Parties intend to enter into a Purchase and Sale Agreement and Redevelopment Agreement for the Property and the buildout of the substation; and

**WHEREAS**, for purposes of the Agreement, the cost to be paid in advance by FMERA for the Extension is separated into two components: (a) the non-refundable cost for requested special service locations or installation costs which amounts to \$0.00 (the "Contribution"); and (b) the balance of \$3,721,561.00, (the "Deposit") of which \$3,721,561.00 is subject to refund as described in Article 7 of the Agreement. JCP&L is willing to provide the funding for this Extension on the condition that they have the opportunity for a reasonable recovery of such investment during the term of this Agreement and in order for the Customer to realize the opportunity for possible refunding of the Customer's Deposit toward such Extension costs, through the ten (10) year term of this Agreement; and

**WHEREAS**, per the terms of the agreement, FMERA shall be eligible for refunding of the \$3,721,561.00 advanced Deposit over a period not to exceed ten (10) years and up to (but not in excess of) the refundable deposit as follows: At the end of the first year, JCP&L will refund from the refundable deposit an amount equal to ten times the total actual distribution revenues billed during that period. At the end of each subsequent year, for an additional nine years, a refund will be equal to ten times the positive difference after subtracting: 1) the highest total actual distribution revenues that was used for calculating the refund in any previous year, from 2) the total actual distribution revenues billed during each subsequent year, up to (but not in excess of) the remaining refundable deposit amount. It is recommended that FMERA contact JCP&L at the end of each 12-month period, to determine eligibility for a refund; and

**WHEREAS**, JCP&L & FMERA agree to execute a Right-of-Way Agreement to convey free of charge to JCP&L a right of way which becomes an integral part of this Agreement and includes provisions for applicable environmental covenants of record, application of New Jersey tort law to the agreement, and any applicable indemnification provisions required by law; and

**WHEREAS**, if upon commencing installation of the line Extension, JCP&L encounters unanticipated conditions such as environmental concerns, digging in conditions, or other obstacles that do not allow standard design methods of construction to be employed, then the costs that were developed for the Agreement, which were based upon standard design, shall be deemed null and void; and

**WHEREAS**, if applicable to this Extension, at FMERA's option, FMERA has requested and hereby elects to perform (or have someone else perform on FMERA's behalf) the trenching and installing conduit in such trench in accordance with JCP&L's specifications as FMERA's responsibility and at FMERA's expense. In doing so, FMERA acknowledges and agrees that it is not, nor will it at any time be, acting or performing the trenching or any other work (including conduit installation) as a contractor or subcontractor of JCP&L; and

**WHEREAS**, JCP&L further agrees to provide electric power for safe, adequate and proper service based upon load information that the end user has submitted to JPC&L. Prior to making any future material increase or decrease in connected load, demand, or other conditions of use of service or change of purpose, arrangement, or characteristic of electrical equipment, FMERA agrees to notify JCP&L of such intention so that JCP&L may determine if any changes in its distribution facilities will be required in order to maintain safe, adequate and proper service to FMERA under the changed proposed conditions. Failure of FMERA to provide prior notice to JCP&L of such change shall render FMERA responsible and liable for any damage to JCP&L's facilities and injury to its employees caused by the changed conditions; and

**WHEREAS**, the initial period of electric service provided under the terms of the Agreement shall commence upon the completion of the energizing of the new 34.5KV transmission service and substation and continue for an additional ten (10) years. If FMERA does not utilize all of the requested 17,000KVA of new service capacity throughout the Initial Term for electric service hereunder, JCP&L has the right, at its sole and absolute discretion, at the end of said period, to refuse to continue reserving the excess capacity unless FMERA enters into a new Power Contract and pays to reserve the unused capacity for their future use; and

**WHEREAS**, due to recent global wide supply chain issues and cost increases on building materials, staff requests that the Board approve delegated authority to staff to approve additional costs to the Extension not to exceed 20% of the Deposit; and

**WHEREAS**, per the Agreement, payments by FMERA under the agreement, totaling \$3,721,561.00 shall be made in installments of not less than the following on or before the milestones of (a) 40% upon execution of the Agreement, (b) 30% upon site delivery of substation transformer and switchgear and (c) 30% upon energization of new substation; and

**WHEREAS**, the Board approves granting staff delegated authority to increase the Extension by an amount not to exceed 20% for unforeseen increased costs associated with materials needed for construction of the Extension and unanticipated site conditions; and

**WHEREAS**, the attached Grant Agreement between FMERA and JCP&L is in substantially final form. The final terms of the agreement will be subject to the approval of JCP&L, FMERA's Executive Director and a review as to form by the Attorney General's Office; and

**WHEREAS**, on February 16, 2022, the Audit Committee reviewed the request and recommends it to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves an Installation of Electric Distribution Facilities Agreement between FMERA and JCP&L on terms substantially consistent to those set forth in the attached memorandum and with final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

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: February 16, 2022**

**EXHIBIT 1**

**Resolution Regarding**  
**First Amendment to the Redevelopment Agreement between RWJ Barnabas Health, Inc. and the**  
**Fort Monmouth Economic Revitalization Authority for Parcel F-1 (Myer Center) in Tinton Falls**

**WHEREAS**, FMERA and the New Jersey Economic Development Authority (“NJEDA”) entered into a Purchase and Sale Agreement (the “Purchase Agreement”) dated as of October 30, 2017, pursuant to which NJEDA agreed to acquire the former Myer Center in Tinton Falls situated on an approximately 36.3 acre parcel to be subdivided by deed from FMERA. The Property is bordered by two municipal streets, Corregidor Road and Pearl Harbor Avenue; and

**WHEREAS**, per the Purchase Agreement, the NJEDA may assign the Purchase Agreement to a redeveloper to undertake a redevelopment project on the Property so long as the redeveloper (i) is approved by the Chapter 51 Review Unit, (ii) provides FMERA with an unqualified and unconditional acceptance of the terms and conditions of the Purchase Agreement, and (iii) the redeveloper and its project are approved by FMERA. On February 18, 2018 RWJBH submitted an unsolicited offer to purchase the Property to the NJEDA through a proposed Letter of Intent and the Parties executed a non-binding Expression of Interest to Enter into an Agreement to Assign the Purchase and Sale Agreement between FMERA and NJEDA, dated October 30, 2017; and

**WHEREAS**, the NJEDA, FMERA and RWJBH (the “Parties”) entered into an Agreement to Assign, dated as of August 10, 2018, as amended in the First Amendment to the Agreement to Assign, dated as of June 5, 2019, as amended by the Second Amendment to the Agreement to Assign, dated December 3, 2019, as further amended by the Third Amendment to the Agreement to Assign, dated April 9, 2020, and as amended by the Fourth Amendment to the Agreement to Assign, dated October 25, 2021, (collectively the “Agreement to Assign”) pursuant to which NJEDA agreed to assign to RWJBH all of NJEDA’s rights, title and interest in the Purchase Agreement; and

**WHEREAS**, on October 17, 2018, the FMERA Board approved the introduction of Reuse Plan Amendment #12, and , the Board approved the Reuse Plan Amendment #12 on January 16, 2019; and

**WHEREAS**, RWJBH (the “Redeveloper”) and FMERA subsequently entered into a Redevelopment Agreement dated October 25, 2021 as required by the Agreement to Assign; the Redevelopment Agreement called for the redevelopment project (the “Project”); and

**WHEREAS**, in light of ongoing modifications to the site plan and increased demand on the parcel site, Redeveloper proposes to modify its various buildings square footage ranges under Redevelopment Agreement to provide more flexibility during its approval process as described in the attached memorandum. This Amendment in no way amends the Redeveloper’s obligation to adhere to the Reuse Plan, as amended; and

**WHEREAS**, Phase 2(b) remains unchanged. All other terms of the Redevelopment Agreement remain unchanged. The Reuse Plan Amendment permits the increase in square footage; and

**WHEREAS**, the attached First Amendment to the Redevelopment Agreement is in substantially final form. The final terms of the Redevelopment Agreement will be subject to the approval of FMERA’s Executive Director and subject to approval as to form by the Attorney General’s Office .

**WHEREAS**, the Real Estate Committee has reviewed the request and recommends it to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the execution of the First Amendment to the Redevelopment Agreement between RWJ Barnabas Health, Inc. and the Fort Monmouth Economic Revitalization Authority for Parcel F-1 (Myer Center) in Tinton Falls on terms substantially consistent to those set forth in the attached memorandum and with

final terms acceptable to the Executive Director and a review as to form by the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

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: February 16, 2022**

**EXHIBIT 2**

**MEMORANDUM**

To: Members of the Board

From: Bruce Steadman  
Executive Director

Date: March 16, 2022

Subject: Monthly Status Report

**Summary**

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include Treasurer's Report, Update on Utilities and Infrastructure; Update on the Fort Monmouth Redevelopment; Update on Marketing; and Action Items for Next Month.

**Treasurer's Report**

The Authority's independent auditors, CliftonLarsonAllen, LLP, completed their fieldwork the week of February 22 and continue their audit of the Authority's 2021 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. The auditors will report their findings to the Audit Committee at the Committee's April meeting. Subject to the Audit Committee's recommendation, the 2021 Comprehensive Annual Report including the audited financial statements will be forwarded to the Board for their review and approval at the April meeting.

**Executive Director's Report**

- Update on Utilities and Infrastructure

The facilities, environmental, and site-maintenance team continues to operate to maintain the utility infrastructure to serve our developers, residences, and businesses. The team also handles the maintenance and inspections of the buildings.

FMERA is currently working on completing the following Deeds with the Army:

- The Group 5 Deed is in draft form at the Army level awaiting the Record of Decision from the Army Corps. of Engineers.

Other projects in process include:

- The installation of the New Jersey American Water Avenue of Memories water main is complete.
- An MOU between FMERA and JCP&L regarding the installation of a new 22MW electrical substation on the Main Post was approved by the FMERA Board in February. FMERA & JCP&L are now starting discussions regarding the buildout of the downstream 35KVA distribution station.
- The NJDCA funded \$159,325 for the Professional Engineering Services with the Eatontown Sewerage Authority has been transferred for the sewer improvement projects within the Eatontown section of the Fort.
- Work associated with the Army's landfill capping project is still progressing. Eight of the nine landfills are complete or substantially complete, the final landfill, Landfill 8, will be completed by the end of March.

## 2. Update on the Fort's Redevelopment

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

In **Oceanport**, FMERA has closed on the following seventeen properties:

- Former Patterson Army Hospital on December 13, 2013 with AcuteCare Systems.
- Officer Housing Parcels on January 13, 2017 with RPM Development, LLC. The company renovated the 116 historic housing units, creating 68 market-rate for sale units, and 48 rental units; twenty percent of the total units are available to low- and moderate-income households.
- Main Post Chapel on February 27, 2017 with Triumphant Life Assembly of God Church who purchased the approximately 16,372 sq. ft. building for use as a house of worship.
- Russel Hall on June 23, 2017 with TetherView Property Management, LLC, a private cloud computing services company who occupies the 40,000 sq. ft. building. Russel Hall currently houses a variety of businesses including tech companies, medical offices, and an architecture firm.
- 13-acre parcel on Murphy Drive on August 16, 2017, where the Borough of Oceanport purchased the property for their new municipal complex.
- Fitness Center on September 26, 2017 enabling Fort Partners Group, LLC, to renovate and expand the facility to emphasize basketball and medically based fitness and wellness programs, and individualized group training and classes.
- Dance Hall parcel on April 4, 2018 to The Loft Partnership, LLC. The developer plans to renovate the Dance Hall as a microbrewery, coffee house, and banquet facility.
- Building 501, on April 24, 2019 with Family Promise of Monmouth County, an approximately 1.7-acre site, via a Legally Binding Agreement (LBA).
- Telecommunications Tower and Land on October 25, 2019 with Global Signal Acquisitions, LLC for an approximately 0.58 parcel of land containing the Telecommunications Tower and adjacent land.
- Squier Hall Complex, on December 18, 2019 with KKF University Enterprises, LLC, an approximately 31-acre site. The developer has secured a commitment from New Jersey City University for use of the site as a satellite campus and anticipates opening in Fall 2020.
- Commissary, Post Exchange (PX) complex, Warehouse District and a 1000 Area Parking parcel, on October 16, 2020 with OPort Partners, LLC. The Commissary/PX parcel shall permit, Food Service, Flex space, Office, R&D and Instructional Schools and Studios. The Warehouse District will permit Flex Space, Medical Office, Office, and Research & Development.
- Marina, on March 22, 2021, with AP Development Partners, LLC, which will continue to operate as a marina/public boat ramp and restaurant.
- Barker Circle, with Barker Circle Partnership, LLC, an approximately 19.5-acre parcel in the historic district which includes the repurposing of buildings 205-208, and 287, as well as the Main Post Firehouse and Kaplan Hall, for residential, office and other commercial uses.
- Lodging Area, on November 24, 2021 with Somerset Development, LLC, a 15-acre site located on Parkers Creek, to be developed with up to 185 new and renovated housing units.

Also in **Oceanport**, FMERA has executed or approved contracts on the following two properties:

- Allison Hall, with Fort Monmouth Business Center, LLC, a 13-acre parcel which includes the reuse of the historic building, as well as retail, office/research & development and open space/recreation uses.
- Nurses Quarters, with RPM Development, LLC for the 24-unit residential complex on Main Street adjacent to the former Patterson Army Hospital.

In **Eatontown**, FMERA has closed on the following three properties:

- Suneagles Golf Course, on December 18, 2020 with Martelli Development, LLC, to maintain and upgrade the existing Golf Course, renovate historic Gibbs Hall, and construct 75 new housing units. Martelli continues to operate the course and restaurant in the interim so it remains open to the public as the redevelopment progresses.
- New Jersey American Water Tank Parcel, on April 23, 2021, a parcel located on a 3.945-acre tract on the Howard Commons parcel to install a water tank to serve NJAW's needs by providing approximately four acres of land surrounded on two sides by undeveloped preserved forest, a municipal road on another and a fourth side that encompasses soon to be built residential units which will be buffered by trees.

- Eatontown Parks Parcel, on March 7, 2022 with the Borough of Eatontown, a 3.82-acre tract known as the Nicodemus Avenue Park Parcel located on Nicodemus Avenue for active recreation uses.

Also in **Eatontown**, FMERA has executed or approved contracts on the following two parcels:

- Building 1123, a former general office building at Avenue of Memories and Wilson Avenue with the Borough of Eatontown for the reuse by the Borough's Department of Public Works.

In **Tinton Falls**, FMERA has closed on the following eight properties:

- Parcel E, on January 13, 2013 with Commvault for the headquarters.
- Building 2525, on February 5, 2016 with Aaski Technologies who leases the building to other tenants for technology and office uses.
- Child Development Center, on March 18, 2016 with Trinity Hall, for the all-girl high school.
- Fort Monmouth Recreation Center and Swimming Pool, on January 6, 2017 with the Monmouth County Park System and being used for programs which include arts & crafts, sports, exercise classes and a variety of amenities including classrooms, gymnasium and a game room.
- Parcel F-3 on February 23, 2017 with the Monmouth County Park System in conjunction with the adjacent Recreation Center and Swimming Pool. Located along Hope Road, the County has expanded its services and public open space amenities currently offered at the Recreation Center.
- Charles Wood Fire Station, on May 22, 2018 transferring the property to Commvault Systems, Inc. for use as corporate office and training space.
- Parcel C with Lennar Corporation, on August 2, 2018 approved for 243 residential units and up to 58,000 sq. ft. of retail development.
- Parcel C1 with Lennar Corporation, on August 2, 2018 planned for 45 new single-family homes.

FMERA has executed contracts on three properties in **Tinton Falls**:

- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 sq. ft. of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC, which is slated to close imminently.
- Parcel F-1 – Myer Center and Building 2705, an approximately 36-acre parcel in Tinton Falls where RWJ Barnabas Health (RWJBH) plans to create a health campus.
- Tinton Falls Commercial Parcel (Pulse Power, Building 2719, and the Pistol Range) with RWJBH for 1) construction of a three-story Medical Office Building anticipated to have be approximately 121,125 GSF; 2) installation of a grid-supply solar energy system; 3) construction of active recreational facilities, including two (2) multi-purpose grass or turf athletic fields, one (1) baseball / softball field, up to five (5) tennis courts, and a field house; 4) passive recreation, including a community walking / nature trail that enhances walkability and interconnectedness of the Tinton Falls section of Fort Monmouth; and 5) open space to benefit the surrounding area.

### 3. Marketing Update

FMERA remains focused on the continued movement and progress of on-going projects at this time. With the highest and best use of the property and job creation in mind, FMERA re-released its Mega RFOTP on March 8, which staff believes will further our redevelopment initiatives and support the economic vitality of the region.

The Mega Parcel RFOTP is seeking proposals for the redevelopment of an approximately 292-acre property spanning the Boroughs of Eatontown and Oceanport. FMERA has a strong interest in bolstering the innovation economy to create more and better jobs locally, as well as throughout the state, and to further revitalize Fort Monmouth. Proposals are due by noon on June 6, 2022. Please note that the RFOTP process remains open and competitive to all interested parties. Now that the proposal process has begun, any questions must be submitted through our formal Q&A process, as detailed in Section 6.0 of the RFOTP. Once proposals are received, a formal evaluation process will be conducted, and all proposals will be evaluated against the included evaluation criteria.

On April 6<sup>th</sup>, from 9:30am-3:30pm, NJCU will be hosting a blood drive on campus, with support from our team. FMERA encourages the community to participate, while taking a moment to see NJCU's incredible Fort Monmouth facility. As more businesses and organizations continue to come online, FMERA will continue to encourage partnership and collaboration among our stakeholders. We hope this will be the first of many collaborative events that can create a meaningful impact on the community.

FMERA staff is presently working a hybrid schedule with our offices open daily. Please visit our website, [www.fortmonmouthnj.com](http://www.fortmonmouthnj.com) and follow us on Instagram at @fortmonmouthnj for our latest updates.

4. Action Items for Next Month.

- Continued work with the N.J. Department of Environmental Protection and U.S. Army to identify and resolve environmental issues of concern
- Continued meetings 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
- Continued work on the water, sewer, and electric system improvements
- Continued drafting and revisions of documents for the 30+ projects underway

Effective April 1, 2022, Dave Nuse announced his retirement from EDA after some 35 years of service to the State of New Jersey. Dave was Director of Real Estate Development for FMERA for several years before going back to EDA in Trenton 2 years ago. Following is a personal perspective from FMERA Executive Director, Bruce Steadman.

Dave Nuse. That name will forever conjure up stories of 3-a-day Memphis barbecue meals, Victory Brewery visits to acquire Golden Monkey Beer, boxes and wall-hangings of Elvis memorabilia, and the archeological digs in his office through decades-old files. However, what I remember most is the pride and confidence I always felt whenever Dave and I would walk into a meeting together. And we had to walk into some tough ones. But Dave was always calm, cordial, respectful, and prepared with years of experience and his innate ability to feel and control the pulse of the room.

His relaxed and methodical method of articulating his viewpoint or explaining the context of the specific issue results in better understanding, reduced tension, and frequent agreement by the meeting participants. Without forcing himself into the discussion, but gradually joining the flow at just the right times, Dave has always been able to orchestrate the progress of the meeting toward actionable tasks, devoid of the typical emotional trappings of many meetings. As a result, for many years, Dave was FMERA's greatest resource.

Beyond all that, I would say he is certainly one of the finest people I have ever met. His reputation for honesty, determination, and ethical character are legendary. His working relationships inside and outside of the organization were built on his personal and professional strengths, but mostly because people know that he is honest and straightforward, and that he says what he does and does what he says. If Dave Nuse says it, you can believe it. And of course, he has that wickedly dry sense of humor that allows him to see and share the funny aspects of just about any situation. He enjoys making people laugh, and he is just fun to be around.

It has been a joy and a pleasure working with him, and we will miss him greatly. I believe I speak for the entire FMERA team when I say these things. All the best, Dave; all the best. And thanks for making Fort Monmouth a better place.

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

Prepared by: Regina McGrade

## Dr. Robert Lucky

Dr. Robert Lucky was the Chairman of the Fort Monmouth Economic Revitalization Planning Authority (FMERPA), FMERA's predecessor Authority from its inception in 2007 through 2010. Subsequently, he served as a board member of the Fort Monmouth Economic Revitalization Authority (FMERA) from 2010 through March 2022. In addition, he served as Vice-Chair and Interim Chair of FMERA since 2018. He also Chaired the FMERA Real Estate Committee and the FMERA Audit Committee.

He was an engineer known worldwide for his writing and speaking about technology and society. He led premier research laboratories in telecommunications over the last several decades, first at Bell Labs and then at Telcordia Technologies, where he was Corporate Vice President, Applied Research. In October 2002 he retired from this position. Recently, in addition to his FMERA duties, he devoted much of his time to professional activities, including advisory boards, studies, consulting, bike-riding, and enjoying his family.

Early in his career he invented the adaptive equalizer, the key enabler for all high-speed modems today. He co-authored a textbook on data communications that was the most cited reference in the field over the period of a decade. He was the author of many technical papers and of several books, including *Silicon Dreams* and *Lucky Strikes Again*. He was the editor of a series of books in communications and of several technical journals. However, most engineers know him best because of the monthly columns he wrote for *Spectrum Magazine* over the last twenty years offering philosophical and sometimes humorous observations on engineering, life, and technology.

Dr. Lucky was a frequent speaker at technical, business, academic, and social occasions around the world. He often gave plenary and keynote addresses to conferences and was an invited speaker at more than one hundred different universities. He also appeared a number of times on network television, including two sessions with Bill Moyers on his "World of Ideas" public television show.

He was active throughout his career in professional, academic, and government roles. He was on the advisory boards of about a dozen universities and chaired the Scientific Advisory Board of the U.S. Air Force and the visiting board of the National Institute of Standards and Technology (NIST). Recently, he was Chairman of the Technological Advisory Board of the Federal Communications Commission and a member of the Defense Science Board. Also, he was president of the Communications Society of the engineering institute (IEEE) and executive vice president of the IEEE.

He received his doctorate in electrical engineering from Purdue University in 1961. He was honored with four honorary doctorates, and received a number of major awards, including the prestigious Marconi Prize and the IEEE Edison Medal. He was selected a fellow of the IEEE and to membership in the National Academy of Engineering, and to both the American and European Academies of Arts and Sciences.

Dr. Lucky lived in Fair Haven, New Jersey on his beloved Navesink River. His wife, Joan predeceased him in 2015. They had two children David and Karen and five grandchildren, and he also leaves behind his best pal, his dog Sunny, who always made his presence known at the FMERA Teams meetings.

**ADOPTED**  
**March 16, 2022**

**Resolution Regarding**  
**First Amendment to the Grant Agreement and MOU between FMERA and the**  
**Two River Water Reclamation Authority**

**WHEREAS**, on October 20, 2021, the FMERA Board approved an MOU with the New Jersey Department of Community Affairs (“NJDCA”) to make available to FMERA funds in the amount not to exceed \$10,500,000 (the “CSFRF Funds”) for the purpose of setting forth the terms and conditions for the disbursement of monies from American Rescue Plan Act – Coronavirus State Fiscal Recovery Fund to implement the Fort Monmouth Water and Sewer Replacement Program; and on November 15, 2021, FMERA and NJDCA executed the MOU (“NJDCA MOU”), thereby allowing NJDCA to disburse one-half (50%) of the entire amount of the CSFRF Funds to FMERA; and

**WHEREAS**, on November 29, 2021, FMERA drew down the initial one-half advance of the CSFRF funds, and on January 13, 2022 FMERA drew down one quarter of the remaining CSFRF Funds; and

**WHEREAS**, FMERA and TRWRA entered into an MOU on May 16, 2019 (“TRWRA MOU”), to reflect the mutual understanding of the Parties that TRWRA will construct and install a new Pump Station, Force Main and East Interceptor serving the eastern portion of the Oceanport section of the former Fort Monmouth (“the Project”); and

**WHEREAS**, the TRWRA MOU states that FMERA shall pay 100% of the costs of the Project, not to exceed \$5.2M, including, but not limited to consulting fees, design fees, permit costs, and all construction costs associated with or arising from the Project; FMERA and TRWRA reserved the right to reject all bids should the costs for construction observation engineering services exceed \$5.2M; and

**WHEREAS**, to adhere to reporting and management obligations required by the NJDCA MOU, FMERA entered into a Grant Agreement with TRWRA for the disbursement of the \$5,200,000 of CSFRF Funds for the Project; under the terms of the Grant Agreement, FMERA disbursed \$5,200,000 of the CSFRF Funds to TRWRA for the costs of the Project incurred as set forth in the Project Costs exhibit of the Grant Agreement; and

**WHEREAS**, on February 8, 2022, in accordance with the Local Public Contracts Law, TRWRA received bids for the Project which substantially exceeded the \$5.2MM Project Costs; TRWRA terminated the bid process as permitted under the TRWRA MOU; and

**WHEREAS**, TRWRA has attributed the substantially higher bids to escalating material costs, the complexity of the project which includes increased management fees and unanticipated roadway repairs; and has submitted a Project Costs estimate with an amount not to exceed \$6,500,000; and

**WHEREAS**, the Parties, therefore, have agreed to amend the original TRWRA MOU and the Grant Agreement to provide adequate funds to complete the Project; and

**WHEREAS**, under the terms of the First Amendment, FMERA shall disburse up to \$6,500,000 (“Project Costs”) from the CSFRF Funds to TRWRA for the costs of the Project to construct and install the Project, including but not limited to construction costs, engineering services during construction, costs to prepare plans and specifications for bidding and permit fees incurred as set forth in Exhibit C to the First Amendment; TRWRA may propose to amend the Project Costs by providing written notice of the proposed amendments to FMERA, and FMERA shall advise TRWRA in writing as to whether the increase in Project Costs is approved; and

**WHEREAS**, in addition, the TRWRA MOU is amended to state that FMERA shall pay 100% of the costs of the Project not to exceed Six Million Five Hundred Thousand Dollars. Sections 6(a)(i)-(iv) were also deleted; and

**WHEREAS**, all other terms of the Grant Agreement and TRWRA MOU remain unchanged. In addition, staff requests the Board recommend granting the Executive Director delegated authority to increase the Project Costs by an amount not to exceed 10% for unforeseen site conditions or material costs; and

**WHEREAS**, the attached First Amendment to the Grant Agreement and MOU between FMERA and TRWRA is in substantially final form. The final terms of the First Amendment to the Grant Agreement and MOU will be subject to the approval of TRWRA, FMERA's Executive Director and a review as to the form by the Attorney General's Office; and

**WHEREAS**, the Audit Committee reviewed the request and recommends it to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the First Amendment to the Grant Agreement and MOU between the Two River Water Reclamation Authority and FMERA to increase the allocated funding for the TRWRA Project Costs for the installation of a new Pump Station, Force Main and East Interceptor to provide sewer service for the eastern portion of the former Army Fort property located within the Borough of Oceanport.

2. The Authority approves granting FMERA's Executive Director delegated authority to increase the Project Costs by an amount not to exceed 10% for unforeseen site conditions or material costs and with final terms acceptable to the Executive Director and the Attorney General's Office and authorizes the Executive Director to execute 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: March 16, 2022**

**EXHIBIT 1**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director

**RE:** First Amendment to the Grant Agreement and MOU between FMERA and the Two River Water Reclamation Authority.

**DATE:** March 16, 2022

**Request**

I am requesting that the Board approve the First Amendment to the Grant Agreement (“Agreement”) and MOU between the Two River Water Reclamation Authority (“TRWRA”) and FMERA to increase the allocated funding for the TRWRA Project Costs for the installation of a new Pump Station, Force Main and East Interceptor to provide sewer service for the eastern portion of the former Army Fort property located within the Borough of Oceanport.

**Background**

On October 20, 2021, the FMERA Board approved an MOU with the New Jersey Department of Community Affairs (“NJDCA”) to make available to FMERA funds in the amount not to exceed \$10,500,000 (the “CSFRF Funds”) for the purpose of setting forth the terms and conditions for the disbursement of monies from American Rescue Plan Act – Coronavirus State Fiscal Recovery Fund to implement the Fort Monmouth Water and Sewer Replacement Program. On November 15, 2021, FMERA and NJDCA executed the MOU (“NJDCA MOU”), thereby allowing NJDCA to disburse one-half (50%) of the entire amount of the CSFRF Funds to FMERA. After the initial one-half (50%) advance, NJDCA disburses subsequent advances totaling one-quarter (25%) of the entire amount of the CSFRF Funds, or \$2,625,000, upon written request to NJDCA.

On November 29, 2021, FMERA drew down the initial one-half advance of the CSFRF funds, and on January 13, 2022 drew down one quarter of the remaining CSFRF Funds.

**Grant Agreement and MOU with TRWRA**

FMERA and TRWRA entered into an MOU on May 16, 2019 (“TRWRA MOU”), to reflect the mutual understanding of the Parties that TRWRA will construct and install a new Pump Station, Force Main and East Interceptor serving the eastern portion of the Oceanport section of the former Fort Monmouth (“the Project”). The Project consists of the construction and installation of the East Interceptor to service the area adjacent to Oceanport Avenue, a new Pump Station into which the East Interceptor will flow, along with such other future lines as the Parties may hereafter determine are needed, and a new Force Main connecting the new Pump Station into TRWRA’s system north of Parker’s Creek in Little Silver. The Project is proceeding in accordance with the Plans prepared by Maser Consulting entitled “New Regional Sewage Pump Station, Force Main and East Interceptor for the Oceanport Section of Fort Monmouth for Two Rivers Water Reclamation Authority” dated February 15<sup>th</sup>, 2019 and any alternate Maser design as a result of the March 20, 2019 Board approved MOU. The TRWRA MOU states that FMERA shall pay 100% of the costs of the Project, not to exceed \$5.2M, including, but not limited to consulting fees, design fees, permit costs, and all construction costs associated with or arising from the Project. FMERA and TRWRA reserved the right to reject all bids should the costs for construction observation engineering services exceed \$5.2M. It was understood that no TRWRA funds were to be or can be used in advancement of the Project.

To adhere to reporting and management obligations required by the NJDCA MOU, FMERA entered into a Grant Agreement with TRWRA for the disbursement of the \$5,200,000 of CSFRF Funds for the Project. Under the terms of

the Grant Agreement, FMERA disbursed \$5,200,000 of the CSFRF Funds to TRWRA for the costs of the Project incurred as set forth in the Project Costs exhibit of the Grant Agreement. TRWRA may propose to amend the Project Costs by providing written notice of the proposed amendments to FMERA, and FMERA shall advise TRWRA in writing as to whether the Project Costs, as updated, are approved.

The Grant Agreement was executed by both Parties on November 15, 2021 and it stated that FMERA would disburse up to \$5,200,000 from the Appropriate Funds to TRWRA for the costs of the Project and establishing various reporting obligations to meet the reporting requirements of the CSFRF Funds. Per the Agreement, the Term may be extended by mutual amendment by the Parties, so long as all expenses for the Project are incurred by December 31, 2024, and funds are expended by December 31, 2026 in accordance with 31 CFR Part 35 U.S. Treasury Coronavirus State and Local Fiscal Recovery Funds – Final Rule.

### **First Amendment to the Grant Agreement**

On February 8, 2022, in accordance with the Local Public Contracts Law, TRWRA received bids for the Project which substantially exceeded the \$5.2MM Project Costs. TRWRA terminated the bid process as permitted under the TRWRA MOU. TRWRA has attributed the substantially higher bids to escalating material costs, the complexity of the project which includes increased management fees and unanticipated roadway repairs; and has submitted a Project Costs estimate with an amount not to exceed \$6,500,000. The Parties, therefore, have agreed to amend the original TRWRA MOU and the Grant Agreement to provide adequate funds to complete the Project.

Under the terms of the First Amendment, FMERA shall disburse up to \$6,500,000 (“Project Costs”) from the CSFRF Funds to TRWRA for the costs of the Project to construct and install the Project, including but not limited to construction costs, engineering services during construction, costs to prepare plans and specifications for bidding and permit fees incurred as set forth in Exhibit C to the First Amendment. TRWRA may propose to amend the Project Costs by providing written notice of the proposed amendments to FMERA, and FMERA shall advise TRWRA in writing as to whether the increase in Project Costs is approved.

In addition, the TRWRA MOU is amended to state that FMERA shall pay 100% of the costs of the Project not to exceed Six Million Five Hundred Thousand Dollars. Sections 6(a)(i)-(iv) of the TRWRA MOU are deleted.

All other terms of the Grant Agreement and TRWRA MOU remain unchanged. In addition, staff requests the Board grant the Executive Director delegated authority to increase the Project Costs by an amount not to exceed 10% for unforeseen site conditions or material costs.

The attached First Amendment to the Grant Agreement and MOU between FMERA and TRWRA is in substantially final form. The final terms of the First Amendment to the Grant Agreement and MOU will be subject to the approval of TRWRA, FMERA’s Executive Director and a review as to the form by the Attorney General’s Office. The Audit Committee has reviewed the request and recommends it to the Board for approval.

### **Recommendation**

Staff requests that the Board approve the First Amendment to the Grant Agreement and MOU between the Two River Water Reclamation Authority (“TRWRA”) and FMERA to increase the allocated funding for the TRWRA Project Costs for the installation of a new Pump Station, Force Main and East Interceptor to provide sewer service for the eastern portion of the former Army Fort property located within the Borough of Oceanport and to grant delegated authority to FMERA’s Executive Director delegated authority to increase the Projects Cost by an amount not to exceed 10% for unforeseen site conditions or material costs.

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

Attachments: First Amendment to the FMERA and TRWRA Grant Agreement and MOU  
FMERA & TRWRA MOU  
FMERA & TRWRA Grant Agreement  
Prepared by: Regina McGrade

**FIRST AMENDMENT TO THE AGREEMENT AND MOU BETWEEN THE  
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY  
AND  
TWO RIVERS WATER RECLAMATION AUTHORITY**

This First Amendment to the Agreement (“First Amendment”) made as of the \_\_\_\_ day of \_\_\_\_, 2022, by and between the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Grantor”) and Two Rivers Water Reclamation Authority (“TRWRA” or “Grantee”), together (the “Parties”), confirms the mutual understandings and intentions of the Parties hereto as to the following:

**WHEREAS**, on March 11, 2021, the President signed the “American Rescue Plan Act of 2021” P.L. 117-2 (the “ARP Act”) into law; and

**WHEREAS**, as part of the ARP Act, Congress at subtitle M of the ARP Act, amended Title VI of the Social Security Act (42 U.S.C. 801 et seq.) by adding Sections 602 and 603 to create the “Coronavirus State Fiscal Recovery Fund” (“CSFRF”); and

**WHEREAS**, monies in the CSFRF are to be used, generally: (a) to respond to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; (b) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the State of New Jersey (“State”) who are performing such essential work, or by providing grants to eligible workers who perform essential work; (c) for the provision of government services to the extent of the reduction in revenue of the State due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the State prior to the emergency; or (d) to make necessary investments in water, sewer, or broadband infrastructure; and

**WHEREAS**, FMERA and TRWRA entered into a Memorandum of Understanding dated as of May 16, 2019 (“MOU”), attached as **Exhibit A**, to reflect the mutual understanding of the Parties that TRWRA is to construct and install a new Pump Station, Force Main and East Interceptor serving the north eastern portion of the Oceanport section of the former Fort Monmouth US Army military base, as more fully described in the MOU (“Project”); and

**WHEREAS**, the MOU provided that FMERA shall be responsible for up to Five Million Two Hundred Thousand (\$5,200,000.00) Dollars for the costs of the Project (“MOU Project Costs”); and

**WHEREAS**, the State Treasurer has entered into a Memorandum of Understanding (“DCA MOU”) dated as of July 22, 2021, with New Jersey Department of Community Affairs (“DCA”), as Grants Manager for the State CSFRF funds, to provide those grant management functions and processes for the State that are necessary to administer and manage and disburse funds accordingly and

**WHEREAS**, pursuant to the Fiscal Year 2022 Appropriations Act, L. 2021, c. 133, as may be amended from time to time, FMERA received a line item appropriation of \$10,500,000 of CSFRF funds entitled “Fort Monmouth Water and Sewer” (“Appropriated Funds”); and

**WHEREAS**, FMERA and the DCA entered into a Memorandum of Understanding dated as of November 15, 2021, distributing to FMERA the Appropriated Funds for planning, survey, design, engineering, construction/installation and replacement of the former Army owned sewer system on the former Fort Monmouth military base, and planning, survey, design, engineering and construction/installation of water mains to replace the Army owned water system and connect development to other newly replaced water mains on the former Fort Monmouth military base; and

**WHEREAS**, on November 15, 2021, FMERA and TRWRA executed the Grant Agreement (“Agreement”), attached as **Exhibit B**, stating that FMERA would disburse up to \$5,200,000 from the Appropriate Funds to TRWRA from the costs of the Project and establishing various reporting obligations to meet the reporting requirements of the Appropriated Funds; and

**WHEREAS**, on November 29, 2021, FMERA drew down \$5,250,000 of the Appropriated Funds and on January 13, 2022 FMERA drew down an additional \$2,625,000 of the Appropriated Funds; and

**WHEREAS**, on February 8, 2022, in accordance with the Local Public Contracts Law, TRWRA received bids for Project; and

**WHEREAS**, these bids substantially exceeded the \$5,200,000.00 Project Costs, TRWRA terminated the bid process as permitted under the MOU; and

**WHEREAS**, TRWRA has attributed the substantially higher bids to escalating material costs, the complexity of the project which includes increased management fees and unanticipated roadway repairs; and has submitted a Project Costs estimate with an amount not to \$6,500,000.00; and

**WHEREAS**, the Parties agree amendment to the original Agreement and the MOU is needed to provide adequate funds to complete Project.

**NOW, THEREFORE**, FMERA and TRWRA do hereby agree as follows:

1. Section 1 of the Agreement shall be amended to state:

FMERA shall disburse up to \$6,500,000 (“Grant Funds”) from the Appropriated Funds to TRWRA for the costs of the Project to construct and install the Project, including but not limited to construction costs, engineering services during construction, costs to prepare plans and specifications for bidding and permit fees incurred as set forth in **Exhibit C** hereto (“Project Costs”). TRWRA may propose to amend **Exhibit B** by providing written notice of the proposed amendments to FMERA, and FMERA shall advise TRWRA in writing as to whether **Exhibit C**, as updated, is approved.

2. Section 6(a) of the MOU shall be amended to state:

FMERA shall pay 100% of the costs of the “Project” not to exceed **Six Million Five Hundred Thousand (\$6,500,000.00) Dollars** (“Project Cost”), including but not limited to consulting fees, design fees, permit costs, and all construction costs associated with or arising from the “Project.” The Parties will reserve the right to reject all bids should the costs for construction and construction observation engineering services exceed the Project Cost. FMERA hereby confirms that FMERA will pay the Project Cost associated with the Construction and Installation Work that result from the award of a contract by TRWRA pursuant to the Bid Specifications agreed to by the Parties.

Section 6(a)(i)- (iv) are hereby deleted.

3. Entire Agreement. Ratifications and Reconciliation. Except as modified in this First Amendment, the Agreement is hereby ratified and remains in full force and effect. The terms and provisions of this First Amendment shall be reconciled with the terms and provisions of the Agreement to the fullest extent possible; provided, however, in the event of any irreconcilable conflict between any term or provision of this First Amendment and any terms or provisions of the Agreement, such term or provision of this First Amendment shall control.

4. Authority to Execute. Both FMERA and TRWRA covenants, represents and warrants to the other that the individual(s) executing this First Amendment on such party's behalf is authorized to do so.
5. Governing Law. This First Amendment shall be governed by the laws of the State of New Jersey.
6. Counterparts. This First Amendment may be executed in counterparts, all of which together shall constitute one agreement binding on all of the parties hereto, notwithstanding that all such parties are no signatories to the original or the same counterpart. Each counterpart may be delivered by facsimile or electronic mail transmission and a faxed or electronically mailed counterpart of this Second Amendment containing either the original and/or copy of any signature of any party hereto shall have the same force and effect as an original counterpart signature.
7. This Agreement may be modified or extended only by written agreement by the Parties.

**IN WITNESS WHEREOF**, FMERA and TRWRA have executed this Agreement:

**FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY**

\_\_\_\_\_  
Bruce Steadman  
Executive Director

Date: \_\_\_\_\_

**TWO RIVERS WATER RECLAMATION AUTHORITY**

\_\_\_\_\_  
Michael Gianforte  
Executive Director

Date: \_\_\_\_\_

**ATTACHMENT**

[The attachment that the preceding memo refers to has been removed from this full agenda.]



**Resolution Regarding  
Transmittal to Host Municipalities of Proposed Eighteenth Plan Amendment Permitting Alternative  
Development Scenario in Oceanport.**

**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 Oceanport Reuse Area for approximately 1.75 million square feet of non-residential space and 720 residential units which would include 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; and; and

**WHEREAS**, with respect to the Nurses Quarters parcel, the Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments, and this amendment further contemplates the development of new townhomes in such a way that it creates a compact pedestrian-friendly environment along Main Street allowing the development of more flexible and usable open spaces in the western section of the parcel; and

**WHEREAS**, Amendment #18 provides the option for an alternative development scenario on the Nurses Quarters Parcels that is located on the former Fort Monmouth property in the Borough of Oceanport; the Property is included in the Oceanport Education/Mixed-Use Neighborhood Development District, which permits low-and medium-density residential, mixed-use, retail, office/research, institutional/civic, and open space/recreational uses; and

**WHEREAS**, Amendment #18, prepared by Upendra Sapkota, FMERA's Senior Project Officer of Planning and Development would permit those uses as described in the attached memorandum; and

**WHEREAS**, the attached Amendment #18 is in substantially final form and the final terms of Amendment #18 are subject to the approval of the Executive Director and a review as to form by the Attorney General's Office; and

**WHEREAS**, the Real Estate Committee has reviewed the proposed plan change Amendment #18 and recommends Board 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 #18 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario in the Oceanport 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: March 16, 2022**

**EXHIBIT 2**

**MEMORANDUM**

**TO:** Members of the Board

**FROM:** Bruce Steadman  
Executive Director

**RE:** Recommendation to approve Transmittal to Host Municipalities of Proposed Plan Amendment #18 Permitting an Alternative Development Scenario with respect to the Nurses Quarters Parcel in Oceanport.

**DATE:** March 16, 2022

**Request**

I am requesting that the Board approve the transmittal to the three host municipalities of proposed Plan Amendment #18 to the Fort Monmouth Reuse and Redevelopment Plan (“Reuse Plan”) that would permit an alternative development scenario for the Nurses Quarter Parcel in Oceanport.

**Background**

In 2008, the 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. 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 on 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 envisions the redevelopment of the Oceanport Reuse Area for approximately 1.75 million square feet of non-residential space and 720 residential units. The development would include 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.

Amendment #18 provides the option for an alternative development scenario on the Nurses Quarters Parcels that is located on the former Fort Monmouth property in the Borough of Oceanport. The Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. Under the Land Use Rules, the Property is included in the Oceanport Education/Mixed-Use Neighborhood Development District, which permits low-and medium-density residential, mixed-use, retail, office/research, institutional/civic, and open space/recreational uses.

### **The Subject Parcel**

The Nurses Quarters Parcel is an approximately 3.75-acre parcel of land containing two residential buildings totaling 24 one- and two-bedroom units totaling 18,665 gsf known as the former Nurses Quarters (aka Buildings 1077 & 1078), at Main Street and Stephenson Avenue in the Oceanport Reuse Area of the Fort. Constructed in 1962, the Property was used as apartments for Army nurses and is located just west of the former Patterson Army Hospital in Oceanport and includes laundry and storage facilities, lawn areas, and off-street parking.

The Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. This amendment further contemplates the development of new townhomes in such a way that it creates a compact pedestrian-friendly environment along Main Street allowing the development of more flexible and usable open spaces in the western section of the parcel.

### **The Proposed Reuse Plan Amendment**

The attached proposed Plan Amendment #18 prepared by Upendra Sapkota, FMERA's Senior Project Officer of Planning and Development would permit the following on the subject parcels:

The proposed Amendment calls for adaptive reuse of Building 1077 and Building 1078 for twenty-four (24) one- and two-bedroom residential units and an additional ten (10) three-bedroom townhomes in the parcel. Thirty-four (34) residential units will be permitted in the parcel as a result of the proposed development.

With respect to bulk standards and density, the Amendment would permit a total of 34 residential units which includes the reuse of twenty-four (24) one- and two-bedroom residential units and ten (10) three-bedrooms residential units. This amendment further contemplates the development of new townhomes in such a way that it creates a compact pedestrian-friendly environment along Main Street allowing the development of more flexible and usable open spaces for in the western section of the parcel.

The maximum height of the new residential buildings shall not exceed three (3) stories or forty (40) feet in height. The building setback on Stephenson Avenue and Main Street shall be a minimum of fifteen (15) feet from the property line. Patios, walkways, steps and landscaping will be permitted within the setback area.

The Amendment further defines additional requirements to include the following:

- a. The new townhomes shall have frontage on Main Street and no parking or driveway is permitted between new townhomes and Main Street.
- b. One (1) access driveway to the site from Main Street will be permitted.
- c. A minimum five (5) foot-wide sidewalk shall be installed along Main Street.

With respect to signage, the amendment permits one ground sign on the Nurses Quarters Parcel. The maximum sign area shall not be more than forty (40) square feet and the maximum sign height shall not be more than seven (7) feet above grade. FMERA Land Use Rules 19:31C-3.9(d) shall be applicable for all other requirements related ground signs.

The proposed Amendment encourages the use of green infrastructure measures such as: permeable pavers, electric vehicle charging stations, rain gardens and bio-retention basins and native plants and vegetations.

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 permits a diverse range of housing types which are consistent with the goal and uses contemplated in the Reuse Plan.
- 2) This Amendment affects only the Oceanport Reuse Area. This Amendment would not adversely impact any of the “Transportation Circulation Improvement Goals” established in the Reuse Plan. This Amendment does not impact any active recreation or open space contemplated in the Reuse Plan. Furthermore, existing buildings will be adaptively reused, and new townhomes would be aligned along Main Street which will allow the creation of adequate open space in the parcel for some passive recreational opportunities. The uses contemplated in this Amendment are compatible with the surrounding land uses anticipated in the Reuse Plan and subsequent amendments.
- 3) This Amendment will not substantially impair the intent and purposes of the Reuse Plan and is well aligned with the sustainability goals of the Reuse Plan. Specifically, the reuse of Buildings 1077 & 1078 would further the Reuse Plan’s green building sustainability goal to maximize the adaptive reuse of existing buildings and infrastructure.
- 4) This Amendment is consistent with the Authority’s BRAC obligations and the existing Phase 2 Economic Development Conveyance (“EDC”) agreement with the Army by incorporating open space uses envisioned in the Reuse Plan approved as part of the BRAC process.
- 5) This Amendment would maintain the overarching land use concepts, objectives and principles of the Reuse Plan and addresses the relationship of the new uses at the subject parcel with the surrounding uses. Thus, the Reuse Plan would remain a rational coordinated land use plan.

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 #18 to the governing body of each of the three host municipalities.

Attached is Reuse Plan Amendment #18 which is in substantially final form. The final terms of Reuse Plan Amendment #18 are subject to the approval of the Executive Director and a review as to form by the Attorney General’s Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

**Recommendation**

In summary, I am requesting Board approve the transmittal to the three host municipalities of the proposed Amendment #18 to the Reuse Plan that would permit alternative development scenarios for the Nurses Quarters Parcel in Oceanport.

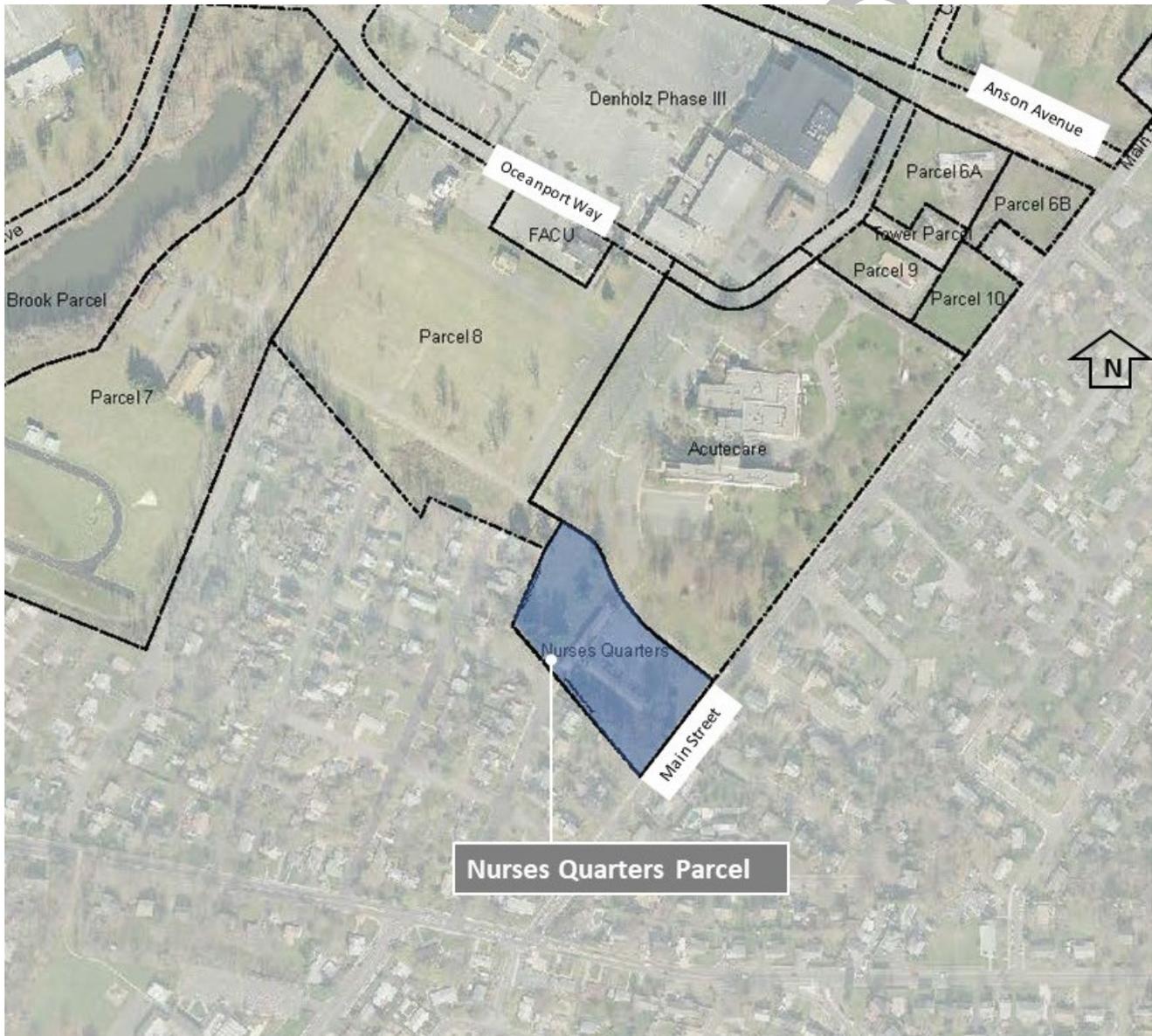
*Bruce Steadman*

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

Attachment: Proposed Reuse Plan Amendment #18  
Prepared by: Regina McGrade

# Amendment #18 to the Fort Monmouth Reuse and Redevelopment Plan

March 2022



**Fort Monmouth Economic Revitalization Authority**

Amendment #18 to the  
**Fort Monmouth Reuse and Redevelopment Plan**

**Prepared by:**

Upendra Sapkota, PP, AICP, LEED AP  
New Jersey Professional License #8200  
Senior Officer- Planning and Development  
**The Fort Monmouth Economic Revitalization Authority**

**Fort Monmouth Reuse and Redevelopment Plan**, adopted: October 2008

Amendments to the Fort Monmouth Reuse and Redevelopment Plan

- Amendment #1:** Parcel E in Tinton Falls, adopted May 2012
- Amendment #2:** Patterson Clinic in Oceanport, adopted December 2012
- Amendment #3:** Several parcels in Tinton Falls, adopted November 2015
- Amendment #4:** Russel Hall and Dance Hall in Oceanport, adopted January 2016
- Amendment #5:** Pistol Range in Tinton Falls, adopted May 2016
- Amendment #6:** Two parcels in Oceanport, adopted July 2016
- Amendment #7:** Fitness Center in Oceanport, adopted August 2016
- Amendment #9:** Eatontown Barracks and DPW in Eatontown, adopted December 2018
- Amendment #10:** Suneagles Golf Course in Eatontown, adopted May 2018
- Amendment #11:** Allison Hall in Oceanport, adopted December 2018
- Amendment #12:** Myer Center in Tinton Falls, adopted January 2019
- Amendment #13:** Squier Hall in Oceanport, adopted April 2019
- Amendment #14:** Lodging Area in Oceanport, adopted May 2019
- Amendment #15:** Commissary & Warehouse area in Oceanport, adopted August 2020
- Amendment #16:** Barker Circle parcel in Oceanport, adopted December 2020
- Amendment #17:** Howard Commons-Water Tower parcel in Eatontown, adopted April 2021

## **ACKNOWLEDGEMENTS**

### **Fort Monmouth Economic Revitalization Authority (FMERA) Board**

Robert W. Lucky – Interim Chairman & Public Member, Fort Monmouth Economic Revitalization Authority

Stephen Gallo – Public Member

Lillian Burry – Monmouth County Board of County Commissioners

Jay Coffey – Mayor of Oceanport

Anthony Talerico, Jr. – Mayor of Eatontown

Vito Perillo – Mayor of Tinton Falls

Kevin A. Quinn – NJEDA Board Chairman

Robert Asaro-Angelo – Commissioner, NJ Department of Labor & Workforce Development

Noreen Giblin – Governor's Representative

Diane Gutierrez Scaccetti – Commissioner, NJ Department of Transportation

Shawn Latourette – Commissioner, NJ Department of Environmental Protection

Sheila Oliver – Commissioner, New Jersey Department of Community Affairs

DRAFT

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# I. Introduction

The Fort Monmouth Reuse and Redevelopment Plan (“the Reuse Plan”) was adopted by the Fort Monmouth Economic Revitalization Planning Authority (“FMERPA”) Board on October 15, 2008. Subsequently, the Reuse Plan has been amended 17 times since its first adoption to address the changing development climate.

To further support redevelopment opportunities and economic vitality within the Fort area, pursuant to P.L.2010, c. 10 (N.J.S.A. 52:271-18 et. seq.), the Fort Monmouth Economic Revitalization Authority (“FMERA”) is considering amending the Reuse Plan to revise development standards (bulk standards) and provide the option for an alternative development scenario on the following parcels that are located in the former Fort Monmouth property in the Borough of Oceanport, New Jersey (“Oceanport Reuse Area”) as shown on Exhibit A.

## 1. The Nurses Quarters Parcel

The Nurses Quarters Parcel is an approximately 3.75-acre parcel of land containing two residential buildings totaling twenty-four (24) one- and two-bedroom units totaling 18,665 gsf known as the former Nurses Quarters (aka Buildings 1077 & 1078), at Main Street and Stephenson Avenue in the Oceanport Reuse Area of the Fort. Constructed in 1962, the Property was used as apartments for Army nurses and is located just west of the former Patterson Army Hospital in Oceanport and includes laundry and storage facilities, lawn areas, and off-street parking.

The Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. This amendment further contemplates the development of new townhomes in such a way that it creates a compact pedestrian-friendly environment along Main Street allowing the development of more flexible and usable open spaces in the western section of the parcel.

This amendment, referred to as “Amendment #18,” does not purport to delete any provisions of the Reuse Plan but rather supplements the Plan by proposing alternative development scenarios for the parcels in the Fort area as shown on Exhibit B. Under N.J.A.C. 19:31C-3.19(a)(1), principal land uses permitted in the *Reuse Plan* are specifically permitted under the Land Use Rules. Thus, Amendment #18 is incorporated into the Land Use Rules for the Reuse Area in a manner similar to an “overlay zone,” whereby an alternative set of requirements are superimposed on the area allowing for alternative land use scenarios to be realized. With regard to the alternative land use scenario, the overlay zoning provides alternative opportunities for development that do not apply unless the land is developed in accordance with the purposes for which the overlay zoning is adopted.

Amendment #18 is consistent with the planning objectives and principles articulated in the Reuse Plan and is necessary to fulfill the Authority’s main objectives – specifically job creation, economic development, and leveraging existing Fort assets.

This is the tenth amendment to the *Reuse Plan* for the Oceanport Reuse Area. Amendment #2 permitted the reuse of the Patterson Army Health Clinic as a medical clinic. Amendment #4 allowed for

office/research uses in Russel Hall (Building 286) and permitted the Dance Hall (Building 552) to be reused for commercial/retail uses including outdoor dining accessory uses and provided for the maintenance of Van Kirk Park as open space. Amendment #6 allowed for a 13-acre parcel in the southern section of the Oceanport Reuse Area to be reused by the Borough of Oceanport and a 3-acre parcel to be developed as a County emergency homeless shelter. The *Reuse Plan* contemplated these government/civic/institutional uses within the Oceanport Reuse Area but had originally envisioned them in other locations. Amendment #6 also allowed Building 288 to be used for office and/or open space. Amendment #7 allowed for Building 114 (the Fitness Center) to be reused as a privately- operated commercial recreation facility. Amendment #11 allowed for a variety of commercial and office uses on the Allison Hall parcel including a boutique hotel and transferred the residential units contemplated under the Reuse Plan for the Allison Hall parcel to the nearby Lodging parcel. Amendment #13 to the *Reuse Plan* permitted the reuse of the Building 283 (Squier Hall) for higher education classrooms and higher education ancillary uses – as defined in the amendment - and permitted the demolition of Buildings 291 and 295. Reuse Plan Amendment #14 permitted the demolition of Buildings 360, 361, 362, 363, 364, and 365 and the reuse of Buildings 270 and 271 for affordable housing on the Lodging Parcel. Additionally, Plan Amendment #14 permitted the construction of 144 market-rate townhomes and development of at least a ±50-foot-wide waterfront esplanade along Parkers Creek including a 12-foot-wide walkway designed in a complimentary coordinated style to the adjacent Allison Hall riverfront promenade. Reuse Plan Amendment #15 permitted an alternative development scenario on the Warehouse District Parcel and District A (a merger of the Commissary and PX Complex, Parking Lot and the Post Office Area) parcels located in the Oceanport Reuse Area. Reuse Plan Amendment #16 permitted the reuse of Building 206 for business lofts with a childcare center as an accessory use, Building 282 for craft production facilities and art and cultural retail uses and Building 275 for art and cultural retail uses with office uses as an accessory use. Amendment #16 also permitted the adaptive reuse of Buildings 205, 287, 207 and 208 for 75 residential units.

The Fort Monmouth *Reuse and Redevelopment Plan* involved years of careful consideration and study as well as an extensive effort to draw input from residents, the three host municipalities and the County, State and Federal government. As such, this amendment does not change the underlying Plan envisioned for the Oceanport Reuse Area. Instead, it provides land use options that afford FMERA with the necessary flexibility to respond to changed circumstances in a manner that does not compromise the overall *Reuse Plan* goals and objectives.

The following chapter describes the nature and scope of the amendment, while succeeding chapters discuss its relationship to the elements, objectives and planning principles of the *Reuse Plan*, as well as to FMERA's directive, and to relevant State, County, and Municipal planning objectives.

## **II. Goals and Objectives**

The primary goal of this Amendment is to further sustainable economic development of the Fort Monmouth area by encouraging a mix of futuristic uses with greater economic viability. The amendment also aims to promote sustainable and resilient development strategies. Some of the key plan goals and policy objectives are outlined below:

- a. Encourage reinvestment and redevelopments within the Fort Monmouth area.
- b. Ensure the availability of market-rate and affordable housing alternatives for all income levels as envisioned by the Reuse Plan.
- c. Address some of the limitations of FMERA's current land use rules and development standards and revise those standards to provide desired flexibility for current & future redevelopment projects.
- d. Enhance economic viability and livability of the area through improved pedestrian connectivity and walkability.
- e. Establish appropriate land use rules for to support adaptive reuse of the Fort's existing buildings and infrastructures.

### III. Scope of the *Reuse Plan* Amendment

The Fort Monmouth properties in Oceanport Reuse Area total approximately 419 acres and are bounded generally by New Jersey Transit's North Jersey Coast Line, Main Street and Oceanport Creek to the south, Parkers Creek to the north, and the former Fort properties in Eatontown to the west. The *Reuse Plan* envisions redevelopment of the Oceanport Reuse area for approximately 1.75 million square feet of non-residential space and 720 residential units. Such development would include 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.

This amendment maintains the development concepts and plans articulated in the *Reuse Plan* but further permits alternative development scenarios on the Nurses Quarters Parcel located in the Oceanport Reuse Area as shown in Exhibit A. The details of the amendment to the land use plan and alternative development scenario contemplated in this amendment are provided below.

#### 1. The Nurses Quarters Parcel

The Reuse Plan contemplates the reuse of Buildings 1077 & 1078 as mixed-income apartments. Under the Land Use Rules, the Nurses Quarters Parcel is included in the Oceanport Education/Mixed-Use Neighborhood Development District, which permits low-and medium-density residential, mixed-use, retail, office/research, institutional/civic, and open space/recreational uses.

The proposed amendment would permit the following on the Nurses Quarters parcel.

##### 1.1 Permitted Uses

- i. Residential Use - including multi-family dwelling units and town homes.

##### 1.2 Bulk Regulations

- a. Density: A total of thirty-four (34) residential units which includes the reuse of twenty-four (24) one and two-bedroom residential units and ten (10) three-bedroom residential will be permitted.

- b. Building Height<sup>1</sup>: New residential buildings shall not exceed three (3) stories or forty (40) feet in height.
- c. Street Facing Building Setback:
  - i. The building setback on Stephenson Avenue shall be a minimum of fifteen (15) feet from the property line.
  - ii. The building setback on Main Street shall be a minimum of fifteen (15) feet from the property line.
  - iii. Covered patios, walkways, steps and landscaping will be permitted within the setback area.
- d. Except for the standard set forth above under subsection 1.2 (a) – (c) all other bulk standard set forth in the FMERA Land Use Rules shall be applicable for the Nurses Quarters Parcel.

### 1.3 Additional Requirements

- a. The new townhomes shall have frontage on Main Street and no parking or driveway is permitted between new townhomes and Main Street.
- b. One (1) access driveway to the site from Main Street will be permitted.
- c. A minimum five (5) foot-wide sidewalk shall be installed along Main Street.

### 1.4 Signage:

The following requirement will be applicable to the Nurses Quarters Parcel.

- a. **Ground Signs:**
  - i. One (1) ground sign shall be permitted on the Nurses Quarters Parcel.
  - ii. The maximum sign area shall not be more than forty (40) square feet.
  - iii. The maximum sign height shall not be more than seven (7) feet above grade.
  - iv. FMERA Land Use Rules 19:31C-3.9(d) shall be applicable for all other requirements related ground signs.

### 1.5 Green infrastructure and low impact development:

This amendment encourages the use of following green infrastructure measures.

- a. Permeable pavers
- b. Electric vehicle charging stations
- c. Rain gardens & bio-retention basins
- d. Native plants and vegetations

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<sup>1</sup> As defined under FMERA Land Use Rules 19:31C-3.2 Building height shall mean the vertical distance as measured from the mean or average finished grade of the building to the highest point of the roof of the building but not including rooftop appurtenances. If the mean or average finished grade is three feet or more above existing grade then the measurement shall be taken from the existing grade.

## V. Relationship to Elements, Objectives and Principles of the Reuse Plan and FMERA Directive

### a. Relationship to Reuse and Redevelopment Plan and its Elements

In considering the impacts of the Reuse Plan amendment, the following *Reuse Plan* elements were considered: land use and circulation, infrastructure, environmental issues, historic preservation, and community impacts. The relationship between the amendment and these Plan elements are described below.

#### 1. Land Use and Circulation

##### *Total Non-Residential Square Footage Yield*

The Nurses Quarters Parcel: This amendment neither contemplates nor permits any non-residential uses on the Nurses Quarters Parcel.

##### *Total Residential Square Footage Yield*

Total residential units on the Oceanport Reuse Area will remain 720 units as was contemplated in the *Reuse Plan* and subsequent amendments to the Oceanport Reuse Area.

##### The Nurses Quarters Parcel:

The Reuse Plan calls for adaptive reuse of Building 1077 and Building 1078 for twenty-four (24) one and two bedroom residential units and an additional ten (10) three-bedroom townhomes in the parcel. Thirty-four (34) residential units will be permitted in the parcel as a result of the proposed development.

##### *Compatibility with Surrounding Land Uses*

The uses contemplated in this amendment are compatible with the surrounding land uses anticipated in the *Reuse Plan* and subsequent amendments. This amendment promotes a *diverse* range of *housing* types in the Nurses Quarters Parcel. In addition to providing housing opportunities to the local residents and as a result of the proposed amendment, the housing development in the Nurses Quarters Parcel will also provide housing opportunities to employees of Beacon of Life Pace Program and future end-users of the Commissary campus redevelopment area as it is in close proximity to these locations. Thus, the proposed amendment will also promote a live-work environment within the Fort area.

##### *Circulation*

This amendment does not propose any changes to the roadway network system for Nurses Quarters parcel, as such the proposed amendment is consistent with the “Transportation Circulation Improvement Goals” established in the *Reuse Plan*. This amendment also does not adversely impact any of the “Transportation Circulation Improvement Goals” established in the *Reuse Plan*. All the planned streets, pedestrian, and transit plans would not be affected by the proposed amendment.

## 2. Open Space

This amendment does not impact any active recreation or open space contemplated in the *Reuse Plan*. In the Nurses Quarters Parcel, existing buildings will be adaptively reused, and new townhomes would be aligned along Main Street which will allow the creation of an adequate open space in the parcel for some passive recreational opportunities.

## 3. Sustainability

This amendment would not preclude incorporation of any of the sustainability measures outlined in the *Reuse Plan*. Specifically, the reuse of the Buildings 1077 & 1078 would further the *Reuse Plan's* green building sustainability goal to maximize the adaptive reuse of existing buildings and infrastructure.

## 4. Infrastructure

As indicated in the *Reuse Plan*, impacts on the existing gas, electric, water, wastewater and telephone utilities servicing Fort Monmouth will have to be evaluated at site plan review for a specific project. This assessment is unaffected by the amendment.

## 5. Traffic

This amendment permits the adaptive reuse of the Buildings 1077 & 1078 for twenty-four (24) residential one- and two-bedroom units and an additional ten (10) three-bedroom townhomes in the parcel. As such, a small increase in the number of trips is anticipated from the Nurses Quarters as a result of additional residential units. However, such a small increase is unlikely to create any detrimental impact on the traffic & circulation in the area and will not generate significant additional traffic other than what has already been anticipated in the *Reuse Plan*.

Therefore, the existing road network system as contemplated in the *Reuse Plan* is expected to accommodate any additional traffic generated from the Nurses Quarters Parcel. A detailed traffic analysis would be prepared as part of any site plan review related to the reuse and/or development of these parcels. Any necessary traffic mitigation would be addressed at that time.

## 6. Environmental Issues

The Nurses Quarters parcel is located in the CAFRA zone and could trigger a CAFRA permitting action. Any environmentally constrained areas within the land area associated with this amendment would be preserved and protected accordingly.

## 7. Historic Preservation

None of the buildings in the Nurses Quarters parcel affected by the proposed amendment are listed in State or National Registers of Historic Places. Therefore, this amendment will not impact historic resources required for preservation according to the Programmatic Agreement between the SHPO and FMERA.

## 8. Community Impacts and Affordable Housing

As noted in the *Reuse Plan*, the host communities, including Oceanport, rely on taxation for the largest portion of their municipal revenues. The Fort's closure and the resulting loss of the Fort's workforce is expected to result in a larger share of the tax burden falling to residential property owners. The potential offered by this amendment to increase tax revenues would lessen the burden on local residents.

This amendment permits up to thirty-four (34) residential units for the Nurses Quarters Parcel of which seven (7) units will be affordable units which will count towards the Borough of Oceanport fair share obligation. Therefore, this amendment will have more positive social and economic impacts in the community.

### **b. Relationship to Objectives and Principles of the *Reuse Plan***

This amendment would fulfill the objectives and planning principles outlined in the *Reuse Plan*. Those planning objectives articulated in the *Reuse Plan* include the following:

1. Be consistent with State, County, and Municipal planning policies.  
This amendment is consistent with State, County, and Municipal planning policies, as set forth in the ensuing chapter.
2. Focus on business retention and attraction, job replacement, and employee training.  
This amendment does not preclude business retention and attraction, job replacement, and employee training. It will create construction jobs and a residential development of this scale also involve some permanent job creation. This amendment would provide increased flexibility to aid FMERA in its efforts to attract new residents and businesses that wish to relocate to Fort Monmouth.
3. Be founded on market and economic analysis.  
This amendment responds to the marketplace by permitting an alternative development scenario designed to attract diverse residents to the Oceanport Reuse Area.
4. Leverage Fort assets (people, infrastructure, location).  
This amendment affords FMERA with an opportunity to leverage existing assets through the Reuse of the Building 1077 and 1079 in the Nurses Quarters parcel to attract new residential uses that generate much-needed diverse housing opportunities and tax revenues.
5. Be a green community model.  
The adaptive reuse of the buildings in the Nurses Quarters Parcel with surrounding redevelopments further the sustainability goals set forth in the Reuse Plan. The amendment encourages the creation of open space in close proximity to thirty-four (34) residential units and provide recreational opportunities the residents.

This amendment further advances a number of key planning principles from which the overall concepts in the *Reuse Plan* were devised:

- Principle #1: Decreasing Density West to East & Creating Mixed-Use Live/Work/Leisure Centers.* This amendment contemplates a mix of residential uses in existing and new buildings in a manner that promotes these planning principles.
- Principle #2: Link centers & increase mobility with connected transit infrastructure serving the region and the Fort.* This amendment does not preclude the potential to create an extensive system of bikeways, pedestrian trails and sidewalks as envisioned in the *Reuse Plan*. *The amendment requires a 5-foot-wide sidewalk on Main Street to promote walkability and pedestrian connectivity.*
- Principle #3: Enhance auto mobility and redevelopment capacity with targeted roadway infrastructure improvements.* This amendment does not preclude the enhancement of auto mobility and redevelopment capacity with targeted roadway infrastructure improvements as set forth in the *Reuse Plan*.
- Principle #4: Combine open space, habitat, and water resources to establish a continuous Blue – Green belt.* This amendment does not preclude the creation of an open space network consisting of environmentally sensitive areas, including wetlands, watercourses, and habitats. The amendment promotes green infrastructure and other low impact development strategies that will further improve the natural environment of the Fort area.
- Principle #5: Utilize the Blue – Green belt as an armature for enhanced bicycle and pedestrian mobility throughout the Fort.* This amendment would not preclude the development of the bike path or trails envisioned as part of the *Reuse Plan*.
- Principle #6: Remove Fort boundaries & extend existing land uses to reconnect the Fort to the communities.* This proposed amendment encourages a well-connected campus within the proposed development area as well as creates opportunities to build strong connection between the local community and the Fort Area both physically and economically. Further, this amendment would not preclude any gates into the Fort, nor inhibit public access to the Fort's amenities.
- Principle #7: Leverage existing Fort Monmouth assets (People, Buildings, Technology, and Infrastructure).* This amendment affords FMERA with an opportunity to leverage existing assets of the Oceanport Reuse Area, i.e., reuse and new construction of the residential units in the Nurses Quarters parcel that would create a diverse housing opportunity for local residents and generate tax revenues. The amendment would not involve the removal of any buildings identified in the *Reuse Plan* as being required for preservation.

In summary, this amendment is consistent with the *Reuse Plan* elements, objectives and planning principles.

**a. Relationship to FMERA Directive**

To implement the *Fort Monmouth Reuse and Redevelopment Plan*, the New Jersey State legislature empowered the Fort Monmouth Economic Revitalization Authority (FMERA) to adopt any modifications or amendments to the *Reuse Plan* and adopt development and design guidelines and land use regulations to implement the plan. Pursuant to P.L.2010, c. 10 (N.J.S.A. 52:27I-18 et. seq.), FMERA’s purpose is the following:

*to oversee, administer, and implement the [Reuse Plan] as provided in this act, in a manner that will promote, develop, encourage, and maintain employment, commerce, economic development, and the public welfare; to conserve the natural resources of the State; to provide housing, including housing to address identified needs related to homelessness; and to advance the general prosperity and economic welfare of the people in the host municipalities, the county, and the entire State by cooperating and acting in conjunction with other organizations, public and private, to promote and advance the economic use of the facilities located at Fort Monmouth.*

The *Reuse Plan* amendment would advance both FMERA’s stated purpose and the public welfare, by promoting, developing, encouraging and maintaining employment and economic development, and it would advance the public welfare by furthering the adaptive reuse of an existing facility and roadway network at the Fort.

**b. Relationship to FMERA’s Land Use Rules**

This amendment creates alternative development scenario and creates an overlay zone superseding some provisions of FMERA’s Land Use Rules. In all situations where zoning issues and bulk standards are not specifically addressed herein, the FMERA’s Land Use Rules, however, shall remain in effect.

## **VI. Relationship to State, County and Municipal Planning Objectives**

**a. State Development and Redevelopment Plan (SDRP)**

On March 1, 2001, the State Planning Commission readopted the State Development and Redevelopment Plan (SDRP). In the SDRP, the Oceanport Reuse Area is classified as Planning Area 1, Metropolitan Planning Area (PA-1). The SDRP defines Metropolitan Planning Areas as areas that “provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities.” The amendment is well-reconciled with the guiding policies and policy objectives of

the adopted SDRP for the Planning Area 1, Metropolitan Planning Area.

Consistent with the goals for the PA-1, this amendment promotes the type of redevelopment needed to transform this area of the Oceanport Reuse Area, into a vibrant, mixed- use community with compact development that will ensure efficient utilization of scarce land resources while also carefully protecting the character of surrounding communities. Also, in accordance with the objectives for PA-1, the amendment allows for redevelopment in a location well served by existing transportation networks, which is consistent with the plans for the Oceanport Reuse Area.

#### **b. Monmouth County Open Space Plan**

The Monmouth County Open Space Plan, adopted by the Monmouth County Planning Board in August 2006 as an element of the Monmouth County Growth Management Guide, specifically advocates the acquisition of a portion of the Fort Monmouth property as a new County park site. To fulfill this acquisition, Monmouth County filed a Notice of Interest for park and recreation lands within Fort Monmouth. The County subsequently filed an application to the National Park Service's Federal Lands to Park Program for a Public Benefit Conveyance, which was endorsed by the three host municipalities of Eatontown, Oceanport and Tinton Falls. This amendment is not inconsistent with the County's goals for open space in the Oceanport Reuse Area.

#### **c. Fort to Village Plan: A Vision for Oceanport's Fort Monmouth**

Although the development of the former Fort properties in Oceanport will be governed by the land use regulations and design guidelines adopted by FMERA, as a point of information, the former Fort properties in Oceanport are included within the "master plan" for Fort Monmouth, i.e., the *Reuse and Redevelopment Plan*. However, a vision for the redevelopment of the fort is provided in ***Fort to Village Plan: A Vision for Oceanport's Fort Monmouth***. This document was incorporated as an amendment to the Master Plan which was adopted by the Oceanport Planning Board on April 23, 2008.

The Fort to Village Plan calls for the area surrounding the Patterson Medical Center Area, presently Beacon of Life Pace Program—an adult care facility area, to be zoned for mixed-use medical office park uses, schools, and residential uses to allow townhouses. The Nurses Quarter Parcel is in close proximity to the Beacon of Life Pace Program - adult care facility area. The amendment permits residential opportunities to support surrounding land uses which is generally consistent with the uses contemplated for the area in the Fort to Village Plan.

#### **d. Oceanport Zoning**

The area affected by the proposed amendment lies within the Borough's R-1: Single-Family Residential District under the municipality's current zone plan. This designation permits single-family detached dwellings, parks and playgrounds, municipal buildings, libraries and public schools. The minimum lot size is 30,000 square feet, the maximum height is two stories, or thirty-five feet and the maximum density is 1.5 dwelling units per acre. The *Reuse Plan* and Land Use Rules, however, supersedes the Oceanport Zoning.

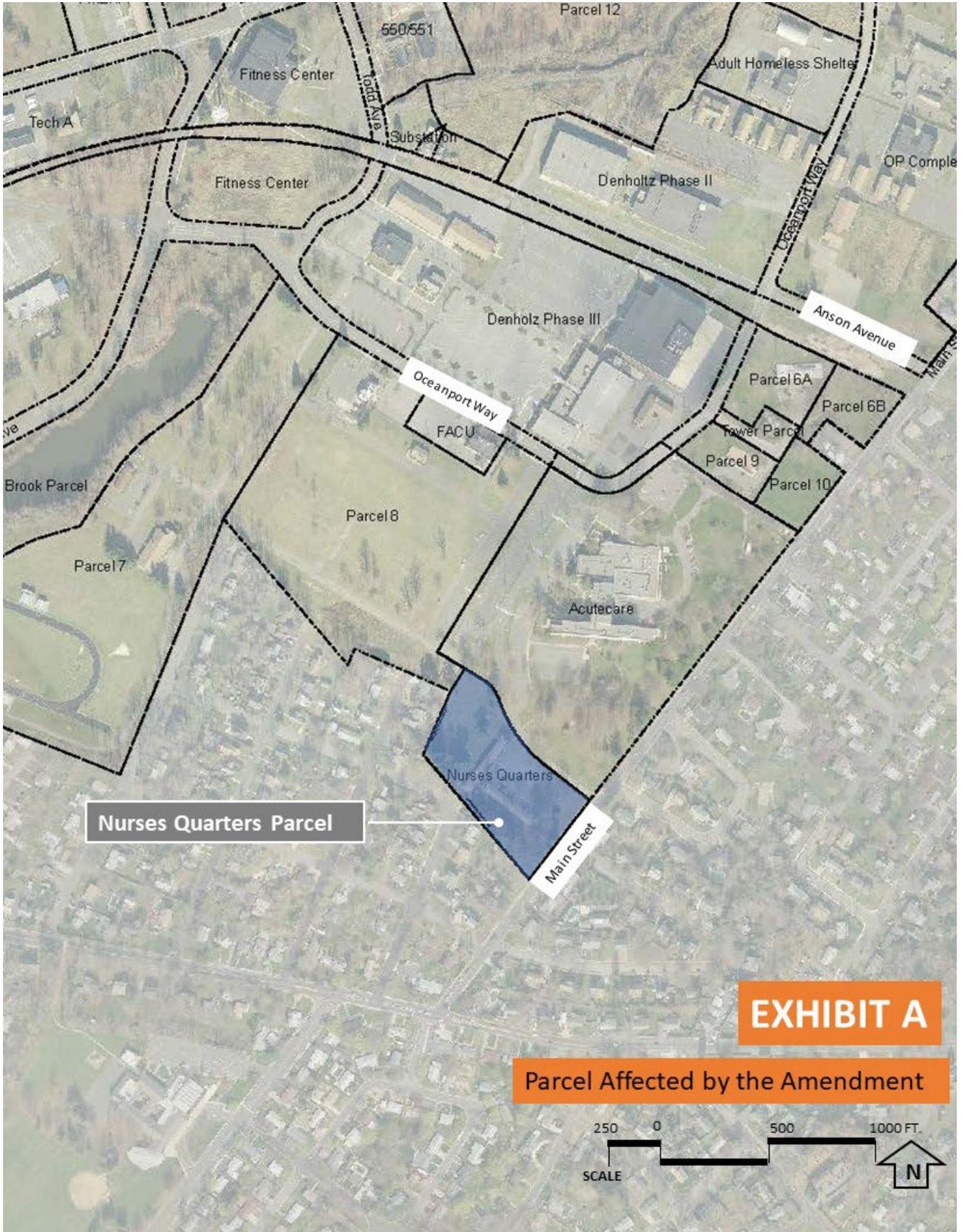
## VI. Conclusion

The subject amendment, referred to as Amendment #18 to the Fort Monmouth Reuse and Redevelopment Plan, maintains the land use concepts and plans articulated in the Reuse Plan. However, the amendment permits alternative development scenarios for the Oceanport Reuse Area.

This amendment is consistent with the objectives and principles in the Reuse Plan, as well as State, County and Municipal planning objectives. Furthermore, the amendment advances the public welfare, particularly with regard to promoting, developing, encouraging and maintaining employment. The amendment provides flexibility for FMERA to more effectively attract potential residential and non-residential uses to the Oceanport Reuse Area, thereby enabling it to fulfill its statutory mandate to create new jobs, regenerate the local tax base and advance the general prosperity and welfare of the people most impacted by the Fort's closure.

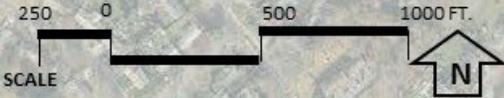
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# Exhibit A



**EXHIBIT A**

**Parcel Affected by the Amendment**



# Land Use Map

