

**Fort Monmouth Economic Revitalization Authority
In-Person & Telephonic Board Meeting
502 Brewer Avenue, Oceanport, N.J. 07757
Dial In: 888-431-3598 Access Code: 1123026
Agenda – February 21, 2024**

1. **Call to Order**
2. **Notice of Public Meeting**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Welcome**
6. **Approval of Previous Month's Board Meeting Minutes**
7. **Executive Director/Secretary Report & Update**
8. **Public Comment Regarding Board Action Items**
9. **Committee Reports**
 - Audit Committee – Anthony Talerico, Jr., Chairman
 - Real Estate Committee – McKenzie Wilson, Chairwoman
 - Environmental Staff Advisory Committee – Elizabeth Dragon, Chairwoman
 - Historical Preservation Staff Advisory Committee – Tom Tvrdik, Chairman
 - Housing Staff Advisory Committee – Vacant, Chairperson
 - Veterans Staff Advisory Committee – Vacant, Chairperson
10. **Board Actions**
 1. Consideration of Approval of the Conveyance of Carty Avenue to the Borough of Oceanport.
 2. Consideration of Approval of a Redevelopment Agreement between the Fort Monmouth Economic Revitalization Authority and Trinity Hall, Inc. in Tinton Falls
 3. Consideration of Approval of the Third Amendment to the Purchase and Sale Agreement and Redevelopment Agreement with Netflix, Inc. for the Mega Parcel in Eatontown and Oceanport.
 4. Consideration of Approval of Proposed Plan Amendment #20 Permitting an Alternative Development Scenario with respect to the Plan Area, inclusive of the Mega Parcel and the Affordable Housing Parcels in Eatontown and Oceanport.
11. **Other Items**
12. **Public Comment Regarding any FMERA Business**
13. **Adjournment**

MEMORANDUM

To: Members of the Board

From: Kara Kopach
Executive Director

Date: February 21, 2024

Subject: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include the Treasurer's Report, and Update on Utilities and Infrastructure, Update on Development & Marketing and Update on the Fort Monmouth Redevelopment

Treasurer's Report

Staff is preparing the Authority's 2023 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 for review in mid-March, and finals presented to the Board in April.

The Authority's independent auditors, CliftonLarsonAllen, LLP, have begun their audit of the Authority's 2023 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 the last week of February.

Executive Director's Report

- **Update on Utilities and Infrastructure**
 - FMERA continues to close-out the contracts for the East Interceptor, South Interceptor, and Malterer Avenue sanitary main in Oceanport, and the Wilson Avenue sanitary main in Eatontown.
 - FMERA is moving forward with the obtaining asbestos surveys of all out-of-service sanitary pump stations, with abatement and demolition of the structures to follow.
 - The design for a new water lateral serving the 600 area, which includes the McAfee Center, is complete. The bid package for the project will be publicly advertised January 19th.
 - FMERA staff continues to work with Jersey Central, Power & Light staff toward the construction of a new 22-megawatt electrical substation and 15KVA distribution system on the main post. This new infrastructure will replace the existing 4160V electrical system and make JCP&L the primary power provider, eventually taking FMERA out of the power supply business. FMERA continues to repair, replace, and maintain aged electrical infrastructure on the Fort pending the commissioning of the new substation and distribution system.
 - FMERA is working with the Borough of Oceanport to demolish Buildings 550 & 551, which is expected to be completed by the end of spring 2024.
 - FMERA is moving forward with its plan to investigate/evaluate the current condition of stormwater infrastructure located on the Main Post of Fort Monmouth. The project also involves identifying and recording necessary repairs and/or replacements to pipes, manholes, catch basins and outfall structures. The goal of the project is to convey ownership of stormwater infrastructure to the Boroughs of Eatontown and Oceanport once the stormwater infrastructure study is completed and all necessary repairs are made.
 - The Facilities and On-site Maintenance Teams continues to maintain and repair heat systems and fire suppressions systems of buildings to be reused by the Mega Parcel purchaser.

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. RPM Development 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 and medical offices.
- Oceanport Municipal Complex on August 16, 2017, where the Borough of Oceanport purchased the property for their new Oceanport Borough Hall, Police Department, Department of Public Works and Office of Emergency Management.
- 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 renovated the Dance Hall as a wedding banquet facility. They have booked over 200 weddings and events since opening.
- Building 501, on April 24, 2019, with Family Promise of Monmouth County, an approximately 1.7-acre site, via a Legally Binding Agreement (LBA). Lunch Break has now merged with Family Promise and will expand the services offered on the site.
- 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 19, 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. The campus opened in the Fall 2020 and continues to have both an academic and community events presence.
- 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. Birdsmouth, a brewery opened in 2022, Baseline Social, a full-service state of the art bar and restaurant opened this summer and Mr. Green Tea, the specialty mochi and ice cream distributor is also open.
- Marina, on March 25, 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, being developed with up to 185 new and renovated housing units. Townhouses are for sale, and some have already been sold and are occupied.
- Allison Hall, on May 20, 2022, 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.

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

- 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, who has upgraded the existing Golf Course and renovated the historic Gibbs Hall. Martelli Signature Homes has constructed and sold numerous townhouses in the middle of the course and continues to construct housing units.
- 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. NJAW has demolished the existing structures on the site and will start construction in the first quarter of 2024.

- 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. The Borough has demolished all of the existing structures and is designing the park for a splash pad and accompanying bathrooms.

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

- Howard Commons, with Lennar Corporation for the construction of 275 Housing Units along Pinebrook Road, together with a retail component consisting of a maximum building square footage of 40,000 fronting on Hope Road and the paved and parking areas located within the property. Lennar has an obligation to provide twenty units of supportive housing on the property.

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

- Parcel E, on January 13, 2013, with Commvault for the headquarters. Commvault announced in March 2023 that they will be selling this building. The new developer anticipates providing lease backed space to Commvault and will also provide additional tenant space to other end users.
- 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. Trinity Hall completed their second-generation project on the site to expand the building's footprint twofold.
- 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. Lennar has completed the residential portion of this site but the commercial deliverables remain and have been adversely impacted due to the changing market conditions for retail.
- Parcel C1 with Lennar Corporation, on August 2, 2018. Lennar has constructed and sold all 45 single family homes.
- Parcel F-1 – Myer Center and Building 2705, on December 16, 2022, an approximately 36-acre parcel in Tinton Falls where RWJ Barnabas Health (RWJBH) plans to create a health campus to include a cancer center, medical offices, and a future hospital. RWJBH anticipates starting construction on the site this year.

Also in **Tinton Falls**, FMERA has executed contracts on two properties:

- 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.
- Tinton Falls Commercial Parcel (Pulse Power, Building 2719, and the Pistol Range) with RWJBH for 1) construction of a three-story Medical Office Building; 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. **Development & Marketing Update**

FMERA continues to make good progress on the Fort's redevelopment, with about 86 percent of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 34 parcels, and another 7 parcels are under contract or have Board-approved contracts.

FMERA's redevelopment continues to move forward, with new homes, businesses, and amenities coming online on a rolling basis. In the Oceanport section of the Fort, Allison Hall is rehabilitating three structures on the site and has begun construction of its new facilities, new homes continue to populate the Parkers Creek development by Pulte, and Baseline

Social is now open, offering dining and interactive experiences, like golf caves and live music, at the former Commissary. Mr. Green Tea, the specialty mochi and ice cream distributor is also open, alongside Baseline and Birdsmouth Brewery. In Eatontown, the historic rehabilitation and renovation of Gibbs Hall is now complete and construction of new housing on the course is on-going. Lennar's professionals have started work on-site at the Howard Commons property. FMERA recently issued a final Mandatory Conceptual Review letter for the Borough's park project, now permitted to include a splash pad, dog agility course, is anticipated to be constructed this year. In Tinton Falls, most of the Charles Wood area is already developed. However, construction of RWJBarnabas Health's medical campus has begun with the 100,000 sf Cancer Center. Separately, Trinity Hall is planning to expand their highly successful all-girls high school campus for a third time and a Redevelopment Agreement is under consideration at this evening's meeting to allow them to move forward.

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. Continuous demolition and construction can otherwise be seen Fort-wide. As for the Mega Parcel, FMERA staff received all public comments as of December 20th, regarding proposed Plan Amendment #20. FMERA staff reviewed all comments and generated responses in conjunction with FMERA's outside planning firm PPGLH. FMERA appreciates the questions and comments provided by the host municipalities and has made modifications to proposed Plan Amendment #20 to address certain concerns. These responses and any changes made to proposed Plan Amendment #20 are available for review as a part of today's Board package. FMERA will present proposed Plan Amendment #20 to the Board at tonight's meeting, for approval.

FMERA is actively working to promote the services and opportunities now available at the Fort through media, meetings, and additional speaking engagements. Recently, FMERA presented to the Construction Roundtable of New Jersey to highlight the challenges and continued successes of the Fort's redevelopment.

As businesses and amenities come online, FMERA continues to create visibility for these new assets through our social media as well as through our on-site wayfinding signage initiative. Our team will continue to provide updates to the public regarding on-going activities at the Fort that our stakeholders may participate in.

Please visit our website, www.fortmonmouthnj.com and follow us on Instagram at @fortmonmouthnj for our latest updates.


Kara Kopach

Prepared by: Regina McGrade

**Resolution Regarding
Conveyance of Carty Avenue to the Borough of Oceanport**

WHEREAS, the Fort Monmouth Economic Revitalization Authority (FMERA) is working with the Borough of Oceanport to improve access to properties in the Main Post Area; and

WHEREAS, Carty Avenue was included in the Fort Monmouth property transferred to FMERA from the U.S. Army in December 2016; and

WHEREAS, the Borough has agreed to accept Carty Avenue, to facilitate the redevelopment of the adjacent parcels; and

WHEREAS, FMERA will convey the Property via a Deed of Roadway Dedication, that has been reviewed and approved by the Borough; and

WHEREAS, upon the dedication of the Property, which measures approximately .554 acres, the Borough will be responsible for maintenance of the road; and

WHEREAS, the attached Deed is in substantially final form. The final Deed will be subject to the Approval of the Executive Director, the Borough of Oceanport and as to form by the Attorney General's Office; and

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 Deed of Roadway Dedication between FMERA and the Borough of Oceanport for the transfer of Carty Avenue 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 Carty Avenue Deed of Roadway Dedication.

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 21, 2024

EXHIBIT 1

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Approval of the Conveyance of Carty Avenue to the Borough of Oceanport

DATE: February 21, 2024

Request

I am requesting that the Board approve the conveyance of Carty Avenue to the Borough of Oceanport.

Background


In an effort to coordinate the redevelopment of Fort Monmouth, FMERA is working with the Borough of Oceanport to improve access to properties in the Main Post Area. Carty Avenue was included in the Fort Monmouth property transferred to FMERA from the U.S. Army in November 2016. The Borough has agreed to accept Carty Avenue which will facilitate the redevelopment of the adjacent parcels.

FMERA will convey the property via a Deed of Roadway Dedication (Deed), which is attached, that has been reviewed and approved by the Borough. Upon the dedication of the portion of the road, which measures approximately .554 acres, the Borough will be responsible for its maintenance.

The attached Deed is in substantially final form. The final document will be subject to the approval of FMERA's Executive Director and 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 that the Board approve the conveyance of Carty Avenue to the Borough of Oceanport.


Kara Kopach

Attachments: Deed of Roadway Dedication
Parcel Map

Prepared by: Kara Kopach

**Resolution Regarding
Redevelopment Agreement with Trinity Hall, Inc. for Phase 3 Additions to Trinity Hall in Tinton Falls**

WHEREAS, FMERA issued a Request for Offers to Purchase for Building 2290 on February 27, 2015. The parcel consisted of 7.4± acres of land and one structure, Building 2290, a 19,600 sf, one-story building constructed in 1996. The facility formerly housed a Child Development/Daycare Center and contained classrooms and a kitchen facility. The Army vacated the building in 2011. The Fort Monmouth Reuse and Redevelopment Plan (the “Reuse Plan”) contemplated reuse of the Building 2290 as a child care/school facility; and

WHEREAS, following Board approval of a Purchase and Sale Agreement & Redevelopment Agreement, FMERA sold the property to Trinity on February 27, 2015. Trinity renovated and opened the facility in time for the 2015 – 2016 school year. Subsequently under a second Redevelopment Agreement dated November 21, 2017, Trinity expanded the facility to accommodate its growing enrollment by constructing a 2-story addition with a footprint of 11,230 SF and a total area of 22,460 SF inclusive of additional classrooms, office/administrative space, a multipurpose room, a chapel and a new entrance lobby; and

WHEREAS, Trinity now plans to construct a new 11,620 SF two-story academic wing, which may include, among other academic uses, a performing arts classroom, a visual arts room, a music room, three standard classrooms, a college counseling suite with offices and meeting space, various offices, restrooms, storage, and small group gathering spaces, which requires modifications to approximately 5,208 SF of existing building space. Trinity Hall also plans construct a new 5,718 SF expansion of the Commons area, including renovations to the existing 4,120 SF Commons area; and

WHEREAS, this new/expanded Commons will allow for more comfortable school-wide community meetings, assemblies, presentations, faculty collaborations, more seating options for lunch, school-wide mass, and events. The FMERA Act requires redevelopment on Fort Monmouth to be performed under a Redevelopment Agreement with FMERA (or EDA as a designated developer). This requirement is not limited to the initial redevelopment. While FMERA’s Land Use Rules provides for certain exemptions from this requirement, all development on Fort Monmouth requiring major site plan review must be performed under a Redevelopment Agreement; and

WHEREAS, pursuant to the terms of the Redevelopment Agreement, Trinity agrees as follows: 1) that its expansion of Trinity Hall and its use of the property will comply with the Reuse Plan and Land Use Rules, as they may be amended; 2) that its Capital Investment shall be approximately Ten Million Dollars (\$10,000,000); 3) that it will commence the improvements no later than October 15, 2024 and complete the improvements no later than October 15, 2025; 4) that it will create approximately seventy-five to one hundred (75-100) construction-related temporary jobs and approximately three to five (3-5) staff/faculty jobs, with a jobs report due within twelve (12) months of submitting the application for a Certificate of Completion; and 5) that it will not transfer the property prior to completion of the project, to be memorialized by FMERA’s issuance of a Certificate of Completion; and

WHEREAS, attached in substantially final form is the Redevelopment Agreement between FMERA and Trinity. The final terms of the Redevelopment Agreement will be subject to the approval of FMERA’s Executive Director and the Attorney General’s Office; and

WHEREAS, the attached 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 the Attorney General’s Office; and

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

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the execution of the Redevelopment Agreement between the Fort Monmouth Economic Revitalization Authority and Trinity Hall, Inc. for its expansion of Trinity Hall 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 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 21, 2024

EXHIBIT 3

Draft

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

DATE: February 21, 2024

RE: Redevelopment Agreement with Trinity Hall, Inc. for Phase 3 Additions to Trinity Hall in Tinton Falls

Summary

I am requesting that the Board approve the Authority's execution of a Redevelopment Agreement with Trinity Hall, Inc. ("Trinity") for Phase 3 Additions to Trinity Hall (the "Project") in Tinton Falls.

Background

FMERA issued a Request for Offers to Purchase ("RFOTP") for Building 2290 on February 27, 2015. The parcel consisted of 7.4± acres of land and one structure, Building 2290, a 19,600 sf, one-story building constructed in 1996. The facility formerly housed a Child Development/Daycare Center and contained classrooms and a kitchen facility. The Army vacated the building in 2011. The Fort Monmouth Reuse and Redevelopment Plan (the "Reuse Plan") contemplated reuse of the Building 2290 as a child care/school facility.

Following Board approval of a Purchase and Sale Agreement & Redevelopment Agreement, FMERA sold the property to Trinity on February 27, 2015. Trinity renovated and opened the facility in time for the 2015 – 2016 school year. Subsequently under a second Redevelopment Agreement dated November 21, 2017, Trinity expanded the facility to accommodate its growing enrollment by constructing a 2-story addition with a footprint of 11,230 SF and a total area of 22,460 SF inclusive of additional classrooms, office/administrative space, a multipurpose room, a chapel and a new entrance lobby.

Trinity now plans to construct a new 11,620 SF two-story academic wing, which may include, among other academic uses, a performing arts classroom, a visual arts room, a music room, three standard classrooms, a college counseling suite with offices and meeting space, various offices, restrooms, storage, and small group gathering spaces, which requires modifications to approximately 5,208 SF of existing building space. Trinity Hall also plans construct a new 5,718 SF expansion of the Commons area, including renovations to the existing 4,120 SF Commons area. This new/expanded Commons will allow for more comfortable school-wide community meetings, assemblies, presentations, faculty collaborations, more seating options for lunch, school-wide mass, and events. The FMERA Act requires redevelopment on Fort Monmouth to be performed under a Redevelopment Agreement with FMERA (or EDA as a designated developer). This requirement is not limited to the initial redevelopment. While FMERA's Land Use Rules provides for certain exemptions from this requirement, all development on Fort Monmouth requiring major site plan review must be performed under a Redevelopment Agreement.

Redevelopment Agreement

Pursuant to the terms of the Redevelopment Agreement, Trinity agrees as follows:

- 1) that its expansion of Trinity Hall and its use of the property will comply with the Reuse Plan and Land Use Rules, as they may be amended;
- 2) that its Capital Investment shall be approximately Ten Million Dollars (\$10,000,000);
- 3) that it will commence the improvements no later than October 15, 2024 and complete the improvements no later than October 15, 2025;

- 4) that it will create approximately seventy-five to one hundred (75-100) construction-related temporary jobs and approximately three to five (3-5) staff/faculty jobs, with a jobs report due within twelve (12) months of submitting the application for a Certificate of Completion; and
- 5) that it will not transfer the property prior to completion of the project, to be memorialized by FMERA's issuance of a Certificate of Completion.

Attached in substantially final form is the Redevelopment Agreement between FMERA and Trinity. The final terms of the Redevelopment Agreement will be subject to the approval of FMERA's Executive Director and the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve the execution of a Redevelopment Agreement with Trinity Hall, Inc. for its expansion of Trinity Hall in Tinton Falls.


Kara Kopach
Executive Director

Attachments: Draft Site Plans for Phase 3
Redevelopment Agreement
Prepared by: Sarah Giberson

Draft

**Resolution Regarding
Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with Netflix, Inc. for the
Mega Parcel in Eatontown and Oceanport**

WHEREAS, on January 13, 2023, FMERA and Netflix executed a PSARA for the Mega Parcel (the “Property”) an approximately 292± acre parcel) of land containing former residential, administrative and R&D buildings, warehouses, workshops and additional general-purpose facilities in the Boroughs of Eatontown and Oceanport, within the Main Post section of Fort Monmouth. The Mega Parcel is conveniently located adjacent to State Route 35, providing easy access to the Garden State Parkway, Route 18, NJ Transit Bus Lines & adjacent to County Route 11 (Oceanport Avenue), which provides direct access to the Little Silver NJ Transit Train Station. The westernmost 51.1 acres of the Mega Parcel lie within the Phase 1 area of Fort Monmouth, which requires profit sharing with the U.S. Department of the Army. The remaining Mega Parcel acreage lies within the Phase 2 area of Fort Monmouth; and

WHEREAS, pursuant to the terms of the PSARA, Netflix will pay Forty-Seven Million Dollars for the Mega Parcel. Additionally, Netflix has agreed to pay a utility contribution of Five Million Dollars, and the FMERA office relocation fee of Three Million Dollars. The Total Amount due at Closing shall be Fifty-Five Million Dollars, subject to any adjustment relative to the Environmental Carve-Out Holdback. Netflix’s total Capital Investment is estimated at Eight Hundred and Forty-Eight Million Dollars which shall be allocated between Phase 1 representing Eight Hundred Six Million Dollars of investment and Phase 2 representing Forty-Two Million Dollars of investment in furtherance of the Redevelopment Project; and

WHEREAS, the Due Diligence Period will run for ninety days from the PSARA execution date and may be extended under the Executive Director’s delegated authority for two additional thirty day periods to complete the due diligence tests, inspections, and reviews; and

WHEREAS,; on April 25, 2023, during Purchaser’s First Due Diligence Extension Period, Purchaser sent a letter citing the complex nature of the Property and requesting: 1) permission to exercise the second thirty day Due Diligence Extension Period until June 14, 2023; 2) an additional forty-five day extension of the Due Diligence Period from June 14, 2023 until July 31, 2023, and 3) a further forty-five day extension of the Due Diligence Period from July 31, 2023 until September 14, 2023 under the Executive Director’s delegated authority. FMERA granted the request for the Second Due Diligence Period Extension on April 28, 2023, and the FMERA Board approved the request for a Third and Fourth Due Diligence Extension Period on June 6, 2023; and

WHEREAS, on August 28, 2023, Purchaser contacted FMERA to discuss its on-going negotiations with Monmouth County regarding the vacation of Wilson Avenue and the conveyance of Malterer Avenue (“Wilson Avenue Agreement”), as further described in Section 47(p)(ii) of the PSARA. While Purchaser has been making good faith efforts to finalize the terms of the Wilson Avenue Agreement, Purchaser indicated that it did not anticipate finalizing the agreement prior to the expiration of the Fourth Due Diligence Extension Period, set to expire on September 14, 2023. and

WHEREAS, as Purchaser had further developed its concept plan in preparation for the adoption of Plan Amendment #20, the vacation of Wilson Avenue became a critical component of studio operations and for maximizing the site’s highest and best use for the Project. As such, Purchaser requested and the FMERA Board approved the Second Amendment to the PSARA, executed on October 11, 2023, extending Purchaser’s right to terminate the Agreement and receive a refund of the Second Deposit should the Parties be unable to mutually agree upon the terms of the Wilson Avenue Agreement prior to the first day of the Approval Period subject to those terms expressly set forth therein; and

WHEREAS, on January 24, 2024, Purchaser contacted FMERA to discuss its desire to amend a) the PSARA’s description of the Project and its respective Phases to further delineate the Project into phases Phase 1(a), Phase 1(b), and Phase 2 and b) provide clarification on the configuration of soundstages to be in better alignment with industry standards. The further delineation of the Phases is intended to provide an opportunity to expedite the development of portions of the Project and shall in no way delay or extend the timelines otherwise described therein. Purchaser further detailed that soundstages may be constructed as “single” (one soundstage in a single structure) or “twin” (two stages in a single structure) stages and wished to confirm and clarify that a “Twin Soundstage,” as described in the attached amendment, shall constitute

two (2) soundstages for the purposes of fulfilling its obligation to construct twelve (12) soundstages in Phase 1 of the Project. The square footage of the soundstages has been adjusted to provide for the buildout of Twin Soundstages, which may require additional square footage to join the soundstages; and

WHEREAS, additionally, Purchaser indicated that while it has continued to make good faith efforts to finalize the terms of the Wilson Avenue Agreement (“Agreement”) for the vacation of Wilson Avenue and the conveyance of Malterer Avenue, the nature and timing of the required public hearings and comment periods has prevented the timely finalization of said Agreement and requests an extension until May 31, 2024 to retain its termination rights and finalize the Agreement, as the roadway is now a critical component of the redevelopment plan. The first County hearing on the matter occurred on February 8, 2024; and

WHEREAS, as Purchaser has been progressing in good faith and is finalizing its site plans for the Project, staff recommends approval of the Third Amendment which shall a) amend the Project Phases to reflect Phase 1(a), Phase 1(b) and Phase 2, b) provide a definition of a “Twin Soundstage” and c) make the Second Deposit refundable should Purchaser not have executed the Wilson Avenue Agreement, in a form and substance reasonably acceptable to Purchaser, by May 31, 2024 as more particularly described therein

WHEREAS, the attached Third Amendment to the PSARA between FMERA and Netflix is in substantially final form. The final terms of the Third Amendment to the PSARA are subject to the approval of FMERA’s Executive Director, Netflix, Inc., 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.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority approves the Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement with Netflix, Inc. for the Mega Parcel in Eatontown and Oceanport on terms substantially consistent to those set forth in the attached memorandum and authorizes the Executive Director to execute the Amendment.

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 21, 2024

EXHIBIT 3

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Third Amendment to the Purchase and Sale & Redevelopment Agreement with Netflix, Inc. for the Mega Parcel in Eatontown and Oceanport.

DATE: February 21, 2024

Request

I am requesting that the Board approve the execution of the Third Amendment to the Purchase and Sale Agreement & Redevelopment Agreement (“PSARA”) with Netflix, Inc. (“Netflix” or “Purchaser”) for the Mega Parcel Property in Eatontown and Oceanport.

Background

On January 13, 2023 FMERA and Netflix executed a PSARA for the Mega Parcel (“the Property”), an approximately 292± acre parcel of land containing former residential, administrative and R&D buildings, warehouses, workshops and additional general-purpose facilities in the Boroughs of Eatontown and Oceanport, within the Main Post section of Fort Monmouth. The Mega Parcel is conveniently located adjacent to State Route 35, providing easy access to the Garden State Parkway, Route 18, NJ Transit Bus Lines & adjacent to County Route 11 (Oceanport Avenue), which provides direct access to the Little Silver NJ Transit Train Station. The westernmost 51.1 acres of the Property lie within the Phase 1 area of Fort Monmouth, which requires profit sharing with the U.S. Department of the Army. The remaining Mega Parcel acreage lies within the Phase 2 area of Fort Monmouth.

Purchase and Sale & Redevelopment Agreement

Pursuant to the terms of the PSARA, Netflix will pay Forty-Seven Million (\$47,000,000) Dollars for the Mega Parcel. Additionally, Purchaser has agreed to pay a utility contribution of Five Million (\$5,000,000.00) Dollars, and the FMERA office relocation fee of Three Million (\$3,000,000.00) Dollars. The Total Amount due at Closing shall be Fifty-Five Million (\$55,000,000.00) Dollars, subject to any adjustment relative to the Environmental Carve-Out Holdback, as further described below. The Purchaser’s total Capital Investment is estimated at Eight Hundred and Forty-Eight Million (\$848,000,000) Dollars which shall be allocated between Phase 1 representing Eight Hundred Six Million (\$806,000,000) Dollars of investment and Phase 2 representing Forty-Two Million (\$42,000,000) Dollars of investment in furtherance of the Redevelopment Project.

The original terms provide that the Due Diligence Period will run for ninety (90) days from the PSARA execution date and may be extended under the Executive Director’s delegated authority for two (2) additional thirty (30) day periods to complete the due diligence tests, inspections, and reviews.

With respect to the Environmental Carve-Out Parcels, Purchaser and Seller agreed to deposit Two Million Four Hundred Thirty Three Thousand Seven Hundred One Dollars and Ninety-Nine Cents (\$2,433,701.99) of the Purchase Price (“Environmental Carve-Out Holdback”) in escrow at Closing, to be held and disbursed in accordance with the terms of an Environmental Carve-Out Escrow Agreement (provided that if and to the extent

one or more Environmental Carve-Out Parcels are included in the Property conveyed by Seller to Purchaser at the Initial Closing, this amount shall be reduced by the amount(s) allocated to such Environmental Carve-Out Parcels and such amount(s) shall be added to the balance of the Purchase Price to be paid by Purchaser at the Initial Closing). Purchaser shall have a separate period of thirty (30) days ("ECP Confirmation Period") following the date that FMERA receives title to each Environmental Carve-Out Parcel from the Army. This ECP Confirmation Period shall be for the sole and express purpose of confirming any FOST or Final Remediation Document issued with respect to each such Environmental Carve-Out Parcel and shall commence the Subsequent Closing(s) within forty-five (45) days of FMERA's receipt of title. Purchaser shall have the option, subject to Army and FMERA approval, to close title to one or more of the Environmental Carve-Out Parcels at any time earlier than the Subsequent Closing date, provided that (1) Purchaser waives the requirement of a FOST issuance by the Army prior to such accelerated Subsequent Closing, (2) Purchaser shall be deemed to have waived its ECP Confirmation Period with respect to the Environmental Carve-Out Parcel which is the subject of such accelerated Subsequent Closing, (3) FMERA shall not be obligated to assume any environmental liability in connection with any such accelerated Subsequent Closing, (4) the conveyance of title to such Environmental Carve-Out Parcel from FMERA to Purchaser shall occur on the same date, and immediately after, FMERA acquires title to such Environmental Carve-Out Parcel from the Army, and (5) the Parties execute a mutually acceptable agreement or other documentation setting forth the Parties' conditions and obligations with respect to the accelerated Subsequent Closing and the applicable Environmental Carve-Out Parcel(s) following the date of such accelerated Subsequent Closing. Purchaser acknowledges that the Subsequent Closings are not options, but that Purchaser is obligated to consummate each and every one of the Subsequent Closings thereby taking title to each Environmental Carve-Out Parcel.

Purchaser will apply for and diligently pursue the required approvals for the Project. The Approval Period shall be thirty-six (36) months and shall commence upon the later of i) the expiration of the Due Diligence Periods, or ii) the date that the Seller delivers to Purchaser a final non-appealable Reuse Plan Amendment, provided that if the Purchaser fails to deliver a final Conceptual Site Plan within forty-five (45) days of the expiration of the Due Diligence Period, then the commencement of the Approval Period shall be the date the Reuse Plan Amendment would have been delivered had the Purchaser timely delivered the Final Conceptual Site Plan. The Purchaser may request extension(s) of the original Approval Period, under the Executive Director's delegated authority, for two (2) additional three (3) month period(s) which shall be granted if the Seller determines that the Purchaser is diligently and in good faith pursuing all Approvals.

Closing shall occur no later than ninety (90) days after satisfaction of all conditions precedent to closing, including but not limited to: i) confirmation by both Parties that all conditions precedent to closing have been satisfied; ii) approval of the Purchaser as redeveloper of the property by the NJEDA Board; iii) Purchaser's completion of Due Diligence (except with respect to the Environmental Carve-Out Parcels); iv) the receipt of all Approvals within the timeframes set forth in the PSARA; v) JCP&L shall have fulfilled its obligations under its agreement with FMERA with respect to the delivery of the substation and distribution lines to the Property intended to service the Project with a minimum of 10MV of power; vi) a written agreement with JCP&L, acceptable to JCP&L and the Purchaser, for up to an additional 33 MV of power; vii) Seller having performed all covenants, agreements and conditions required by the Agreement; viii) Seller shall have satisfied all conditions relating to the conveyance of fee simple marketable title insurable at regular rates (except with respect to the Environmental Carve-Out Parcels); and ix) Seller shall have approved and delivered a Reuse Plan Amendment for the Property. In the event that JCP&L cannot accommodate the required electric loads for the Project and/or fails to consummate an agreement with Purchaser to provide the required power despite diligent, good faith efforts by the Purchaser in accordance with the timelines set forth in Section 47(q) of the PSARA, Purchaser shall have the right to terminate this agreement and receive a refund of its full Deposit regardless of whether or not the Due Diligence and Approval Period(s) have expired.

The Project shall consist of a sustainable and integrated film studio campus which shall be completed in Phases. Phase 1 shall include the construction of twelve (12) soundstages that will range in size from 15,000 square feet to 40,000 square feet each with a maximum interior clear height of 50 feet and a maximum exterior height of 70 feet (the soundstages shall have, in the aggregate, a minimum buildout of 180,000 square feet and a maximum

buildout of 480,000 square feet), including associated improvements and uses customary and incidental to the principal film use. The Phase 1 improvements may additionally include, but are not limited to, mill space, production support buildings, office buildings, production services buildings, commissary/cafeteria, basecamp with trailer parking, a helipad, designated space for large temporary or permanent exterior sets (i.e. backlots), swim tank(s) for film production, ancillary surface and/or structured parking, consumer experience centers and/or attractions, retail components (including food and beverage facilities), a theater, a visitor center and/or a hotel, wind or small solar systems, and rooftop solar. As part of Phase 1, Purchaser may renovate and/or reuse one or more existing buildings located on the Property for its proposed use, which may include the FMERA offices (Building 502), Mallette Hall (Buildings 1206-1207), McAfee Building (Building 600) and Expo Theater (Building 1215).

Phase 2 of the Project shall consist of the development of additional production support space for the film studio campus, such as basecamps and backlots. The Phase 2 improvements may additionally include, but are not limited to, sound stages, mill space, production support buildings, office buildings, production services buildings, commissary/cafeteria, swim tank(s) for film production, ancillary surface and/or structured parking, consumer experience centers and/or attractions, retail components (including food and beverage facilities), a theater, a visitor center and/or a hotel, wind or small solar systems, and rooftop solar. Purchaser may renovate and/or reuse one or more existing buildings located on the Property for its proposed use, which may include Vail Hall Buildings (Buildings 1150-1152), Artist Barracks (Buildings 1102-1107), as well as Buildings 276, 277, 279, 280, 281 and 482 in the 400 Area, which shall at minimum cover at least fifty-one (51%) percent of the Developable Acreage within the Phase 2 area of the Project.

Additionally, within two (2) years of Closing and as part of the Project, the Purchaser shall be obligated to: (a) as part of both Phase 1 and Phase 2, , demolish all existing buildings on the Property it has not identified for reuse, provided that for buildings located on Environmental Carve-Out Parcels, the date shall be two (2) years from the subsequent closing for the relevant Environmental Carve-Out Parcel; (b) as part of Phase 1, preserve Greely Field and Cowan Park as deed-restricted publicly accessible open space at the Initial Closing, preserve, repair, and maintain the World War II memorial located in Greely Field and the flagpole & plaque located in Cowan Park, which shall not be disturbed, (c) as part of Phase 1 and Phase 2, construct/improve the trail system applicable to each such Phase, and (d) as part of Phase 1 and Phase 2, construct/improve the sidewalk applicable to each such Phase.

Purchaser shall Complete Construction of Phase 1 of the Project no later than forty-eight (48) months from the date of the Initial Closing. Seller may extend the date for Completion of Construction of Phase 1 for two (2) additional periods of six (6) months each, under the Executive Director's delegated authority, provided Purchaser is diligently and in good faith pursuing the Completion of Construction of Phase 1. Purchaser shall Complete Construction of Phase 2 of the Project no later than eighty-four (84) months from date of the Initial Closing. Seller may extend the date for Completion of Construction of Phase 2 for two (2) additional periods of six (6) months each under the Executive Director's delegated authority, provided Purchaser is diligently and in good faith pursuing the Completion of Construction of Phase 2.

As described in the PSARA, the total New Jersey employment attributable to Purchaser's construction investment at the Project will reach a maximum of Three Thousand Five Hundred and Twenty-Eight (3,528) full-time equivalent jobs. Purchaser represents that thereafter, the total New Jersey employment attributable to Purchaser's production investment at the Property will be a total of One Thousand Four Hundred and Seven (1,407) jobs within twenty-four (24) months of the issuance of the Certificate of Completion of Phase 1 of the Project and an additional total of One Hundred and Twenty-Eight (128) jobs within twelve (12) months of the issuance of the Certificate of Completion of Phase 2 of the Project. Purchaser shall pay a penalty of \$1,500 for each job not created within the timelines set forth in the PSARA.

First Amendment to the PSARA

On April 25, 2023, during Purchaser's First Due Diligence Extension Period, Purchaser sent a letter citing the complex nature of the Property and requesting: 1) permission to exercise the second thirty (30) day Due Diligence Extension Period until June 14, 2023 (the "Second Due Diligence Extension Period"); 2) an additional forty-five (45) day extension of the Due Diligence Period from June 14, 2023 until July 31, 2023 (the "Third Due Diligence Extension Period"), and 3) a further forty-five (45) day extension of the Due Diligence Period from July 31, 2023 until September 14, 2023 (the "Fourth Due Diligence Extension Period") under the Executive Director's delegated authority. FMERA granted the request for the Second Due Diligence Period Extension on April 28, 2023 and the FMERA Board approved the request for a Third and Fourth Due Diligence Extension Period on May 17, 2023. The First Amendment was executed on June 6, 2023.

Second Amendment to the PSARA

On August 28, 2023, Purchaser contacted FMERA to discuss its on-going negotiations with Monmouth County regarding the vacation of Wilson Avenue and the conveyance of Malterer Avenue ("Wilson Avenue Agreement"), as further described in Section 47(p)(ii) of the PSARA. While Purchaser had been making good faith efforts to finalize the terms of the Wilson Avenue Agreement, Purchaser indicated that it did not anticipate finalizing the agreement prior to the expiration of the Fourth Due Diligence Extension Period, set to expire on September 14, 2023. As Purchaser had further developed its concept plan in preparation for the adoption of Reuse Plan Amendment #20, the vacation of Wilson Avenue became a critical component of studio operations and for maximizing the site's highest and best use for the Project. As such, Purchaser requested and the FMERA Board approved the Second Amendment to the PSARA, executed on October 11, 2023, extending Purchaser's right to terminate the Agreement and receive a refund of the Second Deposit should the Parties be unable to mutually agree upon the terms of the Wilson Avenue Agreement prior to the first day of the Approval Period subject to those terms expressly set forth therein.

Third Amendment to the PSARA

On January 24, 2024, Purchaser contacted FMERA to discuss its desire to amend a) the PSARA's description of the Project and its respective Phases to further delineate the Project into phases Phase 1(a), Phase 1(b), and Phase 2 and b) provide clarification on the configuration of soundstages to be in better alignment with industry standards. The further delineation of the Phases is intended to provide an opportunity to expedite the development of portions of the Project and shall in no way delay or extend the timelines otherwise described therein. Purchaser further detailed that soundstages may be constructed as "single" (one soundstage in a single structure) or "twin" (two stages in a single structure) stages and wished to confirm and clarify that a "Twin Soundstage," as described in the attached amendment, shall constitute two (2) soundstages for the purposes of fulfilling its obligation to construct twelve (12) soundstages in Phase 1 of the Project. The square footage of the soundstages has been adjusted to provide for the buildout of Twin Soundstages, which may require additional square footage to join the soundstages.

Additionally, Purchaser indicated that while it has continued to make good faith efforts to finalize the terms of the Wilson Avenue Agreement ("Agreement") for the vacation of Wilson Avenue and the conveyance of Malterer Avenue, the nature and timing of the required public hearings and comment periods has prevented the timely finalization of said Agreement and requests an extension until May 31, 2024 to retain its termination rights and finalize the Agreement, as the roadway is now a critical component of the redevelopment plan. The first County hearing on the matter occurred on February 8, 2024.

As Purchaser has been progressing in good faith and is finalizing its site plans for the Project, staff recommends approval of the Third Amendment which shall a) amend the Project Phases to reflect Phase 1(a), Phase 1(b) and Phase 2, b) provide a definition of a "Twin Soundstage" and c) make the Second Deposit refundable should Purchaser not have executed the Wilson Avenue Agreement, in a form and substance reasonably acceptable to Purchaser, by May 31, 2024 as more particularly described therein.

The attached Third Amendment to the PSARA between FMERA and Netflix is in substantially final form. The final terms of the Third Amendment to the PSARA are subject to the approval of FMERA's 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 that the Board approve the execution of the Third Amendment to the Purchase and Sale & Redevelopment Agreement with Netflix, Inc. for the Mega Parcel in Eatontown and Oceanport.


Kara Kopach

Attachments: Third Amendment to the PSARA
Prepared by: Sarah Giberson

Draft

Resolution Regarding
Approval of Plan Amendment #20 Permitting an Alternative Development Scenario with respect to the
Mega Parcel and the Affordable Housing Parcels in Eatontown and 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 N.J.A.C. 19:31C-3.27, authorize FMERA to amend the Reuse 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 proposed Plan Amendment #20 envisions the +/-292 acres of the Plan Area known as the Mega Parcel for redevelopment as a state-of-the-art Motion Picture, Television and Broadcast Studio campus including the creation of innovative and efficient film space which will support the needs of the arts and entertainment community and create new economic growth for the Borough(s) of Eatontown and Oceanport and surrounding communities; and

WHEREAS, the remaining +/-36 acres of land as depicted in the Plan Amendment are the Eatontown Housing Parcel, Supportive Housing Parcel, and the Monmouth County Emergency Homeless Shelter Parcel, which shall provide affordable housing opportunities for the Borough(s) of Eatontown and Oceanport on non-contiguous parcels of land that will offset the commercial buildout envisioned for the Mega Parcel; and

WHEREAS, in accordance with the FMERA Act and the Land Use Rules, the Board approved transmitting the proposed Reuse Plan Amendment #20 to the host municipalities at its October 25, 2023 meeting; and

WHEREAS, the 45-day comment period commenced on November 6, 2023; and

WHEREAS, the comment period expired on December 20, 2023, and correspondence was received from Eatontown, Oceanport and Tinton Falls; and

WHEREAS, FMERA staff reviewed the correspondences and provided responses and modified Plan Amendment #20 accordingly; and

WHEREAS, the Real Estate Committee has reviewed the request and recommends adoption of Plan Amendment #20 to the Board.

THEREFORE, BE IT RESOLVED THAT:

1. The Authority adopts the responses contained in the attached memorandum, to the comments from the Boroughs of Eatontown and Oceanport, Tinton Falls.

2. As expressed in the attached memorandum, the Authority approves Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development scenario to the Mega Parcel in Eatontown and Oceanport.

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: February 21, 2024

EXHIBIT 4

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Recommendation to Approve Proposed Plan Amendment #20 Permitting an Alternative Development Scenario with respect to the Plan Area, inclusive of the Mega Parcel and the Affordable Housing Parcels in Eatontown and Oceanport

DATE: February 21, 2024

Request

I am requesting that the Board approve proposed Plan Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan ("Reuse Plan") that would permit an alternative development scenario for the Plan Area, inclusive of the Mega Parcel and the Affordable Housing Parcels in Eatontown and 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 those 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.

The Development

Plan Amendment #20 ("Plan Amendment") is prompted by the unique opportunity to allow the creation of a state-of-the-art Motion Picture, Television and Broadcast Studio campus while continuing the vision for the former Fort Monmouth property of a live-work-leisure development with a mix of uses. In so doing, the Authority has proposed changes for the Fort area as well as considered the specific impact to residential uses in the Boroughs of Eatontown and Oceanport. To address the impact, this Plan Amendment permits the alternative development scenario of the Motion Picture, Television and Broadcast Studio campus while preserving the original development scenario. Such development encompasses not only residential uses under the original development scenario at the Mega Parcel but also residential uses elsewhere on the former Fort Monmouth in the Boroughs of Eatontown and Oceanport. Accordingly, to address a more comprehensive view of potential residential development, this Plan Amendment provides for affordable housing to satisfy the reservation of residential units for low- and moderate-income households as required by the New Jersey Fair Housing Act, N.J.S.A. 52:27D-329.9(a). This Plan Amendment permits the construction of affordable housing on its own or in the event the Motion Picture, Television and Broadcast Studio is not built as permitted herein, as part of a larger residential development at the Mega Parcel or elsewhere on the former Fort Monmouth areas in the two Boroughs.

The Plan Area

FMERA intends to amend the Fort Monmouth Reuse and Redevelopment Plan ("Reuse Plan") to provide the option for an alternative development scenario for the several land parcels (the "Plan Area") comprising +/-328 acres of land on the former Fort Monmouth property in the Borough(s) of Eatontown and Oceanport, New Jersey ("Eatontown/Oceanport Reuse Area"). This Plan Amendment contemplates that the +/- 292 acres of the Plan Area known as the "Mega Parcel" and identified on in the Plan Amendment as Development Zones 1-9 is proposed for redevelopment as a state-of-the-art Motion Picture, Television and Broadcast Studio campus including the creation of innovative and efficient film space which will support the needs of the arts and entertainment community and create new economic growth for the Borough(s) of Eatontown and Oceanport and surrounding communities. The remaining +/-36 acres of land as depicted in the Plan Amendment are the Eatontown Housing Parcel, identified as Development Zone 10, Supportive Housing Parcel identified as Development Zone 11, and the Monmouth County Emergency Homeless Shelter Parcel identified as Development Zone 12 (collectively the "Affordable Housing Parcels"), which shall provide affordable housing opportunities for the Borough(s) of Eatontown and Oceanport on non-contiguous parcels of land that will offset the commercial buildout envisioned for the Mega Parcel.

The Plan Area contains several tracts of land, which are located in the Borough(s) of Eatontown and Oceanport on Fort Monmouth's Main Post. The Mega Parcel contains several contiguous and noncontiguous parcels and is positioned between Route 35 to the west; North Jersey Coastline Railroad to the east; Sherrill Avenue and Parkers Creek to the North; a JCP&L right of way, and Nicodemus Avenue and Riverside Avenue to the South. It is intersected by Oceanport Avenue toward the eastern portion of the property, Avenue of Memories toward the southern portion of the property and a number of smaller cross streets. The Eatontown Housing Parcel, located in Eatontown along Oceanport Way is bordered by the Federal Credit Union property to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Health Clinic Parcel to the south. The Monmouth County Emergency Homeless Shelter Parcel, located in Oceanport, along Oceanport Way is bordered by the Warehouse parcel to the west and open space to the northeast and northwest. The Supportive Housing Parcel, located in Oceanport along Oceanport Way is bordered by the Patterson Army Health Clinic to the west, the Commissary to the north and the Cell Tower parcel to the east. The portion of the Plan Area serving as the Mega Parcel is further delineated as Development Zones 1 through 9; the Affordable Housing Parcels are delineated as Development Zones 10 through 12.

Development Contemplated under the Reuse Plan

Development Zone 1 – Whale Parcel

The Reuse Plan calls for the westernmost ±50 acres of the Property (i.e. closest to State Highway 35) to be developed as a lifestyle/mixed-use center. The Reuse Plan envisions that the center would include 150,000 square feet of retail, restaurants, entertainment venues, residences, and other uses in a “lifestyle & Main Street format” which would create a vibrant pedestrian environment. The Reuse Plan envisions the redevelopment of the remaining ±67 acres of land for R&D and tech campus, auditorium, theater, ball fields, and recreational areas. Further, the Reuse Plan contemplates the adaptive reuse of the 57,386 square foot Mallette Hall (Building 1207) with its auditorium and outdoor amphitheater for the future municipal complex for the Borough of Eatontown. Eatontown has advised FMERA that Mallette Hall is larger than needed for a municipal complex. Additionally, Expo Theater is recommended to be used by a not-for-profit theater or arts group. The Whale Parcel falls within the Eatontown Route 35 Lifestyle Tech Center district under the Land Use Rules.

Development Zone 2 – Vail Parcel and Parcel 2

The Reuse Plan calls for the reuse of Vail Hall (Building 1150) and the Annex (Building 1152) for communication related uses. The Reuse Plan contemplates the redevelopment of Parcel 2 as a green open space. The Land Use Rules places the Vail Hall Parcel & Parcel 2 in the State Highway 35 Lifestyle Tech Center District.

Development Zone 3 – Tech A Parcel & Barracks Parcel

Except for Building 699, which may be adaptively reuse or demolished, the Reuse Plan calls for the demolition of all the buildings in the parcel and contemplates the redevelopment of the parcel as a green open space. Per Amendment #9, the Barracks buildings may be adaptively reused or demolished. The western section of the parcel is located in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and the eastern section of the parcel is located in the Oceanport Green Tech Campus section.

Development Zone 4 – Bowling Center Parcel

The Reuse Plan calls for Building 689 to be redeveloped to remain as a commercially operated bowling alley and Building 682 to be demolished. The Land Use Rules places the majority of the Bowling Center Parcel in the Route 35 Lifestyle/Tech Center District. A small portion of the Bowling Center Parcel located to the northeast and adjacent to the McAfee Parcel remains within the Oceanport Green Tech Campus development district. The Land Use Rules places the Bowling Center Parcel in the State Highway 35 Lifestyle/Tech Center District.

Development Zone 5 – Tech B Parcel

The Reuse Plan contemplates the redevelopment of the majority of the parcel as landscaped open space and calls for repurposing of Lane Hall (Building 702) into a community center. The western section of the parcel falls within the Eatontown Route 35 Lifestyle/Tech Center section of the Fort, and the eastern portion of the parcel falls within the Oceanport Green Tech Campus/Oceanport Education/Mixed-Use Neighborhood section of the Fort.

Development Zone 6 – The 400 Area

The Reuse Plan contemplates the redevelopment of the 400-area parcel as the Oceanport Village Center, including a mix of uses such as residential, retail, and other commercial uses and amenities that will create a community hub for Oceanport. The 400 Area property is included within a portion of Horseneck Center development district in the Land Use Rules.

Development Zone 7 – McAfee Parcel

The Reuse Plan contemplates redevelopment of the McAfee parcel as a center for tech related uses. The Reuse Plan envisions the adaptive reuse of McAfee Building, Building 601 and Building 602 into R&D uses. The Reuse Plan also contemplates the demolition of all other buildings that are on the parcel. Under the Land Use Rules, a portion of the parcel is in the Eatontown Route 35 Lifestyle Tech Center district and a portion is in the Oceanport Green Tech District.

Development Zone 8 – Greely Field

The Reuse Plan envisions Greely Field to be preserved as open space. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Greely Field as an area to be listed in the National Historic Register List.

Development Zone 9 – Cowan Park

The Reuse Plan envisions Cowan Park to be preserved as open space. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Cowan Park as an area to be listed in the National Historic Register List.

Development Zone 10 – Eatontown Housing Parcel

The Reuse Plan contemplates part of the parcel to be developed as an active recreation area with amenities such as ballfields with green areas on the northern section of the parcel. The western section of the parcel is in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and the eastern section is in the Oceanport Education/Mixed-Use Neighborhood section.

Development Zone 11 – Supportive Housing Parcel

The Reuse Plan contemplates the Supportive Housing parcel to be developed for low density residential use. This parcel is located in the Oceanport Education / Mixed-Use Neighborhood Development District in the Land Use Rules.

Development Zone 12 – Monmouth County Emergency Homeless Shelter Parcel

The Reuse Plan contemplates the intended use of this parcel is for low-density residential development. The property is located within a portion of the Oceanport Education / Mixed-Use Neighborhood Development District in the Land Use Rules. Per Amendment #6, this parcel was to be reused as a permanent location for the Monmouth County emergency homeless shelter.

The Proposed Reuse Plan Amendment

The Mega Parcel is hereby divided into the following Development Zones:

- Development Zone 1 Whale Parcel
- Development Zone 2 Vail Hall Parcel and Parcel 2
- Development Zone 3 Tech A Parcel & Barracks Parcel
- Development Zone 4 Bowling Center Parcel
- Development Zone 5 Tech B Parcel
- Development Zone 6 400 Area Parcel
- Development Zone 7 McAfee Parcel
- Development Zone 8 Greely Parcel
- Development Zone 9 Cowan Parcel

The Affordable Housing Parcels are hereby divided into the following Development Zones:

- Development Zone 10 Eatontown Housing Parcel
- Development Zone 11 Supportive Housing Parcel
- Development Zone 12 Monmouth County Emergency Homeless Shelter Parcel

The attached proposed Plan Amendment #20 prepared by FMERA staff, and Elizabeth Leheny, AICP, PP / Principal and Paul Phillips, AICP, PP of Phillips Preiss Grygiel Leheny Hughes, LLC (“PPGLH”) would permit the principal uses of:

- Motion Picture, Television and Broadcast Studios;
- Hotel;
- Retail, Sales and Service;
- Residential.

The Mega Parcel

This Plan Amendment not only envisions a state-of-the-art Motion Picture, Television and Broadcast Studio campus, but also envisions the potential for the inclusion of public facing retail establishments, consumer-facing studio experiences, and hotels fronting on Route 35 and Oceanport Avenue. As there are already several commercial establishments located along Route 35, the retail and hotel establishments envisioned in the Plan Amendment would also be compatible with the surrounding land uses.

Under this proposed Plan Amendment, most buildings are slated for demolition, however, several buildings have been identified for potential adaptive reuse. All buildings proposed for reuse have been identified on a zone-by-zone basis. Those not identified, are otherwise intended for demolition. A comprehensive **Building List** for the Mega Parcel is captured in **Exhibit D**.

As the development of a Motion Picture, Television and Broadcast Studio campus was not contemplated under the Reuse Plan, proposed Plan Amendment #20 seeks to add additional definitions that best describe the structures and uses commonly associated with production activities on a studio campus, as well as those ancillary to the Motion Picture, Television and Broadcast Studio use. Additional defined terms may be reviewed in **Section III, Definitions** of proposed Plan Amendment #20.

As set forth under proposed Plan Amendment #20, the **Development Zone Tables 1-47** and associated **Development Zone Figures** found within **Section III, Use and Bulk Standards – Mega Parcel** regulate the permitted principal and accessory uses, structures and bulk standards for each of the Mega Parcel Development Zones. The requirements in these sections are mandatory. Included within these tables are the following requirements, which have been established on a zone-by-zone basis:

- Minimum Required Setbacks;
- Maximum Floor Area Ratio;
- Maximum Lot Coverage;
- Maximum Permitted Height by Structure or Use or Outdoor Spaces;
- Maximum Permitted Heights by Height District;
- Additional regulations, as applicable.

The following requirements and Design Standards are also set-forth within proposed Plan Amendment #20 and are applicable to Development Zones 1-9:

- Minimum Required Parking;
- Access Driveway Widths within Parking Areas;
- Minimum Requires Loading Spaces;
- Landscaping Design Standards;
- Lighting Design Standards;
- Perimeter Security Wall Requirements;
- Fencing Design Standards;
- Signage Requirements & Definitions;
- Additional Regulations, as applicable.

A 12-foot wide publicly accessible trail system is also required and shall be maintained, improved, and extended within the boundaries of the Mega Parcel, except when the trail system connects to sidewalks adjacent to roadways where construction of a 12-foot trail is not possible due to other site constraints.

The Affordable Housing Parcel

As the alternative development scenario described within proposed Plan Amendment #20 anticipates the Mega Parcel to be developed as a Motion Picture, Television and Broadcast Studio; land that the Reuse Plan intended to be developed for residential units, including the required 20 percent set aside of affordable housing units per N.J.S.A. 52:27D-329.9 and as incorporated into the Reuse Plan as amended, is no longer available for residential development. As required in the March 8, 2022 Request for Offers to Purchase, proposed Plan Amendment #20, identifies alternative locations and future requirements for residential units, including the location of any homeless service provider facility since the Mega Parcel shall be developed as a wholly commercial project. As such, this Plan Amendment identifies Development Zones 11 and 12 for the construction of 25 and 24 units, respectively, of affordable housing in Oceanport. Development Zone 11 is identified for supportive or SRO units as required by FMERA's legally binding agreement approved by the U.S. Department of Housing and Urban Development. This Plan Amendment also identifies Development Zone 10 for the construction of 62 affordable housing units in Eatontown.

As set forth under proposed Plan Amendment #20, the **Development Zone Tables 48-51** found within **Section III, Use and Bulk Standards – Affordable Housing Parcel** regulate the permitted principal and accessory uses, and bulk standards for each of the **Affordable Housing Development Zones**. The requirements in these sections are mandatory. Included within these tables are the following requirements, which have been established on a zone-by-zone basis:

- Maximum Number of Units
- Bedroom Counts
- Maximum Density
- Additional Regulations, as applicable.

In accordance with the Act and the Land Use Rules, on October 25, 2023, the FMERA Board approved the transmittal of proposed Plan Amendment #20 to the governing body of each municipality for a 45-day comment period. The municipalities received Plan Amendment #20 on November 6, 2023, upon expiration of the Governor's 10-day veto period; the comment period ended on December 20, 2024. The correspondences received from Oceanport, Eatontown and Tinton Falls are attached as **Exhibit A**.

The letter from the Tinton Falls Deputy Council President states that the Borough Council reviewed the Plan Amendment and have no comments.

The Authority received a formal correspondence from the Borough of Eatontown on December 20, 2023. The correspondence states that Plan Amendment #20 solicited comments from the Borough Planner, Borough Engineer, and Planning Board. The correspondence also includes a report prepared by the Borough Planner Jennifer C. Beahm, P.P., AICP from Leon S. Avakian, Inc. dated December 19, 2023, and a report from the Borough Engineer Edward Herrman, P.E., P.P., C.M.E., C.F.M., from T&M Associates dated December 18, 2023, also attached as **Exhibit A**.

The Authority received a formal resolution from the Borough of Oceanport on December 19, 2023. The correspondence states that Plan Amendment #20 solicited comments from the Borough Planner, Borough Engineer, Planning Board, Police Department, First Aid, Fire Department and Office of Emergency Management and others. The correspondence also includes a report prepared by Borough's Planner Kendra Lelie, PP, AICP, LLA from Kyle + McManus Associates, a report from the Borough's Planning Board, a letter from the Oceanport Mayor and a letter from an Oceanport resident submitted by the Borough as part of Borough's formal response, also attached as **Exhibit A**.

Per FMERA's Land Use Rules, Authority staff must review reports from each municipality and provide a preliminary analysis of reasons for accepting or not accepting recommendations received from host municipalities. FMERA, in conjunction with PPGLH, has responded to all of these public comments in the attached report ("**Exhibit B**").

Based on this report and in response to the Boroughs of Eatontown and Oceanport's feedback, Plan Amendment #20 was modified as follows:

- The maximum height of Hotels has been reduced from 84 feet to the lesser of 72 feet or six (6) stories.
- The bulk standards for Development Zone 6 – 400 Area have been modified as follows:
 - The no-build setback along Riverside Avenue and the North Jersey Coastline Railroad has been increased from 25-feet to 150-feet. If Hazen Drive in Development Zone 6 is dedicated as a public right-of-way, then the portions of Hazen Drive outside of the 150-foot buffer will be subject to a 25-foot no build setback on either side of Hazen Drive.
 - The maximum permitted height of buildings and structures in Development Zone 6 has been reduced from 85 feet to 72 feet. However, the maximum permitted height in Development Zone 6 will remain at 85 feet to accommodate Backlots. For elimination of doubt, buildings not impacted by this change will remain capped by their maximum permitted heights in Tables 1-4.

- Landscaping Design Standards have been modified as follows:
 - In the event Building 1152 (Vail Hall Annex) within Development Zone 2 is demolished, additional buffers including landscaping shall be installed to provide an additional buffer between Rose Court (Eatontown) and Development Zone 2. Additional buffering may include a concealing fence constructed of a long-lasting and attractive material and landscaped green walls.
 - Additional landscaping shall be required in Development Zone 6 along Riverside Drive and along the North Jersey Coastline Railroad to buffer residential areas. Landscaping shall include varied, native species of evergreen trees that shall be approximately 10-12 feet at planting with a projected mature height of 18 feet or higher.
- Regarding Signage, the chart on Restrictions by Sign Type has been modified to create additional restrictions as follows:
 - A Digital Monument Display Sign (one permitted on Development Zone 1 of the Mega Parcel) shall not be placed within 250-feet of Avenue of Memories and facing the northern boundary line of Development Zone 2. Further, the sign shall not be permitted to be placed east of Building 1150 (Vail Hall) along Avenue of Memories.
 - Digital Display Signs shall not be placed within 250-feet of Avenue of Memories and facing the northern boundary of Development Zone 2.

Additionally, the following non-substantive edits have been made for clarification:

- The definition of “Sign, Studio Wall” has been clarified to reiterate that Studio Wall signs may not be used for advertising/promotional purposes unless the advertising/promotional content is related to productions, events, or other content involving the Motion Picture, Television and Broadcast Studio use.
- The Signage Regulations have been clarified to confirm that all references to Wall Signs, Monument Signs, Roof Signs, and Window Signs are intended to mean Studio Wall Signs, Studio Monument Signs, Studio Roof Signs, and Studio Window Signs, as defined therein.
- The Development Zones summary list on page 7 improperly identified Development Zone 11 as Monmouth County Emergency Homeless Shelter Parcel and Development Zone 12 as Supportive Housing Parcel. This section has been updated to reflect Development Zone 11 as Supportive Housing Parcel and Development Zone 12 as Monmouth County Emergency Homeless Shelter Parcel.
- Section Lighting 7(c), has be revised to remove the reference to Section M(4) and revised to reference Section Lighting 4.

Lastly and for elimination of doubt, unless otherwise modified under Plan Amendment #20, FMERA’s Land Use Rules contained in N.J.A.C. 19:31C-3.1 et seq shall apply.

Staff has reviewed the Plan 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 Plan Amendment advances the affordable housing goals set forth under the Reuse Plan, providing for the development of affordable housing in accordance with the 20 percent set-aside of the total targeted residential yield for each of the municipalities, even though no market rate units are being constructed under the proposed development scenario. These affordable housing units could be counted towards the affordable housing obligations of the host municipalities which are consistent with the goal and uses contemplated in the Reuse Plan and will not negatively impact the Authority’s obligations pursuant to the Fair Housing Act of 1985.
- 2) This Plan Amendment would not adversely impact any other areas of Fort Monmouth, but rather is anticipated to positively influence market conditions and stimulate both direct and indirect job growth that will cause the local economy to thrive. The planned commercial development will complement the existing, diverse businesses and amenities and the residential development will seamlessly integrate with adjacent neighborhoods and complement nearby uses.
- 3) While this Plan Amendment proposes to include new uses and relocate several targeted uses including but not limited to, retail, hotel, residential, and open space, this Plan 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. This Plan Amendment will not preclude the incorporation of any of the objectives and principles outlined in the Reuse Plan.

- 4) This Plan Amendment is consistent with the Authority's BRAC obligations and the existing Phase 1 & 2 Economic Development Conveyance ("EDC") agreement with the Army and will continue to achieve a diverse mix of uses as envisioned in the Reuse Plan approved as part of the BRAC process.
- 5) While this Plan Amendment contemplates an increase in square footage, no adverse effects are anticipated for the Fort's infrastructure due to on-going infrastructure improvements that are aimed at efficiency, reliability, and resiliency. Therefore, the current infrastructure is capable of supporting large-scale redevelopment envisioned under this Plan Amendment.

Further, this Amendment supports the goals of the Reuse Plan, as well as the strategic priorities outlined in the Governor's economic plan titled "The State of Innovation: Building A Stronger and Fairer Economy in New Jersey" (Governor's Plan). By supporting the film and digital media sector, the Fort will be positioned to serve as a regional hub for a dynamic industry that will further attract other business within and around the Fort Monmouth area, furthering Fort Monmouth's growth as a live-work-leisure campus with a diverse mix of commercial and residential uses.

Attached is Reuse Plan Amendment #20 which is in substantially final form. The final terms of Reuse Plan Amendment #20 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 that the Board approve the proposed Plan Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan that would permit an alternative development for the Plan Area, inclusive of the Mega Parcel and the Affordable Housing Parcels in Eatontown and Oceanport.


Kara Kopach

Attachment: Proposed Reuse Plan Amendment #20
Exhibit A – Resolutions & Comments Correspondence Submitted by the Boroughs of Eatontown & Oceanport
Exhibit B – Response to Comments Submitted on Plan Amendment #20
Prepared by: Sarah Giberson & Regina McGrade

**Amendment #20
to the
Fort Monmouth Reuse and Redevelopment Plan**

February 2024

Mega Parcel and Affordable Housing Locations

Draft

Fort Monmouth Economic Revitalization Authority



Amendment #20 to the
Fort Monmouth Reuse and Redevelopment Plan

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 2017
- 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
- Amendment #18:** Nurses Quarter in Oceanport, adopted July 2022
- Amendment #19:** Howard Commons Parcel in Eatontown, adopted September 2022

ACKNOWLEDGEMENTS

Fort Monmouth Economic Revitalization Authority (FMERA) Board

McKenzie Wilson – Chairwoman & Public Member

Stephen Gallo – Public Member

Thomas Arnone – Monmouth County Commissioner Director

Anthony Talerico, Jr. – Mayor of Eatontown

Thomas Tvrdik – Mayor of Oceanport

Vito Perillo – Mayor of Tinton Falls

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

Aaron Creuz – Governor's Representative

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Jacquelyn A. Suárez – Acting Commissioner, New Jersey Department of Community Affairs

Lillian Burry – Former Monmouth County Board of County Commissioner

Jay Coffey – Former Mayor of Oceanport

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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. Following the adoption of the *Reuse Plan*, the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”) has continuously assessed market conditions and employed the best possible redevelopment strategies to achieve its economic development goals as outlined in the *Reuse Plan*. To this end, the *Reuse Plan*, has been amended 19 times since its first adoption to address the changing development climate.

Pursuant to P.L.2010, c. 10 (N.J.S.A. 52:271-18 et. seq.), FMERA is considering amending the *Fort Monmouth Reuse and Redevelopment Plan* (the “*Reuse Plan*” and “Plan”) to provide the option for an alternative development scenario for the several land parcels (the “Plan Area”) comprising +/-328 acres of land, as depicted in **Exhibit A** on the former Fort Monmouth property in the Borough(s) of Eatontown and Oceanport, New Jersey (“Eatontown/Oceanport Reuse Area”). Plan Amendment #20 (“Plan Amendment”) contemplates that the +/-292 acres of the Plan Area known as the “Mega Parcel” and identified on **Exhibit B** as Development Zones 1-9 is proposed for redevelopment as a state-of-the-art Motion Picture, Television and Broadcast Studio campus including the creation of innovative and efficient film space which will support the needs of the arts and entertainment community and create new economic growth for the Borough(s) of Eatontown and Oceanport and surrounding communities. The remaining +/-36 acres of land as depicted in as **Exhibit B** are the Eatontown Housing Parcel, identified as Development Zone 10, Supportive Housing Parcel identified as Development Zone 11, and the Monmouth County Emergency Homeless Shelter Parcel identified as Development Zone 12 (collectively the “Affordable Housing Parcels”), shall provide affordable housing opportunities for the Borough(s) of Eatontown and Oceanport on non-contiguous parcels of land that will offset the commercial buildout envisioned for the Mega Parcel.

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 the former Fort Monmouth property. This amendment furthers the goals of the *Reuse Plan*, as well as the strategic priorities outlined in the Governor’s economic plan titled “The State of Innovation: Building A Stronger and Fairer Economy in New Jersey”, which includes, but is not limited to, life sciences, information and high tech, clean energy, food and beverage, and film and digital media uses. By supporting the film and digital media sector, the Fort will be positioned to serve as a regional hub for a dynamic industry that will further attract other business within and around the Fort Monmouth area.

FMERA envisions that the proposed Plan Amendment will provide the desired flexibilities in the current economic climate and serve as a critical component of the Fort’s redevelopment efforts, supporting a large-scale redevelopment project that will have a substantial economic benefit to the region and the State of New Jersey as well as improving affordable housing opportunities in the Fort area.

The Development

This Plan Amendment is prompted by the unique opportunity to allow the creation of a state-of-the-art Motion Picture, Television and Broadcast Studio campus while continuing the vision for the former Fort Monmouth property of a live-work leisure development with a mix of uses. In so doing, the Authority has proposed changes for the Fort area as well as considered the specific impact to residential uses in the Boroughs of Eatontown and Oceanport. To address the impact, this Plan Amendment permits the alternative development scenario of the Motion Picture, Television and Broadcast Studio campus while preserving the original

development scenario. Such development encompasses not only residential uses under the original development scenario at the Mega Parcel but also residential uses elsewhere on the former Fort Monmouth in the Boroughs of Eatontown and Oceanport (see **Exhibits A & B**). Accordingly, to address a more comprehensive view of potential residential development, this Plan Amendment provides for affordable housing to satisfy the reservation of residential units for low- and moderate-income households as required by the New Jersey Fair Housing Act, N.J.S.A. 52:27D-329.9(a). Thus, as set forth in more detail in Section III, this Plan Amendment permits the construction of affordable housing on its own or in the event the Motion picture, Television and Broadcast studio is not built as permitted herein as part of a larger residential development at the Mega Parcel or elsewhere on the former Fort Monmouth areas in the two Boroughs.

Proposed Amendment

The proposed amendment creates an alternative development scenario for several land parcels (“the Plan Area”) comprising +/-328 acres of land, as depicted in **Exhibit A**. The Plan Area contains several tracts of land, which are located in the Borough(s) of Eatontown and Oceanport on Fort Monmouth’s Main Post. The Mega Parcel contains several contiguous and noncontiguous parcels and is positioned between Route 35 to the west; North Jersey Coastline Railroad to the east; Sherrill Avenue and Parkers Creek to the North; a JCP&L right of way, and Nicodemus Avenue and Riverside Avenue to the South. It is intersected by Oceanport Avenue toward the eastern portion of the property, Avenue of Memories toward the southern portion of the property and a number of smaller cross streets. The Eatontown Housing Parcel, located in Eatontown along Oceanport Way is bordered by the Federal Credit Union property to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Health Clinic Parcel to the south. The Monmouth County Emergency Homeless Shelter Parcel, located in Oceanport, along Oceanport Way is bordered by the Warehouse Parcel to the west and open space to the northeast and northwest. The Supportive Housing Parcel, located in Oceanport along Oceanport Way is bordered by the Patterson Army Health Clinic to the west, the Commissary to the north and the Cell Tower Parcel to the east. The portion of the Plan Area serving as the Mega Parcel is depicted in **Exhibit B** as Development Zones 1 through 9; the portion depicting the Affordable Housing Parcels are depicted in **Exhibit B** as Development Zones 10 through 12.

On the Mega Parcel, this amendment would continue to permit several uses contemplated in the underlying zoning, as well as expand the permitted structures and outdoor space areas to support the development of a state-of-the-art Motion Picture, Television and Broadcast Studio (“Studio”) campus. Structures may include, but not be limited to, Sound Stages, Studio Business & Production Support offices, Mill/Workshop buildings, Warehouses, and Executive Outposts. Permitted outdoor spaces may include Backlots and Basecamps used to support the production activities on the Studio campus. Additional permitted accessory structures, include, but are not limited to, Central Utility Plants, facilities for personal services, and other facilities customary and incidental to the Studio use. This amendment also permits Retail, Sales and Services (defined below) and Hotel uses as principal uses that would be open to the public in close proximity to major roadways such as Route 35 and Oceanport Avenue.

On the Affordable Housing Parcels, this amendment permits 62 affordable dwelling units on the Eatontown Housing Parcel in Development Zone 10; 25 single-room occupancy affordable supportive housing units on the Supportive Housing Parcel in Development Zone 11; and 24 affordable units on the Monmouth County Emergency Homeless Shelter Parcel in Development Zone 12.

This amendment, referred to as “Amendment #20,” 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 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 #20 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 scenarios, 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 #20 is aimed at advancing the planning objectives and principles articulated in the *Reuse Plan* and is necessary to fulfill the Authority’s main objectives, specifically promoting economic development, creating diverse housing opportunities, and improving the quality of lives and public welfare.

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 Eatontown and Oceanport Reuse Areas. 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.

Prior to this proposed amendment, the *Reuse Plan* has been amended nineteen times.

In Oceanport, there have been ten (10) amendments to the *Reuse Plan*. Amendments #2, #4, #6, #7 #11, #13, #14, #15, #16 and #18 created alternative development scenarios for various parcels in 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 Monmouth 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. 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, Amendment #14 permitted the construction of one hundred and forty-four (144) market-rate townhomes and development of at least a ±50-foot-long waterfront esplanade along Parkers Creek including a 12-foot-wide walkway designed in a complimentary, coordinated style to the adjacent Allison Hall riverfront promenade. 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. 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. Amendment #18 permitted the adaptive reuse of the Nurses

Quarters for twenty-four (24) one- and two-bedroom apartments and the construction of ten (10) three-bedroom townhouse units. This proposed *Reuse Plan* amendment, Amendment #20, will provide overlay zoning for the area in Oceanport addressed in Plan Amendment #6 which is within Development Zone 12 in this amendment.

In Eatontown, there have been four (4) amendments to the *Reuse Plan*. Amendments #9, #10, #17 and #19 created alternative development scenarios for various parcels in the Eatontown Reuse Area. Amendment #9, the first amendment to the *Reuse Plan* for the Eatontown Reuse Area, permitted an alternative development scenario for a +/-4.2-acre Barracks Parcel and a +/-7.5-acre parcel located in the eastern section of the Eatontown Redevelopment area. Amendment #9 permitted the reuse of Buildings 1102-1107 for commercial arts-related uses, including studio, performance, and gallery space, as well as up to twelve (12) short-term residential units for artists on a +/-4.2 acres Barracks Parcel. Additionally, Amendment #9 permitted a Department of Public Works (DPW) facility for the Borough of Eatontown, as well as open space around Wampum Brook on a +/-7.5-acre parcel located west of the Barracks site. Amendment #10 permitted the reuse and upgrading of the golf course and its associated facilities and demolition of the swimming pool and the forty-two (42) existing Megill Housing units. Amendment #10 also allowed for the construction of sixty (60) townhouse units on the Megill Housing site and fifteen (15) affordable units in the northeast corner of the property adjacent to Tinton Avenue. Further, Amendment #10 permitted the renovation of Gibbs Hall for a banquet and conference facility including the addition of a new porch to the rear side of the Gibbs Hall building. Amendment #17 permitted a Water Storage Tank, associated facilities, and parking in the eastern section of the Howard Commons area. Plan Amendment #19 continued to permit the construction of two hundred seventy-five (275) Housing Units along Pinebrook Road and allowed a commercial and retail facility of up to 40,000SF, which may include, but is not limited to, a gasoline station, restaurant, office, convenience, and grocery stores fronting on Hope Road and/or Pinebrook Road. This proposed Plan Amendment, Amendment #20, will provide overlay zoning for the area in Eatontown addressed in Plan Amendment #9 which is within Development Zone 3 in this amendment.

The following chapter describes the goals and objectives and scope of the Plan 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 relationship to relevant Municipal, County, and State planning objectives.

Municipal Boundary Change

On July 26, 2023 and August 17, 2023 Eatontown and Oceanport, respectively, adopted ordinances amending the Municipal boundaries on Fort Monmouth, as depicted in **Exhibit C**. Plan Amendment #20 contemplates 12 Development Zones reflecting the amended municipal boundaries. As depicted in **Exhibit C**, the following Development Zones which prior to the amended municipal boundaries were split between the two Boroughs are now entirely within only one municipality:

- Development Zone 1 is located entirely within Eatontown
- Development Zone 3 is located entirely within Eatontown
- Development Zone 4 is located entirely within Eatontown
- Development Zone 5 is located entirely within Eatontown
- Development Zone 7 is located entirely within Oceanport
- Development Zone 10 is located entirely within Eatontown

While the underlying zoning Development Districts set forth in the Land Use Rules remain in place, it should be noted that a portion of Development Zone 1 (Eatontown) near its northeastern boundary remains within the Oceanport Green Tech Development District, a portion of Development Zone 3 (Eatontown) near its eastern boundary remains within the Oceanport Green Tech Development District, a portion of Development Zone 4 (Eatontown) near its northern boundary remains within the Oceanport Green Tech Development District, a portion of Development Zone 5 (Eatontown) near its eastern boundary remains within the Oceanport Green Tech Development District, a portion of Development Zone 7 (Oceanport) near its western boundary, remains within the Eatontown Route 35 Lifestyle Tech Center Development District, and a portion of Development Zone 10 (Eatontown) near its eastern boundary, remains within Oceanport Education Mixed Use Neighborhood Development District.

Draft

Goals and Objectives

The goals and objectives of this amendment are to build on and expand the redevelopment goals and policies identified in the *Reuse Plan*. Some of the key amendment goals and policy objectives are outlined below:

1. Promote economic development

- a. Encourage reinvestment and redevelopment within the Fort Monmouth area.
- b. Create increased employment opportunities for existing and future residents and support businesses within and around the Fort area.
- c. Increase the long-term tax base for the host municipalities, Monmouth County, and New Jersey through commercial development in the film and digital media sector, in alignment with the strategic goals of the Governor's Economic Plan.

2. Promote diverse land use & zoning strategies

- a. Accommodate uses that are critical for the Fort Monmouth area.
- b. Encourage and promote a well-planned, commercial development with entertainment, hospitality and office uses to build a competitive advantage within and in proximity to the Fort Area.

3. Provide affordable housing opportunities

- a. Maintain the availability of affordable housing alternatives as envisioned by the *Reuse Plan*.

4. Promote public health and safety

- a. Promote walkability and enhance the livability of the area by preserving open space and improving pedestrian connectivity.
- b. Preserve the Fort's historical resources, monuments and open space on Greely Field and Cowan Park located in the Fort's Historic District.

5. Promote sustainability and resiliency

- a. Encourage green infrastructure and low impact development to aid to stormwater management.
- b. Encourage renewable energy.

Scope of the Reuse Plan Amendment

Development Zones

As depicted in **Exhibit B**, this Plan Amendment contemplates the following Development Zones:

- Development Zone 1 Whale Parcel
- Development Zone 2 Vail Hall Parcel & Parcel 2
- Development Zone 3 Tech A Parcel & Barracks Parcel
- Development Zone 4 Bowling Center Parcel
- Development Zone 5 Tech B Parcel
- Development Zone 6 400 Area Parcel
- Development Zone 7 McAfee Parcel
- Development Zone 8 Greely Field Parcel
- Development Zone 9 Cowan Park Parcel
- Development Zone 10 Eatontown Housing Parcel
- Development Zone 11 Supportive Housing Parcel
- Development Zone 12 Monmouth County Emergency Homeless Shelter Parcel

Development Zone 1 – Whale Parcel

The Whale Parcel consists of approximately 117.498 acres of land and 18 buildings, including Mallette Hall (Building 1207) and the Expo Theater (Building 1215). The parcel is located in the Borough of Eatontown and borders on Highway 35 to the west, Lafetra Creek to the north, Avenue of Memories to the south and Wilson Avenue to the east. Except for a small triangular section of the parcel which lies in the Oceanport Green Tech district, the majority of the Whale Parcel falls within the Eatontown Route 35 Lifestyle Tech Center district under the Land Use Rules.

The *Reuse Plan* calls for the westernmost ±50 acres of the Property (i.e. closest to Route 35) to be developed as a lifestyle/mixed-use center. The *Reuse Plan* envisions that the center would include 150,000 square feet of retail, restaurants, entertainment venues, residences, and other uses in a “lifestyle & Main Street format” which would create a vibrant pedestrian environment. The Plan envisions the redevelopment of the remaining ±67 acres of land for R&D and tech campus, auditorium, theater, ball fields, and recreational areas.

Further, the *Reuse Plan* contemplates the adaptive reuse of the 57,386 square foot Mallette Hall (Building 1207) with its auditorium and outdoor amphitheater for the future municipal complex for the Borough of Eatontown. However, Eatontown has advised FMERA that Mallette Hall is larger than needed for a municipal complex. Additionally, Expo Theater was recommended to be used by a not-for-profit theater or arts group.

Under this amendment, most buildings are to be demolished. However, Mallette Hall and the Expo Theatre are permitted to be adaptively reused or demolished. Development Zone 1 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus, Hotel, and Retail-Sales and Services uses and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 2 – Vail Hall Parcel and Parcel 2

The Vail Hall Parcel and the Parcel 2 parcel collectively consist of ±10.23 acres.

The Vail Hall Parcel is located on the south side of Avenue Memories in the Borough of Eatontown. The Vail Hall Parcel consists of ±4.56 acres of land and current improvements including Vail Hall (Building 1150) and an Annex (Building 1152). The *Reuse Plan* calls for the reuse of both buildings for communication related uses. The Land Use Rules place the Vail Hall Parcel in the Route 35 Lifestyle Tech Center District.

Parcel 2 consists of an approximately 5.67-acre former Army landfill that has been capped in preparation for transfer to FMERA. An Army-installed walking trail exists within Parcel 2. The *Reuse Plan* contemplates the redevelopment of the parcel as a green open space.

Under this amendment, both Vail Hall and its Annex may be adaptively reused or demolished. Development Zone 2 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 3 – Tech A Parcel & Barracks Parcel

The Tech A Parcel & Barracks Parcel consists of ±9.6 acres of land and is currently improved with six Barracks buildings (Buildings 1102 through 1107), a general-purpose building (Building 563) and a former gas station (Building 699). Development Zone 3 is bounded on the north by Avenue of Memories, on the east by Nicodemus Avenue, on the south by Alexander Avenue & JCP&L Right of Way, and on the west by Wilson Avenue.

The Tech A Parcel & Barracks Parcel is located in the Borough of Eatontown. Under the Land Use Rules, approximately +/-4.5 acres of land in the western section of the parcel were located in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and approximately +/-5 acres of land in the eastern section of the parcel were located in the Oceanport Green Tech Campus section of the Fort.

Except for Building 699, which may be adaptively reused or demolished, the *Reuse Plan* calls for the demolition of all the buildings in the parcel and the creation of a wetlands preservation park that would extend from Eatontown to Oceanport. The park would be joined with Soldiers' Park which would also be part of the wetlands preservation park. Amendment #9 permitted Buildings 1102-1107 for commercial arts related uses, including studio, performance, and gallery space, as well as up to 12 short-term residential units for artists. Additionally, Soldiers' Park could be used for outdoor art exhibition or performance space.

Under this plan amendment, all the buildings in the parcel will be demolished. Development Zone 3 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 4 – Bowling Center Parcel

The Bowling Center Parcel consists of ±2.5 acres of land and The Fort Monmouth Bowling Center (Building 689) and Building 682 located in the Eatontown section of Fort Monmouth. The Bowling Center Parcel is bounded by Wilson Avenue to the west, Sherrill Avenue to the north and Avenue of Memories to the south. Development Zone 7 starts on the eastern boundary of the site.

The *Reuse Plan* calls for Building 689 to be redeveloped to remain as a commercially operated bowling alley and Building 682 to be demolished. The Land Use Rules places the Bowling Center Parcel in the Route 35 Lifestyle/Tech Center District and the Oceanport Green Tech Campus Development District.

Under this plan amendment, the Fort Monmouth Bowling Center and Building 682 will be demolished. Development Zone 4 will support a Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 5 – Tech B Parcel

The Tech B Parcel area consists of ± 17.72 acres of land and Lane Hall (Building 702) a former community center. The parcel is located in the Borough of Eatontown and is bounded by Nicodemus Avenue to the east and the south, Alexander Avenue & the JCP&L Right of Way to the north, and Wilson Avenue to the west.

Per the Land Use Rules, about ± 12.56 acres of the western section of the parcel was in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and ± 5.34 acres of the land in the eastern section was in the Oceanport Green Tech Campus/Oceanport Education/Mixed-Use Neighborhood section of the Fort.

The *Reuse Plan* contemplates the redevelopment of the majority of the parcel as landscaped open space and calls for repurposing of Lane Hall into a community center.

Under this plan amendment, Lane Hall will be demolished. Development Zone 5 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 6 – The 400 Area Parcel

The 400 Area Parcel consists of ± 79.3 -acres of land and approximately sixty-three (63) buildings including former residential, administrative, and R&D buildings, warehouses, workshops, and additional general-purpose facilities. The 400 Area Parcel is located in the Borough of Oceanport and bounded by Oceanport Avenue to the west and North Jersey Coastline Railroad to the east, Parkers Creek to the north and Riverside Avenue to the south.

The *Reuse Plan* contemplates the redevelopment of the 400 Area Parcel as the Oceanport Village Center, including a mix of uses such as residential, retail, and other commercial uses and amenities that will create a community hub for Oceanport. The 400 Area Parcel property is included within a portion of the Horseneck Center Development District in the Land Use Rules.

Under this amendment, Buildings 276, 277, 279, 280, 281 and 482 may be adaptively reused or demolished. An existing Two Rivers Water Reclamation Authority owned and operated sewerage pump station located near the First Atlantic Credit Union and Riverside Avenue must remain. Development Zone 6 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and Hotel and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 7 – McAfee Parcel

The McAfee Parcel consists of ± 29.43 -acres of land and approximately fifteen (15) buildings including, the McAfee Center (Building 600), the FMERA office (Building 502), warehouses, workshops and additional general-purpose facilities. The parcel is located in the Borough of Oceanport and is bounded by Development Zone 4 to the west, Sherrill Avenue to the North, Brewer and Malterer Avenues to the East and Avenue of

Memories to the south. Under the Land Use Rules, approximately, ± 3.19 acres of land are in the Eatontown Route 35 Lifestyle Tech Center district, and ± 26.24 acres of land are in the Oceanport Green Tech District.

The *Reuse Plan* contemplates redevelopment of the McAfee Parcel as a center for tech and R&D uses and envisions the adaptive reuse of the McAfee Center (Building 600), Building 601 and Building 602 for R&D uses. The *Reuse Plan* also contemplates the demolition of all other buildings that are on the parcel.

Under this amendment, the McAfee Center and the FMERA office may be adaptively reused or demolished. Development Zone 7 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 8 – Greely Field Parcel

Greely Field Parcel also known as the Parade Grounds, is an approximately ± 21 acre of open green space located in the Borough of Oceanport. The parcel is also located within the Fort Monmouth Historic District. Greely Field Parcel is bordered by the Russel Hall property to the east, Avenue of Memories on the south, the Chapel and Building 501 properties on the west, and Sherrill Avenue on the north. The World War II Memorial is located on the north side of Greely Field Parcel. The memorial is dedicated to the Signal Corps members who lost their lives during World War II. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Greely Field Parcel as an area to be listed in the National Historic Register List.

The *Reuse Plan* envisions Greely Field Parcel to be preserved as open space.

Under this amendment, Greely Field Parcel will remain open space pursuant to a deed restriction. The World War II Memorial is protected by historic covenants and will remain undisturbed in perpetuity. Development Zone 8 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 9 – Cowan Park Parcel

The Cowan Park Parcel is an approximately ± 5.3 -acre triangular-shaped green space located in the Borough of Oceanport. The parcel is located in the Fort Monmouth Historic District in front of Russel Hall. Cowan Park Parcel is bounded by Sherrill Avenue on the northeast, Avenue of Memories on the southeast, and Sanger Avenue on the west. A flagpole stands in the center of the park and is encircled by a concrete sidewalk. A memorial plaque dedicated to Colonel Arthur S. Cowan is located in front of this flagpole.

The *Reuse Plan* envisions Cowan Park Parcel to be preserved as open space. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Cowan Park as an area to be listed in the National Historic Register List.

Under this amendment, Cowan Park will remain open space pursuant to a deed restriction. Development Zone 9 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit the uses and bulk standards as referenced in **Tables 1 - 47**.

Development Zone 10 – Eatontown Housing Parcel

The Eatontown Housing Parcel is located in the southern section of the Main Post area in the Borough of Eatontown. The parcel is ± 32 acres of land and is located along Oceanport Way and is bordered by the Federal Credit Union Parcel to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Health Clinic Parcel to the south.

Prior to the adoption of new boundary line, approximately ± 13.33 acres of land in the western section of the parcel was in the Eatontown Route 35 Lifestyle/Tech Center section of the Fort and ± 4.82 acres of the land in the eastern section was in the Oceanport Education/Mixed-Use Development District section of the Fort.

The *Reuse Plan* contemplates part of the parcel to be developed as an active recreation area with amenities such as ballfields with green areas on the northern section of the parcel.

Under this amendment, the Burger King (Building 822), Building 826, Building 814, Building 815, and Building 830 will be demolished. Development Zone 10 shall provide affordable housing opportunities for the Borough of Eatontown that would have been required if the portions of the Mega Parcel were developed with residential uses according to the *Reuse Plan* as amended and Land Use Rules and the affordable housing reservation required by N.J.S.A. 52:27D-329.9. This Development Zone will offset the commercial buildout envisioned for the Mega Parcel and permit the uses as referenced. See the permitted use and bulk standards in **Tables 49 - 51**.

Development Zone 11 – Supportive Housing Parcel

The Supportive Housing Parcel is located in the southern section of the Main Post area in the Borough of Oceanport. The parcel is ± 0.9872 acres of land and is located along Oceanport Way and is bordered by the Patterson Army Health Clinic Parcel to the west, the Commissary Parcel to the north, and the Cell Tower Parcel to the east. This parcel is located in the Oceanport Education Mixed-Use Neighborhood Development District.

The *Reuse Plan* contemplates the Supportive Housing Parcel to be developed for low density residential use.

Under this amendment, Building 810 will be demolished. Development Zone 11 shall provide supportive housing opportunities for the Borough of Oceanport that will supplement the affordable housing that would have been required if the portions of the Mega Parcel were developed with residential uses according to the *Reuse Plan* as amended and Land Use Rules and the affordable housing reservation required by N.J.S.A. 52:27D-329.9. See the permitted use and bulk standards in **Tables 49 - 51**.

Development Zone 12 – Monmouth County Emergency Homeless Shelter Parcel

The parcel consists of approximately ± 3.1 acres of land and houses a ± 4500 square foot emergency homeless shelter which is operated by Monmouth County, as well as additional undeveloped acreage. The parcel is located in the Borough of Oceanport along Oceanport Way and is bordered by the Warehouse Parcel to the west and open space to the northeast and northwest. The property is included within a portion of the Oceanport Education/Mixed Use Neighborhood Development District in the Land Use Rules.

According to the *Reuse Plan*, the intended use of this parcel is for low-density residential development, however, Amendment #6 permitted the parcel to be reused as a permanent location of the Monmouth County emergency homeless shelter.

Under this amendment, the emergency shelter will remain. The remaining undeveloped acreage in Development Zone 12 shall permit affordable housing opportunities that will supplement the affordable housing that would have been required if the portions of the Mega Parcel were developed with residential

uses according to the *Reuse Plan* as amended and Land Use Rules and the affordable housing reservation required by N.J.S.A. 52:27D-329.9. See the permitted use and bulk standards in **Tables 49 - 51**.

Draft

Definitions

The following definitions shall apply to this Reuse Plan Amendment. For the purposes of these regulations the following terms are used as follows:

1. All uses shall obtain, where relevant, any permits, licenses and other approvals typically required under State and Federal regulations;
2. All uses are for Studio personnel and visitors only unless otherwise expressly specified;
3. All accessory uses may be located in standalone Structures or, where applicable, in Principal Permitted Structures.

ANIMAL BOARDING

Buildings and Structures for overnight boarding of animals being used as part of a production.

BACKLOT

An area used for outdoor filming and Production Activity where non-habitable sets, facades, and/or streetscapes can be constructed, assembled, installed, disassembled, and removed, as needed. "Non-habitable" shall mean a Structure not intended for human occupancy for living, sleeping, eating, or cooking purposes. However, Executive Outposts as defined herein are permitted in backlots. Structures may not be used for commercial purposes other than those related to production or tourist tours of production areas. Backlots may also be used for the storage of construction materials and equipment associated with Production Activities and for the temporary parking of vehicles associated with Production Activities.

BANK OR FINANCIAL INSTITUTIONS

Buildings or spaces for financial and monetary transactions, including but not limited to deposits, loans, investments, and currency exchange. Automatic Teller Machines ("ATMs") are not part of this definition.

BASE CAMP

Arrangement of mobile facilities (trucks, generators, support vehicles, tents, etc.) related to Production Activities. Examples include, but are not limited to, wardrobe, hair, make-up, craft services, and trailers for talent and production staff.

CENTRAL UTILITY PLANT ("CUP")

Structures housing the major mechanical, power, heating/cooling, water, electrical, plumbing equipment, and other utility systems for one or more buildings.

CHILD CARE FACILITY

Buildings or spaces providing for the care, supervision, and protection of children that is licensed by the State of New Jersey pursuant to N.J.S.A. 30:5B-1 et seq.

EXECUTIVE OUTPOST

Stand-alone Buildings that may include any one or more of the activities which occur within a Studio Business & Production Support Office. Executive Outposts may not be used for any type of housing.

FITNESS CENTER

Buildings or spaces with equipment, facilities, and indoor open space for exercising and improving physical fitness and wellness. Access to on-site Fitness Centers shall be limited to production talent.

FOOD PREPARATION AND DISTRIBUTION FACILITY

Buildings or spaces within or outside of a Structure where food is prepared and/or distributed including, but not limited to commissaries/cafeterias (i.e., full kitchen/restaurant), food trucks, and craft services that are not open to the general public.

GEOHERMAL

A renewable energy source using the heat of the earth's interior.

GUARDHOUSE

Structures used to house security personnel and equipment.

HERITAGE OPEN SPACE

Preserved open space significant to the history of Fort Monmouth and located within the Historic District, including Greely Field and Cowan Park.

HOTEL

Buildings providing temporary lodging to the general public, and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment facilities, personal services, health clubs, spas, and retail stores and services.

MAIL SORTING OFFICE

Buildings or spaces for receiving and sorting mail and packages.

MEDICAL CLINICS/OFFICES/TRAILERS (INCLUDING EMERGENCY MEDICAL FACILITIES)

Structures or spaces for Studio medical personnel who provide medical treatment to personnel or visitors of the Studio and shall not include over-night medical stays.

MILL/WORKSHOP

Structures used for construction, maintenance, repair, and/or storage of sets, props, costumes/wardrobe, lighting and grip equipment, production vehicles, or other uses and equipment customary and incidental to Motion Picture, Television, and Broadcast Studios.

MOTION PICTURE, TELEVISION, AND BROADCAST STUDIOS

Full-service Motion Picture, Television, and Broadcast studios including but not limited to facilities for production of feature films, television series, commercials, telethons, videos, webisodes, gaming tournaments, other film/video formats not yet conceived, and all related permanent or temporary facilities for Motion Picture, Television, and Broadcast studios. Production Activities may take place both indoors or outdoors within the Motion Picture, Television and Broadcast studios, and may have live events or audiences.

MULTI-USE TRAIL

Also known as a path or track, an unpaved or paved lane intended for pedestrians and cyclists and not intended for usage by motorized vehicles, usually passing through a natural area, but may also include

sidewalks within developed areas. Multi-Use Trails are publicly accessible and part of the Fort-wide trail system.

NURSERY

Spaces within or outside of a Structure for the storage of live vegetation.

ON-SET

Location where production is taking place within the Studio.

OPEN SPACE

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that such areas may be improved with only those Build or Structures, streets, and off-street parking, and other improvements that are designed to be incidental to the natural openness of the land.

PARKING, SURFACE

Surface lots used for the parking of vehicles for the Studio, Studio related activities, visitors, and guests.

PARKING GARAGE, STRUCTURED

Structures used for the parking of vehicles for the Studio, Studio related activities, visitors, and guests.

PAINT SHOPS AND SPRAY BOOTHS

Structures or spaces mechanically ventilated and used to enclose or accommodate a spraying operation and are designed to confine and limit the escape of spray, volatile vapors, mist or combustible residue, dust, odors, and exhaust.

PERIMETER SECURITY WALLS

Walls intended to prohibit access onto the Studio outside of the designated access points.

PERSONAL SERVICES

Establishments providing personal services to support Production Activity including, but not limited to, the following: laundry, including cleaning and pressing service; hair and nail salons; barbershops; shoe repair; ATMs; clothing rental; and personal shipping and delivery services.

PRODUCTION ACTIVITIES

Indoor or outdoor activities customarily related to the creation and development of film, television shows, and other forms of media.

PRODUCTION VEHICLE MAINTENANCE, REPAIR, BODY WORK, AND CLEANING

Structures or spaces for body work, maintenance, repair, cleaning, and washing of vehicles used for Production Activities.

PUMP STATION

Structures housing machinery used for pumping large amounts of sewerage.

RETAIL, SALES AND SERVICES

Establishments engaged in the selling or rental of goods or merchandise for personal use or household consumption to the general public as well as establishments providing services (opposed to products) to the general public for personal or household use.

RETAIL, STUDIO CONVENIENCE

Establishments for the sale of primarily food products, household items, newspapers and magazines, candy, and beverages, and a limited amount of freshly prepared foods such as sandwiches and salads.

RETAIL, STUDIO SALES

Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale or rental of such goods, related to Production Activities. For example, lighting and grip services.

RETAIL, STUDIO EXPERIENCE

Buildings and Structures for the sale, display, and/or rentals of goods; Studio tours; theatrical performances; public film screenings/theaters; and/or experiences related to Motion Picture, Television, and Broadcast Studios. Food and beverage preparation and sales may also occur within such Buildings and Structures and may include outdoor dining. These structure types are intended to include and facilitate consumer experience centers, Studio tours, ticket sales, and related activities to the general public.

ROOFTOP COMMUNICATIONS FACILITIES

Any Structure or equipment installed on a rooftop and used for the purpose of sending or receiving data and information communications or housing equipment to support the sending or receiving of communications, other than Cellular Facilities. Communication Facilities may include, but are not limited to, satellite and microwave dishes. Communication Facilities shall also include all necessary support infrastructure which may be ground-mounted or located on rooftops.

SCREENING ROOM

Buildings or spaces where films or other productions are exhibited on a large screen or stage for a private Studio use.

SECURITY COMMAND CENTER

Buildings or spaces for security operations for performing round-the-clock monitoring of the indoor and outdoor Studio spaces.

SOUND STAGE

A soundproofed studio space, typically with large doors and high ceilings, that is used for filming and production. Its primary function is to provide an indoor environment for filming in which the lighting, sound, and other considerations can be better controlled than an outdoor filming location. Sound Stages may have movable interior doors allowing for sound stages to be joined. Sound Stages may include ancillary space for hair and make-up, green rooms, wardrobe and costuming, editing and production; and related spaces used in film production; as well as kitchens, craft services, and craft service facilities. They may also be used for rehearsals, recording music and sound effects for films and television shows, as well as live events such as award shows, stage productions, and concerts and any other uses customary and incidental to Motion Picture, Television, and Broadcast Studios.

SPECIAL EVENTS

Temporary uses, including but not limited to charitable, cultural and civic events, premieres, festivals, receptions, corporate events, and concerts, including but not limited to sound, lighting, and other special effects as well as food and beverage sales associated with such uses. Special Events are subject to any permitting requirements overseen by a host municipality.

STORAGE/WAREHOUSE

Buildings for the storage of production related goods and materials, including but not limited to storage of production vehicles, sets, props, costumes/wardrobe, and other equipment customary and incidental to Motion Picture, Television, and Broadcast Studios.

STUDIO

The entirety of parcels used for Motion Picture, Television, and Broadcast Studios.

STUDIO BUSINESS & PRODUCTION SUPPORT OFFICE (SBPSO)

Office Building or space including but not limited to individual offices, workstations, conference and meeting rooms, and other ancillary office functions and facilities for administrating, directing, managing and/or conducting the corporate business affairs of the Motion Picture, Television and Broadcast Studio company, as well as for individuals and departments associated with production, including, but not limited to merchandising, marketing, printing, promotion, licensing, sales, leasing, location scouting, accounting, distribution, legal, general commercial, professional, executive, business, and other administrative functions of a production. There may also be space reserved for picture and sound editing, sound production, visual effects, and related activities; hair and make-up; wardrobe and costuming; studio medical staff; animal wranglers; on-set schoolteachers; and other uses customary and incidental to Motion Picture, Television, and Broadcast Studios.

STUDIO BUSINESS & PRODUCTION SUPPORT OFFICE (SBPSO) WITH ROOFTOP HELIPAD

A Studio Business & Production Support Office (SBPSO) Building with a small, designated area or platform located on the roof used for the takeoff, landing, or parking of helicopters which are exclusively used to transport passengers related to Studio operations and/or community emergencies.

SWIM/WATER TANK, INDOOR

Large indoor tanks of water typically used for filming scenes that take place in a swimming pool, ocean, or other body of water. The tanks may be located within a Sound Stage or other Studio Structures or within its own Structure.

SWIM/WATER TANK, OUTDOOR

Large outdoor tanks of water typically used for filming scenes that take place in a swimming pool, ocean, or other body of water. The tanks may be located within a Backlot or co-located outside with other uses customary and incidental to Motion Picture, Television, and Broadcast Studios.

TRAILERS

Mobile vehicles that offer space for production departments including, but not limited to, hair and make-up, wardrobe, sound, stunts, art, costuming and sewing departments, On-Set medical staff, schoolteachers, animal wranglers or other personnel associated with production, talent during filming, craft services, and restrooms. Trailers may not be used for overnight stays.

TRANSMISSION ELECTRIC SUBSTATION

Structure, device, or equipment, located and designed for voltage regulation, circuit protection, or switching necessary for the construction or operation of a proposed transmission line.

VISITOR CENTER

Buildings or Structures which welcome and provide information to visitors of the Studio, which may or may not be open to the general public and may include exhibits and/or other interactive features. Food and beverages sales may also occur within such Buildings and Structures related to Motion Picture, Television, and Broadcast Studios.

Draft

Use and Bulk Standards – Mega Parcel

Amendment #20 would permit the reuse or demolition of those Buildings identified in Section III , and the demolition of all other existing Buildings found in **Exhibit D** for the development of a new state of the art Motion Picture, Television and Broadcast Studio campus including the creation of innovative and efficient Studio space which will support the needs of the arts and entertainment community and create new economic growth for the Borough(s) of Eatontown and Oceanport as well as surrounding communities.

Additionally, Amendment #20, as set forth below, has provided alternate locations for affordable housing to offset the land no longer available for this housing under the Studio campus.

The approximately 292-acres of the Mega Parcel will be divided into nine (9) zones to highlight reuses/demolition, new construction and improvements to the property.

The following sections and tables provide regulations on permitted uses and bulk standards. The requirements in these sections are mandatory.

Establishment of Mega Parcel Development Zones

The Mega Parcel is hereby divided into the following Development Zones:

- Development Zone 1 Whale Parcel
- Development Zone 2 Vail Hall Parcel and Parcel 2
- Development Zone 3 Tech A Parcel & Barracks Parcel
- Development Zone 4 Bowling Center Parcel
- Development Zone 5 Tech B Parcel
- Development Zone 6 400 Area Parcel
- Development Zone 7 McAfee Parcel
- Development Zone 8 Greely Field Parcel
- Development Zone 9 Cowan Park Parcel

Locations and boundaries of the above Development Zones are shown on **Exhibit B**.

Permitted Uses

The Development Zone Tables list Permitted Principal Structures and open spaces and Permitted Accessory Uses and Structures in each of the Development Zones. The following shall apply regarding Permitted Uses:

1. **Motion Picture, Television and Broadcast Studios Principal Use.** The Principal Permitted Use of Motion Picture, Television and Broadcast Studios shall be permitted within all Mega Parcel Development Zones. All Structures and spaces permitted within the Mega Parcel Development Zones to support the Motion Picture, Television and Broadcast Studio use shall be for Studio personnel and Studio visitors only, and not open to the general public except when expressly permitted by the operator of the Studio, e.g., tours, Retail, Studio Experience, Special Events, etc.
2. **Hotel and Retail, Sales, and Service Principal Uses/Structures, Required to be Open to the Public.** The Principal Permitted Uses/Structures of Hotel and Retail, Sales, and Services are unrelated to the Motion Picture, Television and Broadcast Studios Principal Use, and shall be open to the public.

These Principal Uses are restricted to the following Development Zone locations:

- Hotel and Retail, Sales, and Services within 1,500 linear feet of Route 35 in Development Zone 1
- Hotel within 700 linear feet of Oceanport Avenue in Development Zone 6

3. **Accessory Use.** Accessory Uses and structures that support the Principal Permitted Use of Motion Picture, Television and Broadcast Studios may be located within standalone Buildings/Structures or co-located within Principal Permitted Structures for Motion Picture, Television and Broadcast Studios as indicated below in Table 3. The Accessory Uses in Table 3 shall not be permitted within Hotel and Retail, Sales, and Services Buildings.
4. **Studio Campus.** Accessory Uses and Structures to support the Motion Television, and Broadcast Studios Principal Permitted Use shall be permitted in a Development Zone even in the event that there are no Principal Structures in the Development Zone, subject to the limitation set forth in the Tables below.
5. **Number of Uses and Structures.** Unless indicated otherwise, multiple Principal and Accessory Permitted Uses and Structures shall be permitted on any individual lot and/or within any of the Mega Parcel Development Zones and may also be co-located within one Structure.
6. **Development Zones.** Specific regulations regarding location of Permitted Principal and Accessory Uses and Structures, and the bulk standards for development are outlined in the Development Zone Tables.
7. **Pre-existing Nonconforming Structures/Buildings.** Any Pre-Existing Nonconforming Structures/Buildings, or portion thereof, identified for reuse on the Mega Parcel shall be exempt from the Maximum Permitted Heights and Development Zone-Wide Bulk Standards set forth in **Tables 1-47**.

Required Multi-Use Trail

A 12-foot wide publicly accessible trail system shall be maintained, improved, and extended within the boundaries of the Mega Parcel, except when the trail system connects to sidewalks adjacent to roadways where construction of a 12-foot trail is not possible due to other site constraints.

Development Zone Tables

The Development Zone Tables regulate the Permitted Principal and Accessory Uses, Structures, and bulk standards for each of the Mega Parcel Development Zones.

1. Minimum Required Setbacks

The following shall apply regarding minimum required setbacks:

- Unless otherwise noted herein, the minimum setback from each lot line shall be 25 feet and is referred to herein as the “No Build Area”. No Structures or improvements shall be permitted in the “No Build Area” except Perimeter Security Walls; fences; street and site lights; surface parking areas; stormwater management structures; landscaping; monument/freestanding signs; walking trails; Pre-Existing Non-Conforming Structures; existing Fort monuments; and open spaces.
- In the event that a roadway separating two Development Zones is vacated and two adjoining Development Zones are connected then the No Build Area shall not apply in either Development Zone and the maximum permitted height should be the greater height of the two Development Zones.

2. **Maximum Floor Area Ratio**

The maximum floor area ratio calculations are based on the total land area of each Development Zone at the time of the drafting of Amendment #20. In the event that the land area of a Development Zone is modified through roadway widenings or vacations, the total Development Zone land area in place at the time of this amendment shall prevail. On-Set mobile trailers shall not count toward maximum floor area ratio.

3. **Maximum Lot Coverage**

The maximum lot coverage calculations are based on the total land area of each Development Zone at the time of the drafting of Amendment #20. In the event that the land area of a Development Zone is modified through roadway widenings or vacations, the total Development Zone land area in place at the time of this amendment shall prevail. On-Set mobile trailers shall not count toward maximum lot coverage.

4. **Maximum Permitted Height**

Amendment #20 regulates maximum permitted height within the Mega Parcel Development Zones in two ways: the first is by Structure type or Outdoor Space; and the second is by Height District (defined below) each of which is described further below.

5. **Maximum Permitted Height by Structure, Use or Outdoor Spaces**

Unless otherwise limited by Height District or noted in this Amendment, **Tables 1 - 4** list the maximum permitted height for each Structure or Outdoor Space.

6. **Maximum Permitted Heights By Height District**

Height Districts are established in each of the Mega Parcel Development Zones. Height Districts regulate the maximum permitted heights in relation to setbacks as measured to the Mega Parcel Development Zone lot lines and set different maximum permissible heights for different areas of each Development Zone ("Height Districts"). The Height Districts per Mega Parcel Development Zone are provided in the Development Zone Tables (**Tables 5 - 47**) and as further depicted in the **Development Zone Height Requirements Figures** below.

7. **Maximum Permitted Heights for All Structures and Outdoor Spaces Except Backlots.**

The following shall apply to determine maximum permitted height and how height shall be measured for all Buildings/Structures and Outdoor Spaces except Backlots:

- Unless otherwise noted, the maximum permitted height of a Structure or Outdoor Space shall be the lesser of the maximum permitted height by Structure type/Outdoor Space as established on **Tables 1 - 4**; or the maximum permitted height by Height District as established on **Tables 5 - 47**. For example, if a Structure is permitted to be 35 feet in height and is located in a Height District that permits a maximum height of 50 feet, the Structure shall still be a maximum of 35 feet.
- Conversely, if a Structure is permitted to be 70 feet in height and is located in a Height District that permits a maximum height of 50 feet, the Structure shall be limited to a maximum of 50 feet.

8. **Maximum Permitted Height for Backlots.**

Backlot heights shall be treated similarly to all other Structures in that it must comply with the setbacks in each Mega Parcel Development Zone. However, Backlot heights shall be exclusively governed by the Height

District in which it is located for each Mega Parcel Development Zone. For example, if the Development Zone permits a maximum height of 25 feet in one area and 80 feet in another area, the Backlot maximum height shall correspond to the maximum permitted height in that portion of the Development Zone where the Backlot is located, 25 feet or 80 feet respectively.

9. Determination and Measurement of Height.

Height of a Structure means the vertical distance as measured from the average finished grade of a Structure as measured around the perimeter of the outside wall of the foundation to the highest point of the roof of the Structure but not including rooftop appurtenances. However, if the average finished grade is three feet or more above existing grade, then the measurement shall be taken from the existing grade. For example, if a Structure is permitted to be 35 feet tall and the average finished grade is three feet above existing grade then the structure may only be 32 feet tall above the average finished grade. Alternatively, if a Structure is permitted to be 35 feet tall and the average finished grade is two feet above the existing grade then the Structure may be 37 feet tall.

a. Maximum Building and Structure Height Exemptions.

Maximum allowable Building/Structure height excludes rooftop mechanical equipment and walls, or other devices used to screen rooftop appurtenances, provided the equipment and screening devices are both set back at least 10 feet from all sides of the Building/Structure as measured to the roof edge or parapet. If they are located within 10 feet of a roof edge, they shall count towards the height limit.

- b. Rooftop appurtenances.** Rooftop appurtenances may extend above the highest point of the roof at a maximum of 15 feet or 15 percent of the Building/Structure height, whichever is greater. Rooftop appurtenances shall be set back 10 feet from the edge of the Building/Structure or parapet and shall be screened. Rooftop appurtenance shall not include Rooftop Communications Facilities.
- c. Rooftop Communication Facilities** shall be no taller than 15 feet and shall be setback 10 feet from a parapet and shall be screened.

TABLE 1: MAXIMUM PERMITTED HEIGHTS FOR PRINCIPAL STRUCTURES

Permitted Principal Structure	Maximum Permitted Height	Additional Regulations
Executive Outpost	25 feet	
Hotel	The lesser of 72 feet or six (6) stories	1 per Zone in Zone 1 and Zone 6
Mill/Workshops	35 feet	
Retail, Studio Experience	60 feet	
Retail, Sales and Services	30 feet	Retail, Sales and Services in Zone 1 are only permitted within 1,500 linear feet of Route 35 and cannot exceed a total of 50,000 SF. Each retail site is limited to 15,000 SF.
Soundstages	70 feet	
Storage/Warehouse	40 feet	
Studio Business & Production Support Office	75 feet	
Studio Business & Production Support Office with Rooftop Helipad	88 feet	The maximum height is inclusive of a 13-foot helicopter lobby on the roof. This use is permitted in Zone 1 only and is limited to one building.
Swim/Water Tank (Outdoor)	40 feet	
Visitors Centers	30 feet	

TABLE 2: MAXIMUM PERMITTED HEIGHTS FOR OUTDOOR SPACES

Permitted Outdoor Space	Maximum Permitted Height	Additional Regulations
Basecamps	N/A	
Backlots	90 feet	
Open Space	N/A	
Heritage Open Space	N/A	

TABLE 3: MAXIMUM PERMITTED HEIGHTS FOR STANDALONE ACCESSORY STRUCTURES

Permitted Accessory Structure	Maximum Permitted Height	Additional Regulations
Animal Boarding*	40 feet	In some Zones, Animal Boarding is limited to areas where the maximum height is 80 feet or greater.
Bank or Financial Institution*	30 feet	
Childcare Facilities*	30 feet	
Central Utility Plant	50 feet	
Fitness Center*	30 feet	Limited to 10,000 square feet per zone.
Food Preparation/Distribution Facility*	50 feet	
Geothermal	N/A	
Guardhouses	20 feet	
Mail Sorting Office*	30 feet	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)*	30 feet	
Nursery*	40 feet	
Paint Shops and Spray Booths*	30 feet	
Parking, Structured Garage	72 feet	
Parking, Surface Lot	N/A	
Perimeter Security Walls	20 feet	The portion of the wall facing adjoining properties must appear to be 10 feet through the use of berms, or other landscaping features.
Personal Services*	30 feet	
Production Vehicle Maintenance, Repair, Body Shop, and Cleaning	20 feet	
Pump Stations	20 feet	
Retail, Studio Convenience*	30 feet	No more than 15,000 SF is permitted per Building.
Retail, Studio Sales*	35 feet	No more than 125,000 SF is permitted per Building.
Rooftop Communications Facilities	15 feet	
Screening Room*	50 feet	
Security Command Center*	25 feet	
Swim/Water Tank (Indoor) *	70 feet	
Transmission Electric Substation		

*Uses can be in standalone Structures or within a Principal Permitted Structure.

TABLE 4: MAXIMUM PERMITTED HEIGHTS FOR TEMPORARY USES AND STRUCTURES

Permitted Principal Structure	Maximum Permitted Height	Additional Regulations
Special Events	N/A	

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Development Zone Tables

The Development Zone Tables regulate the Permitted Principal and accessory uses, Structures, and bulk standards for each of the Mega Parcel Development Zones.

TABLE 5: ZONE-WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 1 – WHALE PARCEL

ZONE DESCRIPTION	Zone 1, otherwise known as the “Whale Parcel” is located in Eatontown. It extends from Route 35 in the west to Wilson Avenue in the east, and Lafetra Creek in the north to Avenue of Memories in the south. It is approximately 117.49 acres.	
PERMITTED PRINCIPAL USES	Motion Picture, Television and Broadcast Studio, Hotel, and Retail, Sales and Services	
MAXIMUM FLOOR AREA RATIO	0.50	
MAXIMUM LOT COVERAGE	75 percent	
MINIMUM SETBACKS FROM LOT LINES		
From Route 35 Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 to 125 feet	Up to 80 feet
	>125 feet	Up to 90 feet
From Wilson Avenue Lot Lines (if Wilson Avenue is not vacated)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 90 feet
From Internal Lot Lines (if Wilson Avenue is vacated)	Setback Area	Maximum Height
	0 feet	Up to 90 feet
From Parker’s Creek Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 to 125 feet	Up to 80 feet
	>125 feet	Up to 90 feet
From Avenue of Memories Lot Line	Setback Area	Maximum Height
	0 to 25 feet	No build area
	25 to 75 feet	Up to 50 feet
	75 to 125 feet	Up to 80 feet
	>125 feet	Up to 90 feet

TABLE 6: PERMITTED PRINCIPAL STRUCTURES IN DEVELOPMENT ZONE 1 – WHALE PARCEL

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Hotels	Hotel in Zone 1 may have Retail, Sales and Services uses on the ground level and the floor above the ground level. Hotel is only permitted within 1,500 linear feet of Route 35.
Mill/Workshops	
Retail, Studio Experience	
Retail, Sales and Services	Retail, Sales and Services in Zone 1 are only permitted within 1,500 linear feet of Route 35 and cannot exceed a total of 50,000 SF. Each retail site is limited to 15,000 SF.
Soundstages	
Storage/Warehouse	
Studio Business & Production/Support Office	
Studio Business & Production/Support Office with Helipad	There is only one helipad permitted on the entire Mega Parcel, exclusively within Zone 1.
Swim/Water Tank (Outdoor)	
Visitors Centers	

TABLE 7: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 1 – WHALE PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Backlots	
Open Space	

TABLE 8: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 1 – WHALE PARCEL

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Animal Boarding	
Bank or Financial Institutions	
Childcare Facilities	
Central Utility Plant	
Fitness Center	
Food Preparation/Distribution Facility	
Geothermal	
Nursery	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Paint Shops and Spray Booths	
Parking, Structured Garage	
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Production Vehicle Maintenance, Repair, Body Shop, and Cleaning	
Pump Stations	
Retail, Studio Convenience	
Retail, Studio Sales	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Transmission Electric Substation	
Multi-Use Trail	

TABLE 9: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 1 – WHALE PARCEL

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

Draft

TABLE 10: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 2- VAIL HALL PARCEL AND PARCEL 2

ZONE DESCRIPTION	Zone 2, otherwise known as the “Vail Hall Parcel and Parcel 2” is located in Eatontown. It encompasses approximately 10.23 acres of land situated roughly between the JCP&L right-of-way in the south, Avenue of Memories in the north. Wampum Brook bisects the two parcels.	
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio	
MAXIMUM FLOOR AREA RATIO	0.30	
MAXIMUM LOT COVERAGE	75 percent	
MINIMUM SETBACKS FROM LOT LINES		
From JCP&L Right-of-Way	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25	Up to 50 feet
From 2 Northern Lot Lines (until such time Parcel 2 is received from the Army)	Setback Area	Maximum Height
	0	Up to 50 feet
From Avenue of Memories Lot Line	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 50 feet
Side Yard	Setback Area	Maximum Height
	>25 feet	Up to 50 feet

TABLE 11: PERMITTED PRINCIPAL STRUCTURES IN DEVELOPMENT ZONE 2 - VAIL HALL PARCEL AND PARCEL 2

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Retail, Studio Experience	
Storage/Warehouse	
Studio Business & Production/Support Office	
Visitors Centers	

TABLE 12: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 2 - VAIL HALL PARCEL AND PARCEL 2

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Open Space	

TABLE 13: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 2 - VAIL HALL PARCEL AND PARCEL 2

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Bank or Financial Institutions	
Childcare	
Fitness Center	
Food Preparation/Distribution Facility	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Paint Shops and Spray Booths	
Parking, Structured Garage	
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Retail, Studio Convenience	
Retail, Studio Sales	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Multi-Use Trail	

TABLE 14: PERMITTED TEMPORARY USES AND STRUCTURES IN ZONE 2 - VAIL HALL PARCEL AND PARCEL 2

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

TABLE 15: ZONE-WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 3 – TECH A PARCEL AND BARRACKS PARCEL

ZONE DESCRIPTION	Zone 3, otherwise known as the “Tech A and Barracks Parcel” is located in Eatontown. It encompasses approximately 9.6 acres of land situated roughly between Alexander Avenue in the south, Avenue of Memories in the north, Wilson Avenue to the west and Brewer Avenue to the east.	
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio	
MAXIMUM FLOOR AREA RATIO	0.30	
MAXIMUM LOT COVERAGE	85 percent	
MINIMUM SETBACKS FROM LOT LINES		
From Wilson Avenue Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet
From JCP&L ROW Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet
From Avenue of Memories Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet
From Brewer Avenue Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet

TABLE 16: PERMITTED PRINCIPAL STRUCTURES IN DEVELOPMENT 3 - TECH A PARCEL AND BARRACKS PARCEL

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Mill/Workshops	
Retail, Studio Experience	
Soundstages	
Storage/Warehouse	
Studio Business & Production/Support Office	
Swim/Water Tank (Outdoor)	
Visitors Centers	

TABLE 17: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 3 - TECH A PARCEL AND BARRACKS PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Backlots	
Open Space	

**TABLE 18: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 3 - TECH A
PARCEL AND BARRACKS PARCEL**

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Animal Boarding	
Bank or Financial Institution	
Central Utility Plant	
Food Preparation/Distribution Facility	
Geothermal	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Nursery	
Paint Shops and Spray Booths	
Parking, Structured Garage	
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Production Vehicle Maintenance, Repair, Body Shop, and Cleaning	
Pump Stations	
Retail, Studio Convenience	
Retail, Studio Sales	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Transmission Electric Substation	
Multi-Use Trail	

**TABLE 19: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 3 - TECH A
PARCEL AND BARRACKS PARCEL**

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

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TABLE 20: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 4 – BOWLING CENTER PARCEL

ZONE DESCRIPTION	Zone 4, otherwise known as the “Bowling Center Parcel” is located in Eatontown. It encompasses approximately 2.5 acres of land. It is triangular in shape and situated roughly between Avenue of Memories in the south, Wilson Avenue to the north and west, and Messenger Avenue to the east.	
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio	
MAXIMUM FLOOR AREA RATIO	0.30	
MAXIMUM LOT COVERAGE	75 percent	
MINIMUM SETBACKS FROM LOT LINES		
From Avenue of Memories Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet
From Western Lot Lines (if Wilson Avenue is not vacated)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 80 feet
From Internal Lot Lines (if Wilson Avenue is vacated)	Setback Area	Maximum Height
	0 feet	Up to 80 feet
From Lot Line Shared with Zone 7	Setback Area	Maximum Height
	0 feet	Up to 80 feet

TABLE 21: PERMITTED PRINCIPAL STRUCTURES DEVELOPMENT ZONE 4 - BOWLING CENTER PARCEL

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Mill/Workshops	
Retail, Studio Experience	
Soundstages	
Storage/Warehouse	
Studio Business & Production/Support Office	
Swim/Water Tank (Outdoor)	
Visitors Centers	

TABLE 22: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 4 – BOWLING CENTER PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Backlots	
Open Space	

**TABLE 23: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 4 –
BOWLING CENTER PARCEL**

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Animal Boarding	
Bank or Financial Institution	
Central Utility Plant	
Childcare	
Fitness Center	
Food Preparation/Distribution Facility	
Geothermal	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Nursery	
Paint Shops and Spray Booths	
Parking, Structured Garage	
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Pump Stations	
Retail, Convenience	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Transmission Electric Substation	
Multi-Use Trail	

**TABLE 24: PERMITTED TEMPORARY STRUCTURES AND USES IN DEVELOPMENT ZONE 4 –
BOWLING CENTER PARCEL**

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

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TABLE 25: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 5 – TECH B PARCEL

ZONE DESCRIPTION	Zone 5, otherwise known as the “Tech B Parcel” is located in Eatontown. It encompasses approximately 17.72 acres of land situated roughly between Wilson Avenue to the west, the JCP&L right-of-way to the south, and Nicodemus Avenue to the south and east.	
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio	
MAXIMUM FLOOR AREA RATIO	0.30	
MAXIMUM LOT COVERAGE	75 percent	
MINIMUM SETBACKS FROM LOT LINES		
From All Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet

TABLE 26: PERMITTED PRINCIPAL STRUCTURES DEVELOPMENT ZONE 5 - TECH B PARCEL

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Mill/Workshops	
Retail, Studio Experience	
Soundstages	
Storage/Warehouse	
Studio Business & Production/Support Office	
Swim/Water Tank (Outdoor)	
Visitors Centers	

TABLE 27: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 5 - TECH B PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Backlots	
Open Space	

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**TABLE 28: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 5 –
TECH B PARCEL**

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Animal Boarding	
Central Utility Plant	
Childcare	
Food Preparation/Distribution Facility	
Geothermal	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Nursery	
Paint Shops and Spray Booths	
Parking, Structured Garage	
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Production Vehicle Maintenance, Repair, and Cleaning	
Pump Stations	
Retail, Convenience	
Retail, Studio Sales	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Transmission Electrical Substation	
Multi-Use Trail	

**TABLE 29: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 5 –
TECH B PARCEL**

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

Draft

TABLE 30: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 6 - 400 AREA PARCEL

ZONE DESCRIPTION	Zone 6, otherwise known as the “400 Area Parcel” is located in Oceanport. It encompasses approximately 79.32 acres of land situated roughly between Oceanport Avenue to the west and the North Jersey Coastline Railroad to the east, Parkers Creek to the north, and Riverside Avenue to the south.	
PERMITTED PRINCIPAL USES	Motion Picture, Television and Broadcast Studio and Hotel	
MAXIMUM FLOOR AREA RATIO	0.50	
MAXIMUM LOT COVERAGE	75 percent	
MINIMUM SETBACKS FROM LOT LINES		
From Riverside Avenue Lot Lines	Setback Area	Maximum Height*
	0 to 150 feet	No build area
	>150 feet	Up to 85 feet
From Oceanport Avenue Lot Lines	Setback Area	Maximum Height*
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 to 125 feet	Up to 80 feet
	>125 feet	Up to 85 feet
From Lot Line Along North Jersey Coastline Railroad	Setback Area	Maximum Height*
	0 to 150 feet	No build area
	>150 feet	Up to 85 feet
From Parkers Creek Lot Line	Setback Area	Maximum Height*
	0 to 25 feet	No build area
	>25 feet	Up to 85 feet
From Hazen Drive** (If Hazen Drive is dedicated as a public right-of-way)	Setback Area	Maximum Height*
	0 to 25 feet	No build area
	>25 feet	Up to 85 feet

* Please note that the height of structures in Tables 31 & 33 shall be limited to 72 feet. The permitted height in the Development Zone shall remain 85 feet to accommodate Backlots as referenced in Table 32.

** These standards shall apply to the portion of Hazen Drive outside of the 150 foot buffer along the North Jersey Coastline Railroad and will be subject to a 25 foot no build setback on either side of Hazen Drive.

TABLE 31: PERMITTED PRINCIPAL STRUCTURES DEVELOPMENT ZONE 6 - 400 AREA PARCEL

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Hotel	Shall not exceed 72 feet. Hotel in Zone 6 is only permitted within 700 linear feet of Oceanport Avenue.
Mill/Workshops	
Retail, Studio Experience	
Soundstages	
Storage/Warehouse	
Studio Business & Production/Support Office	Shall not exceed 72 feet.
Swim/Water Tank (Outdoor)	
Visitors Centers	

TABLE 32: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 6 - 400 AREA PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Backlots	
Open Space	

TABLE 33: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 6 – 400 AREA PARCEL

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Animal Boarding	Animal Boarding is limited to areas where the maximum height is 80 feet or greater.
Childcare Facilities	
Central Utility Plant	
Fitness Center	
Food Preparation/Distribution Facility	
Geothermal	
Nursery	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Paint Shops and Spray Booths	
Parking, Structured Garage	Shall not exceed 72 feet.
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Production Vehicle Maintenance, Repair, Body Shop, and Cleaning	
Pump Stations	
Retail, Studio Convenience	
Retail, Studio Sales	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Transmission Electric Substation	
Multi-Use Trail	

**TABLE 34: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 6 – 400 AREA
PARCEL**

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

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TABLE 35: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 7 – McAFEE PARCEL

ZONE DESCRIPTION	Zone 7, otherwise known as the “McAfee Parcel” is located in Oceanport. It encompasses approximately 29.42 acres of land situated roughly between Avenue of Memories in the south, Sherrill Avenue in the north, Zone 4 to the west, and Irwin Avenue, Brewer Avenue, and Malterer Avenue to the east.	
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio	
MAXIMUM FLOOR AREA RATIO	0.30	
MAXIMUM LOT COVERAGE	85 percent	
MINIMUM SETBACKS FROM LOT LINES		
From Sherill Avenue Lot Lines (up to Irwin Avenue)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet
From Avenue of Memories Lot Lines (up to Irwin Avenue)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 to 75 feet	Up to 50 feet
	>75 feet	Up to 80 feet
From Avenue of Memories Lot Lines (Between Irwin and Brewer Avenue)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 35 feet
From Brewer Lane Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 35 feet
From Malterer Avenue Lot Lines	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 35 feet
From Sherrill Avenue Lot Lines (Between Malterer and Irwin Avenues)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 35 feet
From Brewer Avenue (Adjacent to and north of FMERA Office - Building 502)	Setback Area	Maximum Height
	0 to 25 feet	No build area
	>25 feet	Up to 35 feet
From Lot Line Shared with Zone 4	Setback Area	Maximum Height
	0 feet	Up to 80 feet

TABLE 36: PERMITTED PRINCIPAL STRUCTURES DEVELOPMENT ZONE 7 - McAFEE PARCEL

PERMITTED PRINCIPAL STRUCTURES	ADDITIONAL REGULATIONS
Executive Outposts	
Mill/Workshops	
Retail – Studio Experience	
Soundstages	
Studio Business & Production/Support Office	
Storage/Warehouse	
Swim/Water Tank (Outdoor)	
Visitors Centers	

TABLE 37: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 7 - McAFEE PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Basecamps	
Backlots	
Open Space	

TABLE 38: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 7 – McAFEE PARCEL

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Animal Boarding	Animal Boarding is limited to areas where the maximum height is 80 feet
Bank of Financial Institutions	
Childcare Facilities	
Central Utility Plant	
Fitness Center	
Food Preparation/Distribution Facility	
Geothermal	

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Nursery	
Guardhouses	
Mail Sorting Office	
Medical Clinics/Offices/Trailers (Including Emergency Facilities)	
Paint Shops and Spray Booths	
Parking, Structured Garage	
Parking, Surface Lot	
Perimeter Security Walls	
Personal Services	
Production Vehicle Maintenance, Repair, Body Shop, and Cleaning	
Pump Station	
Retail, Studio Convenience	
Retail, Studio Sales	
Rooftop Communications Facilities	
Screening Rooms	
Security Command Center	
Swim/Water Tank (Indoor)	
Transmission Electric Substation	
Multi-Use Trail	

**TABLE 39: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 7 –
McAFEE PARCEL**

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

TABLE 40: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 8 – GREELY FIELD PARCEL

ZONE DESCRIPTION	Zone 8, otherwise known as the “Greely Field Parcel” is located in Oceanport. It encompasses approximately 20.9 acres of land that was the former parade grounds of Fort Monmouth. It is situated roughly between Avenue of Memories in the south, Sherrill Avenue in the north, and Russel Hall Parcel in the east.
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio
MAXIMUM FLOOR AREA RATIO	0.0* *The FAR calculations shall not include the floor area taken up by the existing World War II monument.
MAXIMUM LOT COVERAGE	0.0 percent* *The lot coverage calculations shall not include the existing World War II monument.

TABLE 41: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 8 – GREELY FIELD PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Heritage Open Space	

TABLE 42: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 8 – GREELY FIELD PARCEL

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Multi-Use Trail	

TABLE 43: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 8 – GREELY FIELD PARCEL

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

ZONE 9- COWAN PARK PARCEL USE AND BULK STANDARDS

TABLE 44: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 9 – COWAN PARK PARCEL

ZONE DESCRIPTION	Zone 9, otherwise known as the “Cowan Park Parcel” is located in Oceanport. It encompasses approximately 5.3 acres of land. It is triangular in shape and bordered by Sanger Avenue to the west, Russel Avenue to the north, and Avenue of Memories to the south.
PERMITTED PRINCIPAL USE	Motion Picture, Television and Broadcast Studio
MAXIMUM FLOOR AREA RATIO	0.0
MAXIMUM LOT COVERAGE	0.0 percent

TABLE 45: PERMITTED PRINCIPAL OUTDOOR SPACES IN DEVELOPMENT ZONE 9 - COWAN PARK PARCEL

PERMITTED PRINCIPAL OUTDOOR SPACES	ADDITIONAL REGULATIONS
Heritage Open Space	

TABLE 46: PERMITTED ACCESSORY STRUCTURES AND USES IN DEVELOPMENT ZONE 9 - COWAN PARK PARCEL

PERMITTED ACCESSORY STRUCTURES/ USES	ADDITIONAL REGULATIONS
Multi-Use Trail	

TABLE 47: PERMITTED TEMPORARY USES AND STRUCTURES IN DEVELOPMENT ZONE 9 - COWAN PARK PARCEL

PERMITTED TEMPORARY USES AND STRUCTURES	PERMITTED ACCESSORY STRUCTURES/ USES
Special Events	

DEVELOPMENT ZONE HEIGHT REQUIREMENTS FIGURES

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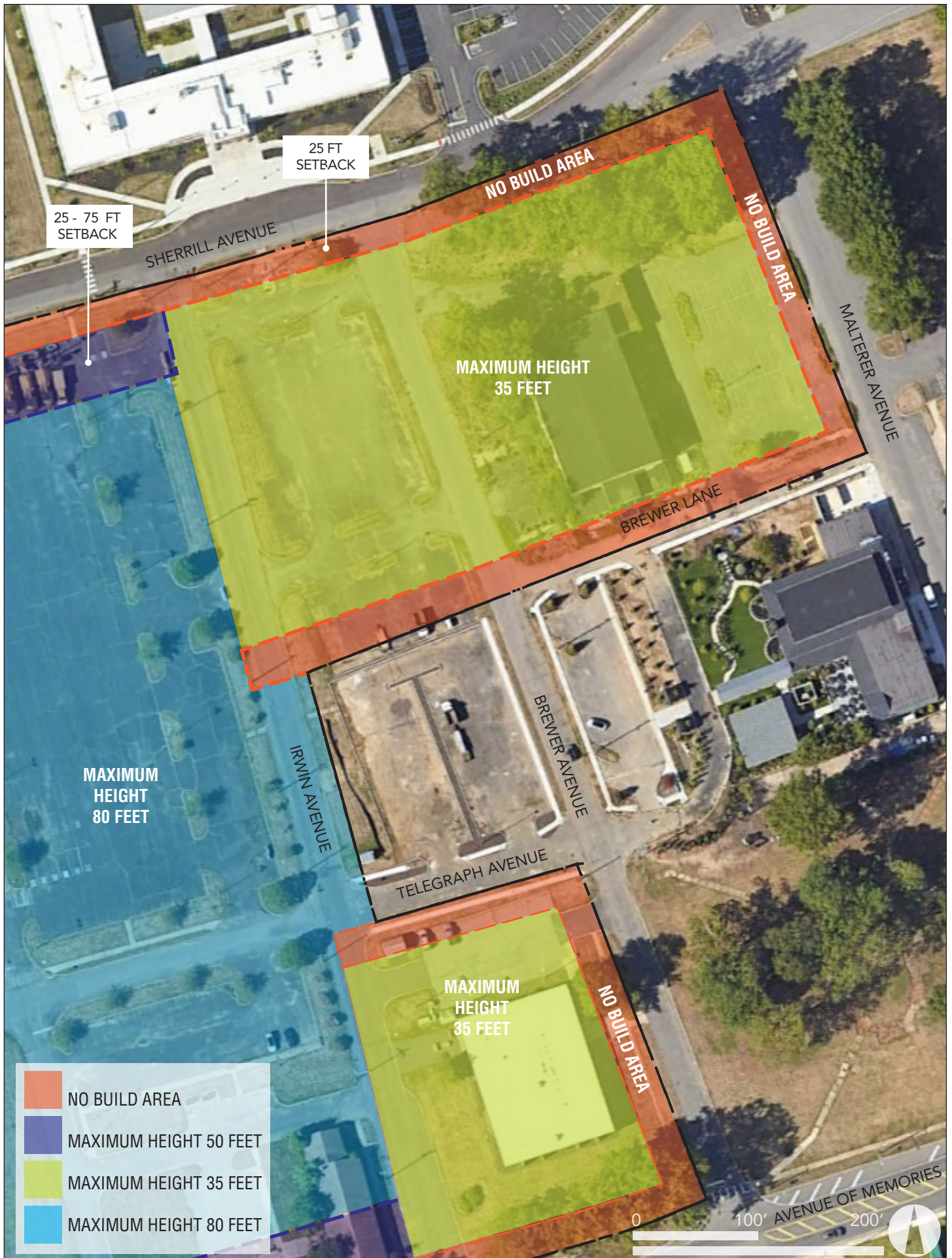




DETAIL OF DEVELOPMENT ZONE 6 HEIGHT REQUIREMENTS ADJACENT TO HORSENECK POINT ROAD | PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2024

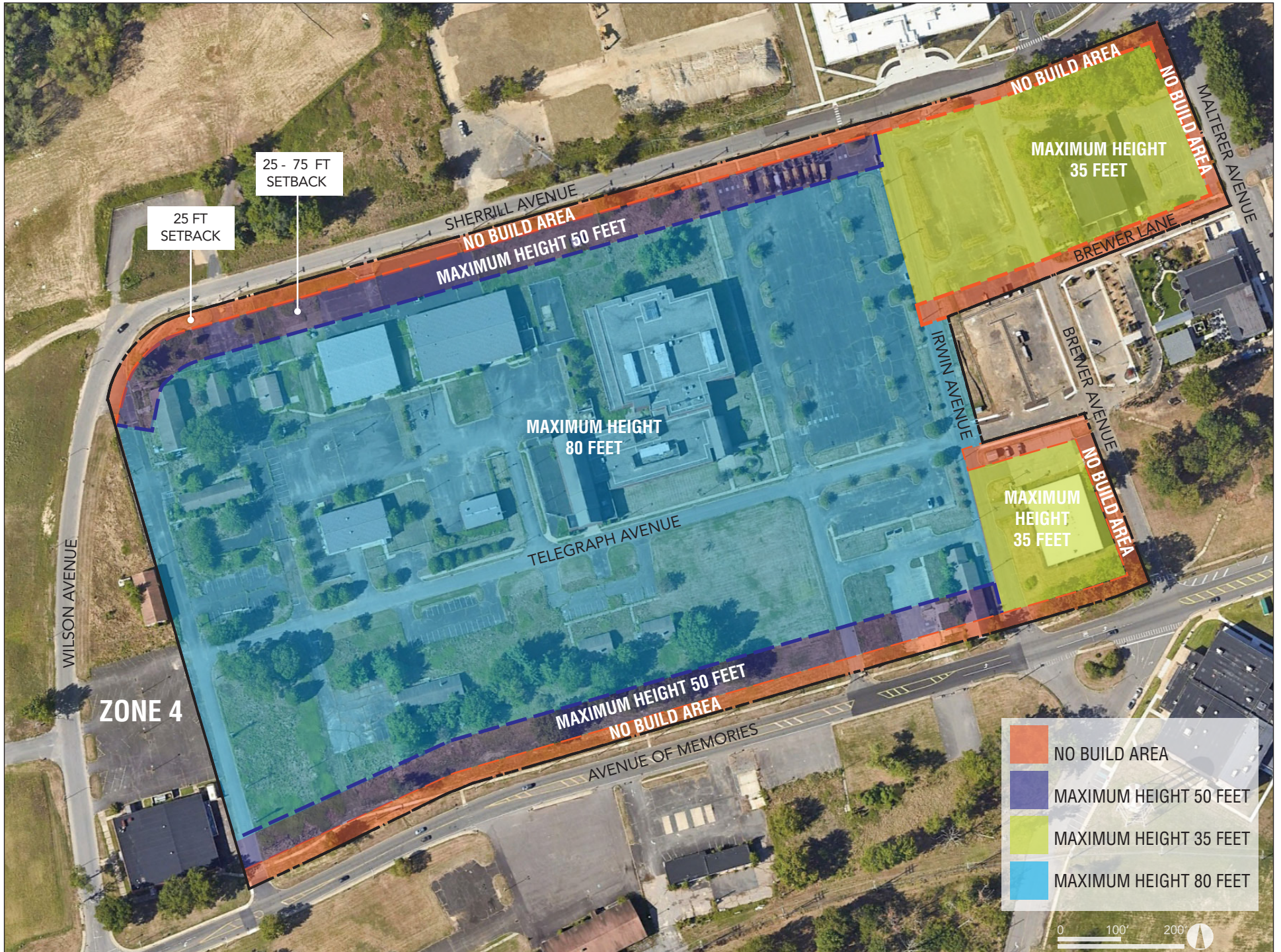


DETAIL OF DEVELOPMENT ZONE 6 HEIGHT REQUIREMENTS ADJACENT TO RIVERSIDE AVENUE | PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2024



DETAIL OF DEVELOPMENT ZONE 7 HEIGHT REQUIREMENTS ADJACENT TO BREWER AVENUE

PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2023



Minimum Required Parking

Minimum parking requirements for development within the Mega Parcel are provided below.

Minimum Parking Required for Studio Structures

STRUCTURE TYPE	PARKING RATIO
Mill/Workshops	1 space per 1,000 GFA
Retail, Studio Experience	1 space per 250 GFA
Storage/Warehouse	0.5 spaces per 1,000 GFA
Sound Stages	1 space per 3,000 GFA
Studio Business & Support Office (with and without rooftop helipad)	3 spaces per 1,000 GFA

Unless specified above, all other Structures and Permitted Areas in Development Zones containing Motion Picture, Television and Broadcast Studio use shall not be required to have a minimum parking space requirement.

Minimum Parking Required for Non-Studio Structures Outside Perimeter Security Wall

STRUCTURE TYPE	PARKING RATIO
Hotel	1 space per sleeping room or suite
Retail, Sales and Services	1 space per 250 GFA

1. All off-street parking areas will be subject to P.L. 2021, c. 171 regarding the provision of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces.
2. All or a portion of the required number of parking spaces for any given Studio Structure may be located on a different lot or within a different Development Zone than the subject Structure is located on.
3. The following concern parking areas in Development Zones containing Motion Picture, Television and Broadcast Studio use:

Access Driveway Widths within Parking Areas

Angle of Parking	Width of Aisle	
	One-Way	Two-Way
90 degrees	22 feet	24 feet
60 degrees	18 feet	20 feet
45 degrees	12 feet	18 feet
30 degrees	12 feet	18 feet

- The following Design Standards concern driveways:
 - a. One-way driveways or curb cuts shall be not less than 20 feet.
 - b. Two-way driveways or curb cuts shall not be more than 45 feet, however, this requirement shall not preclude the provision of adequate curb radii.
 - c. Lots or Development Zones with frontage on more than one street may have driveway access to any street frontage.

Minimum Required Loading Spaces.

Minimum loading space requirements for development within the Mega Parcel by Structure type are provided below.

Minimum Loading Spaces Required for Studio Structures

STRUCTURE TYPE	MINIMUM NUMBER OF LOADING SPACES	AT WHICH 1 ST LOADING SPACE REQUIRED	NUMBER OF ADDITIONAL SQUARE FEET FOR EACH ADDITIONAL LOADING SPACE
Backlot	0	N/A	N/A
Mill/Workshop	1	30,000 sf	30,000 sf
Retail, Studio Experience	1	10,000 sf	None
Sound Stages	0	N/A	N/A
Studio Business & Production Support (with and without rooftop helipad)	1	100,000 sf	100,000 sf
Storage/Warehouse	1	30,000 sf	30,000 sf

Minimum Loading Spaces Required for Non-Studio Structures Outside Perimeter Security Wall

STRUCTURE TYPE	MINIMUM NUMBER OF LOADING SPACES	AT WHICH 1 ST LOADING SPACE REQUIRED	NUMBER OF ADDITIONAL SQUARE FEET FOR EACH ADDITIONAL LOADING SPACE
Hotel	1	10,000 sf	100,000 sf
Retail, Sales and Services	1	10,000 sf	100,000 sf

Unless specified above, all other Structures in Development Zones containing Motion Picture, Television and Broadcast Studio use shall not be required to have a loading space.

Landscaping. The following concern Design Standards for landscaping and setbacks.

1. The following concern landscaped setbacks:
 - a. Setbacks to parking areas and driveways should be landscaped with shrubs and/or low groundcover, including evergreen materials unless screened from view by a Perimeter Security Wall.
2. Perimeter delineation: Any surface parking area located between a building and a street should be delineated and separated from adjacent street/sidewalk frontages by means of low screening hedge and/or low wall, or fence of stone or metal, or a Perimeter Security Wall. The hedge/fence/low wall/Perimeter Security Wall may be located at the front or back of the landscaped setback area.
3. Interior landscaping: Where more than 25 parking spaces are provided in any surface parking area, at least 10 percent of the interior area of the lot should be landscaped with trees and low plantings, unless parking area is located behind a Perimeter Security Wall in which case there shall be no requirement for landscaping within the interior parking area.
4. Exterior landscaping: The area between the property boundary and the Perimeter Security Wall shall include areas of densely planted landscaping to break up sight lines and create visual interest.
 - a. In the event Building 1152 (Vail Hall Annex) within Development Zone 2 is demolished, additional buffers, including landscaping, shall be installed to provide an additional buffer between Rose Court (Eatontown) and Development Zone 2. Additional buffering may include a concealing fence constructed of a long-lasting and attractive material and landscaped green walls.
 - b. Additional landscaping shall be required in Development Zone 6 along Riverside Drive and along the North Jersey Coastline Railroad to buffer residential areas. Landscaping shall include varied, native species of evergreen trees that shall be approximately 10-12 feet at planting with a projected mature height of 18 feet or higher.
5. Connections to street sidewalks: Should be provided running alongside the primary entry drives along Avenue of Memories and Route 35, connecting the sidewalk at the street to the primary Studio campus. Such connecting sidewalks should have a minimum clear walking area of five feet wide.
6. No sidewalks shall be required within the Perimeter Security Wall.

Lighting. The following concern lighting Design Standards:

1. Light fixtures shall be shielded using full cutoff light fixtures.
2. All lights shall direct light downward and while light fixtures may be visible the light source (i.e., light bulb) shall not be visible beyond the property boundary.
3. Maximum Height Freestanding Lights: The maximum height of freestanding lights shall not exceed 18 feet, except that in parking lots and basecamp areas the height of freestanding lights may not exceed a height of 25 feet.
4. Illumination levels at exterior tract boundary lines shall not exceed 0.5 footcandles, except where driveways/streets intersect with a public street and where lighting levels along external roadways must meet NJDOT criteria. Lighting levels at exterior tract boundary lines abutting residential zones shall not exceed 0.1 footcandles.

5. Film productions shall focus lighting on the filming area only and make every effort to shield the lighting from adjacent properties.
6. Exceptional lighting (e.g., Musco and Bebee lighting) shall not be allowed within 400 feet of adjoining residential properties between the hours of 10:00p.m. and 7:00a.m. Exceptional lighting outside of these parameters may be approved at the discretion of the approving authority(ies)/entity(ies).
7. Illumination Standards in Backlots.
 - a. Backlots shall not be required to have freestanding light poles.
 - b. Backlots shall be exempt from any minimum or maximum required lighting intensity within the highest Height District in each Development Zone.
 - c. Backlots within all other Height Districts in each Development Zone shall be subject to the maximum illumination level standards set forth in Lighting Section (4).

Perimeter Security Wall. The following concern requirements for Perimeter Security Walls:

1. The height of any Perimeter Security Wall shall be measured from the adjacent average finished grade. If the average finished grade is 3 feet or more above existing grade, then the measurement shall be taken from the existing grade. For example, if a Perimeter Security Wall is permitted to be 20 feet tall and the average finished grade is 3 feet above existing grade then the Perimeter Security Wall may only be 17 feet tall above the average finished grade. Alternatively, if the Perimeter Security Wall is permitted to be 20 feet tall and the average finished grade is 2 feet above the existing grade then the Perimeter Security Wall may be 22 feet tall.
2. All Perimeter Security Walls may be installed at a height not to exceed 20 feet.
3. Perimeter Security Walls shall contain variation in façade surface, materials, texture, color, or projections every 30 to 50 feet to break the massing of the wall and create visual interest.
4. Areas between the Perimeter Security Wall and external lot lines shall be landscaped.
5. Large scale murals may be placed on sections of the Perimeter Security Wall.
6. All Perimeter Security Walls shall be constructed for permanency.
7. All Perimeter Security Walls shall consist of one or a combination of the following materials: concrete, precast concrete, unit masonry, brick, stone, tile, wood, plaster, stucco, and metal. Perimeter Security Walls topped with barbed wire, razor wire, broken glass, or similar materials, or that are electrically charged, are prohibited.
8. Perimeter Security Walls may have decorative lighting subject to Planning Board review.
9. Signage may also be applied to or incorporated into Perimeter Security Walls that front Route 35, Avenue of Memories, and Oceanport Avenue.

Fencing. The following Design Standards concern fencing:

1. Outside of the Perimeter Security Walls no temporary fences are permitted except for construction fences (such as when used as a soil erosion control method), subject to appropriate approval by the approving authority(ies)/entity(ies) for such activity. Snow fences are also permitted as a temporary

fence. Nothing within this Amendment shall prohibit the erection of temporary fencing within the Perimeter Security Walls.

2. Fences topped with barbed wire, razor wire, broken glass, or similar materials, or that are electrically charged, are prohibited.

Signage

The following provisions govern all signage in zones containing Motion Picture, Television and Broadcast Studio use, which shall supersede any and all Land Use Rules contained in N.J.A.C. 19:31C-3.1 et seq related to signage.

1. Definitions

"Sign, Address" means a Sign, located on the premises, giving the address of the owner or occupant of a building or premises.

"Sign, Banner" means a Sign intended to be hung, with or without framing, and possessing characters, letters, symbols, emblems, trademarks, illustrations, or ornamentation applied to fabric or similar flexible material attached to a light fixture, pole, building or structure. Sign, Banner may change on a rotating basis, however, these Signs shall not be considered Temporary Signs.

"Sign, Channel Letter" means a Sign consisting of multi-dimensional, individually cut letters, numbers or figures, which are affixed to a building or structure.

"Sign, Studio Construction Area" means a Temporary Sign erected on premises where there is an active construction zone and which indicates the names of the architects, engineers, landscape architects, contractors or other similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

"Sign, Digital Display" means a Sign face, Building face, and/or any Building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation, through the use of grid lights, cathode ray projections, light emitting diode (LED) displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of or attached to, integrated into, or projected onto a Building or structural component, and that may be changed remotely through electronic means. Digital Display Signs may be erected as Studio Wall Signs, Studio Monument Signs or Studio Roof Signs, however, the "Restrictions by Sign Type – Digital Wall Display Sign," which is intended to apply to Digital Display Signs that are primarily affixed to the façade of a Building or Structure; or "Restriction by Sign Type – "Digital Monument Display Sign", which are intended to apply to Digital Display Signs that are primarily affixed to the ground shall apply. Digital Display Signs include video walls, which are fully illuminated video screens mounted onto a permanent Structure.

"Sign, Studio Directory" means a Sign which displays exclusively the names, logos and locations of occupants or uses of a Building/Structure, Outdoor Space or the Motion Picture, Television and Broadcast Studio campus.

"Sign, Graphic Wrap" means a type of Sign that wraps the entire Building/Structure facade or portion of a Building/Structure facade using and displays numbers, letters, symbols, or images. Graphic Wrap Signs may change on a rotating basis, however, these Signs shall not be considered Temporary Signs.

"Sign, Identification" means a Sign giving the name, nature, or other identifying symbol or text identifying the Building/Structure type or the activities occurring within the Building/Structure; the address or other identifying marker for the Building/Structure; or any combination thereof. Identification Signs shall not be used for the purposes of advertising and are intended to be permanent.

"Sign, Interior" means any Sign that is located within and only visible within the Perimeter Security Wall.

"Sign, Studio Monument" means a freestanding or ground-mounted Sign that is erected directly upon the ground.

"Sign, Mural" means a Sign that is painted on or applied to a Building or Structure.

"Sign, Real Estate" means a Sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the Sign is located.

"Sign, Studio Roof" means a Sign that is mounted on the roof of a Building or Structure or parapet wall of a Building or Structure that display numbers, letters, symbols or images.

"Sign, Supergraphic" means a large-scale Sign that displays numbers, letters, symbols or images, which may be directly attached or supported and attached to a Building or Structure by an adhesive and/or by using stranded cable and eyebolts and/or other similar methods or may be placed on the interior of a Building or Structure and visible from the exterior of the Building or Structure. For the elimination of doubt, a Supergraphic Sign shall not be considered a Studio Wall Sign or a Studio Window Sign.

"Sign, Temporary - Studio" means any Sign limited in duration to 30 days, which displays numbers, letters, symbols, or images. Temporary Signs may be affixed to the ground, Building, Structure or other object. For elimination of doubt, "coming soon" Signs for proposed Fort developments are excluded from this definition.

"Sign, Temporary – Studio Special Event" means any Sign limited in duration to 30 days and is intended to be displayed for a limited period of time only advertising an event.

"Sign, Studio Wall" means any Sign attached parallel to, or erected and confined within the limits of an outside wall of any Building or Structure, which is supported by such wall, Building or Structure. Studio Wall Signs display numbers, letters, symbols, or images and may not be used for advertising/promotional purposes unless the advertising/promotional content is related to productions, events, or other content involving the Motion Picture, Television and Broadcast Studio. For the elimination of doubt, a Studio Wall Sign shall not be considered a Supergraphic Sign, a Banner Sign or an Identification Sign.

"Sign, Studio Window" means any Sign that does not meet the definition of a "Supergraphic Sign", and that is either attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door on the interior of a Building or Structure in a manner so that the Sign is visible from outside the Building or Structure. Studio Window Sign(s) may also be attached to the exterior of a window or glass pane.

- **General provisions concerning Signs are as follows:**

- a. Measurement of Sign Area: Signs may be double-faced, but the maximum permitted Sign Area shall apply to one side only. The area of the Sign shall include each and every part of the Sign, including moldings and frames. Wherever the name or advertising message on a Sign is divided between a number of panels or parts, the total area of all the panels and parts shall be considered as one Sign. Where a Sign consists of letters, numbers, logos or images, the area of the Sign shall be considered as the total area of the smallest rectangle which can collectively enclose all of the letters or numbers,

logos or images. Where a Studio Wall Sign is permitted based on a maximum percentage of the facade area, the facade area shall be measured from ground level to the bottom of the roof eaves and from one side of the Building or Structure to the other. The area of the Sign does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall is clearly incidental to the Sign itself.

- b. The maximum permitted Sign Area for each Sign type permitted in Development Zones containing Motion Picture, Television and Broadcast Studio uses shall be as set forth in **Table B** below. There is no maximum permitted combined Sign Area or maximum permitted number of Signs for Signs, Interior; Signs, Graphic Wrap; or Signs, Mural.
 - c. No Sign shall have more than 4 display faces. The Sign Area for a Sign with 4 faces shall be computed by the measurement of the largest Sign face.
 - d. Signs are permitted on Perimeter Security Walls facing Route 35, Avenue of Memories and Oceanport Avenue. No signage facing Oceanport Avenue shall rotate, gyrate, blink, move, or appear to move in any fashion.
 - e. All Signs may be internally or externally illuminated unless otherwise specified herein.
 - f. Measurement of height: The height of Studio Monument Signs shall be computed as the distance from the base of the Sign at grade to the top of the highest attached component of the Sign. Grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavation solely for the purpose of locating the Sign.
- **Exemptions. The following Signs shall be exempt from all signage requirements:**
 - a. Interior Signs shall be exempt from these Sign regulations so long as they remain within the definition of Interior Signs.
 - b. Any public notice or warning Sign required by a valid and applicable Federal, State, County or local law, regulation or ordinance.
 - c. Any Sign which is inside a Building or Structure, not attached to a window or door, and is not readable from a distance of more than 10 feet beyond the lot line of the lot or parcel nearest to where such Sign is located. For the avoidance of doubt, interior digital display screens shall not be considered Signs.
 - d. Traffic control signs on private property, which meet the Department of Transportation standards, and which contain no commercial messages.
 - e. Signs which are required by County, State or Federal agencies.
 - **Prohibited Sign Types:** Unless otherwise expressly permitted under this Plan Amendment or within the Land Use Rules, all other Sign types are prohibited. The following Sign types shall be prohibited in all Development Zones where the Sign is visible by the public, from outside of a Perimeter Security Wall:
 - a. Signs that emit smoke, visible vapors, particles, odor or visible matter.
 - **Permitted Sign Types:** The following Sign types shall be permitted within the following Development Zones

Permitted Sign Types

P= Permitted

NP= Not Permitted

SIGN TYPE	DEVELOPMENT ZONES								
	1	2	3	4	5	6	7	8	9
Address Sign	P	P	P	P	P	P	P	NP	NP
Architectural Entryway Sign*	P	P	P	P	P	P	P	NP	NP
Awning Sign	P	P	P	P	P	P	P	NP	NP
Banner Sign	P	P	P	P	P	P	P	NP	NP
Channel Letter Sign	P	P	P	P	P	P	P	NP	NP
Digital Display Sign**	P	P	P	P	P	P	P	NP	NP
Graphic Wrap Sign	P	P	P	P	P	P	P	NP	NP
Identification Sign	P	P	P	P	P	P	P	NP	NP
Interior Sign	P	P	P	P	P	P	P	NP	NP
Mural Sign	P	P	P	P	P	P	P	NP	NP
Permanent Sign	P	P	P	P	P	P	P	NP	NP
Real Estate Sign	P	P	P	P	P	P	P	NP	NP
Studio Construction Area Sign	P	P	P	P	P	P	P	NP	NP
Studio Directional Sign	P	P	P	P	P	P	P	NP	NP
Studio Directory Sign	P	P	P	P	P	P	P	NP	NP
Studio Monument Sign	P	P	P	P	P	P	P	NP	NP
Studio Roof Sign	P	P	P	P	P	P	P	NP	NP
Studio Wall Sign	P	P	P	P	P	P	P	NP	NP
Studio Window Sign	P	P	P	P	P	P	P	NP	NP
Supergraphic Sign	P	P	P	P	P	P	P	NP	NP
Temporary Sign - Studio	P	P	P	P	P	P	P	NP	NP
Temporary Sign - Studio Special Event	P	P	P	P	P	P	P	P	P

* Architectural Entryways may be located at the main entry points of the campus.

** For the elimination of doubt, Digital Monument Display Signs, which are a subcategory of Digital Display Signs, shall be limited to 1 sign in Zone 1 only.

Restrictions by Sign Type

Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Maximum Sign Width	Other Requirements
Address Sign	Up to one Address Sign permitted per façade of permitted Structure	225 square feet	15 feet	15 feet	
Architectural Entryway Signs	1 per Architectural Entryway	900 square feet	3 feet	30 feet	<p>Architectural Entryways may be located at the main entry points of the campus.</p> <p>The structural component of the architectural entryway shall not be considered a Sign. Architectural entryways may be up to 30 feet in height and 75 feet in width. Signage may be placed on or on top of an architectural entryway.</p>
Awning Sign	N/A	30% of the surface area of the valance	N/A	N/A	<p>No Sign shall be placed on any portion of an awning except the valance. Signs are not permitted on awnings with a valance above a height of 14 feet as measured from the nearest sidewalk or edge of roadway grade to the top of the valance.</p> <p>The Sign Area is limited to a maximum of 12 inches in height on the portion of the valance that is parallel to the Building/Structure face.</p>

Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Maximum Sign Width	Other Requirements
Banner Sign	Up to 4 Banner Signs per façade	12% of Structure façade to which it's attached to or 800 SF per Banner Sign whichever is less	84 feet	20 feet	<p>Shall only be placed on the following Structures:</p> <p>Sound Stage</p> <p>Mill/Workshops</p> <p>Structured Parking Garage</p> <p>Retail, Studio Experience</p> <p>SBPSO</p> <p>SBPSO with helipad</p> <p>CUP</p> <p>Perimeter Security Wall</p> <p>Retail, Studio Sales</p> <p>Shall not be placed on any façade within 500 feet of and facing Brewer Avenue in Development Zone 7; and within 500 feet of and facing Riverside Avenue in Development Zone 6.</p>

Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Maximum Sign Width	Other Requirements
Digital Wall Display Sign	1 per permissible Structure type	600 square feet	N/A	N/A	<p>Shall only be placed on the following structures:</p> <p>Mill/Workshops</p> <p>Structured Parking Garage</p> <p>Retail, Studio Experience</p> <p>SBPSO</p> <p>SBPSO with helipad</p> <p>Digital Display Signs shall not emit any noise.</p> <p>Shall not be placed on any façade within 500 feet of and facing Brewer Avenue in Development Zone 7; within 500 feet of and facing the North Jersey Coastline Railroad in Development Zone 6; within 500 feet of and facing Riverside Avenue in Development Zone 6; within 250 feet of Avenue of Memories and facing the northern boundary line of Development Zone 2.</p>
Digital Monument Display Sign	1	3,750 square feet	N/A	N/A	<p>Digital Monument Display Sign shall not be placed within 250 feet of Avenue of Memories and facing the northern boundary line of Development Zone 2 and shall be limited to Zone 1. A Digital Monument Display sign shall not be permitted to be placed east of Building 1150 (Vail Hall).</p>

					Digital Monument Display Sign shall be primarily affixed to the ground however it may also shield other Structures such as but not limited to CUP Structures.
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Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Maximum Sign Width	Other Requirements
Directional Sign	N/A	24 square feet	8 feet	3 feet	
Graphic Wrap Sign	1 per permissible Structure type	100% of Structure of the façade to which it's attached	N/A	N/A	<p>Shall only be placed on the following structures:</p> <p>Sound Stages</p> <p>Mill/Workshops</p> <p>Structured Parking Garage</p> <p>Retail, Studio Experience</p> <p>SBPSO</p> <p>SBPSO with helipad</p>
Identification Sign	N/A	12% of Structure façade to which it's attached	10 feet	75 feet	
Interior Sign	N/A	N/A	N/A	N/A	Interior Signs may include flashing, mechanical and/or strobe lights, provided such lights are only visible within the Perimeter Security Wall.
Mural Sign	N/A	100% of Structure façade to which it's attached	N/A	N/A	
Studio Construction Area Sign	N/A	100 square feet per Sign. However, no one Structure (or zone) shall have Studio Construction Area Signage in excess of 250 square feet.	10 feet	10 feet	<p>Illumination of any kind is prohibited.</p> <p>Such Signs may be erected upon the issuance of a construction permit and shall not be displayed beyond the effective date of any certificate of occupancy affecting the premises.</p>

Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Maximum Sign Width	Other Requirements
Studio Directory Sign	N/A	144 square feet (within the Perimeter Security Wall) 75 square feet (outside the Perimeter Security Wall)	12 feet	12 feet	
Studio Monument Sign	2 at primary entryway 1 at all other entry points	400 square feet at main entry points from Avenue of Memories. 100 square feet at all other entry points.	10 feet	40 feet	
Studio Roof Sign	1 per Development Zone	15% of Structure facade it aligns with. However, no Studio Roof Sign shall be in excess of 500 SF	The greater of 15% of the building height upon which the Studio Roof Sign is located or 15 feet.	40 feet	In no instance shall a roof sign exceed 500 SF in area. Shall only be placed on the following structures: Structured Parking Garage Retail Experience SBPSO SBPSO with helipad
Studio Wall Sign	N/A	12% of Structure facade. However, no Studio Wall Sign shall be in excess of 600 SF	N/A	N/A	Shall not be used for advertising purposes unless the advertising/promotional content is related to productions, events, or other content involving the Motion Picture, Television and Broadcast Studio.
Studio Window Sign	N/A	300 SF	N/A	N/A	

Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Maximum Sign Width	Other Requirements
Supergraphic Sign	N/A	100% of Structure facade of which it's attached	N/A	N/A	<p>Shall only be placed on the following Structures:</p> <p>Sound Stage</p> <p>Mill/Workshops Structured Parking Garage</p> <p>Retail, Studio Experience</p> <p>Retail, Studio Sales</p> <p>SBPSO</p> <p>SBPSO with helipad</p> <p>Shall not be placed on any façade within 500 feet of and facing Brewer Avenue in Development Zone 7; within 500 feet of and facing the North Jersey Coastline Railroad in Development Zone 6; and within 500 feet of and facing Riverside Avenue in Development Zone 6.</p>

- **Illumination. Illumination of Signs shall be as follows:**

- a. Internal Illumination. All Signs may be internally illuminated with LED, LCD, halogen, metal halide, neon tubes, fiber optics, incandescent lamps, or other similar illumination types.
- b. External Illumination. Signs may be externally illuminated with LED, LCD, halogen, metal halide, neon tubes, fiber optics, spot lamps, “gooseneck” lamps, or similar lighting fixtures.
- c. Maximum illumination. The illumination levels at the property line(s), but specifically excluding internal lot lines, shall not exceed 0.1 footcandle for all Sign types except Digital Display Signs. The illumination levels for Digital Display Signs shall not be 0.3 footcandles above ambient levels.

- **Materials. Materials of Signs Shall be as follows:**

- a. All signs may consist of vinyl, metal, aluminum, wood, plastic, poster-material, composite, plastic, mylar, LCD and LED digital screens, paint or other similar materials.
- b. Banner Signs may also be constructed of fabric, canvas, or other similar materials.
- c. Studio Monument Signs may also consist of masonry, plexiglass, concrete, or other similar materials.
- d. Graphic Wrap Signs may also consist of fabric, canvas, or other similar materials.

Draft

Use and Bulk Standards – Affordable Housing Parcel

Amendment #20 anticipates the Mega Parcel to be developed as a Motion Picture, Television and Broadcast Studio. As such, land that the *Reuse Plan* intended to be developed for residential units, including the required 20 percent set aside of affordable housing units per N.J.S.A. 52:27D-329.9 and as incorporated into the *Reuse Plan* as amended, is no longer available for residential development. As set forth below, Amendment #20 identifies locations where affordable housing may be located regardless of whether the Mega Parcel is developed as a Motion Picture, Television and Broadcast Studio according to this amendment or if the parcel is developed according to the underlying land use rules.

The Affordable Housing Parcel will be divided into three (3) development zones as described more fully below. The following sections and tables provide regulations on permitted uses and bulk standards. The requirements in these sections are mandatory.

Establishment of Affordable Housing Parcel Development Zones

The Affordable Housing Parcel is hereby divided into the following Development Zones:

- Development Zone 10 **Eatontown Housing Parcel**
- Development Zone 11 **Supportive Housing Parcel**
- Development Zone 12 **Monmouth County Emergency Homeless Shelter Parcel**

Locations and boundaries of the above Development Zones is shown on **Exhibit B**. The Eatontown Housing Parcel will provide sixty-two (62) affordable housing units. In Oceanport, the Supportive Housing Parcel will provide twenty-five (25) affordable housing units and the Monmouth County Emergency Homeless Shelter Parcel will provide twenty-four (24) affordable housing units.

Affordable Housing Requirements

In a letter to FMERA dated June 16, 2011, the United State Department of Housing and Urban Development's confirmed its determination that the *Fort Monmouth Reuse and Redevelopment Plan and Homeless Assistance Submission*, dated September 4, 2008, with supplemental information dated April 1, 2009, and February 7, 2011 (the "*Reuse Plan*"), complied with the requirements of the Base Closure Community Redevelopment and Homeless Assistance Act. Under the *Reuse Plan*, 1,585 residential housing units will be built on the entire Fort Monmouth property including 720 residential units in Oceanport and 577 residential units in Eatontown. Of the total number of units, 20 percent shall be set aside for affordable housing, i.e., 144 units in Oceanport and 116 units in Eatontown. This amendment permits 62 affordable housing units in Eatontown, and 49 affordable housing units in Oceanport.

The Development Zone Tables including use, bulk, and bedroom distribution are provided in **Tables 49 - 51**.

The status of residential development on the former Fort Monmouth properties in Eatontown and Oceanport, including affordable housing development, is provided in the paragraphs below.

Borough of Eatontown

The *Reuse Plan* states that the **577 residential units** in Eatontown will be developed as follows: 302 dwelling units in areas east of Route 35 (i.e., the location of the Mega Parcel); and 275 units in the former Howard Commons neighborhood which would yield a total of **116 affordable housing units** in accordance with the

20 percent set aside. Plan Amendment #10 increased the overall number of residential units to **652**.

In the years since the *Reuse Plan* was adopted in 2008, 275 residential units have been approved for Howard Commons including 55 affordable housing units (20 of which are permanent supportive housing); and 75 residential units have been approved at the Suneagles golf course, of which 15 are affordable housing units. Development of residential units on this parcel was not contemplated in the 2008 *Reuse Plan* but was permitted per Amendment #10 to the *Reuse Plan* which was adopted in May 2018. As stated above, this housing was not contemplated in the *Reuse Plan* and added to the total number of residential units in the *Reuse Plan* for the Eatontown Reuse Area.

At present, 350 residential units have been either approved for construction or constructed in Eatontown (i.e., 275 units at Howard Commons + 75 units at Suneagles golf course) including 70 affordable housing units. Subtracting the 350 approved for construction or constructed units from the 577 total housing units permitted in the *Reuse Plan* leaves a total of 227 units which could be built in the remaining areas on Eatontown which are all located east of Route 35. The 227 units is 75 units less than the 302 units contemplated for the Route 35 area in the *Reuse Plan*, due to the 75-unit development at Suneagles golf course.

This amendment contemplates that the areas east of Route 35 in Eatontown will now be developed with a Motion Picture, Television and Broadcast Studio which does not include any residential units. As required by the March 8, 2022 Request for Offers to Purchase, this *Reuse Plan* Amendment, identifies alternative locations and future requirements for residential units, including the location of any homeless service provider facility since the Mega Parcel shall be developed as a wholly commercial project. If this amendment is realized, the remaining market rate residential units permitted in the *Reuse Plan* (i.e., 227 units) are not anticipated to be developed.

As such, this amendment permits the construction of 62 affordable housing units in Eatontown that would have been required to be built if the full 302 residential units were developed east of Route 35, i.e., a minimum of 61 affordable units in accordance with the 20 percent set aside.

In summary, the former Fort Monmouth parcels in Eatontown will be developed with a total of 412 residential units (i.e., 275 units at Howard Commons + 75 units at Suneagles golf course + 62 units at the Eatontown Housing Parcel). Of these 412 units, 132 units will be affordable housing units (i.e., 55 units at Howard Commons + 15 units at Suneagles + 62 units at the Eatontown Housing Parcel), which represents an affordable housing set aside of 32 percent, far in excess of the 20 percent required. As such, this amendment permits the construction of the total number of affordable housing units anticipated in the Eatontown Reuse Area in the *Reuse Plan* regardless of the fact that the market rate units that would generate the affordable housing obligation are not expected to be constructed at this time. However, in the event that the Mega Parcel is not developed as a Motion Picture, Television and Broadcast Studio and is instead developed according to the underlying Land Use Rules, the Affordable Housing Parcel remains part of the development that includes the Mega Parcel, which envisions a comprehensive live-work leisure development with mixed uses. Accordingly, the 62 affordable units permitted in this amendment would constitute the required affordable housing for all residential units constructed on the Mega Parcel so long as the total number of housing units in the Eatontown Reuse Area does not exceed 652 units and the total percentage of units set aside for affordable housing does not fall below the required 20 percent of market rates constructed.

TABLE 48: MARKET RATE AND AFFORDABLE HOUSING UNITS IN EATONTOWN REUSE AREA

Development	Total Units	Total Market Rate Units	Total Affordable Units	Set Aside
Howard Commons	275	220	55	20%
Suneagles Golf Course	75	60	15	20%
Eatontown Affordable Housing	62	0	62	100%
Total	412	280¹	132	32%

Borough of Oceanport

The *Reuse Plan* states that the **720 residential units**, including **144 affordable housing units**, in Oceanport will be developed as follows: 561 dwelling units, including 113 affordable units, in areas east of Malterer Avenue; and 159 dwelling units, including 32 affordable units, south of Avenue of Memories. Both areas are now part of the Mega Parcel and anticipated to be developed as Motion Picture, Television and Broadcast Studio.

In the years since the *Reuse Plan* was adopted in 2008, 116 residential units have been approved and constructed for Officer Housing including 24 affordable housing units; 81 residential units have been approved and constructed for Patterson Army Hospital Parcel including 17 affordable housing units; 180 residential units have been approved and are under construction at the Lodging Parcel, of which 40 are affordable housing; 34 residential units have been approved for construction at the Nurses Quarters of which 7 are affordable housing units; and 75 residential units have been approved for construction at Barker Circle, of which 15 are affordable housing units. Development of residential units on these parcels were permitted per Amendment #2, 6, 14, 16 and 18 to the *Reuse Plan* which were adopted on August 2012, July 2016, May 2019, December 2020, and July 2022, respectively.

At present, 486 residential units have been either approved for construction or constructed in Oceanport (i.e., 116 at RPM + 81 at Patterson Army Hospital + 180 at Lodging + 34 at Nurses Quarters + 75 units at Barker Circle) including 103 affordable housing units. Subtracting the 486 built or under construction units from the 720 total housing units permitted in the *Reuse Plan* leaves a total of 234 units which could be built in the remaining areas on Oceanport which are all located either on the 400 Area Parcel or off of Oceanport Way.

As required in the March 8, 2022 Request for Offers to Purchase, this *Reuse Plan* Amendment, identifies alternative locations and future requirements for residential units, including the location of any homeless service provider facility since the Mega Parcel shall be developed as a wholly commercial project. As such, this amendment identifies Development Zones 11 and 12 for the construction of 25 and 24 units, respectively of affordable housing in Oceanport. Development Zone 11 is identified for supportive or SRO units as required by FMERA's legally binding agreement approved by the U.S. Department of Housing and Urban Development.

¹ In the event that the Mega Parcel is not developed as a Motion Picture, Television and Broadcast Studio and the parcel is developed according to the underlying zoning, additional market rate units may be constructed in the Eatontown Reuse Area so long as the total number of units does not exceed 652 units, and the percentage of total units set aside as affordable housing units does not fall below 20 percent.

Nevertheless, this amendment permits the construction of affordable housing units that would have been required to be built if 234 residential units were developed on the 400 Area Parcel, i.e., a minimum of 47 affordable units. This amendment permits the development of 49 affordable units in the Oceanport Reuse Area which exceeds the total number of affordable housing units anticipated for the 400 Area Parcel in the *Reuse Plan* regardless of the fact that the market rate units that would generate the affordable housing obligation are not expected to be constructed. However, in the event that the Mega Parcel is not developed as a Motion Picture, Television and Broadcast Studio and is instead developed according to the underlying Land Use rules, the Affordable Housing Parcel remains part of the development that includes the Mega Parcel, which envisions a comprehensive live-work leisure development with mixed uses. Accordingly, the 49 affordable units permitted in this amendment would constitute the required affordable housing for all residential units constructed on the Mega Parcel so long as the total number of housing units in the Oceanport Reuse Area does not exceed 720 units and the total percentage of units set aside for affordable housing does not fall below the required 20 percent of market rates constructed.

Development Zone Tables

Development Zone tables for each of the Development Zones listing permitted uses, maximum permitted density and lot coverage are provided in the tables below.

Draft

TABLE 49: ZONE-WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 10

ZONE DESCRIPTION	Zone 10, otherwise known as the “Eatontown Housing Parcel” is located in Eatontown. The parcel is ±32 acres of land and is bounded by Oceanport Way and the Federal Credit Union Parcel to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Hospital Parcel to the south.
PERMITTED PRINCIPAL USES	Affordable housing units in the form of townhouses, stacked flats/apartments and single-family detached houses
PERMITTED ACCESSORY USES	Green house, hydroponic garden, and uses customary and incidental to the permitted residential units
MAXIMUM NUMBER OF UNITS	62 Dwelling Units
BEDROOM COUNTS	<ul style="list-style-type: none"> • Eight (8) – One Bedroom Units • Thirty-Six (36) – Two Bedroom Units • Eighteen (18) – Three Bedroom Units
MAXIMUM DENSITY	<ul style="list-style-type: none"> • 12 Units/acre for townhouses, stacked apartments • 6 units/acre for single-family detached houses
BULK STANDARDS	Any deviations from the existing bulk standards, including but not limited to lot setbacks, ground coverage, building height and parking, will need to be addressed in a separate amendment.
OPEN SPACE	Approximately +/-13.4 acres of the site shall be designated as deed-restricted open space.

TABLE 50: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 11

ZONE DESCRIPTION	Zone 11, otherwise known as the “Supporting Housing Parcel” is located in Oceanport. The parcel is ±0.9872 acres of land and is located along Oceanport Way in the Borough of Oceanport. Surrounding land uses include the Patterson Army Hospital Parcel to the west, the Commissary Parcel to the northwest, and the Cell Tower Parcel to the east
PERMITTED PRINCIPAL USES	Affordable housing units in the form of Single Room Occupancy (SRO) apartments/Supportive and Special Needs Housing
PERMITTED ACCESSORY USES	Uses customary and incidental to the permitted residential units
MAXIMUM NUMBER OF UNITS	25 Dwelling Units*
BEDROOM COUNTS	N/A
BULK STANDARDS	Any deviations from the existing bulk standards, including but not limited to lot setbacks, ground coverage, building height and parking, will need to be addressed in a separate amendment.

TABLE 51: ZONE WIDE BULK STANDARDS FOR DEVELOPMENT ZONE 12

ZONE DESCRIPTION	Zone 12, otherwise known as the “Monmouth County Emergency Homeless Shelter Parcel” is located in Oceanport. The parcel consists of approximately +/-3.1 acres of land and is located along Oceanport Way in the Borough of Oceanport and is bordered by the Warehouse Parcel to the west and the Husky Brook area to the north and east.
PERMITTED PRINCIPAL USES	Affordable housing units in the form of townhouses/stacked flats/multi-family apartments.
PERMITTED ACCESSORY USES	Other uses customary and incidental to the permitted residential units
MAXIMUM NUMBER OF UNITS	24 Dwelling Units
BEDROOM COUNTS	<ul style="list-style-type: none"> • Ten (10) – Two Bedroom Units • Ten (10) – Three Bedroom Units • Four (4) – Four Bedroom Units
BULK STANDARDS	Any deviations from the existing bulk standards, including but not limited to lot setbacks, ground coverage, building height and parking, will need to be addressed in a separate amendment.
SUBDIVISION STANDARDS	The parcel may be subdivided to accommodate the affordable housing units. Subdivision standards including but not limited lot area and lot frontage, will be addressed in a separate amendment

Relationship to Elements, Objectives and Principles of the *Reuse Plan* and FMERA Directive

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, open space, sustainability, infrastructure, traffic, environmental issues, historic preservation, and community impacts. The relationship between the amendment and these Plan elements is described below.

Land Use and Circulation

- Total Non-Residential Square Footage Yield

Whale Parcel – Development Zone 1

For the redevelopment of the Whale Parcel, the *Reuse Plan* envisioned a ±150,000-square-foot area for retail, restaurants, entertainment venues, residences, and other purposes in the westernmost section of the Whale Parcel. Additionally, the *Reuse Plan* also called for repurposing the ±57,386 square foot Mallette Hall (Building 1207) for municipal use and the ±18,883 square foot Expo Theater (Building 1215), for community theater and arts and cultural-related activities. As such, the *Reuse Plan* contemplated a total of ±226,269 square feet and a floor area ratio (“FAR”) of 0.25 of non-residential development in the Eatontown Route 35 Lifestyle/Tech Center, and 0.3 of non-residential development in the Oceanport Green Tech Campus district. In addition to the aforementioned non-residential uses in the Whale Parcel, under the *Reuse Plan*, the property anticipated three hundred and two (302) residential housing units on the site. Under this proposed amendment, all the residential housing units have been removed from this parcel and the affordable units have been relocated to Development Zone 10. As a result, more developable land area becomes available to accommodate additional square footage for non-residential uses. To optimize the redevelopment potential of the parcel, an increase in non-residential square footage is warranted and the proposed amendment allows for a FAR of up to 0.5 within the development zone, permitting a total of ±2,559,107 square feet for new and existing non-residential uses as described in **Tables 1 - 47**.

Vail Hall Parcel & Parcel 2 – Development Zone 2

The *Reuse Plan* contemplated repurposing Vail Hall (Buildings 1150 & 1152), totaling ±36,483 square feet, for communication-related purposes. Consistent with the *Reuse Plan*, the proposed Amendment envisions both Vail Hall and its Annex to be adaptively reused or demolished to support a state-of-the-art Motion Picture, Television and Broadcasting Studio. This amendment will also permit a FAR of up to 0.30 for the Development Zone allowing up to 133,816 square feet of new and existing nonresidential uses.

Tech A Parcel & Barracks Parcel – Development Zone 3

The *Reuse Plan* called for the demolition of all the buildings on these parcels and envisioned the redevelopment of the parcels into an open space. Under the Land Use Rules, approximately ±4.5 acres of the western section of the parcel lies in the Eatontown Route 35 Lifestyle/Tech Center district, while approximately ±5.0 acres of the eastern section fall within the Oceanport Green Tech Campus district. The current regulations allow for a FAR of 0.25 in the Eatontown Route 35 Lifestyle/Tech Center district and a

FAR of 0.3 in the Oceanport Green Tech Campus district. This Plan Amendment This Plan Amendment calls for all the buildings to be demolished, as contemplated under the *Reuse Plan*, to support state-of-the-art Motion Picture, Television and Broadcasting Studios. This Plan Amendment will permit a FAR of 0.3 for this development zone allowing up to ±125,340 square feet of new non-residential Studio related uses.

Bowling Center Parcel – Development Zone 4

The *Reuse Plan* called for the ±17,599-square-foot Bowling Alley (Building 689) to be retained and redeveloped as a commercially operated bowling alley, while Building 682 was slated for demolition. The Land Use Rules places the majority of the Bowling Center Parcel in the Route 35 Lifestyle/Tech Center District and permits a FAR of 0.25. A small portion of the Bowling Center Parcel located to the northeast and adjacent to the McAfee Parcel remains within the Oceanport Green Tech Campus Development District and permits a FAR of 0.3. In the proposed Plan Amendment, both the Bowling Alley and Building 682 will be demolished to support state-of-the-art Motion Picture, Television and Broadcasting Studios. This Plan Amendment This Plan Amendment will maintain a FAR of 0.3 for this development zone, permitting a maximum of ±32,932 square feet of new non-residential Studio related uses.

Tech B Parcel – Development Zone 5

The *Reuse Plan* envisioned the redevelopment of the majority of the parcel as landscaped open space and Lane Hall (Building 702), which covers ±12,100 square feet, as being reused as a community center. Per the Land Use Rules, approximately ±12.56 acres of the western section of the parcel falls within the Eatontown Route 35 Lifestyle/Tech Center section of the Fort, and approximately ±5.34 acres of the parcel falls within the Oceanport Green Tech Campus/Oceanport Education/Mixed-Use Neighborhood section of the Fort. Under the Land Use Rules, the Eatontown Route 35 Lifestyle/Tech Center district permits a FAR of 0.25, the Oceanport Green Tech Campus district permits a FAR of 0.3, and the Oceanport Education/Mixed-Use Neighborhood district permits a FAR of 0.2. In this Plan Amendment, Lane Hall shall be demolished to support state-of-the-art Motion Picture, Television and Broadcasting Studios. This Plan Amendment will permit a FAR of 0.3 for this development zone allowing up to ±231,629 square feet of new non-residential uses.

400 Area Parcel – Development Zone 6

The *Reuse Plan* envisioned the redevelopment of the 400 Area Parcel as the Oceanport Village Center, comprising a mix of uses including residential, retail, commercial, and community amenities to create a hub for the Oceanport community. As per the Land Use Rules, the parcel lies in the Horseneck Center Development District and permits a non-residential FAR of up to 0.25 FAR. Under this amendment, Buildings 276, 277, 279, 280, 281 and 482 may be adaptively reused or demolished. The remaining buildings are to be demolished to support state-of-the-art Motion Picture, Television and Broadcasting Studios. The 400 Area Parcel also was anticipated to permit two hundred and thirty-four (234) residential housing units on the site. Instead, under this proposed amendment, all the residential housing units have been removed from this parcel and of the affordable housing units have been relocated to Development Zones 11 and 12. As a result, more developable land area is available to accommodate additional square footage for non-residential uses. As such, to optimize the redevelopment potential of the parcel, an increase in non-residential square footage is warranted and the non-residential square footage yield will be increased. This Plan Amendment This Plan Amendment will permit a non-residential FAR of 0.5 for this development zone allowing up to ±1,727,635 square feet of a mix of new and existing non-residential uses.

McAfee Parcel – Development Zone 7

The *Reuse Plan* called for the ±97,000 square foot McAfee Center (Building 600) to be adaptively reused for tech related uses. Additionally, it envisions repurposing the ±16,000 square foot Building 601 and the ±6,000 square foot Building 602 for research and development (R&D) activities. Under the Land Use Rules, approximately ±3.19 acres of the parcel is in the Eatontown Route 35 Lifestyle/Tech Center district and ±26.24 acres are in the Oceanport Green Tech District. The Eatontown Route 35 Lifestyle/Tech Center district permits a FAR of 0.25, while the Oceanport Green Tech Campus district permits a FAR of 0.3. The proposed amendment permits the adaptive reuse of the McAfee Center for uses associated with state-of-the-art Motion Picture, Television and Broadcasting Studios. To support this change, this Plan Amendment Plan Amendment will permit a FAR of 0.3 and allow up to ±384,537 square feet of new and existing non-residential Studio related uses.

- Total Residential Square Footage Yield

Eatontown Housing Parcel – Development Zone 10

The *Reuse Plan* envisioned that a portion of the parcel will be developed as an active recreation area, including ballfields and greenery in the northern section, as well as a school and low-density residential in other areas. Under the Land Use Rules, approximately ±14 acres of the parcel are located within Eatontown Route 35 Lifestyle/Tech Center district, which permits a non-residential FAR of .25 and ±18 acres remain within the Oceanport Education/Mixed-Use Neighborhood, which permits a non-residential FAR of 0.2.

The proposed amendment will allow for the demolition of the Burger King (Building 822), Building 826, Building 814, Building 815, and Building 830, and permit a total of sixty-two (62) affordable residential units on the ±32-acre parcel along with deed restricted open space. Of the sixty-two (62) affordable residential units, this amendment will permit eight (8) one-bedroom affordable units, thirty-six (36) two-bedroom affordable units, and eighteen (18) three-bedroom affordable units. This amendment will allow for residential uses either in the form of townhouses and stacked flats/multi-family apartments with a maximum density of 12 units per acre or single-family residential units with a density of up to 6 units per acre.

Supportive Housing Parcel – Development Zone 11

The *Reuse Plan* contemplated the ±0.9872-acre parcel to be developed for low density residential use. As per the Land Use Rules, the parcel is in the Oceanport Education Mixed-Use Development District. The proposed amendment will permit twenty-five (25) single residency occupancy (SRO) affordable housing units in the form of supportive rental housing on the site.

Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12

According to the *Reuse Plan*, the intended future use of this parcel was for low-density residential development. The property is included within a portion of the Oceanport Education Mixed Use Development District in the Land Use Rules. Plan Amendment #6 permitted the Monmouth County homeless shelter on the parcel and eliminated the low-density residential development. Subsequently, the homeless shelter was constructed and now provides temporary shelter for up to sixteen (16) individuals. The proposed amendment will permit an additional twenty-four (24) affordable housing units to be co-located on this site. Of those units, ten (10) will be two-bedroom units, ten (10) will be three-bedroom units and four (4) will be four-bedroom units.

- Compatibility with Surrounding Land Uses

The *Reuse Plan* envisioned a mixed-use campus for the redevelopment of the Fort, encompassing a wide variety of uses. To further advance the redevelopment goals outlined in the *Reuse Plan*, all 19 prior plan amendments have permitted a diverse array of uses. These amendments were the result of changes in the marketplace in the 15 years since the plan was adopted and encouraged economic development in light of cyclical downturns in the housing, retail and office markets. As a result, there are currently over 40 different projects on the former Fort Monmouth parcels including residential, mixed-use, educational, retail, office, healthcare, and recreational facility uses that are either completed or in progress.

The Mega Parcel – Development Zones 1-9

Consistent with these diverse developments, the proposed Plan Amendment will also allow for Motion Picture, Television and Broadcasting Studio uses, which will add to the Fort's existing diversity of land uses, complement these existing uses, and further the Governor's economic plan titled "The State of Innovation: Building A Stronger and Fairer Economy in New Jersey" ("Governor's Economic Plan"). This amendment not only envisions a state-of-the-art Motion Picture, Television and Broadcast Studio campus, but also envisions the potential for the inclusion of public facing retail establishments, consumer-facing studio experiences, and hotels fronting on Route 35 and Oceanport Avenue. As there are already several commercial establishments located along Route 35, the retail and hotel establishments envisioned in the amendment would also be compatible with the surrounding land uses.

Affordable Housing Parcels – Development Zones 10-12

The Reuse Plan envisioned a mix of residential opportunities throughout Fort Monmouth and further established that affordable housing obligations and support services be provided through a variety of means. This amendment envisions the construction of affordable and supportive housing units within the Boroughs of Eatontown and Oceanport at alternative locations than previously contemplated and as further described above. Further, this amendment will promote a live-work environment within the Fort. These locations and their respective compatibility with surrounding land uses is discussed below:

- **The Eatontown Housing Parcel – Development Zone 10.** This amendment permits sixty-two (62) affordable housing units in Zone 10 near the Patterson Army Clinic Parcel which also has eighty-one (81) residential units and the Nurses Quarters Parcel which permits thirty-four (34) residential units and an offsite existing residential area, thus complementing the surrounding land uses.
- **The Supportive Housing Parcel – Development Zone 11.** This amendment permits twenty-five (25) affordable housing units near the Patterson Army Clinic Parcel which also has eighty-one (81) residential units and the Nurses Quarters Parcel which permits thirty-four (34) residential units, thus complementing the surrounding land uses.
- **The Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12.** This amendment permits twenty-four (24) affordable housing units near the Monmouth County Emergency Homeless Shelter, thus complementing the surrounding land uses.

Circulation

Impacts of this amendment on the "Transportation Circulation Improvement Goals" established in the *Reuse Plan* are discussed below.

The Mega Parcel – Development Zones 1-9

In order to ensure the seamless operation of the studio campus facility and streamline connectivity between non-contiguous parcels, it may be necessary to realign or vacate some of the roads owned by Monmouth County. In the future, a portion of Wilson Avenue north of Avenue of Memories may need to be vacated to facilitate the efficient operation of state-of-the-art Motion Picture, Television and Broadcasting Studios. If Wilson Avenue is vacated, FMERA plans to dedicate Malterer Avenue to the County to be used as a thoroughfare to maintain the north-south connection between Sherill Avenue and Avenue of Memories, thereby ensuring smooth traffic flow. Furthermore, to promote walkability and bicycling in the Fort Area, this amendment contemplates the creation of multi-use trails on the northern section of the Whale Parcel, as well as along Avenue of Memories between Route 35 to Oceanport Avenue via these properties and other anticipated trail connections.

Affordable Housing Parcels – Development Zones 10-12

- **The Eatontown Housing Parcel – Development Zone 10.** This amendment does not propose any changes to the roadway network system for the Eatontown Housing Parcel.
- **The Supportive Housing Parcel – Development Zone 11.** This amendment does not propose any changes to the roadway network system for the Supportive Housing Parcel.
- **The Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12.** This amendment does not propose any changes to the roadway network system for the Monmouth County Emergency Homeless Shelter Parcel.

Open Space

This amendment is consistent with the *Reuse Plan*'s goal of preserving passive and active open space.

The Mega Parcel – Development Zones 1-9

As outlined in the *Reuse Plan*, this amendment also includes provisions for preserving Greely Field and Cowan Park (Development Zones 8-9) as publicly accessible heritage open spaces, offering passive and active recreation opportunities to the surrounding residents. Furthermore, this amendment seeks to protect and preserve wetlands and environmentally sensitive areas, which would create additional open spaces within the Fort Area. This amendment envisions the preservation of the land area on the southern part of Development Zone 2 as open space, as well as the creation of open space along the northern boundary of Development Zone 1 and Development Zone 6. As previously noted, this Plan Amendment also includes a multipurpose trail that will connect various open spaces within the Fort area.

Affordable Housing Parcels – Development Zones 10-12

- **The Eatontown Housing Parcel – Development Zone 10.** The Reuse Plan contemplated that portions of Development Zone 10 be redeveloped for recreation and open space, and the existing track and fields to be reused. While the existing track and fields are no longer suitable for reuse due to deteriorating conditions, this amendment continues to permit recreation and open space and calls for approximately ±13.4 acres to be deed restricted for both passive and active open space where the track and field are currently located as depicted in **Exhibit E**. Despite this deed restricted open space, the ±32-acre property provides more than sufficient acreage to construct sixty-two (62) affordable housing units.

- **The Supportive Housing Parcel – Development Zone 11.** The *Reuse Plan* did not target open space at this location; therefore the proposed development does not adversely impact open space contemplated under the *Reuse Plan*.
- **The Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12.** The *Reuse Plan* did not target open space at this location; therefore the proposed development does not adversely impact open space contemplated under the *Reuse Plan*.

Sustainability

This amendment would not preclude incorporation of any of the sustainability measures outlined in the *Reuse Plan*.

The Mega Parcel – Development Zones 1-9

As further described above in Section III and as further detailed in **Exhibit D**, several buildings are contemplated for adaptive reuse, furthering the *Reuse Plan*'s green sustainability goal to maximize the adaptive reuse of existing buildings. This amendment also envisions wetland preservation and restoration, protection, and the creation of open space. Further, this amendment encourages low impact development (LID) green infrastructures measures including of stormwater management facilities, renewable energy systems, and electric vehicle charging stations.

Affordable Housing Parcels – Development Zones 10-12

- **The Eatontown Housing Parcel – Development Zone 10.** This amendment envisions the preservation of +/- 13.4-acres of open space and would not preclude the inclusion of additional sustainability measures.
- **The Supportive Housing Parcel – Development Zone 11.** No specific sustainability measures are targeted under this amendment; however, this amendment would not preclude the incorporation of sustainability measures.
- **The Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12.** No specific sustainability measures are targeted under this amendment; however, this amendment would not preclude the incorporation of sustainability measures.

Infrastructure

This amendment creates no adverse effects to on-going Fort-wide infrastructure improvements. The prior Army utilities were decades old and to support FMERA's redevelopment efforts, critical infrastructure improvement projects aimed at building a more resilient infrastructure system are currently underway. These projects include the construction of a new electrical substation, a new electrical distribution system, the installation of numerous new sanitary sewer mains and a centralized pump station, and the replacement of old water lines with properly sized new water mains. These infrastructure projects will serve several important purposes, including enhancing safety and reliability, meeting increased demand, reducing maintenance costs, ensuring energy efficiency, improving emergency preparedness, and ensuring the functionality of essential services. As a result, the infrastructure system within the Fort Area will become more resilient and better equipped to support large-scale redevelopment envisioned in this amendment.

The Mega Parcel – Development Zones 1-9

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

Affordable Housing Parcels – Development Zones 10-12

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

Traffic

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.

The Mega Parcel – Development Zones 1-9

The redevelopment contemplated under this amendment is likely to increase traffic to the area based on the reactivation of existing structures and an increase in overall square footage. This amendment contemplates approximately ±5.2 million square feet of non-residential Studio related uses, a significant increase from that proposed under the *Reuse Plan*. However, as previously noted, the relocation of residential development contemplated under the *Reuse Plan* allows for the absorption of the additional acreage for increased non-residential development.

Affordable Housing Parcels – Development Zones 10-12

- 1.0 **The Eatontown Housing Parcel – Development Zone 10.** The existing road network system as contemplated in the *Reuse Plan* is expected to accommodate any additional traffic generated from the Eatontown Housing Parcel, although additional internal roadways are anticipated for the site.
- 2.0 **The Supportive Housing Parcel – Development Zone 11.** The existing road network system as contemplated in the *Reuse Plan* is expected to accommodate any additional traffic generated from the Supportive Housing Parcel.
- 3.0 **The Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12.** While Development Zone 12 has always been contemplated for residential redevelopment, this amendment anticipates a change in density on the site, which may impact traffic. As stated above, additional traffic analysis will be conducted during site plan review.

Environmental Issues

The Mega Parcel – Development Zones 1-9

This amendment does not preclude the protection of environmentally sensitive areas/wildlife. Portions of these Development Zones envisioned to be redeveloped under this amendment, are not environmentally constrained as indicated by the Geographic Information System (GIS) layers provided by the New Jersey Department of Environmental Protection (NJDEP). Any environmentally constrained areas within the Mega Parcel and the Affordable Housing Parcels will be preserved and protected in accordance with NJDEP requirements.

Furthermore, stormwater management measures will have to be evaluated for future redevelopment of all the parcels and could trigger a permitting requirement with the NJDEP. The redevelopment of the parcels may also require the completion of a Soil Erosion & Sediment Control Plan which is to be submitted to the Freehold Soil Conservation District for approval. These statutory requirements are unaffected by the proposed amendment.

Additionally, there are also freshwater wetlands, several water bodies found on or near the parcels, riparian zones, flood hazard areas, and threatened and endangered species living on or near the subject parcel that could have an impact on redevelopment.

The Mega Parcel – Development Zones 1-9

All parcels incorporated into this amendment are located in the CAFRA zone and as a result, redevelopment of the parcel will trigger a CAFRA permitting action. Historic landfills located within the Mega Parcel have been capped by the U.S. Army, and some portions of these landfills are anticipated to remain as open space. Threatened and endangered species living on or near the subject parcel could have an impact on redevelopment.

Affordable Housing Parcels – Development Zones 10-12

Development Zones 10-12 are located in the CAFRA zone and may be subject to permitting requirements with the NJDEP. Any environmentally constrained areas within Development Zones 10-12 would be preserved and protected accordingly. Threatened and endangered species living on or near the subject parcel could have an impact on redevelopment.

Historic Preservation

This amendment will not have any adverse impacts on the Fort's historic resources as the resources proposed for preservation under the *Reuse Plan* are still preserved under the plan amendment.

The Mega Parcel – Development Zones 1-9

Cowan Park and Greely Field (Development Zones 8-9), as well as the World War II Memorial building located within Greely Field, are listed in the State and National Registers of Historic Places and are subject to New Jersey Historic Trust easements as per the guidelines of the State Historic Preservation Office (SHPO).

Additionally, Cowan Park, Greely Field and the World War II Memorial building are located within the Fort's Historic District. The redevelopment of the historic properties within the Historic District are subject to the Fort's Historic Preservation Design Guidelines. Pursuant to the Historic Guidelines, and the FMERA Land Use Rules, FMERA's Historical Preservation Staff Advisory Committee is required to review any redevelopment involving the properties within the Historic District. No development is permitted on Greely Field or Cowan Park and shall be preserved heritage open space.

Affordable Housing Parcels – Development Zones 10-12

None of the buildings in the Affordable Housing Parcels affected by the proposed amendment are listed in State or National Registers of Historic Places. Likewise, none of the buildings or parcels included in the amendment are subject to FMERA's Historic Preservation Guidelines.

Community Impacts and Affordable Housing

This amendment supports positive social and economic impacts within the host municipalities and will not adversely affect the total number of affordable housing units as contemplated under the *Reuse Plan*.

The Mega Parcel – Development Zones 1-9

As noted in the *Reuse Plan*, the three host communities, including Eatontown and Oceanport, rely on taxation for a large 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 residents.

The approximately ±5.2 million square feet of non-residential including hotel, retail, and movie studio related uses envisioned for multiple parcels within the Fort area in this amendment will significantly expand the tax base of the host municipalities. This expansion will enable the Boroughs to allocate resources to various other priority areas aimed at enhancing the quality of life for their residents.

This amendment would further support FMERA in its efforts to stimulate economic development by attracting new workforces and businesses to relocate or create new jobs on, and in the area of, Fort Monmouth that have the potential to replace jobs lost when the Fort closed. In particular, the development of a state-of-the-art Motion Picture, Television and Broadcasting Studio facilities as well as public facing retail & hotel uses, as envisioned in this Plan Amendment will generate a range of direct, indirect, and induced economic impacts in the local community. The community will experience direct economic impacts through job creation, investment in the local infrastructure system, and local spending. The film studio will create jobs across various sectors, including design, construction, film production, administration, security, and other supportive jobs related to film production.

The majority of jobs generated by the Studio use demand a highly skilled workforce, which are attainable through vocational training, on-set experience and formal education related to the film industry. This will broaden the local labor pool with skills that can be transferred to other film-related industries within the state, aligning with NJEDA's and the Governor's Economic Plan of developing a robust ecosystem of film-based industries in the State of New Jersey.

Affordable Housing Parcels – Development Zones 10-12

- **The Eatontown Housing Parcel – Development Zone 10.** This amendment permits sixty-two (62) affordable housing units in Development Zone 10, creating a positive social impact via affordable housing opportunities within the Borough of Eatontown.
- **The Supportive Housing Parcel – Development Zone 11.** This amendment permits twenty-five (25) affordable housing units in Development Zone 11, creating a positive social impact via affordable housing opportunities within the Borough of Oceanport.
- **The Monmouth County Emergency Homeless Shelter Parcel – Development Zone 12.** This amendment permits twenty-four (24) affordable housing units, creating a positive social impact via affordable housing opportunities within the Borough of Oceanport.

The Supportive Housing Parcel will consist of single-room occupancy units which will house adults. However, the other two affordable housing developments may produce school age children. That said,

according to the New Jersey Demographic Multipliers prepared by the Center for Urban Policy Research at Rutgers University (November 2018) and a study conducted by the National Association of Home Builders (February 2017), multifamily units typically generate fewer schoolchildren than single-family detached homes. FMERA anticipates that the affordable housing units envisioned in this amendment, aside from the Supportive Housing Parcel, will be in the form of multifamily units. If the alternative land use scenarios described in this amendment are pursued, the overall school population may experience a slight increase; however, as the total number of residential units will decrease under this Plan Amendment the number of school age children will be less than originally anticipated under the *Reuse Plan*.

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 would further support FMERA in its efforts to stimulate economic development by attracting new workforces and businesses to relocate or create new jobs on Fort Monmouth that have the potential to replace jobs lost when the Fort closed. In particular, the development of Motion Picture, Television and Broadcast Studio facilities and associated uses, along with public-facing retail & hotel uses, as envisioned in this Plan Amendment will generate a range of direct, indirect, and induced economic impacts in the local community. The community will experience direct economic impacts through job creation, investment in the local infrastructure system, and local spending. The film studio will create jobs across various sectors, including design, construction, film production, administration, security, and other supportive jobs related to film production.

The majority of jobs generated by the Studio use demand a highly skilled workforce, which are attainable through vocational training, on-set experience and formal education related to the film industry. This will broaden the local labor pool with skills that can be transferred to other film-related industries within the state, aligning with NJEDA's and the Governor's Economic Plan of developing a robust ecosystem of film-based industries in the State of New Jersey.

Additionally, the development of affordable housing units also will contribute to the net increase in construction jobs in the Fort area.

3. *Be founded on market and economic analysis.*
The *Reuse Plan* was adopted in 2008 but was formulated on market conditions and assumptions that existed in the years preceding 2008. Since the Plan's adoption, the world experienced the global financial crisis, a worldwide pandemic, and advancements in technology that have altered the way we live, work, and play. Consequently, the market for some of the uses contemplated in the *Reuse Plan* has changed significantly in the last 15 years.

For example, the office market in New Jersey has suffered due to a combination of factors such as corporate consolidation and relocations. The pandemic which resulted in many office workers working remotely at least part of the week exacerbated an already weak market. As such, the demand for office space has decreased, particularly older office space such as at Fort Monmouth that was constructed to suit the needs of the military and does not necessarily have the amenities or layouts attractive on today's marketplace. Therefore, the reuse of some of the former Fort buildings for new office users that was contemplated in the *Reuse Plan* may no longer be realistic.

Additionally, traditional brick and mortar retail continues to be challenged by the selection and convenience available through e-commerce. Some retailers have closed their stores. Other retailers, particularly national chains, no longer have the same space needs that they once did as much of a store's inventory is now not kept onsite but in offsite fulfillment centers. Some of the areas intended for retail development in the *Reuse Plan*, including areas of the Mega Parcel, may no longer be viable. Other types of retail uses, such as bank branches, are closing across the region. Customers can now do much of their banking online and pay for many items without exchanging cash resulting in limited visits to a brick-and-mortar bank. As a result, many banks have closed disparate small-branches and consolidated services into larger regional locations.

The wide-sweeping fluctuations in market conditions have occurred since the *Reuse Plan's* adoption in 2008 has impacted economic and community development in the host municipalities. To address these challenges, FMERA has amended the *Reuse Plan* 19 times and proposes to adopt its 20th alternative development scenario that will provide greater flexibility for an economically viable redevelopment project, while maintaining many of the key objectives of the *Reuse Plan*. As such, the alternative development scenario permitted by this amendment will promote economic vitality within the Fort area and the State of New Jersey, as contemplated in the *Reuse Plan* and the Governor's Economic Plan.

4. *Leverage Fort assets (people, infrastructure, location)*

This amendment affords FMERA with an opportunity to leverage existing assets within the Fort Area. This includes potential reuse of existing buildings as further detailed above in Section III and as further described in **Exhibit D**, roads, and preserving open space, which allows for the redevelopment of the Fort area into a vibrant, productive and environmentally sustainable community. This amendment also supports the preservation of historic assets identified in the *Reuse Plan* for preservation. Both Greely Field, along with the World War II Memorial building, and Cowan Park will be preserved as heritage open spaces. Thus, this amendment will also safeguard the historic integrity of the Fort Area.

5. *Be a green community model*

This amendment does not preclude the protection of environmentally sensitive areas including wetlands, and natural habitats and encourages renewable energy systems, low impact development, and green infrastructure development strategies.

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. The *Reuse Plan* anticipated higher-density development in the western section of the Fort Area, including the Charles Wood Area, and lower-density development toward the eastern section of the Main Post. This strategy was primarily influenced by the existing infrastructure and market conditions at the time the *Reuse Plan* was drafted. In conjunction with ongoing redevelopment projects, the infrastructure system on the Fort has significantly improved, as the majority of former Army-installed utilities and infrastructure have been or are in the process of being replaced. New infrastructure systems in the eastern section of the Fort are better equipped to accommodate high-density development. The density of the planned development within the Mega Parcel generally meets this objective, with the highest proposed density in Eatontown and decreased density within Oceanport.

The development of the Mega Parcel will contribute to the Fort's existing live-work-leisure environment, generating job opportunities along with retail, hospitality, and experiential amenities for the community. Further, the construction of affordable housing further expands upon the existing residential neighborhoods that have already been established within the Fort, as well as within the host municipalities.

Principle #2: Link centers & increase mobility with connected transit infrastructure serving the region and the Fort.

The *Reuse Plan* contemplated an interior transit loop with various alternative nodes targeting different Development Districts and redevelopment projects. The interior loop is intended to support bus services, jitney services, bicycles, and pedestrian networks, potentially connecting with Little Silver Station. The *Reuse Plan* identifies this multimodal transit system as part of incorporating Smart Growth and Transit-Oriented Development (TOD) principles. This principle aims to promote a live, work, and play environment supported by an extensive system of bikeways, pedestrian trails, and sidewalks to enhance walkability and reduce automobile dependence for short trips. This amendment does not preclude the potential to promote connectivity via jitney or bus service to Route 35, the Little Silver Train Station, and/or within Fort Monmouth and substantially contributes toward the creation of the extensive system of bikeways, pedestrian trails, and sidewalks envisioned in the *Reuse Plan*. This amendment contemplates: A) a commercial, campus like development that will enhance internal walkability and reduce automobile dependence for short trips within the campus and B) the continuation of a large portion of the publicly accessible, pedestrian-friendly multi-use trail establishing a loop from west to east creating connectivity with a mix of other uses and amenities available at the Fort.

Principle #3: Enhance auto mobility and redevelopment capacity with targeted roadway infrastructure improvements.

With respect to this principle, to improve auto mobility, the *Reuse Plan* calls for the improvement of the roadway system and intersections to support new developments and

recommends establishing better roadway connections. While this amendment envisions the vacation of a portion of Wilson Avenue to mitigate any potential automobile mobility issues, it also envisions the dedication of Malterer Avenue to Monmouth County to connect Sherill Avenue and Avenue of Memories and to replicate access in response to the Wilson Avenue vacation. Furthermore, FMERA's ongoing infrastructure projects also aim to improve and upgrade some of the interior street systems, which will further enhance auto mobility in the Fort Area. As such, this amendment is in alignment with the *Reuse Plan's* objective to improve automobile mobility through specific roadway infrastructure enhancements.

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 preservation of open space and protection of environmentally sensitive areas, including wetlands, watercourses, and habitats. This amendment promotes green infrastructures 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 does not preclude the development of bike paths or trails to promote a live-work-play environment, as envisioned in the *Reuse Plan*. The *Reuse Plan* notes that redevelopment of the Fort should provide trails and open areas for use by the public as both a commuting option and an everyday amenity.

Principle #6: Remove Fort boundaries & extend existing land uses to reconnect the Fort to the communities.

This principal states that creating a seamless land use integration between the community and the Fort is of primary importance, specifically to provide public access to the Fort's amenities. The *Reuse Plan* calls for discouraging potential barriers, such as unnecessary fencing and gated areas to ensure the seamless integration of the Fort area into surrounding land uses. However, due to the nature of the proposed uses on the Mega Parcel, this amendment envisions a closed-campus-like environment with perimeter security walls covering the majority of the area which is necessary for security and to maintain uninterrupted workflow on a studio campus.

This amendment acknowledges the *Reuse Plan's* underlying intent of fostering strong connectivity to the surrounding area and this amendment will create a unique entertainment and cultural destination in the Fort area, which will be a center of attraction to the local residents and to people visiting from outside the community, both from an economic and cultural standpoint. Additionally, this amendment encourages connectivity through the Fort via multi-use trails connecting publicly accessible open spaces as well as calls for preserving both Cowan Park & Greely Field as heritage open space, all of which will be great assets to the community.

This amendment will also permit the construction of three affordable housing developments that are near existing residential communities and are anticipated to seamlessly integrate with adjacent neighborhoods and complement nearby uses.

Principle #7: *Leverage existing Fort Monmouth assets (People, Buildings, Technology, and Infrastructure).* This amendment affords FMERA with an opportunity to leverage existing assets within the Fort Area, specifically the adaptive reuse of McAfee Center and Vail Hall for Studio related uses with other new buildings that will create a unique identity for the Fort that will not undermine the Fort's legacy. As a result of this amendment, existing vacant and underutilized buildings will be demolished and replaced with modern Studio related facilities as well as new affordable housing buildings which will significantly contribute to the economic redevelopment of this site and provide critical residential housing to low- and moderate-income households. This amendment would not involve the removal of any historic 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. The wide-sweeping fluctuations in market conditions that have occurred since the *Reuse Plan*'s adoption in 2008 have impacted economic and community development in the host municipalities. This alternative development scenario will provide greater flexibility for an economically viable redevelopment project, while maintaining many of the key objectives and planning principles of the *Reuse Plan*. The development of the Mega Parcel (Development Zones 1-9) and the Affordable Housing Parcels (Development Zones 10-12) will contribute to the Fort's existing live-work-leisure environment through the development of a job-generating Studio campus, the creation of affordable housing opportunities and the enhancement of site-wide walkability and connectivity, allowing workers, residents, and visitors greater opportunity to take advantage of the Fort's on-site businesses, amenities, public open spaces, and environmental features. The adaptive reuse of several existing structures furthers the *Reuse Plan*'s sustainability goals through leveraging existing Fort Monmouth assets, while the demolition of obsolete structures and infrastructure provides opportunity to implement more efficient and sustainable redevelopment strategies.

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 rules to implement the plan. Pursuant to P.L.2010, c. 10 (N.J.S.A. 52:27I-19 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 help advance both FMERA's stated purpose and the public welfare, by eliminating blight and permitting a land use that will promote, develop and encourage employment, economic development and provide new housing which is important for building sustainable and resilient communities.

Relationship to FMERA's Land Use Rules

This amendment creates alternative development scenario and creates overlay zones 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.

Relationship to State, County and Municipal Planning Objectives

State Development and Redevelopment Plan (SDRP)

On March 1, 2001, the State Planning Commission re-adopted the State Development and Redevelopment Plan (SDRP). While the SRDP is not binding, it serves as a strategic framework and establishes various goals for State-level development and redevelopment policies, as well as local and regional planning efforts. The SRDP outlines eight statewide goals, along with numerous corresponding implementation policies. The goals are as follows:

1. Revitalize the State's cities and towns.
2. Conserve the State's natural resources and systems.
3. Promote beneficial economic growth, development and renewal for all New Jersey residents.
4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.
6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
8. Ensure sound and integrated Planning and Implementation Statewide.

The goal and objectives of the proposed amendment support the aforementioned State goals.

The SDRP also includes a State Plan Policy Map, which delineates the state into designated regions referred to as Planning Areas. In the SDRP, the Fort Area is classified as Planning Area 1, Metropolitan Planning Area (PA-1) which is characterized by intensive existing development and is the target for redevelopment efforts. The goals for PA-1 include the following:

1. Provide for much of the state's future redevelopment.
2. Revitalize cities and towns.
3. Promote growth in compact forms.
4. Stabilize older suburbs.
5. Redesign areas of sprawl.
6. Protect the character of existing stable communities.

This amendment is well-aligned 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 the Fort 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. The Plan promotes compact growth by fostering regional nodes of economic activities related to firm production while maintaining affordable housing opportunities within the Fort Area.

This amendment also furthers the following stated policies for Planning Area 1:

- Promote redevelopment and development in cores and neighborhood of centers.
- Promote a diversification of land uses.
- Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse.
- Promote economic development by encouraging strategic land assembly, site preparation and infill development.
- Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure.
- Promote design that enhances public safety, encourages pedestrian activity and reduces depend on the automobile.

New Jersey Energy Master Plan (EMP)

The New Jersey Energy Master Plan unveiled in January 2020, sets forth a strategic vision for the production, distribution, consumption, and conservation of energy in the State of New Jersey and outlines key strategies and includes an implementation plan to achieve 100 percent clean energy goals by 2050. The strategies include, 1) Reducing Energy Consumption and Emissions from the Transportation Sector, including encouraging electric vehicle adoption, electrifying transportation systems; 2) Accelerating Deployment of Renewable Energy and Distributed Energy Resources by developing offshore wind, community solar, a successor solar incentive program, solar thermal, and energy storage; 3) Maximizing Energy Efficiency and Conservation, and Reducing Peak Demand, including enacting 0.75 percent and 2 percent utility energy efficiency standards for natural gas and electricity, respectively, improving energy efficiency programs in New Jersey; 4) Reducing Energy Consumption and Emissions from the Building Sector, through decarbonization and electrification of new and existing buildings, including the expansion of statewide net zero carbon homes incentive programs, the development of EV-ready and Demand Response-ready building code; 5) Supporting Community Energy Planning and Action in Underserved Communities; and Expand the Clean Energy Innovation Economy beyond New Jersey's existing 52,000 clean energy jobs by investing in developing clean energy knowledge, services, and products. Along the same lines, in July 2021, the State amended the New Jersey Municipal Land Use Rules requiring electric vehicle charging stations in most of new development projects in New Jersey. Though this amendment will not be applicable to the Fort redevelopment projects, this amendment duly acknowledges the intent of this legislation and encourages use of electrical vehicle and renewable energy system in the Fort Redevelopment area. This amendment does not preclude the use and inclusion of sustainable development strategies and renewal energy as targeted under the State's EMP.

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 consistent with the County's goals for open space in the Fort Area.

Eatontown Master Plan Reexamination Report 2023

Although the *Reuse Plan* and FMERA's land-use rules supersede the municipal master plan, a review of the Eatontown Master Plan is included here for informational purposes. Eatontown recently adopted a Master Plan Reexamination Report, as required by the Municipal Land Use Law. This report outlines several goals, including one that aims "to provide for and encourage the use of all vacant land consistent with neighborhood characteristics, land capability, fiscal balance, practicality of marketplace, and current aesthetic standards."

The proposed amendment permits the demolition of all buildings in Development Zones 1-5 and Development Zone 10 in the Borough of Eatontown. The redevelopment of these Development Zones into state-of-the-art Motion Picture, Television and Broadcasting studios with the removal of obsolete buildings and the significant improvement of site aesthetics and environmental conditions. Regarding the open space goal identified in the Eatontown Master Plan Reexamination Report, this amendment will allow for only 62 housing units on +/-32 acres of land and deed restrict 13.4 acres of land creating a significant open space opportunity near Husky Brook Pond. As such, the proposed amendment is not inconsistent with the goals of the Eatontown Master Plan Reexamination Report.

Eatontown Complete Streets Policy

The Borough of Eatontown adopted Complete Streets Policy in August 2014. Some of the key goals of the policy include creating a comprehensive, integrated, connected multi-modal network by facilitating connections to bicycling and walking trip generators such as employment, education, residential, recreational and public facilities, as well as retail and transit centers and providing safe and accessible accommodations for existing and future pedestrian, bicycle and transit facilities. This amendment encourages walkability and aims at reducing auto traffic for short trips within the Mega Parcel campus. This amendment requires sidewalks, multi-purpose trails on public rights of way to facilitate walking and to ensure pedestrian safety.

Eatontown Zoning

Although the development of the former Fort properties in Eatontown is governed by the Land Use Rules and design guidelines adopted by FMERA, as a point of information, the study area lies within the P-1 Public Land Zone under the Borough's current zone plan. Permitted uses in the P-1 zone "shall be those deemed

appropriate by the Borough Council to include but not be limited to parks, playfields, playgrounds, recreation, administrative or utility buildings and installations, libraries, historical buildings, or other cultural or community centers, or other similar public uses, or deemed appropriate by the local or regional school district board to include public school or private school educational and administrative buildings and related uses and buildings.”

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 Rules 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 proposes a comprehensive set of strategies for the Fort’s redevelopment. These strategies include various elements, including the adaptive reuse of the McAfee Center, the preservation of open spaces and the riverfront area, the protection of historic buildings, and enhancing east-to-west connectivity. The amendment incorporates some of the key strategies identified in the Fort to Village Plan for the Fort’s redevelopment.

Oceanport Zoning

Although the development of the former Fort properties in Oceanport is governed by the Land Use Rules and design guidelines adopted by FMERA, as a point of information, the study areas affected by the proposed amendment lie within the Borough’s FM-HC (Horseneck Center), FM-GT (Green Tech Campus), and FM-MU (Education/Mixed-Use Neighborhood) districts. These zoning designations mirror the Development Districts set forth under FMERA’s Land Use Rules, as further described in Section III.

Conclusion

This amendment, referred to as Amendment #20 to the Fort Monmouth *Reuse and Redevelopment Plan*, maintains the land use concepts and plans outlined in the *Reuse Plan*. However, it allows for alternative development scenarios for certain parcels within the Fort’s Main Post area. The amendment aligns with the objectives and principles of the *Reuse Plan*, as well as with State, County, and Municipal planning goals.

The development scenario proposed under this amendment will create a unique economic opportunity for the residents within the Fort and the surrounding area, resulting in several direct, indirect, and induced economic impacts. The development of state-of-the-art Motion Picture, Television and Broadcasting Studios and associated businesses will generate a significant number of jobs in various sectors, including construction, film production, administration, security, and maintenance. This influx of employment opportunities will benefit local residents and contribute to lower unemployment rates in the community. Additionally, the Fort and the surrounding area will experience an increase in local spending as the Studio and associated workforce spends money on goods and services in the local area and directly supports local businesses by patronizing restaurants, hotels, and retailers.

The Studio and related uses, as well as the public-facing retail and hotel businesses, are likely to generate higher tax revenues for the host municipalities. This additional revenue can be used to invest in essential public services, infrastructure improvements, and community development projects which will ultimately improve the overall quality of life for residents. The presence of the Studio has the potential to stimulate growth of ancillary businesses in the area that can provide goods and services to support the Studio use and its employees. These businesses, in turn, create more job opportunities and contribute to the local economy.

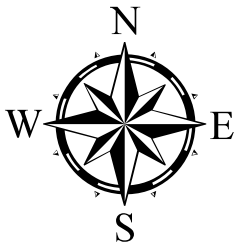
Furthermore, this amendment promotes public welfare, especially by providing opportunities for affordable housing, thus promoting equitable development as outlined in the Governor's Economic Plan. The *Reuse Plan* Amendment would help advance both FMERA's stated purpose and the public welfare, by eliminating blight and permitting a land use that will promote, develop and encourage employment, economic development and provide new housing which is important for building sustainable and resilient communities.

Lastly, it offers the desired flexibility for FMERA to effectively market Fort properties and attract redevelopment opportunities in the Fort Area, 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 affected by the Fort's closure.

Draft

EXHIBITS A - F

Draft



PLAN AREA
Main Post
Fort Monmouth
Monmouth County, NJ

EXHIBIT A

*For reference purposes only.
Subject to formal survey.
May not account for all existing or
future rights-of-way, easements or
potential environmental issues.*

Prepared By: KEDantes
Date: 10/19/2023

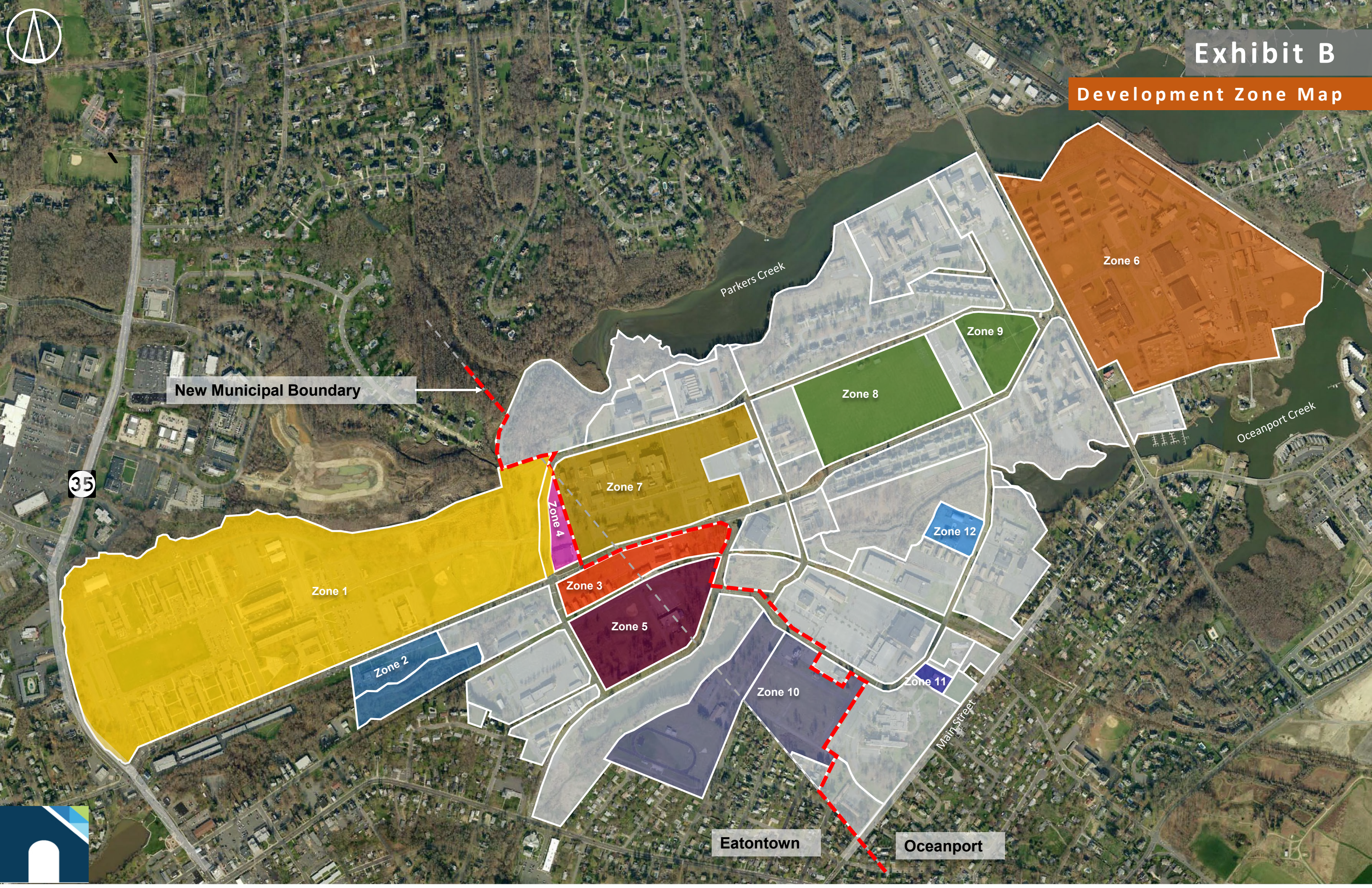
1" = 720 feet





Exhibit B

Development Zone Map



New Municipal Boundary

Parkers Creek

Zone 6

Zone 9

Zone 8

Oceanport Creek

35

Zone 1

Zone 7

Zone 4

Zone 3

Zone 5

Zone 12

Zone 2

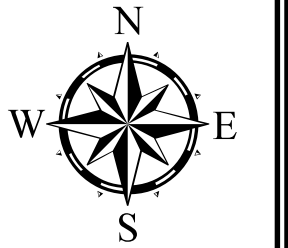
Zone 10

Zone 11

Main Street

Eatontown

Oceanport



**PROPOSED MUNICIPAL BOUNDARY
FORT MONMOUTH
MAIN POST
MONMOUTH COUNTY, NJ**

EXHIBIT C

*For reference purposes only.
Subject to formal survey.
May not account for all existing or
future rights-of-way, easements or
potential environmental issues.*

Prepared By: KEDantes
Date: 4/21/2023
1" = 400 feet

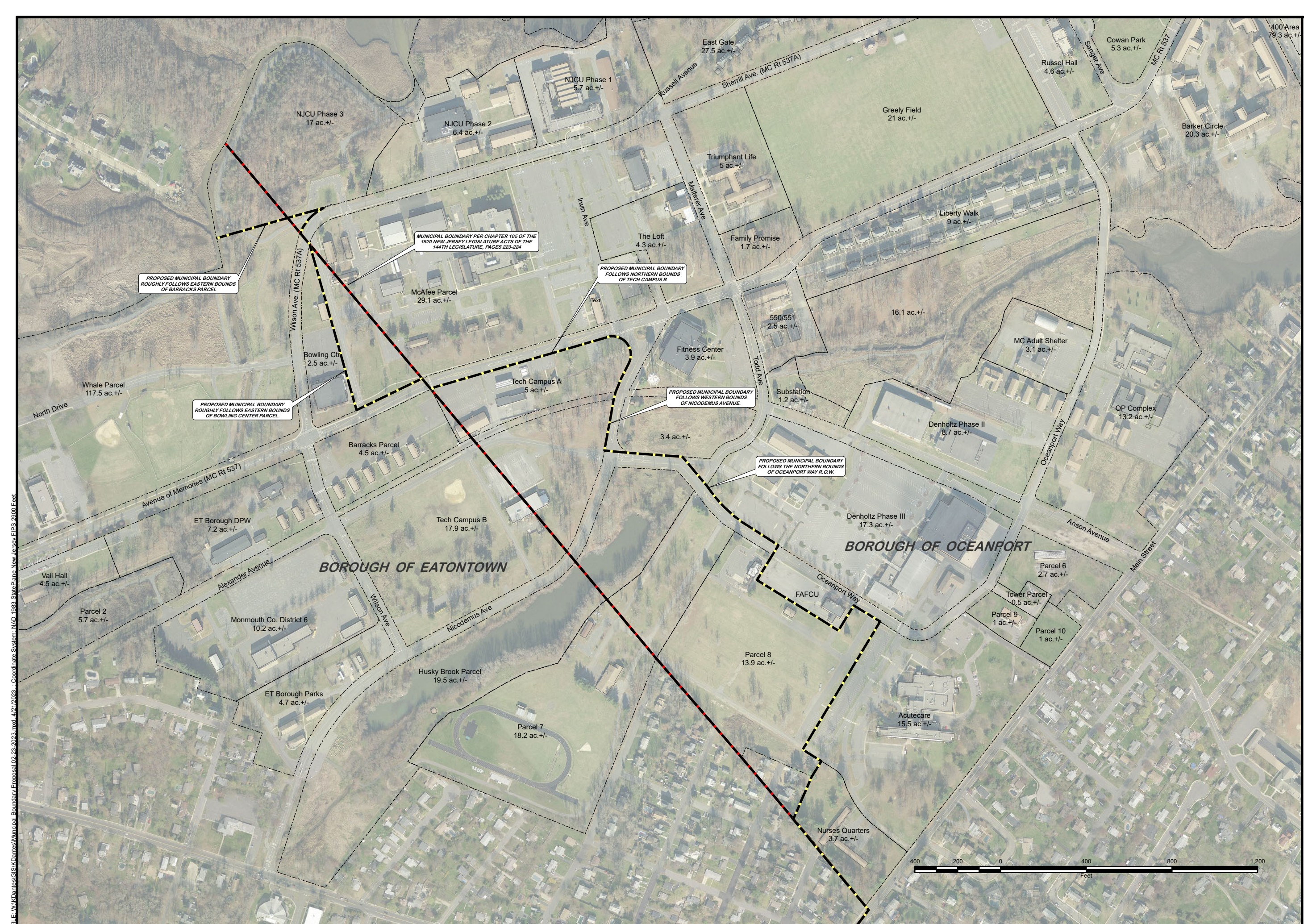


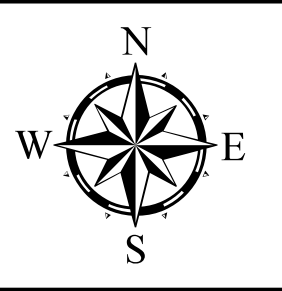
Exhibit D

Building Number	Permanent/Temporary Semi Permanent	Building/Property Description	Unit	Gross Area	Year Built
12	P				
63	T	STORAGE GP INST	SF	3696	1940
75	P	SCALE HOUSE	SF	450	1969
79	P	STR SHED GP INS	SF	3600	1982
105	T	STORAGE GP INST	SF	4800	1943
106	T	STORAGE GP INST	SF	4050	1943
116	P	STORAGE GP INST	SF	40951	1943
117	P	STORAGE GP INST	SF	43920	1943
142	P	BOX/CRATE SHOP	SF	6316	1922
159	S	STORAGE GP INST	SF	3438	1941
166	P	ENG/HOUSING MNT	SF	4810	1942
166	P	ADMIN GEN PURP	SF	3455	
167	P	ADMIN GEN PURP	SF	13570	1942
173	P	LAB/TST BLDG GP	SF	1800	1974
173	P	ADMIN GEN PURP	SF	3806	
174	P	STORAGE GP INST	SF	782	1995
273	P	VEH FUEL MOGAS			1991
273	P	FUEL/POL BLDG	SF	72	
273	P	MOGAS STR UNGD			
276	P	ADMIN GEN PURP	SF	2744	1953
277	P	ADMIN GEN PURP	SF	12600	1951
279	P	ENG/HOUSING MNT	SF	7168	1934
280	P	ENG/HOUSING MNT	SF	9936	1934
281	P	ENG/HOUSING MNT	SF	2544	1934
400	P	SEWAGE LFT STAT			1940
410	T	TT OFF QTRS	SF	4720	1940
413	T	TT OFF QTRS	SF	4720	1940
414	T	STORAGE GP INST	SF	4720	1940
417	T	HOMELESS SHELTR	SF	4720	1940
418	T	TT OFF QTRS	SF	4720	1940
419	T	STORAGE GP INST	SF	2360	1941
419	T	ADMIN GEN PURP	SF	2360	
420	T	ADMIN GEN PURP	SF	4720	1940
421	T	HOMELESS SHELTR	SF	4720	1941
422	T	ADMIN GEN PURP	SF	2360	1940
422	T	PVT/ORG CLUB	SF	2360	
423	T	ADMIN GEN PURP	SF	4720	1941
426	T	PVT/ORG CLUB	SF	4720	1940
427	T	ADMIN GEN PURP	SF	4720	1941
428	T	ADMIN GEN PURP	SF	4720	1941
429	T	ADMIN GEN PURP	SF	4720	1941
434	T	PVT/ORG CLUB	SF	2888	1941
439	T	ADMIN GEN PURP	SF	4720	1941
451	P	PO MAIN	SF	5013	1988
454	P	ADMIN GEN PURP	SF	2135	1939

455	S	Office			
456	S	Office			
457	S	Office			
476	P	STORAGE GP INST	SF	3016	1985
480	S	STORAGE GP INST	SF	9267	1941
481	S	STORAGE GP INST	SF	9267	1941
482	T	HAZ MAT STR INS	SF	9267	1941
484	S	ENG/HOUSING MNT	SF	3817	1941
487	P	PUMP STAT POT			1943
487	P	WTR SUP/TRT BLD	SF	196	
488	P	DRUM RECON PLT	SF	900	1997
490	P	STORAGE GP INST	SF	6069	1939
490	P	TRALR PARK BLDG	SF	5269	
491	P	SEWAGE LFT STAT			1951
497	P	STORAGE GP INST	SF	3000	1940
115	P	MON/MEMORIALS			1952
702	P	CMTY/CONF CTR	SF	12100	1983
563	S	ADMIN GEN PURP	SF	8894	1941
699	P	EXCH AUTO SER	SF	1769	1953
600	P	MCAFEE CENTER'S SCIF	SF	44492	1997
600	P	MCAFEE CENTER COMMO EQ BLDG	SF	45000	
601	P	ORG STR BLDG (warehouse)	SF	16000	1997
602	P	ORG STR BLDG	SF	6000	1997
603	P	Admin GP-Storage and office	SF	11009	2006
604	P	Garage			2006
616	P	CO HQ BLDG	SF	1520	1967
620	P	CO HQ BLDG	SF	1520	1967
671	P	CIDC FLD OPS BD	SF	3020	1967
675	S	ADMIN GEN PURP	SF	2892	1941
676	S	ADMIN GEN PURP	SF	3663	1941
677	S	ADMIN GEN PURP	SF	2592	1941
678	P	ADMIN GEN PURP	SF	1520	1967
682	S	MARS STATION	SF	4720	1941
689	P	BOWLING CENTER	SF	17599	1967
555	S	ADMIN GEN PURP	SF	18967	1941
502	P	LIBRARY MAIN/FMERA OFFICE	SF	10650	1974
686	S	THRIFT SHOP	SF	5929	1957
1102	S	STORAGE GP INST	SF	4130	1942
1103	S	ADMIN GEN PURP	SF	4130	1942
1104	S	ADMIN GEN PURP	SF	4130	1942
1105	S	ADMIN GEN PURP	SF	2065	1942
1105	S	PVT/ORG CLUB	SF	2065	
1106	S	PVT/ORG CLUB	SF	4130	1942
1107	S	ADMIN GEN PURP	SF	2065	1942
1107	S	PVT/ORG CLUB	SF	2065	
1215	P	AUDITORIUM GP	SF	18883	1968
1150	P	COMMO CTR-vail hall	SF	36483	1952

1152	P	INFO PROC CTR	SF	7200	1971
200	S	XMITTER BLDG	SF	1280	1958
1200	P	ADMIN GEN PURP	SF	84878	1953
1201	P	EMERG OPNS CNTR	SF	14764	1953
1201	P	ADMIN GEN PURP	SF	73114	
1202	P	ADMIN GEN PURP	SF	84878	1953
1203	P	INFO PROC CTR	SF	83438	1953
1204	P	GEN INST BLDG	SF	30537	1953
1204	P	LAB INST	SF	1643	
1204	P	AUTO-AID INST	SF	5416	
1204	P	ENLISTED UPH	SF	34902	
1204	P	MISC FAC DET	SF	9500	
1204	P	AUDITORIUM GP	SF	6683	
1205	P	ENLISTED UPH	SF	76857	1953
1205	P	DINING FACILITY	SF	6683	
1206	P	PRUDEN AUDITORIUM GP	SF	9256	1953
1207	P	MALLETTE HALL ADMIN GEN PURP	SF	57386	1953
1208	P	EMERG OPNS CNTR	SF	1423	1953
1208	P	ADMIN GEN PURP-CECOM HEADQTRS	SF	126641	
1209	P	LAB/TST BLDG GP	SF	23124	1953
1209	P	ADMIN GEN PURP	SF	69372	
1209	P	ORG STR BLDG-CECOM	SF	600	
1210	P	COMMO EQ BLDG-software eng center	SF	23780	1953
1210	P	ADMIN GEN PURP-software eng center	SF	61732	
1210	P	LAB/TST BLDG GP-software eng center	SF	30866	
1210	P	FST FD/SNK BAR-software eng center	SF	496	
1211	P	OUTDOOR THEATER			1953
1212	P	ADMIN GEN PURP	SF	6029	1960
1213	P	ADMIN GEN PURP	SF	9205	1967
1214	P	ADMIN GEN PURP	SF	7685	1967
1220	P	HEAT PLANT OIL			1953
1220	P	HEAT PLT BLDG	SF	9011	

1563793



**PROPOSED DEED RESTRICTED OPEN SPACE
EATONTOWN HOUSING PARCEL
FORT MONMOUTH
EATONTOWN NJ**

Exhibit E

FILE: W:\KDPantes\GIS\KDPantes\ET_Housing_Parcel_10-11-2023.mxd 10/17/2023 : Coordinate System: NAD 1983 StatePlane New Jersey FIPS 2000 Feet

**EXHIBIT F
ILLUSTRATIVE SIGN TYPES**

ARCHITECTURAL ENTRYWAY

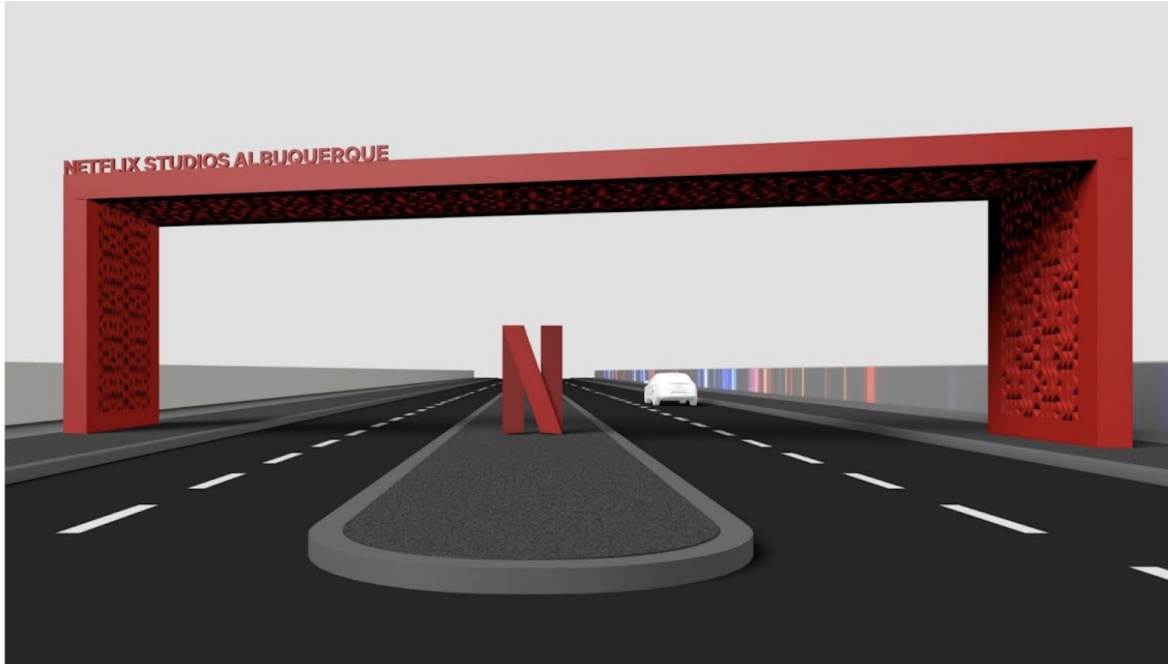


Image provided by Netflix, Inc.



Photo by AaronP/Bauer-Griffin/GC Images

CHANNEL LETTER SIGN



Image provided by Netflix, Inc.

DIGITAL DISPLAY SIGN



Image provided by Netflix, Inc.

GRAPHIC WRAP SIGN



Photo source: *Bronx Times*, Photo courtesy: JLL



Image provided by Netflix, Inc.

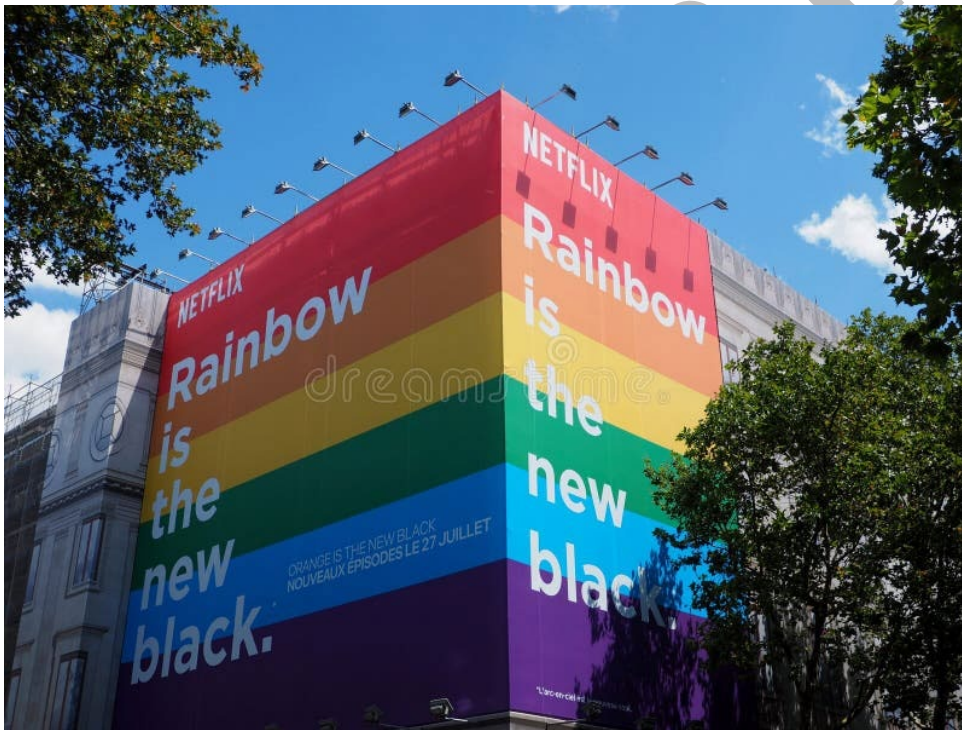


Image provided by Netflix, Inc.

STUDIO MONUMENT SIGN

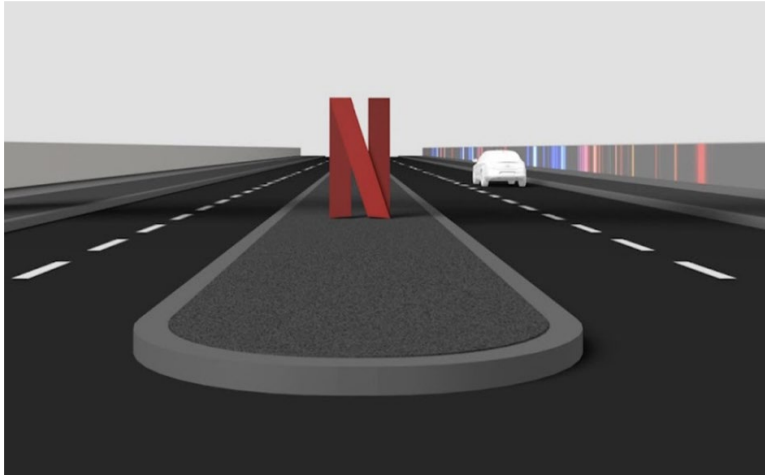


Image provided by Netflix, Inc.



STUDIO ROOF SIGN



Image provided by Netflix, Inc.

IDENTIFICATION SIGN

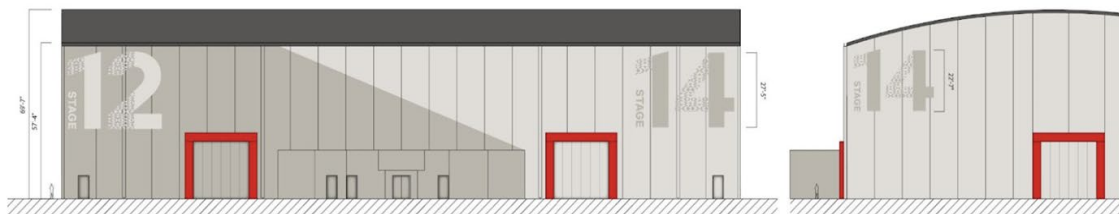


Image provided by Netflix, Inc.



Image provided by Netflix, Inc.



Image provided by Netflix, Inc.

SUPERGRAPHIC SIGN



Image provided by Netflix, Inc.

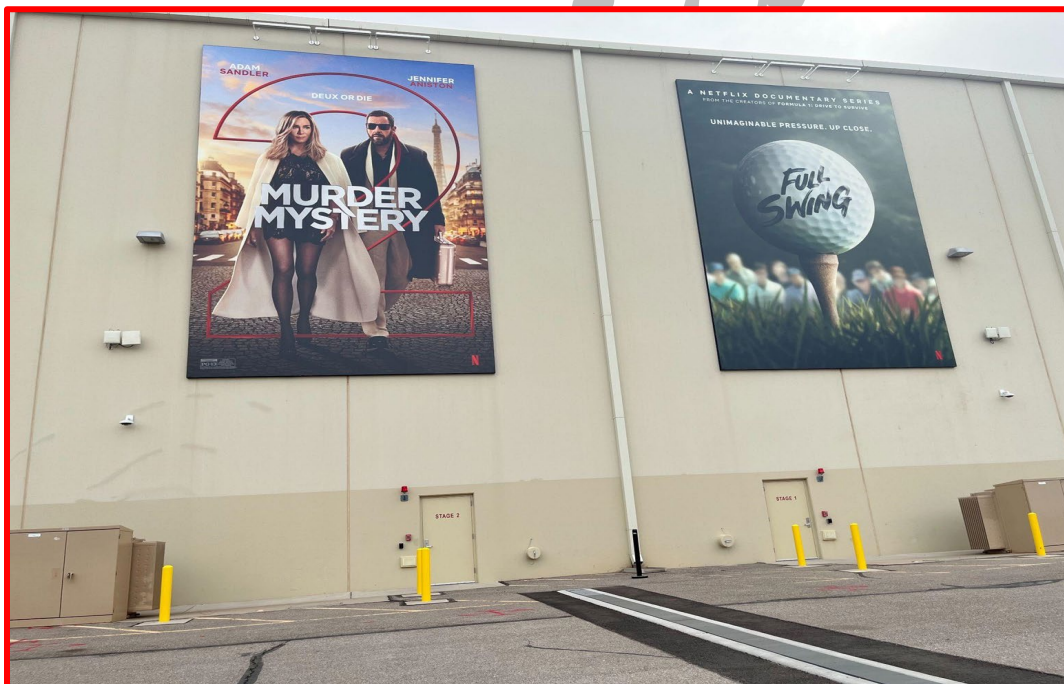


Image provided by Netflix, Inc.



Image provided by Netflix, Inc.

STUDIO WINDOW SIGN



(Photo by Smith Collection/Gado/Getty Images)



Image provided by Netflix, Inc.

EXHIBIT A

**Resolutions & Comments Correspondence Submitted by the Boroughs of Eatontown &
Oceanport**

Draft

Andrew Bayer

Partner

abayer@pashmanstein.com

Direct: 732.405.3686



December 20, 2023

VIA EMAIL ONLY

Regina McGrade

Fort Monmouth Economic Revitalization Authority

P.O. Box 267

Oceanport, NJ 07757

Re: Plan Amendment #20 Permitting An Alternative Development Scenario with Respect to the Plan Area, inclusive of the Mega Parcel and the Affordable Housing Parcels in Eatontown and Oceanport

Dear Ms. McGrade:

I serve as the Borough Attorney to the Borough of Eatontown (the "Borough" or "Eatontown"). The Borough is in receipt of a letter from Kara Kopach, Executive Director of the Fort Monmouth Economic Revitalization Authority ("FMERA") dated November 6, 2023 informing the Borough of FMERA Plan Amendment #20 Permitting an Alternative Development Scenario with respect to the Plan Area, inclusive of the Mega Parcel and the Affordable Housing Parcels in Eatontown and Oceanport on Fort Monmouth so that the Eatontown Governing Body may provide its written report with comments to FMERA regarding as authorized by N.J.S.A. 52:27I-35. The Borough Council adopted Resolution 259-2023 on December 4, 2023 authorizing the Borough Planner and Borough Engineer to prepare and provide written comments regarding Plan Amendment #20, and it requests that FMERA incorporate the Borough's concerns and comments to Plan Amendment #20 as part of FMERA's final adoption of Plan Amendment #20. **See Exhibit A.** These same professionals advise the Borough of Eatontown Planning Board, so the Borough Planner's and Borough Engineer's comments also reflect the view of the Borough Planning Board. **See Exhibit B**-Letter from Jennifer C. Beahm, P.P. AICP dated December 19, 2023 and **Exhibit C**-Letter from Edward W. Herrman, P.E., P.P., C.M.E., C.F.M. dated December 18, 2023.

For the sake of ease, I have compiled the Borough Planner's and Borough Engineer's comments in this letter, which together with the written reports of Ms. Beahm and Mr. Herrman, constitute Eatontown's written report to FMERA regarding Plan Amendment #20. If the Borough receives any written comments from its residents, we will forward them to you under separate cover.

Bell Works
101 Crawfords Corner Road
Suite 4202
Holmdel, NJ 07733
Phone: 732.852.2481
Fax: 732.852.2482
www.pashmanstein.com

Court Plaza South
21 Main Street
Suite 200
Hackensack, NJ 07601
Phone: 201.488.8200
Fax: 201.488.5556

Regina McGrade
 December 20, 2023
 Page 2

COMMENT BY TOPIC

COMMENT BY NUMBER

Engineering and Planning Comments:

- | | | |
|---------|---|-------|
| T/C/T-1 | 1. With the potential buildout of the Main Post, traffic impacts should be expected. Consideration should be made for traffic signal upgrades and possible turning lane upgrades at the Route 35 and Avenue of Memories intersection. In addition, any internal driveways, or roadways in close proximity to this intersection shall have considerations for appropriate stacking/turn lanes to ensure that no queueing on site will negatively impact this intersection or the flow of traffic. In particular, the queuing, arrival and departure of large trucks should be planned, especially at these intersections or any new entrances/exits created along any exterior road. | C1-1 |
| T/C/T-2 | | C1-2 |
| WALL-1 | 2. Consideration should be made for the proposed security walls and their impact on aesthetics and viewsheds, especially from neighboring residential communities. No flashing wall signage should be permitted within the viewshed of Rose Court. FMERA should address the massing of the proposed buildings and security walls by providing visual breaks in the façade. | C1-3 |
| WALL-2 | | C1-4 |
| WALL-3 | | C1-5 |
| LAND-1 | 3. All berms and landscaping in the Borough's portion of the development should follow the Borough's guidelines on landscaping diversity (avoiding monoculture), forbidding invasive species and requiring native plant usage. The Borough has an ordinance on these topics which should be followed. | C1-6 |
| LAND-2 | 4. Substantive landscaping should be provided for Vail Hall as it is currently very open and in reasonable proximity to adjacent residential uses. For many years, this area was screened by significant tree coverage on the landfill which was lost when those trees were removed. Consideration should be given to providing landscape buffering on adjacent residential properties if agreeable to neighbors. In the event that the developer demolishes Vail Hall and builds another structure there, the Borough requests even greater and significant buffering along the area. | C1-7 |
| NOISE-1 | 5. Deliveries and trash/recycle collections to Vail Hall, or any successor building(s) in that area, should be limited to the hours of 7am to 8pm. | C1-8 |
| BH-1 | 6. The proposed hotel planned should be no higher than six (6) stories to be consistent with the other hotel in Eatontown. | C1-9 |
| OS/T-1 | 7. Plan Amendment #20 should ensure that the 12 foot proposed multi-use trail designed for the former Fort continues to be available to the public throughout the property. | C1-10 |
| A/D/S-1 | 8. In order to promote continuity and flow, the developer should install streetlights that are identical to or substantially similar to those already existing, or will exist, in the Oceanport | C1-11 |

Regina McGrade
 December 20, 2023
 Page 3

COMMENT BY TOPIC

COMMENT NUMBER

portion of Avenue of Memories such that the lighting along the entirety of Avenue of Memories is consistent.

Comments on Proposed Affordable Housing:

- | | | |
|--------|---|-------|
| AFF-1 | 1. The number of affordable housing units was selected after significant discussion with the Borough and other appropriate affordable housing advocates. Therefore, Plan Amendment #20 should require that these numbers and bedroom breakouts be not reduced as it would significantly affect the Borough's compliance with its Fair Share obligation. | C1-12 |
| LAND-3 | 2. The buffering between the proposed affordable housing and the existing residential development should be significant to reflect the open space that traditionally existed in the football field and adjacent area. | C1-13 |
| AFF-2 | 3. We understand that the affordable housing parcel may be subject to a follow up amendment. We reserve the right to provide further comments at that time. | C1-14 |

General Comments:

- | | | |
|---------|--|-------|
| NOISE-2 | The Borough reserves the right to regulate noise times for productions that create or emit outdoor sounds. Further, the Borough also reserves the right to notify the public of such sounds. | C1-15 |
| HELI-1 | 2. The Borough reserves the right to regulate the use of the proposed helipad including times and frequency of flights. | C1-16 |
| EMS-1 | 3. The Borough understands emergency response to the proposed development will need to be discussed and addressed. The Borough cannot effectively discuss and address emergency response until a site plan is proposed and approved. The Borough expects this discussion to take place as a collaborative effort between the proposed developer, Eatontown, and Oceanport and reserves the right to do so at the appropriate time. | C1-17 |
| T/C/T-3 | 4. With the exception of Nicodemus, The Borough rejects the opening into the Fort property of any municipal side street along Broad Street whether to provide access to residential or commercial uses. | C1-18 |
| EI-1 | 5. The Borough notes that the Main Post has numerous environmentally sensitive areas and that due diligence investigations will be required for any improvement projects. | C1-19 |
| SW-1 | 6. Specific consideration regarding stormwater management will be important as always because this area has encountered and faced flooding challenges for a number of years. | C1-20 |

Regina McGrade
December 20, 2023
Page 4

COMMENT BY TOPIC

COMMENT NUMBER

Any site plans for this area will need to incorporate specific improvements to help mitigate these issues and improve infrastructure accordingly.

SITE-1

7. The Plan Amendment takes great efforts to identify permitted uses, broken out by Zone, along with land use regulations associated thereto. Such a large site presents certain planning problems and scenarios. With a site plan, even a draft one, the Borough may have offered different comments. We appreciate the opportunity to continue to work together with FMERA for the best development for Eatontown and the region.'

C-21

Thank you in advance for your consideration of the Borough of Eatontown's written comments.

Very truly yours,
Pashman Stein Walder Hayden, PC

By: s/s Andrew Bayer
Andrew Bayer

cc: Kara Kopach, Executive Director
Hon. Anthony Talerico, Jr., Mayor
William P. Lucia, III, Interim Administrator
Julie Martin, Borough Clerk
Jennifer C. Beahm, P.P., AICP
Edward Herrman, P.E., Borough Engineer

EXHIBIT B

Draft

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
PETER R. AVAKIAN, P.E., P.L.S., P.P.
MEHRYAR SHAFI, P.E., P.P.
GREGORY S. BLASH, P.E., P.P., CPWM
LOUIS J. LOBOSCO, P.E., P.P.
GERALD J. FREDA, P.E., P.P.
JENNIFER C. BEAHM, P.P., AICP
CHRISTINE L. BELL, P.P., AICP
SAMUEL J. AVAKIAN, P.E., P.L.S.

December 19, 2023

Hon. Anthony Talerico, Jr., Mayor
Borough of Eatontown
47 Broad Street
Eatontown, NJ 07724

**Re: Plan Amendment 20
Fort Monmouth Reuse & Redevelopment Plan Amendment #20
Planning Comments**

Dear Mayor Talerico:

Our office reviewed proposed Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan: Mega Parcel and Affordable Housing Locations, dated November 2023 and offer the following comments from a planning perspective:

A. Overview

The proposed Plan Amendment consists of approximately 328 acres located in the Boroughs of Oceanport and Eatontown, including 292 acres known as the “megaparcels” for redevelopment as a state of the art motion picture television and broadcast studio campus including the creation of innovative and efficient film space which will support the needs of the arts and entertainment community and create new economic growth for the Boroughs and surrounding communities.

Additionally, the Plan Amendment provides alternate locations for affordable housing to offset the land no longer available for this housing under the Studio campus. The approximately 292-acres of the Mega Parcel will be divided into nine (9) zones to highlight reuses/demolition, new construction and improvements to the property. The remaining 36 acres of land are designated for affordable housing purposes and consist of the Eatontown housing parcel (development zone 10), two parcels in Oceanport- the supportive housing parcel (development zone 11), and Monmouth County emergency homeless shelter parcel (development zone 12).

This Plan Amendment continues the Reuse Plan vision to transform the former fort into a live work development with a mix of uses. Market conditions have changed considerably since the time of the original adoption of the Reuse Plan. This Amendment responds to current conditions and allows for an alternative development option which will support the economic growth of the region. The Plan Amendment acts as an overlay, allowing the principal land use permitted in the Reuse Plan, but proposing alternative development scenarios for the area included in the Amendment.

The Plan Amendment proposes to continue to permit several uses contemplated in the underlying zoning on the Mega Parcel, as well as expand the permitted structures and outdoor space areas to support the development of a state-of-the-art Motion Picture, Television and Broadcast Studio (“Studio”) campus. Structures may include, but not be limited to, Sound Stages, Studio Business & Production Support offices, Mill/Workshop buildings, Warehouses, and Executive Outposts. Permitted outdoor spaces may include Backlots and Basecamps used to support the production activities on the Studio campus. Additional permitted accessory structures include, but are not limited to, Central Utility Plants, facilities for personal services, and other facilities customary and incidental to the Studio use. This amendment also permits Retail, Sales and Services and Hotel uses as principal uses that would be open to the public in close proximity along Route 35 in Eatontown.

The Amendment will permit 62 affordable dwelling units on the Eatontown Housing Parcel in Development Zone 10.

B. Municipal Boundary Changes

On July 26, 2023, Eatontown adopted an ordinance amending the Municipal Boundaries on Fort Monmouth. Development Zones relevant to this amendment which were previously located in two (2) municipalities are now located in one. The ordinance and this development scenario locate the following development zones entirely within the Borough of Eatontown:

- Development Zone 1 is located entirely within Eatontown
- Development Zone 3 is located entirely within Eatontown
- Development Zone 4 is located entirely within Eatontown
- Development Zone 5 is located entirely within Eatontown
- Development Zone 10 is located entirely within Eatontown

C. Development Zones

The following development zones are located within Eatontown, as identified in the proposed Plan Amendment:

1. Development Zone 1 Whale Parcel

Development Zone 1 extends from Route 35 in the west to Wilson Avenue in the east, and Lafetra Creek in the north to Avenue of Memories in the south. It is approximately 117.49 acres. The Reuse Plan envisioned a ±150,000-square-foot area for retail, restaurants, entertainment venues, residences, and other purposes in the westernmost section of the Whale Parcel. Additionally, the Reuse Plan also called for repurposing the ±57,386 square foot Mallette Hall (Building 1207) for municipal use and the ±18,883 square foot Expo Theater (Building 1215), for community theater and arts and cultural-related activities.

Under this amendment, most buildings are to be demolished. However, Mallette Hall and the Expo Theatre are permitted to be adaptively reused or demolished. Development Zone 1 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus. Hotel and Retail-Sales and Services uses are also permitted on this parcel along Route 35, outside of the studio campus.

2. Development Zone 2 Vail Hall Parcel & Parcel 2

Development Zone 2 encompasses approximately 10.23 acres of land situated roughly between the JCP&L right-of-way in the south, Avenue of Memories in the north. Wampum Brook bisects the two parcels. The Reuse Plan contemplated repurposing Vail Hall (Buildings 1150 & 1152), totaling ±36,483 square feet, for communication-related purposes.

Under this amendment, both Vail Hall and its Annex may be adaptively reused or demolished. Development Zone 2 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus.

3. Development Zone 3 Tech A Parcel & Barracks Parcel

Development Zone 3 encompasses approximately 9.6 acres of land situated roughly between Alexander Avenue in the south, Avenue of Memories in the north, Wilson Avenue to the west and Brewer Avenue to the east. The Reuse Plan called for the demolition of all the buildings on these parcels and envisioned the redevelopment of the parcels into an open space.

Amendment #9 permitted Buildings 1102-1107 for commercial arts related uses, including studio, performance, and gallery space, as well as up to 12 short-term residential units for artists.

Under this plan amendment, all the buildings in the parcel will be demolished. Development Zone 3 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus.

4. Development Zone 4 Bowling Center Parcel

Development Zone 4 encompasses approximately 2.5 acres of land. It is triangular in shape and situated roughly between Avenue of Memories in the south, Wilson Avenue to the north and west, and Messenger Avenue to the east. The Reuse Plan called for the ±17,599-square-foot Bowling Alley (Building 689) to be retained and redeveloped as a commercially operated bowling alley, while Building 682 was slated for demolition.

Development Zone 4 will support a Motion Picture, Television and Broadcast Studio campus.

5. Development Zone 5 Tech B Parcel

Development Zone 5 encompasses approximately 17.72 acres of land situated roughly between Wilson Avenue to the west, the JCP&L right-of-way to the south, and Nicodemus Avenue to the south and east. The Reuse Plan envisioned the redevelopment of the majority of the parcel as landscaped open space and Lane Hall (Building 702), which covers ±12,100 square feet, as being reused as a community center.

Under this plan amendment, Lane Hall will be demolished. Development Zone 5 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus.

6. Development Zone 10 – Eatontown Housing Parcel

Development Zone 10 parcel encompasses ±32 acres of land and is bounded by Oceanport Way and the Federal Credit Union Parcel to the east, the Husky Brook Pond to the north, an offsite Eatontown residential area to the west and the Patterson Army Hospital Parcel to the south. The Reuse Plan envisioned that a portion of the parcel will be developed as an active recreation area, including ballfields and greenery in the northern section, as well as a school and low-density residential in other areas.

Under this amendment, the Burger King (Building 822), Building 826, Building 814, Building 815, and Building 830 will be demolished. Development Zone 10 shall provide 62 affordable housing units for the Borough of Eatontown that would have been required if the portions of the Mega Parcel were developed with residential uses according to the Reuse Plan as amended and Land Use Rules and the affordable housing reservation required by N.J.S.A. 52:27D-329.9. This Development Zone will offset the commercial buildout envisioned for the Mega Parcel and permit the uses as referenced.

Within the Eatontown Housing Parcel affordable housing units in the form of townhouses, stacked flats/apartments and single family detached houses are permitted. Permitted accessory uses include green houses, hydroponic gardens, and uses customary and incidental to the permitted residential units. The permitted 62 dwelling units shall consist of eight (8) one-bedroom units, 36 two-bedroom units, and 18 three-bedroom units. Approximately 13.4 acres of the site shall be designated as deed restricted open space.

D. Bulk Requirements

The following bulk requirements are relevant to proposed development zones 1, 2, 3, 4, and 5:

1. Hotels and Retails, Sales, and Services are permitted within 1,500 linear feet of Route 35 in Zone 1.
2. The minimum setback from each lot line shall be 25 ft. and is referred to as the “No Build Area.”
3. Floor Area Ratio and Lot Coverage are based on the total land area of a development zone at the time of the drafting of Plan Amendment #20, prior to road widenings or vacations.
4. Height is regulated by two methods- structure type and outdoor spaces and by height district. Maps included in the redevelopment plan illustrate the permitted height district of each zone. Typically, permitted height increase towards the center of each development parcel. If a structure is permitted to have a maximum height greater than that of the height district it is in, the maximum height of the district prevails.

E. Consistency with 2023 Master Plan Reexamination Report

The proposed Plan Amendment is consistent with the following Goals of the Borough of Eatontown’s Master Plan:

- To provide for, and encourage the use of, all remaining vacant land consistent with neighborhood characteristics, lands capability, fiscal balance, practicalities of the marketplace, and current aesthetic standards. *The proposed Plan Amendment encourages the use of vacant land within Eatontown.*
- To establish a walkable and bikeable community, safe and accessible for people of all ages and abilities. *The proposed Plan Amendment includes the 12 ft. multi-use trail, which will increase the walk and bikeability of the area.*
- To provide for alternative housing types at locations where single family detached homes are not easily constructed or would be inappropriate development, and where there will be little or no adverse impact upon surrounding land. *Development Zone 10 allows for a variety of housing types to address the Borough's affordable housing obligations.*
- Maintain and encourage a diversity of housing types and continue to address the borough's affordable housing obligation. *Development Zone 10 allows for a variety of housing types to address the Borough's affordable housing obligations.*

COMMENT BY TOPIC

COMMENT NUMBER

F. Planning Comments

Based on our review of the proposed Plan Amendment we have the following comments:


- | | | |
|---------|---|------|
| AFF-3 | <ul style="list-style-type: none"> • The Plan Amendment permits development of affordable housing on identified parcels even if the state-of-the-art Motion Picture, Television and Broadcast Studio campus does not get built. The Plan also permits the development of the original identified uses. There should be a mechanism to ensure that the affordable housing will be built at the identified amount to help Eatontown meet its Fair Share obligations. The amendment should ensure that units provided to meet Eatontown's affordable housing obligation are not reduced from previously approved numbers. | C2-1 |
| SITE-2 | <ul style="list-style-type: none"> • An anticipated site layout should be included in the Plan Amendment to identify what types of uses are proposed at different locations throughout the Megaparcels and give Eatontown a better idea of the ratables they may be receiving. In particular, the intended location of the hotel and uses outside of the state-of-the-art Motion Picture, Television and Broadcast Studio campus should be identified, understanding that the location of specific buildings within the overall campus may change. | C2-2 |
| OS/T-2 | <ul style="list-style-type: none"> • The Amendment should ensure that the 12 ft. proposed multi use trail is designed to be available to public throughout the entirety of Fort Monmouth. | C2-3 |
| BH-2 | <ul style="list-style-type: none"> • The Hotel intended for Zone 1 should not be larger than six (6) stories to be consistent with balance of hotels throughout the Borough. | C2-4 |
| LAND-4 | <ul style="list-style-type: none"> • All proposed plantings should be consistent with the requirements of the Reuse Plan and Land Use Regulations and the Borough of Eatontown's ordinances require non-invasive species and no monocultures. | C2-5 |
| T/C/T-4 | <ul style="list-style-type: none"> • The entrance to the Studio campus should allow a large amount of queue and for larger trucks so traffic does not back up onto Route 35. | C2-6 |

COMMENTS BY TOPIC

- | | | |
|---------|---|-------|
| LAND-5 | • Screening for Vail Hall should be required due to the removal of the trees over the landfill. | C2-7 |
| NOISE-3 | • Trash collection and deliveries should be limited to prior to 7 am or later than 8 pm at Vail Hall. | C2-8 |
| WALL-4 | • No flashing wall signage shall be permitted within the viewshed of residents on Rose Court. | C2-9 |
| NOISE-4 | • The Borough of Eatontown shall reserve the right to regulate noise times for production that have outdoor sounds, permits, etc. | C2-10 |

Very truly yours,

LEON S. AVAKIAN, INC.


Jennifer C. Beahm, P.P.
Board Planner

JCB:CLB

cc: Ed Hermann, PE, Board Engineer
Marc Leckstein, Esq., Board Attorney

Draft

EXHIBIT C



COMMENT LETTER C-3

ETWN-G2301

December 18, 2023

Via Email (wlucia@eatontownnj.com)

William P. Lucia, III
Borough Administrator
Borough of Eatontown
47 Broad Street
Eatontown, NJ 07724-1698

**Re: Fort Monmouth - Plan Amendment #20
Permitting Alternative Development Scenario in Eatontown and Oceanport**

Dear Mr. Lucia:

We are writing to provide you and the Borough Council with comments on the FMERA Amendment #20, dated November 6, 2023.

Amendment #20 proposes an alternative development plan for the Mega Parcel and the Affordable Housing Parcels in Eatontown and Oceanport. The affected area consists of approximately 328 acres of land on what was formerly the Main Post. The proposal will allow for additional permitted uses on the Mega Parcel, namely those supporting a Motion Picture, Television, and Broadcast Studio campus. Anticipated structures could include Sound Stages, Studio Business and Production Support offices, Mill/workshop buildings, warehouses, and executive outposts, along with a host of accessory support structures. The proposal also allows for retail uses, sales and service uses, and hotel uses open to the public.

The amendment proposes allowance for 62 affordable dwelling units on the Eatontown Housing Parcel (Development Zone 10), 25 single-room occupancy affordable supportive housing units in Development Zone 11, and 24 affordable units in Development Zone 12.

The primary goal for the proposed amendment is to further promote sustainable economic development of the Fort Monmouth area. The amendment further the goals and strategic priorities outlined by the Governor's economic plan, especially in the film and digital media sector.

Bulk and Density Regulations, along with Signage standards, have been updated for both residential and non-residential uses. Additional Design Standards have been incorporated into this amendment promoting better site access and walkability to and throughout the sites. In accordance with recent NJDEP and NJAC updates, the amendment recommends new Green Standards encouraging Electric Vehicle Charging Stations, low impact development measures, and renewable energy systems. The proposal encourages adaptive re-use of existing buildings where practical, while also envisioning wetlands and environmentally-sensitive-area preservation and restoration and creation of open space.

We defer to the Borough Planner for guidance on the various use and bulk zoning criteria elements of the proposal.

With these improvements to Fort Monmouth the overall infrastructure will be impacted, including the existing gas, electric, water, wastewater, and telecommunication utilities which will all have to be evaluated at site plan review for a specific project. It is noted that FMERA has undertaken various large-scale utility improvements on the Main Post in recent years, including significant water main upgrades and some sanitary sewer upgrades in anticipation of pending proposals.



Re: Fort Monmouth – Plan Amendment #20
Permitting Alternative Development Scenario in Eatontown

COMMENT BY TOPIC

COMMENT NUMBER

Prior discussions have been held with respect to the ultimate disposition of all roadways within the Main Post. Further clarity will be required regarding the specific roadways that will be dedicated to each of the Municipalities, and also what investigation/improvements to the roadway and existing utilities may be required in order for the Municipalities to accept same.

T/C/T-5 C3-1

Some of the additional engineering concerns that should be addressed are as follows:

- | | | |
|---------|--|-------|
| T/C/T-6 | 1. Traffic generation, potential major intersection improvements and traffic signal adjustments. With the potential buildout of the Main Post, traffic impacts should be expected. Consideration should be made for traffic signal upgrades and possible turning lane upgrades at the Route 35 and Avenue of Memories intersection. In addition, any internal driveways or roadways in close proximity to this intersection shall have considerations for appropriate stacking/turn lanes to ensure that no queueing on site will negatively impact this intersection. | C3-2 |
| T/C/T-7 | | C3-3 |
| WALL-5 | 2. Consideration shall be made for the proposed security walls and their impact on aesthetics and viewsheds, especially from neighboring residential communities. | C3-4 |
| LAND-6 | 3. We recommend that any berming and landscaping incorporate the Borough's guidelines on landscaping diversity and native plant usage. | C3-5 |
| LAND-7 | 4. We recommend that substantive landscaping be provided for Vail Hall as it is currently very open and in reasonable proximity to adjacent residential uses. Consideration should be given to providing landscape buffering on adjacent residential properties if agreeable to neighbors. | C3-6 |
| HELI-2 | 5. We recommend that specific conditions be worked out with the Municipalities regarding operational limitations for the Helipad. | C3-7 |
| NOISE-5 | 6. We recommend that the proposed uses follow Municipal noise ordinances and notify the Municipalities of any special events that might generate more noise than usually expected (explosions, fireworks, etc.). | C3-8 |
| T/C/T-8 | 7. We recommend that none of the existing dead-end streets abutting the property be extended into the property. | C3-9 |
| LAND-8 | 8. We recommend berming and significant landscape buffering be provided for the COAH properties which abut existing residential communities. | C3-10 |
| EMS-2 | 9. We recommend that specific conditions be worked out with the Municipalities regarding emergency medical services (fire, ambulance, police). | C3-11 |
| EI-2 | 10. We note that the Main Post has numerous environmentally-sensitive areas and that due diligence investigations will be required for any improvement projects. | C3-12 |
| OS/T-3 | 11. We recommend incorporation of the 12' multi use trail throughout the property to provide public walkability. | C3-13 |



Re: Fort Monmouth – Plan Amendment #20
Permitting Alternative Development Scenario in Eatontown

COMMENT BY TOPIC

COMMENT NUMBER

SW/I-2 Specific consideration regarding stormwater management will be important as always, as this area has had flooding challenges for a number of years. Any site plans for this area will need to incorporate specific improvements to help mitigate these issues and improve infrastructure accordingly.

C3-14

Very truly yours,

T&M ASSOCIATES

EDWARD W. HERRMAN, P.E., P.P., C.M.E., C.F.M.
EATONTOWN BOROUGH ENGINEER

EWB

cc: Anthony Talerico, Borough Mayor
Julie Martin, Borough Clerk
Andy Bayer, Esq., Borough Attorney
Kathy Muscillo, Administrative Officer
Jennifer Beahm, PP, Planning Board Planner
Marc Leckstein, Esq., Planning Board Attorney

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Draft

**RESOLUTION OF THE BOROUGH OF OCEANPORT
THE FORT MONMOUTH REUSE PLAN AMENDMENT #20 AND THE MUNICIPAL 45 DAY REVIEW
PERIOD AND FORMULATION OF THE BOROUGH RECOMMENDATIONS AND COMMENTS TO THE
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY**

Resolution #2023-296
12/14/23

WHEREAS, the decision to close Fort Monmouth was made per Federal BRAC legislation in September of 2005 and the Fort Monmouth Economic Revitalization Authority (FMERA) was created by the State of New Jersey (C52:27I et. seq.) to implement comprehensive conversion and revitalization of the Fort Monmouth Property; and

WHEREAS, the Fort Monmouth Redevelopment and Reuse Plan was adopted September 3, 2008 and as subsequently amended; and

WHEREAS, the statute provides for a 45-day municipal review period for comment and recommendations on amendments to the Fort Monmouth Reuse Plan by each of the three host communities. On November 6, 2023 the Mayor received a request to review the Reuse Plan Amendment #20 for which review period shall end December 20, 2023; and

WHEREAS, the Borough of Oceanport has solicited comment on the Reuse Plan Amendment #20 from the Borough Planner, Borough Engineer, Planning Board, Police Department, First Aid, Fire Department, Office of Emergency Management and others in order to review the Amendment and consider its impact on the Borough and its residents.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the municipality has performed its statutory duties as a host municipality concerning the review of the proposed Fort Monmouth Redevelopment and Reuse Plan Amendment #20 and offers the following and comments and recommendations attached hereto:

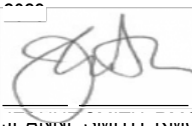
1. Borough Planner Letter dated November 6, 2023
2. Planning Board Comments, November 28, 2023
3. Public Comments Received

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to compile and submit comments on the plan on behalf of the Council for submittal to FMERA no later than December 20, 2023,

BE IT FURTHER RESOLVED, that a copy of all comments received be forwarded with this Resolution to the Fort Monmouth Economic Revitalization Authority Board for their consideration.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Bryan Keeshen, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdik

I certify that the foregoing Resolution #2023-296 was adopted by the Oceanport Governing Body at the Regular Meeting held December 14,



JULIANNE SMITH, TOWN
BOROUGH CLERK

COMMENT LETTER C4



45 East Broad Street, 2nd Floor
Hopewell, NJ 08525
609-257-6705 (v)
609-374-9939 (f)
info@kylemcmanus.com

To: Oceanport Borough Council

From: Kendra Lelie, PP, AICP, LLA

Re: **Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan Planning Review**

Date: December 5, 2023

This memorandum provides a planning review of FMERA's *Amendment #20 to the Fort Monmouth Reuse and Redevelopment Plan* (hereinafter the "Reuse Plan"), detailing its consistency with the Borough's master plan documents, identifying the impact of the development which the proposed change permits, and providing relevant planning and design comments.

There are 419 acres of land within the Borough of Oceanport which are subject to the *Reuse Plan*. Adopted in 2008, the Reuse Plan provides for redevelopment of the Fort Monmouth property with approximately 1.75 million square feet of nonresidential space and 720 residential units. This proposed amendment would permit an increase in nonresidential space and a decrease in residential units.

1.0 Overview of Amendment #20

- 1.1** The proposed amendment will serve as functional equivalent of overlay zoning. As such, the Amendment creates an additional option to how the subject parcels may be developed but does not eliminate the existing permitted uses and regulations.
- 1.2** The amendment permits the option for an alternative development scenario applicable to several land parcels comprising over 328 acres of land within the Borough of Eatontown and Oceanport Borough which involves the following:
 - a.** Mega Parcel: Approximately 292 acres of the subject land area are known as the Mega Parcel and will be permitted to redevelop as a state-of-the-art Motion Picture, Television and Broadcast Studio campus. This Mega Parcel contains several non-contiguous parcels of land positioned between Route 35 to the west, North Jersey Coastline Railroad to the east, Sherrill Avenue and Parkers Creek to the north, a JCP&L right of way, and Nicodemus Avenue and Riverside Avenue to the south. Oceanport Avenue intersects the eastern portion and Avenue of Memories intersects the southern portion of the Mega Parcel. The Mega Parcel is divided into nine (9) development zones as depicted on the Exhibit B included in the Amendment #20 as well as included in this memorandum. Development zones 6, 7, 8, 9, 11 and 12 are located in the

Borough of Oceanport.

While the amendment continues to permit uses within the underlying zoning, the permitted structures and uses are expanded to support the development of a state-of-the-art Motion Picture, Television and Broadcast Studio campus. Structures may include:

- Sound stages;
- Studio businesses & production support offices;
- Mill/workshop buildings;
- Warehouses;
- Executive outposts (studio business and production support office);
- Outdoor spaces may include backlots (area used for outdoor filming) and basecamps (mobile facilities related to production activities) used to support the production of activities on the studio campus;
- Permitted accessory structures include central utility plants, personal services facilities (laundry service, hair/nail salon, barbershop, shoe repair, clothing rental, personal shipping/delivery services) and other facilities customary and incidental to the Studio use; and
- Retail, sales and services and hotel uses as principal uses open to the public and along major roadways including Route 35 and Oceanport Avenue.

b. Mega Parcel Development Zones in Oceanport Borough.

- **Development Zone 6 – The 400 Parcel.** The 400 Area Parcel consists of 79 acres of land and approximately sixty-three (63) buildings including former residential, administrative, and R&D buildings, warehouses, workshops, and additional general purpose facilities.

The Reuse Plan contemplates the redevelopment of the 400 Area Parcel as the Oceanport Village Center, including a mix of uses such as residential, retail, and other commercial uses and amenities that will create a community hub for Oceanport. The 400 Area Parcel property is included within a portion of the Horseneck Center Development District in the Land Use Rules.

Under this amendment, Buildings 276, 277, 279, 280, 281 and 482 may be adaptively reused or demolished. Development Zone 6 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and Hotel

- **Development Zone 7 – McAfee Parcel.** The McAfee Parcel consists of 29 acres of land and approximately fifteen (15) buildings including, the McAfee Center (Building 600), the FMERA office (Building 502), warehouses, workshops and additional general-purpose facilities. The Reuse Plan contemplates redevelopment of the McAfee Parcel as a center for tech and R&D uses and envisions the adaptive reuse of the McAfee Center (Building 600), Building 601 and Building 602 for R&D uses. The Reuse Plan also contemplates the demolition of all other buildings that are on the parcel.

Under this amendment, the McAfee Center and the FMERA office may be adaptively reused

or demolished. Development Zone 7 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus.

- Development Zone 8 – Greely Field Parcel. Greely Field Parcel also known as the Parade Grounds, is an approximately 21-acre of open green space and is located within the Fort Monmouth Historic District. The World War II Memorial is located on the north side of the Greely Field Parcel. The memorial is dedicated to the Signal Corps members who lost their lives during World War II. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Greely Field Parcel as an area to be listed on the National Historic Register List.

The Reuse Plan envisions Greely Field Parcel to be preserved as open space.

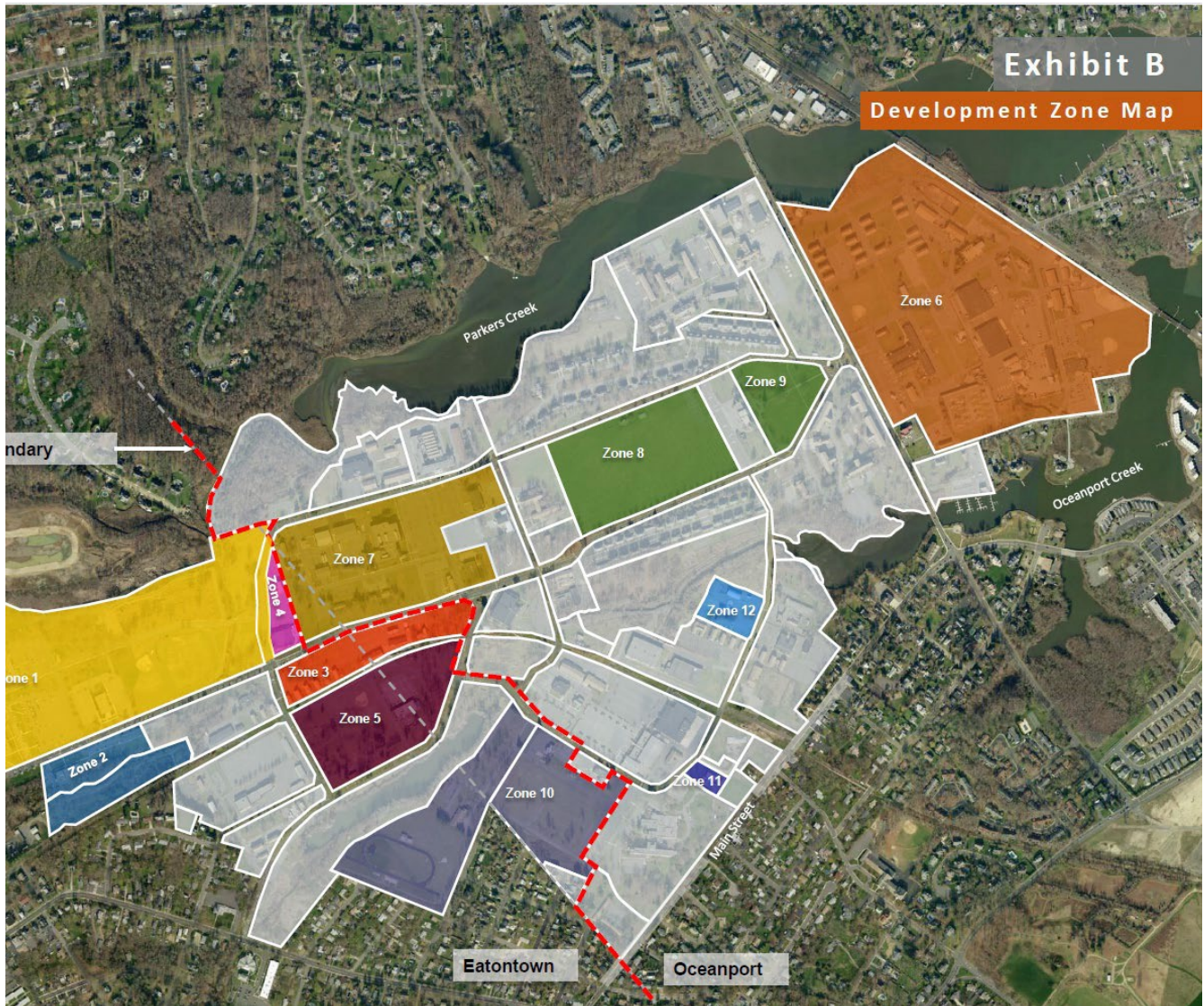
Under this amendment, Greely Field Parcel will remain open space pursuant to a deed restriction. The World War II Memorial is protected by historic covenants and will remain undisturbed in perpetuity. Development Zone 8 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit open space uses, a multi-use trail and special events only. No building is permitted in this development zone.

- Development Zone 9 – Cowan Park Parcel. The Cowan Park Parcel is an approximately 5-acre triangular-shaped green space and located in the Fort Monmouth Historic District in front of Russel Hall. A memorial plaque dedicated to Colonel Arthur S. Cowan is located in the center of the park. The Reuse Plan envisions Cowan Park Parcel to be preserved as open space. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Cowan Park as an area to be listed in the National Historic Register List.

Under this amendment, Cowan Park will remain open space pursuant to a deed restriction. Development Zone 9 will support a state-of-the-art Motion Picture, Television and Broadcast Studio campus and permit open space uses, a multi-use trail and special events only. No building is permitted in this development zone.

- c. Affordable Housing Parcels. The following parcels are non-contiguous parcels of land that provide the required affordable housing that would have been provided on the Mega Parcel.

- Eatontown Housing Parcel: Development Zone 10 is located in Eatontown Borough along Oceanport Way. The amendment permits 62 affordable housing units on this parcel.
- Supportive Housing Parcel: Development Zone 11 is located in Oceanport Borough and the amendment will permit 25 single-room occupancy supportive housing units.
- Monmouth County Emergency Homeless Shelter Parcel: Development Zone 12 is located in Oceanport Borough and the amendment will permit 24 affordable housing units.



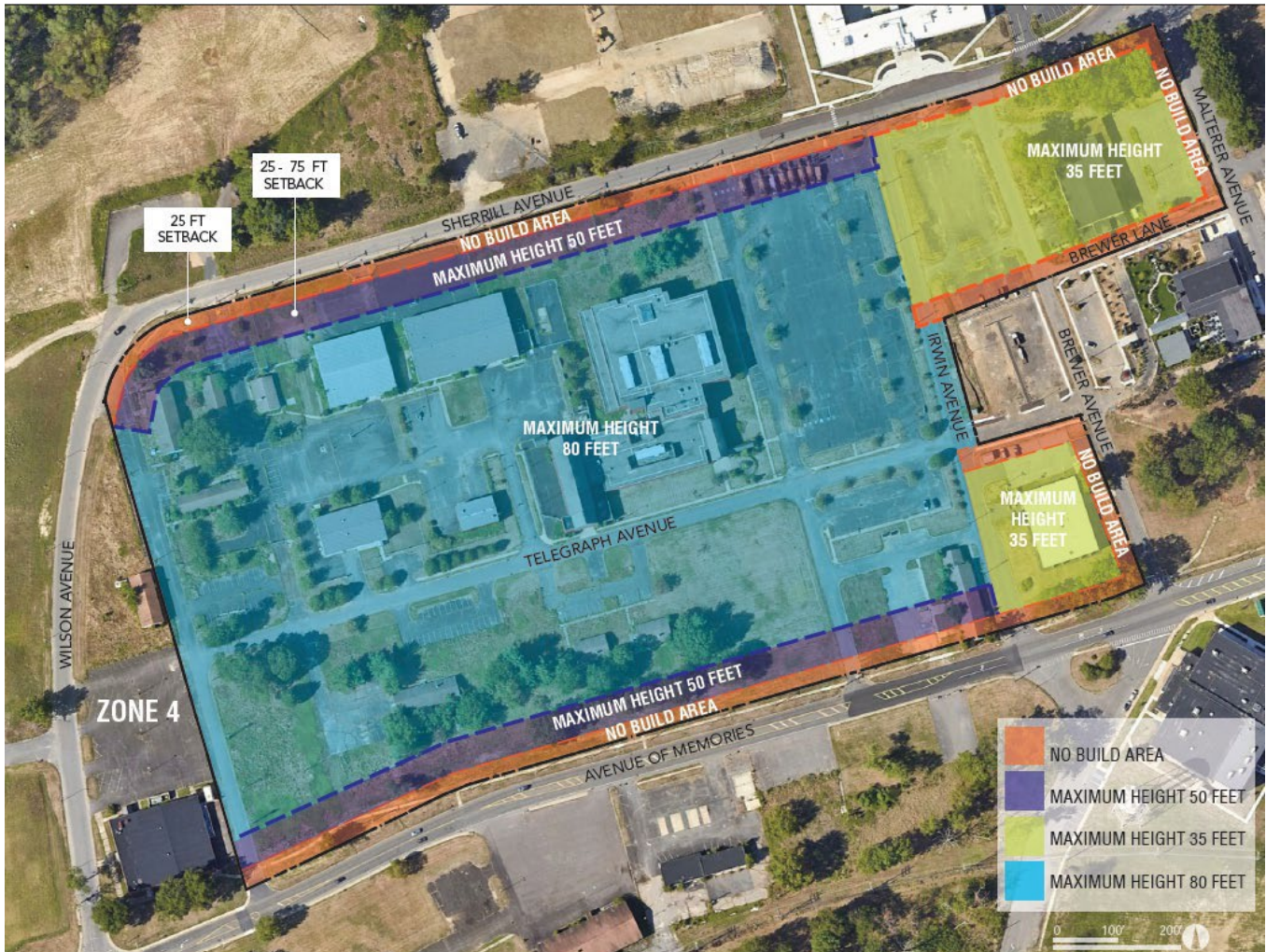
1.3 The amendment identifies regulations proposed to define and limit development on the parcels. These include, but are not limited to, the following:

a. Mega Parcel

- Development Zone 6 – The 400 Area Parcel.
 - Floor area ratio not to exceed 0.50;
 - Maximum lot coverage not to exceed 75%;
 - Hotel provided it is within 700 linear feet of Oceanport Avenue; and
 - Setbacks and height limitations as shown in exhibit below:



- Development Zone 7 – McAfee Parcel.
 - Floor area ratio not to exceed 0.30;
 - Maximum lot coverage not to exceed 85%; and
 - Setbacks and height limitations as shown in exhibit below:



- b.** Affordable Housing Parcels. The underlying zoning standards apply to the affordable housing parcels.

COMMENT BY TOPIC

COMMENT NUMBER

2.0 Comparison to Borough Policies

- 2.1** The Borough adopted the *Fort to Village Plan* (Plan) in 2008 as an amendment into the Borough's Master Plan in order to properly plan for the redevelopment of Fort Monmouth. The Plan called for the 400 Area Parcel to include a mixed-use village center surrounded by medium density residential housing and for the McAfee Parcel to become a corporate center district. The McAfee Corporate Campus development concept identified in the Fort to Village Plan focused on creating employment opportunities and commercial ratables. The proposed Amendment #20 is not inconsistent with these development goals. The 400 Area Parcel is identified as a future village center in the Fort to Village Plan including residential multi-family units, retail/commercial space and open space. While the proposed Amendment #20 departs from the Fort to Village Plan vision for this area, it is anticipated that commercial space will be created and open space will be provided in the environmentally sensitive areas. In addition, it is important to recognize that the affordable housing units required for the market rate residential units within the 400 Area will be produced within Development Zones 11 and 12 and therefore is consistent with the affordable housing goals and requirements of the Fort to Village Plan. The two open space areas (Development Zones 8 and 9) were both envisioned to be open space in the Fort to Village Plan and therefore are consistent with the Borough's Master Plan.

MP-1

C4-1

3.0 Circulation Comments

- 3.1** While the amendment does not anticipate the change in circulation patterns, the additional permitted uses may result in increased traffic along Oceanport Avenue and Main Street. A traffic analysis will be required as part of any site plan application and reviewed by the Borough's traffic engineer to ensure that any necessary traffic mitigation measures are required as part of the approval process.
- 3.2** Pedestrian and bicycle facilities and improvements should be accommodated for all Development Zones and surrounding streets. The use permitted will be a destination for employees and visitors and as such the users of the buildings may want to rely upon alternative forms of transportation (pedestrian, bicycle, mass transit) and it is critical that this development area properly accommodate the needs of the development users.

T/C/T-9

C4-2

T/C/T-10

C4-3

4.0 Open Space and Environment Comments

- 4.1** The Reuse Plan amendment does not anticipate the removal of open space areas or impact to the environmental resources within the development zones.
- 4.2** The amendment recognizes that any encroachment into the wetlands will require NJDEP approval but that any environmentally constrained land area will be preserved and protected accordingly.

OS/T-4

C4-4

EI-3

C4-5

5.0 Infrastructure Comments

- 5.1** The ability of existing and planned infrastructure is deferred to the Borough Engineer and other Borough professionals, as may be appropriate.

SW/I-3

C4-6

COMMENT BY TOPIC

COMMENT NUMBER

6.0 Affordable Housing Comments

6.1 At present, 486 residential units have been either approved for construction or constructed in Oceanport (i.e., 116 at RPM + 81 at Patterson Army Hospital + 180 at Lodging + 34 at Nurses Quarters + 75 units at Barker Circle) including 103 affordable housing units. Subtracting the 486 built or under construction housing units from the 720 total housing units permitted in the Reuse Plan leaves a total of 234 units which could be built in the remaining areas on Oceanport which are all located either on the 400 Area Parcel or off of Oceanport Way. This amendment identifies Development Zones 11 and 12 for the construction of 25 and 24 units, respectively of affordable housing in Oceanport. Development Zone 11 is identified for supportive or SRO units as required by FMERA's legally binding agreement approved by the U.S. Department of Housing and Urban Development.

C4-7

This amendment permits the construction of affordable housing units that would have been required to be built if 234 residential units were developed on the 400 Area Parcel, i.e., a minimum of 47 affordable units. This amendment permits the development of 49 affordable units in the Oceanport Reuse Area which exceeds the total number of affordable housing units anticipated for the 400 Area Parcel in the Reuse Plan regardless of the fact that the market rate units that would generate the affordable housing obligation are not expected to be constructed.

AFF-5

However, in the event that the Mega Parcel is not developed as a Motion Picture, Television and Broadcast Studio and is instead developed according to the underlying Land Use rules, the Affordable Housing Parcels remain part of the development that includes the Mega Parcel, which envisions a comprehensive live-work leisure development with mixed uses. Accordingly, the 49 affordable units permitted in this amendment would constitute the required affordable housing for all residential units constructed on the Mega Parcel so long as the total number of housing units in the Oceanport Reuse Area does not exceed 720 units and the total percentage of units set aside for affordable housing does not fall below the required 20 percent of market rates constructed.

7.0 Historic Preservation Comments

HP-1

The Amendment acknowledges The World War II Memorial, which is located on the north side of Greely Field Parcel. The memorial is dedicated to the Signal Corps members who lost their lives during World War II. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Greely Field Parcel as an area to be listed in the National Historic Register List. Under this amendment, The World War II Memorial is protected by historic covenants and will remain undisturbed in perpetuity. In addition, the Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Cowan Park as an area to be listed in the National Historic Register List and under this amendment, Cowan Park will remain open space pursuant to a deed restriction. As such the amendment will not negatively impact on any structures listed on the State or National Registers of Historic Places.

C4-8



COMMENT BY TOPIC

COMMENT NUMBER

8.0 Design Comments		
LAND-9	<p>8.1 No Build Zone for Development Zone 6 (400 Area). This development zone is highly visible and serves as a gateway to the Borough. As such, the development that will be seen from the public rights-of-way and residential areas shall be adequately setback and screened. The no build zone, which does not permit building to occur, (except for the landscape buffer as described more fully below) shall be a minimum of 75 feet in width to adequately accommodate significant sized evergreen plantings.</p>	C4-9
BH-03	<p>8.2 Height Definition. The definition of height for buildings and structures (i.e. the perimeter wall) should be in accordance with the Borough's definition of height which states; <i>"The vertical distance as measured by the crown of the road of the improved street on which it fronts at the midpoint of the lot to the highest point of the structure"</i>.</p>	C4-10
LAND-10	<p>8.3 Landscape Buffer. A significant landscape buffer shall be provided between any rights-of-way and residential properties and Development Zone 6 & 7. The buffer shall be a minimum of 75 feet in width and be planted with evergreen trees that make up 80% of the plant material within the buffer. In addition, the size of the evergreen trees at planting shall be a minimum of 18 feet in height. The purpose of the landscape buffer is to screen the perimeter wall and eventually help to reduce the perceived building mass from the public viewshed.</p>	C4-11
A/D/S-2	<p>8.4 Architectural Design. All building design shall be consistent with Oceanport's architectural vernacular which highlights a modern nautical design.</p>	C4-12
A/D/S-3	<p>8.5 Streetscape Design/Public Viewsheds. An upgraded streetscape design shall be provided along Oceanport Avenue. The vehicular lanes shall be separated from defined bike lanes. Sidewalks with a minimum width of eight (8) feet shall be separated by a landscape planting bed which measures a minimum of eight (8) feet. Street trees and ground cover plantings shall be planted within the landscape planting beds. Pedestrian level lighting shall be provided adjacent to the sidewalk. It is recommended that a cross-section exhibit be included in the amendment as a guide for the streetscape improvements. In addition, a gateway sign should be coordinated with the Borough of Oceanport at the Borough's boundary.</p>	C4-13
LTG-1	<p>8.6 Lighting. All outdoor lighting, including streetlamps and accent lighting, shall comply with "dark sky" standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways, and other areas of site, as well as the light quality produced, shall be the same or of a compatible design. Exterior lighting shall be L.E.D. (i.e., light emitting diodes) or equivalent energy saving technology available at the time of construction. L.E.D. lighting shall not exceed 3,500 degrees Kelvin. Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building. Exterior lights may be concealed through shielding or recessed behind architectural features.</p>	C4-14
LTG-2		C4-15
LTG-3		C4-16
LTG-4		C4-17
LTG-5		C4-18
SIGN-1	<p>8.7 Signs. The proposed sign package is unique as it relates to a use that is not commonly seen in New Jersey. However, the digital signs that are permitted seem to be grossly oversized and should be limited to a certain number of signs permitted per development zone and include a limitation that they shall not be seen from any residential use or district.</p>	C4-19

C. Jeanne Smith, RMC

COMMENT LETTER C-5

OCEANPORT PLANNING BOARD FORT MONMOUTH REUSE AND REDEVELOPMENT PLAN PROPOSED PLAN AMENDMENT #20

PLANNING BOARD LIST OF COMMENTS / QUESTIONS / CONCERNS / ENDORSEMENTS / OBJECTIONS

COMMENT BY TOPIC

COMMENT NUMBER

GEN-1

The Planning Board discussed at length the proposed Plan Amendment #20 and the majority of members found the plan amendment was consistent with the Master Plan. Board members did note that given the scope of the proposed development, as envisioned in Amendment #20, that the 45-day review period is inadequate for the magnitude of Plan Amendment #20. It is recommended that a Committee (including members of the Oceanport Planning Board) should be established to review the Zoning Regulations (including Amendment #20) in greater detail. However, the overall consensus of the Board was positive and optimistic with this future development project in partnership with the developer, FMERA and host communities.

C5-1

*NOTE: The following is a list of the questions / comments / concerns submitted / reviewed / referenced / discussed at the November 28, 2023 meeting of the Oceanport Planning Board. All questions / comments / concerns / statements herein were not necessarily endorsed by all members of the Planning Board. Rather, as indicated, the within represents an extensive list of all questions / comments / concerns / endorsements / objections as noted by individual members of the Planning Board.

Affordable Housing

AFF-4

- There was a concern that the development site appropriately address the existing Borough of Oceanport Affordable Housing obligations as they pertain to the Fort Monmouth properties. The Board recognizes that Plan Amendment #20 addresses affordable housing developments planned for Development Zones 11 and 12.

C5-2

Animal Boarding

USE-1

- The document seemed to suggest that animal boarding would be permitted on the mega-parcel. There was a question as to the specific details associated with the same – including types of animals permitted, types of facilities, noise prevention measures, preservation of quality of life issues, disposition of animal waste, etc.

C5-3

Arts and Entertainment

GEN-2

- There was recognition that the proposed development will appropriately support / encourage the art and entertainment community.

C5-4

Architectural Details

A/D/S-4

- There was a concern that the architectural style for the proposed development should be consistent with the surrounding community and use architectural details that compliment

C5-5

COMMENT BY TOPIC

COMMENT NUMBER

the Seashore and historic Fort Monmouth styles, consistent with other structures in the Borough of Oceanport.

- | | | |
|---------|---|------|
| A/D/S-5 | <ul style="list-style-type: none"> There was a concern regarding the overall aesthetic appeal associated with any proposed buildings and it is recommended that language be added to address the development as a whole with continuity. | C5-6 |
|---------|---|------|

Buffering

- | | | |
|---------|--|------|
| LAND-11 | <ul style="list-style-type: none"> It was strongly recommended that the development site in the 400 area should provide the same type of buffering and mature landscaping as well as height restrictions along Hazen Avenue similar to that which buffers the railroad. | C5-7 |
|---------|--|------|

Bulk Regulations

- | | | |
|-------|---|------|
| B/I-1 | <ul style="list-style-type: none"> There was a concern that the details envisioned in Plan Amendment #20 have been designed to maximize any potential development at the site. | C5-8 |
|-------|---|------|

Construction Impact

- | | | |
|--------|--|-------|
| CSTN-1 | <ul style="list-style-type: none"> A circulation plan should be developed that guides the impacts / closure of any streets in the area (during what is envisioned to be a long construction process) and coordination with local traffic authorities. | C5-9 |
| CSTN-2 | <ul style="list-style-type: none"> There was a concern regarding the nature / extent of construction vehicles, and where the same will be located / placed / stored, etc. | C5-10 |
| ECI-1 | <ul style="list-style-type: none"> There was a concern that efforts be taken to ensure that the construction does, in fact, bring and generate good quality jobs for local residents. | C5-11 |

Developer's Agreement

- | | | |
|--------|--|-------|
| CSTN-3 | <ul style="list-style-type: none"> There was significant discussion related to the overall construction impact associated with the development envisioned in Plan Amendment #20. It is strongly recommended that the Borough pursue a Developers Agreement that addresses project phasing, construction hours, construction timeframe for project phases, attempts to minimize impacts to the surrounding neighborhoods by restricting truck and equipment traffic to certain roadways. | C5-12 |
|--------|--|-------|

Destination Point

- | | | |
|-------|---|-------|
| GEN-3 | <ul style="list-style-type: none"> There was recognition that the development of the mega-parcel (as envisioned in Amendment #20) would render the area as a well-known destination point. | C5-13 |
|-------|---|-------|

Excitement

- | | | |
|-------|---|-------|
| GEN-4 | <ul style="list-style-type: none"> There was recognition of the excitement that a Netflix-inspired development could generate within the Borough of Oceanport and surrounding communities. | C5-14 |
|-------|---|-------|

COMMENT BY TOPIC

COMMENT NUMBER

- | | | |
|-------|--|-------|
| ECI-2 | <ul style="list-style-type: none"> There was recognition as to the benefits associated with an influx of individuals who would visit the Borough of Oceanport, patronize area restaurants, patronize area establishments, and the like. | C5-15 |
| ECI-3 | <ul style="list-style-type: none"> There was recognition of the beneficial impact development of the site will have on area businesses. | C5-16 |

Height

- | | | |
|------|---|-------|
| BH-4 | <p>Amendment #20 envisions building heights upwards of 90' tall. The proposed height requirement zones provide for setbacks based on heights of 50', 80' and 90' heights. Most developments in the Borough only provide for a 35' height limitation and concern was expressed that there has been no formal analysis (for comparison purposes) of the heights of other buildings.</p> | C5-17 |
| BH-5 | <ul style="list-style-type: none"> The Borough of Oceanport measures height from the crown of the primary road – whereas Amendment #20 appears to envision measuring building heights from the natural grade. It is recommended that FMERA considers revising the measurement of height calculated to be consistent with the Borough's code. This will potentially eliminate enforcement issues. It is also recommended that consideration be given to establishing the primary road for all sites utilizing Route 537/ Avenue of Memories as the primary. | C5-18 |
| BH-6 | <ul style="list-style-type: none"> Consideration should be given for specific sites that will seek grade changes greater than 3 feet. | C5-19 |
| BH-7 | <ul style="list-style-type: none"> Plan Amendment #20 indicates that there will be roof-top towers, dishes, digital equipment, utilities. It is recommended that maximum height for the zone be inclusive of all rooftop structures/accessories and take consideration to limit illumination features associated with the proposed roof-top amenities and maintain appropriate shielding. | C5-20 |

Heliport / Helipad

- | | | |
|--------|--|-------|
| HELI-3 | <ul style="list-style-type: none"> It is recommended that this facility follow current guidelines and practices in the host communities with consideration given to the prohibit/limit any flying over residential areas. | C5-21 |
|--------|--|-------|

Job Generation / Economic Development

- | | | |
|-------|--|-------|
| ECI-4 | <ul style="list-style-type: none"> There was recognition of the job generation / economic development associated with development of the mega-parcel, in accordance with Amendment #20. | C5-22 |
| ECI-5 | <ul style="list-style-type: none"> There was recognition that the proposed development (as envisioned in Amendment #20) will position the former Ft. Monmouth site as a regional hub for a dynamic industry, which will attract and maintain other businesses / uses. | C5-23 |
| ECI-6 | <ul style="list-style-type: none"> There was recognition that the proposed development can bolster the economy and create more and better jobs for local / area residents. | C5-24 |

COMMENT BY TOPIC

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ECI-7 • There was recognition that the development as envisioned in Amendment #20 will promote a stronger and fairer economy for the Borough of Oceanport and the surrounding communities. C5-25

ECI-8 • There was also a concern that for a variety of reasons (including Developer in-house regulations and employment arrangements), the development might not necessarily generate the lasting jobs which are otherwise suggested. C5-26

Landscaping

LAND-12 • There was a concern that more specific landscaping details be presented / identified in the proposed Plan Amendment. C5-27

LAND-13 • There was a concern that there should be more landscaping and more buffering proposed (than not referenced in Amendment #20). C5-28

LAND-14 • There was a concern that the Plan Amendment language be modified and clarified to require any Developer to plant mature landscaping at the site. C5-29

Lighting

LTG-6 • There was a concern regarding illumination levels. C5-30

LTG-7 • There was a concern about apparent lack of light poles associated with the mega parcel. C5-31

LTG-8 • There was a concern that lighting levels should be reduced, to 50% levels at night time. C5-32

Lot Coverage

B/I-2 & SW/I-4 • There was a concern that in some areas, the allowable Lot Coverage approaches 85%. As Oceanport and the Fort Monmouth properties are river communities it is strongly recommended that lot coverage of 85% be limited so as not to adversely impact / implicate stormwater management runoff issues. It is also recommended that Lot Coverage overall for the mega parcel should not exceed 70%. C5-33

Mobile Facilities / Trailers

USE-2 • There was a concern for more specific details pertaining to mobile facilities and trailers which may be located on the development site. C5-34

Municipal Services

EMS-3 • There was a concern that there has been no official or unofficial study / analysis as to how the proposed development would impact, or otherwise affect the Borough's Police Department, Fire Department, Public Safety Offices, as well as other First Responders. It is recommended that the proposed regulations be more formally reviewed and vetted with the Oceanport Emergency and First Responders. C5-35

COMMENT BY TOPIC

COMMENT NUMBER

Noise

- | | | |
|---------|--|-------|
| NOISE-6 | <ul style="list-style-type: none"> It is recommended that any noise to be generated from the Ft. Monmouth site should comply with the Borough's Prevailing Noise Regulations. | C5-36 |
|---------|--|-------|

Parade Grounds

- | | | |
|----------------------|---|-------|
| OS/T-5
&
USE-3 | <ul style="list-style-type: none"> It is recommended that language be expanded to provide clarity on the restrictions of the parade grounds and any limits for hosting special events. | C5-37 |
|----------------------|---|-------|

Parking

- | | | |
|------|---|-------|
| PK-1 | <ul style="list-style-type: none"> There was a concern that some of the parking ratios utilized do not appropriately count employees, etc., that proposed parking ratios mirror that of the host municipality and the need for thorough and complete parking analysis reports for the site plan phase. | C5-38 |
|------|---|-------|

Production Vehicles

- | | | |
|-------|--|-------|
| USE-4 | <ul style="list-style-type: none"> It is recommended that the regulations identify the need for specific information relative to the type of production vehicles which may be on site during the site plan phase – including the location of the same, where the same will be stored, how the same will be shielded / landscaped, etc. There was also a request for confirmation that no vehicular body work will be performed on site. | C5-39 |
| USE-5 | | C5-40 |

Radio Towers / Cell Towers, etc.

- | | | |
|-------|---|-------|
| USE-6 | <ul style="list-style-type: none"> There was a concern that Amendment #20 would allow / permit cell towers, radio towers, satellite dishes, etc. and the impact such cell towers, radio towers, satellite dishes, radio waves, etc. would have, or could have, on the surrounding community. | C5-41 |
|-------|---|-------|

Residential Borders

- | | | |
|-------|---|-------|
| GEN-5 | <ul style="list-style-type: none"> There was a concern about the impact the development can have on the surrounding residential communities (including the 400 District of the former Ft. Monmouth site). It is recommended that consideration be given to impacts on the quality of life for surrounding residents. | C5-42 |
|-------|---|-------|

Scope of Project

- | | | |
|-------|---|-------|
| GEN-6 | <ul style="list-style-type: none"> There was a concern that with such an all extensive development (as envisioned / allowed under Plan Amendment #20), development would essentially result in the creation of a self-sustaining City within the physical / geographical confines of the Borough of Oceanport. | C5-43 |
|-------|---|-------|

COMMENT BY TOPIC

COMMENT NUMBER

- GEN-7 • There was a concern that with all that will be permitted to be developed under Plan Amendment #20 the proposed Netflix-related development could essentially operate totally independent from the rest of the Borough of Oceanport.

C5-44

Security Wall

- WALL-6 • There was a concern regarding the perimeter of the security wall, and details associated therewith and the approximately 25 ft. Setback associated with any proposed security / perimeter wall.

C5-45

- WALL-7 • There was a concern regarding the materials which would be utilized for the security wall – would the same be concrete, pre-cast concrete, etc. There was a concern that the security wall would have a massive / monolithic appearance / façade.

C5-46

- WALL-8 • There was a concern regarding the maintenance of the security wall.

C5-47

- WALL-9 • There was a concern that Plan Amendment #20 should be modified to prevent the installation of any signs on / over the proposed perimeter wall.

C5-48

Signage

- SIGN-2 • All sign and banner details should be specifically reviewed / approved by the Zoning Officer and should be consistent with the local host municipality's ordinances.

C5-49

Sound Stages

- NOISE-7 • There was a concern that any sound stage operate in accordance with the Borough's Prevailing Municipal Regulations (which allow sound to be generated between 10:00 a.m. and 8:00 p.m. on weekdays and between 9:00 a.m. and 6:00 p.m. on weekends).

C5-50

Special Events

- USE-7 • It is recommended that all special events will need to comply with Prevailing Borough of Oceanport Regulations.

C5-51

Stormwater Management Regulations

- SW/I-4 • It is recommended that language include guidance that the developer shall comply with all stormwater management regulations.

C5-52

Train Station

- T/C/T-11 • There was a concern for more details pertaining to potential train station relocation / improvements. There was a question as to whether there was going to be any rail improvements associated with the proposed development.

C5-53

COMMENT BY TOPIC

Traffic

COMMENT NUMBER

- | | | | |
|----------|---|--|-------|
| T/C/T-12 | • | It is recommended that sound planning requires the review and approval of a comprehensive Traffic Impact Report. There is concern that the Development envisioned in Plan Amendment #20 would create / place heavy traffic demands both on the former Ft. Monmouth site and the area surrounding the former Ft. Monmouth site. | C5-54 |
| T/C/T-13 | • | There was a concern that the existing infrastructure limitations may impact the ability of the site to comfortably / safely accommodate various traffic / vehicular / pedestrian / public safety concerns, thereby further underscoring the need to successfully review / approve a professional and comprehensive Traffic Report. | C5-55 |
| T/C/T-14 | • | It is recommended that individual Traffic Circulation Plans should be submitted, reviewed, and approved for any individual development within the subject parcel. | C5-56 |

Trails

- | | | | |
|----------|---|---|-------|
| OS/T-6 | • | It is suggested that the Ft. Monmouth Redevelopment Plan specifically identifies the importance of the Complex having a Complex-wide natural trail throughout the site at the expense of the developer and ensure that the natural trail is appropriately installed / maintained. | C5-57 |
| T/C/T-15 | • | Maintain walkability and bicycling in the community. | C5-58 |

Vision

- | | | | |
|------|---|--|-------|
| MP-2 | • | There was recognition that development of the mega-parcel (as envisioned in Amendment #20) could fulfill the redevelopment vision of the former Ft. Monmouth site. | C5-59 |
|------|---|--|-------|

From: [Jeanne Smith](#)
To: [Christopher Widdis](#)
Cc: [Jeanne Smith](#)
Subject: Comments on Plan Amendment #20
Date: Tuesday, December 19, 2023 1:00:55 PM

The following notes reflect our meeting earlier today on proposed corrections and amendments as follows below. I'll include with the Borough's comments to FMERA.

- Pages 7, 11, 81, 83 – it appears that the summary list on Page 7 designates Zones 11 and 12 reversed and should be switched to match what is shown on pages 11, 81, 83
- Page 22 - #9, 1st paragraph – last sentence – “two feet above” should be changed to “two feet below”
- Page 45, Minimum Setbacks from Lot lines Table and Height Zone Tables: Request that additional categories be added as highlighted in yellow below:

Riverside Ave Lot Lines:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 150 feet	Up to 50'
>150 feet	Up to 85'

Oceanport Ave Lot Lines:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 125 feet	Up to 50'
>125 feet	Up to 85'

From Lot Line Along North Jersey Coastline Railroad:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 150 feet	Up to 50'
>150 feet	Up to 85'

From Parker's Creek Lot Line:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 150 feet	Up to 50'
>150 feet	Up to 85'

Jeanne Smith, RMC
Borough Clerk
Zoning Officer
Planning/Zoning Board Secretary

COMMENT LETTER C-6

From: [Jeanne Smith](#)
To: [Christopher Widdis](#)
Cc: [Jeanne Smith](#)
Subject: Comments on Plan Amendment #20
Date: Tuesday, December 19, 2023 1:00:55 PM

The following notes reflect our meeting earlier today on proposed corrections and amendments as follows below. I'll include with the Borough's comments to FMERA.

COMMENT BY TOPIC

COMMENT NUMBER

MISC-1

- Pages 7, 11, 81, 83 – it appears that the summary list on Page 7 designates Zones 11 and 12 reversed and should be switched to match what is shown on pages 11, 81, 83

C6-1

MISC-2

- Page 22 - #9, 1st paragraph – last sentence – “two feet above” should be changed to “two feet below”
- Page 45, Minimum Setbacks from Lot lines Table and Height Zone Tables: Request that additional categories be added as highlighted in yellow below:

C6-2

Riverside Ave Lot Lines:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 150 feet	Up to 50'
>150 feet	Up to 85'

SB-1

C6-3

Oceanport Ave Lot Lines:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 125 feet	Up to 50'
>125 feet	Up to 85'

From Lot Line Along North Jersey Coastline Railroad:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 150 feet	Up to 50'
>150 feet	Up to 85'

From Parker's Creek Lot Line:

0 to 25 feet	No build area
26 to 49 feet	Up to 35'
50 to 150 feet	Up to 50'
>150 feet	Up to 85'

Jeanne Smith, RMC
Borough Clerk
Zoning Officer
Planning/Zoning Board Secretary

COMMENT LETTER C-7

COMMENT BY TOPIC

COMMENT NUMBER

To Whom It May Concern:

I want to thank you for the opportunity to share some thoughts about the proposed plan for Ne>lix development at Fort Monmouth. My wife Karen and I live at 40 Riverside Avenue, the purple house across the street from the 400 Area. Our house is approximately 150 years old, and is known as "Inlet House", due to the adjacent inlet on the creek where steamboats in the river would turn around in the 1800s.

Karen's parents bought the house from her mother's Uncle Pete in 1952, when Karen was a few months old, and she grew up in it. We in turn bought it from her parents in 1988, and have lived there ever since. Shortly after her parents moved in, her grandparents retired from their farm in Wisconsin, and bought the lot next door, at 42 Riverside. They built a small Cape house which has over the years evolved into the fine house that the Fernandes family now lives in. As a little girl, my wife visited the Signal Corp's pigeon loft across the street, and Sgt. Lucas showed her some of the birds. Soldiers in the Army Band rented housing from Karen's parents, who were both musicians. She learned to ride a bike and later learned to drive on the back roads of the 400 area. We raised our children here, and hope that one of them may someday buy the house from us. In short, we have a lot of history here.

We are not unhappy about the prospect of Ne>lix as a neighbor, but we do ask that our own history and continuity here be acknowledged and respected. The development map that was recently proposed allows a building height of 50 feet (4 or 5 stories) up to 25 feet from the lot line, and 85 feet (about 8 stories) up to 150 feet from the line. Buildings on that scale that close to our house would utterly transform our homes and our lives, and those of our neighbors as well. It would adversely affect the view out our windows, our peace and quiet, our wildlife, and our property values.

We respectfully ask that you impose a much larger setback along Riverside Ave, and lower maximum building heights. We would like see a no-build area of 150 feet, a maximum height of 3 stories or 45 feet (which we believe is consistent with Oceanport residential zoning), and a requirement that a buffer of trees be created between us and any new buildings. This would seem to us to reasonably accommodate our ongoing lives here while still allowing Netflix to accomplish its goals for the site.

Thank you very much for your interest and attention.

Sincerely,

Andrew Judkis
40 Riverside Ave
Oceanport

SB-2

C7-1



BOROUGH OF OCEANPORT

- COUNTY OF MONMOUTH-
MUNICIPAL BUILDING

910 OCEANPORT WAY • PO BOX 370 • OCEANPORT, N.J. 07757
• (732) 222-8221 • mayor@oceanportboro.com • FAX (732) 222-0904

December 20, 2023

Kara Kopach, Executive Director
FMERA
502 Caren Franzini Way
Brewer Avenue
Fort Monmouth, NJ 07703

RE: Reuse Plan Amendment #20

Executive Director Kopach:

This is an incredibly important day for Oceanport, Eatontown, Tinton Falls, Monmouth County and the State of New Jersey. 99.99% of the people in his state have absolutely no idea how momentous the conclusion of the 45 day comment period for the Fort Monmouth Reuse Plan Amendment #20 is to the state right now and how impactful it will be for years to come. But, the .01% who are intimately involved or directly affected by this reuse plan amendment are acutely aware of how momentous and impactful this 45th and final day is. And it is the .01% who are paying attention to whom both Netflix representatives and all elected and appointed state, county and municipal officials must answer to when it come to this 20th Reuse Plan Amendment, because the .01% are the failsafe in the system, they are what ensures the process is as pure as possible, they are the sentries at the gate protecting the vast majority of people who are just living their day to day lives, blissfully unaware of the import of what is happening around them.

For almost the entire 20th century and the beginning of the 21st, Fort Monmouth was an important, if not the most important, part of the social and economic identity of Tinton Falls, Eatontown, Oceanport and Monmouth County. Slowly, and then like somebody dying, suddenly, Fort Monmouth closed, eliminating thousands of jobs, causing families to relocate, disrupting local and regional economies, and leaving close to 1200 acres of land and hundreds and hundreds of buildings unused and without purpose, other than to remind everybody of what used to be and never would be again.

A little over a decade later, what was once known as Fort Monmouth, is now known as the Fort Monmouth section of Tinton Falls, Eatontown and Oceanport and, due to the incredible amount of work and an almost unprecedented sober, collegial and innovative approach to the Fort's revitalization by the State, FMERA, Monmouth County and the three municipalities --- an approach that was not without its trials and tribulations and that will continue to face great difficulties ---, the vast majority of the Fort's properties have been repurposed and have become, once again, productive parts of their respective communities. We need to be thankful for that. But we also have to recognize that, for as much has been accomplished, a lot of hard work remains undone.

Letter Regarding Reuse Plan Amendment #20

December 20, 2023

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GEN-8

In response to Reuse Plan Amendment #20, FMERA has been provided comment letters from Oceanport's Planner, our Planning Board and our residents, all of which highlight specific, genuine concerns about what Netflix would be permitted to build if Reuse Plan Amendment #20 were to pass as is. Oceanport's volunteers, administrative staff, paid professionals and residents painstakingly reviewed Reuse Plan Amendment #20 so that their comments would be both substantial and substantive. I think, however, it is important to note that what Reuse Plan Amendment #20 permits Netflix to build, is not necessarily what Netflix will be able to build, will want to build and, most importantly, what it should build if it really desires to be part of the small, close-knit communities of Oceanport and Eatontown.

C8-1

GEN-9

Reuse Plan Amendment #20 is an outline, a projection, a worst case scenario as far as potential development goes. For as much the contents and particulars of Reuse Plan Amendment #20 have given rise to myriad, valid points of concern, it is actually what Reuse Plan Amendment #20 DOES NOT contain that is most troubling and causes the most consternation on the part of the local municipalities' elected officials, administrative staff, volunteer organizations and residents.

C8-2

By way of example, Reuse Plan Amendment #20, doesn't tell us WHEN Netflix is actually going to start developing the property. It doesn't tell us HOW Netflix is actually going to redevelop the property. It doesn't tell us WHERE Netflix is actually going to redevelop the property. It doesn't tell us WHY Netflix is actually going to develop the property when, where and how it does. To be fair, Reuse Plan Amendment #20, much like the preceding 19 Reuse Plan Amendments, is designed to provide an overall framework for redevelopment. Reuse Plan Amendment #20 and the process it is part of, was not designed to provide answers to the How, When, Where and Why questions that remain unknown at this juncture. But the unknowns, by far, are what matters most to everybody who is paying attention and even those who aren't.

GEN-10

Most of our concerns and comments center around setbacks, building height, lighting, signage, traffic and the overall impact all of these issues will have on the quality of life of our two small communities. These types of concerns are par for the course for all developments, large and small, in towns like ours all over the country. But this isn't a large development for Oceanport. The aptly named Mega-Parcel is THE development in Oceanport and nobody knows what par is on this course. Everything about setbacks, building height, lighting, signage, traffic and overall quality of life is magnified exponentially by the sheer size and nature of Netflix's proposed redevelopment. For a small subset of people in Oceanport, those who live on Horseneck Point and Riverside Avenue, these concerns are heightened --- and rightly so --- because of their proximity to the 400 Area.

C8-3

GEN-11

This small subset of Oceanport residents, especially those on Riverside Avenue, need to be heard and need to be included in the development process. Whether FMERA and Netflix like it or not, Richard Calve, Beth Hartog, Mike Sikand, Karen Sikand, Andy Judkis, Karen Matson, Luis Fernandes, Joyce Fernandes, John Pfleger, Patricia Pfleger and Andrea Saladino, all of whom live on Riverside Avenue have to be part of the development process going forward. They need to be able to voice their concerns. They

C8-4

need to be able to put names with faces at FMERA and Netflix. They need to know that they have some say in how, when, where and why their neighborhood will change. In furtherance of that, I am imploring Netflix and FMERA to foster a tangible, personal relationship with the residents of Horseneck Point and Riverside Avenue. Again, like it or not, these are your neighbors and this is your collective neighborhood.

As it stands now, the particular unknowns that need to be addressed are:

GEN-12 (1) WHEN is Netflix going to begin developing the property? Will nothing take place until the actual closing occurs? Will there be interim uses? C8-5

GEN-13 (2) WHERE will Netflix begin developing the property? Will Netflix be developing the Oceanport section first? The Eatontown section? A combination of both? C8-6

GEN-14 (3) HOW is development going to take place? Will corporate offices come first? Will development take place in a piecemeal fashion, or will the entire site be under construction at one time? C8-7

If we had answers to these questions sooner, rather than later, I believe a great number of the concerns and misgivings that people have about Netflix and the development of the Mega-Parcel would be put to rest. We know that there are going to be bumps in the road as the site is built out. There is no reason, however, that we shouldn't know in advance where the bumps are going to be.

GEN-15 The Mayor and Municipal Council of the Borough of Oceanport are enthusiastic, albeit wary, proponents of the Netflix/Mega-Parcel development and we are committed to doing what is both right for our residents and necessary for the project to move forward. Reuse Plan Amendment #20 is not now, nor will it ever be, perfect. It isn't perfect for Oceanport. It isn't perfect for Netflix. It isn't perfect for FMERA. But Oceanport's governing body does not want the pursuit of the perfect to be the enemy of achieving something good, and we have no doubt that the re-development of the Mega-Parcel by Netflix has the potential to be a very, very good thing. Moving forward would be a good thing. Making the property productive again would be a good thing. Everybody is in agreement with that. C8-8

GEN-16 To date, however, for many reasons beyond almost everybody's control, I believe there has been too much distance between Netflix and the stakeholder municipalities. Independent of the contents of Reuse Plan Amendment #20, we need Netflix, which is about to become Oceanport's single largest private landowner and taxpayer, to become part of our community NOW. C8-9

Letter Regarding Reuse Plan Amendment #20
December 20, 2023
-Page 3-

To that end, on behalf of our governing body and the residents of Oceanport, I am inviting Netflix representatives to a Town Hall Meeting in Oceanport in January of 2024 on a date convenient to them so that we can have an honest, open and public discussion about the most important issue in Oceanport's history and, hopefully, after Netflix turns the unknowns into knowns, gain a collective sense of how Oceanport's future will look with Netflix in it.

Very truly yours,



John F. Coffey II, Mayor

JFC/jc

Cc: Jeanne Smith, Borough Clerk
Borough Council Members
Borough Planning Board Members

Draft

EXHIBIT B

Responses to Comments Submitted on Plan Amendment #20

Draft

Fort Monmouth Economic Revitalization Authority Response to Written Comments Made on Amendment #20

Draft

Prepared by:

Elizabeth Leheny, AICP, PP/Principal
Phillips Preiss Grygiel Leheny Hughes, LLC

The Fort Monmouth Economic Revitalization Authority
PO Box 267
Oceanport, NJ 07757

February 2024

Introduction

This document was prepared in response to comments received by the Fort Monmouth Economic Revitalization Authority ("FMERA") regarding Plan Amendment #20 to the Fort Monmouth *Reuse and Redevelopment Plan*. The comments include written correspondence to FMERA during the public comment period. As evidenced by the written comment letters, annexed as Appendix A, there was duplication in some of the comments. Accordingly, comments made were grouped by topic into the following categories:

Code	Comments by Topic
AFF	Affordable Housing
A/D/S	Architecture/Design/Streetscape
BH	Building Height
B/I	Bulk/Intensity
CSTN	Construction
ECI	Economic Impacts
EMS	Emergency Services
EI	Environmental Impacts
GEN	General
HELI	Heliport
HP	Historic Preservation
LAND	Landscaping/Berming/Buffering
LTG	Lighting
MISC	Miscellaneous
MP	Master Plan
NOISE	Noise
OS/T	Open Space/Trails
PK	Parking
SB	Setbacks
SIGN	Signs
SITE	Site Plan
SW/I	Stormwater/Infrastructure
T/C/T	Traffic/Circulation/Transportation
USE	Permitted Uses
WALL	Perimeter Wall

Each author of a written comment was assigned a code beginning with the letter “C” (e.g., C1). Then each comment from each author was assigned a number (e.g., C1-1 for comment 1 by author 1). All written correspondence with comment designations is included in Appendix A. The following table lists each author and their code.

Author	Code
Andrew Bayer; Pashman Stein Walder Hayden, PC, Borough Attorney, Borough of Eatontown, NJ	C1
Jennifer C. Beahm, PP; Leon S. Avakian, Inc.; Planning Board Planner, Borough of Eatontown, NJ	C2
Edward W. Herrman, P.E., P.P., C.M.E., C.F.M.; T&M Engineer, Borough of Eatontown, NJ	C3
Kendra Lelie, PP, AICP, LLA, Kyle and McManus Associates Planner, Borough of Oceanport, NJ	C4
Planning Board, Borough of Oceanport, NJ	C5
Jeanne Smith, RMC, QPA Borough Clerk, Borough of Oceanport, NJ	C6
Andrew Judkis Resident of 40 Riverside Avenue, Borough of Oceanport, NJ	C7
John F. Coffey II, Mayor of Oceanport	C8

Affordable Housing (AFF)

AFF-1: The number of affordable housing units was selected after significant discussion with the Borough and other appropriate affordable housing advocates. Therefore, Plan Amendment #20 should require that these numbers and bedroom breakouts be not reduced as it would significantly affect the Borough's compliance with its Fair Share obligation. **(C1-12)**

Response: *For both the Boroughs of Eatontown and Oceanport, Plan Amendment #20 permits the number and type of affordable housing units, and bedroom distributions consistent with each Boroughs' respective settlement agreements with Fair Share Housing Center ("FSHC") and subsequent Housing Element and Fair Share Plans. Enforcement of the build out of these units is beyond the purview of the Reuse Plan Amendment process. Any future Request for Offers to Purchase ("RFOTP") issued by FMERA that permits affordable housing will reflect the numbers set forth in proposed Plan Amendment #20.*

AFF-2: We understand that the affordable housing parcel may be subject to a follow up amendment. We reserve the right to provide further comments at that time. **(C1-14)**

Response: *The comment is acknowledged. Any future Plan Amendment dealing with any of the affordable housing parcels will be subject to a 45-day public comment period and review by each Borough as set forth in N.J.A.C. 19:31C-3.27(c)(7).*

AFF-3: The Plan Amendment permits development of affordable housing on identified parcels even if the state-of-the-art Motion Picture, Television and Broadcast Studio campus does not get built. The Plan also permits the development of the original identified uses. There should be a mechanism to ensure that the affordable housing will be built at the identified amount to help Eatontown meet its Fair Share obligations. The amendment should ensure that units provided to meet Eatontown's affordable housing obligation are not reduced from previously approved numbers. **(C2-1)**

Response: *Please see responses to AFF-1 and AFF-2.*

AFF-4: There was a concern that the development site appropriately address the existing Borough of Oceanport Affordable Housing obligations as they pertain to the Fort Monmouth properties. The Board recognizes that Plan Amendment #20 addresses affordable housing developments planned for Development Zones 11 and 12. **(C5-2)**

Response: *Please see response to AFF-1.*

Plan Amendment #20 permits the development of 49 affordable units in the Oceanport Reuse Area regardless of the fact that the market rate units that would generate the affordable housing obligation are not expected to be constructed. However, in the event that the Mega Parcel is not developed as a Motion Picture, Television and Broadcast Studio and is instead developed according to the underlying Land Use Rules, the Affordable Housing Parcel remains part of the development that includes the Mega Parcel, which envisions a comprehensive live-work leisure development with mixed uses. Accordingly, the 49 affordable units permitted in this amendment would constitute the required affordable housing for all residential units constructed on the Mega Parcel so long as the total number of housing units in the Oceanport Reuse Area does not exceed 720 units and the total percentage of units set aside for affordable housing does not fall below the required 20 percent of market rates constructed.

AFF-5: At present, 486 residential units have been either approved for construction or constructed in Oceanport (i.e., 116 at RPM + 81 at Patterson Army Hospital + 180 at Lodging + 34 at Nurses Quarters + 75 units at Barker Circle) including 103 affordable housing units. Subtracting the 486 built or under construction housing units from the 720 total housing units permitted in the Reuse Plan leaves a total of 234 units which could be built in the remaining areas on Oceanport which are all located either on the 400 Area Parcel or off of Oceanport Way. This amendment identifies Development Zones 11 and 12 for the construction of 25 and 24 units, respectively of affordable housing in Oceanport. Development Zone 11 is identified for supportive or SRO units as required by FMERA's legally binding agreement approved by the U.S. Department of Housing and Urban Development.

This amendment permits the construction of affordable housing units that would have been required to be built if 234 residential units were developed on the 400 Area Parcel, i.e., a minimum of 47 affordable units. This amendment permits the development of 49 affordable units in the Oceanport Reuse Area which exceeds the total number of affordable housing units anticipated for the 400 Area Parcel in the Reuse Plan regardless of the fact that the market rate units that would generate the affordable housing obligation are not expected to be constructed. **(C4-7)**

Response: *The comment is acknowledged.*

Draft

Architecture/Design/Streetscape (A/D/S)

A/D/S-1: In order to promote continuity and flow, the developer should install streetlights that are identical to or substantially similar to those already existing, or will exist, in the Oceanport portion of Avenue of Memories such that the lighting along the entirety of Avenue of Memories is consistent. **(C1-11)**

Response: *FMERA's Land Use Rules at N.J.A.C. 19:31C-3:10(b)(4) provide standards for streetlighting and streetlights. The Land Use Rules note at N.J.A.C. 19:31C-3:10(b)(4)(iii) that "the numbers, locations, and types of street lighting standards and luminaries shall be determined by the host municipality Planning Board upon the advice of the board engineer." However, it should be noted that portions of Avenue of Memories run through the Fort Monmouth Historic District, therefore types of street lighting may vary by location to comply with FMERA's historic guidelines.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to streetlighting.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). Streetlighting is considered as part of FMERA's MCR process. A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

A/D/S-2: Architectural Design. All building design shall be consistent with Oceanport's architectural vernacular which highlights a modern nautical design. **(C4-12)**

Response: *Modern nautical design standards have not been requested or required in previous Fort redevelopment projects and would be inconsistent with current redevelopment projects underway on the Fort. Further, a Motion Picture, Television, and Broadcast Studio as contemplated in Plan Amendment #20 is comprised of buildings and structures of a use, scale, architectural detail and style that is unique to the use and unprecedented in the Fort Monmouth area. However, FMERA's Land Use Rules provide architectural guidelines at N.J.A.C. 19:31C-3.18 regarding architectural design, bulk, massing, relationship of individual buildings and the surrounding built context both visually and physically.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to architecture and aesthetics.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). Streetlighting is considered as part of FMERA's MCR process. A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board. Architecture and aesthetics are part of FMERA's MCR process. A written determination as to the

results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

A/D/S-3: Streetscape Design/Public Viewsheds. An upgraded streetscape design shall be provided along Oceanport Avenue. The vehicular lanes shall be separated from defined bike lanes. Sidewalks with a minimum width of eight (8) feet shall be separated by a landscape planting bed which measures a minimum of eight (8) feet. Street trees and ground cover plantings shall be planted within the landscape planting beds. Pedestrian level lighting shall be provided adjacent to the sidewalk. It is recommended that a cross-section exhibit be included in the amendment as a guide for the streetscape improvements. In addition, a gateway sign should be coordinated with the Borough of Oceanport at the Borough's boundary. **(C4-13)**

Response: *Oceanport Avenue is County Route 11 (CR-11) and, thus, under the jurisdiction of Monmouth County. The Monmouth County Planning Board will have the opportunity to suggest changes to Oceanport Avenue (as the owner) at the time of site plan review. Standards for sidewalks are in FMERA's Land Use Rules at N.J.A.C. 19:31C-3.10(6). The addition of a gateway sign outside of Development Zones 1-12 is outside the scope of Plan Amendment #20.*

A/D/S-4: There was a concern that the architectural style for the proposed development should be consistent with the surrounding community and use architectural details that compliment [sic] the Seashore and historic Fort Monmouth styles, consistent with other structures in the Borough of Oceanport. **(C5-5)**

Response: *Please see response to A/D/S-2. Furthermore, development within Fort Monmouth's Historic District remain subject to FMERA's historic guidelines.*

A/D/S-5: There was a concern regarding the overall aesthetic appeal associated with any proposed buildings and it is recommended that language be added to address the development as a whole with continuity. **(C5-6)**

Response: *Please see response to A/D/S-2.*

Building Height (BH)

BH-1: The proposed hotel planned should be no higher than six (6) stories to be consistent with the other hotel in Eatontown. **(C1-9)**

Response: *The comment is acknowledged. Consequently, FMERA modified Plan Amendment #20 to decrease the maximum height of Hotels from 84 feet to 72 feet and 6 stories whichever is lower. Please note that Plan Amendment #20 permits one hotel in Eatontown within 1,500 linear feet of Route 35.*

BH-2: The Hotel intended for Zone 1 should not be larger than six (6) stories to be consistent with balance of hotels throughout the Borough. **(C2-4)**

Response: *Please see response to BH-1.*

BH-3: Height Definition. The definition of height for buildings and structures (i.e. the perimeter wall) should be in accordance with the Borough's definition of height which states; "The vertical distance as measured by the crown of the road of the improved street on which it fronts at the midpoint of the lot to the highest point of the structure". **(C4-10)**

Response: *Determination and Measurement of Height as set forth in Plan Amendment #20 is consistent with the definition of how height is measured in FMERA's Land Use Rules (see definition of "Building Height" at N.J.A.C. §19:31C-3.2(b)), except that the Amendment provides clarification as to how height measurement applies to "structures" as well as "buildings."*

BH-4: Amendment #20 envisions building heights upwards of 90' tall. The proposed height requirement zones provide for setbacks based on heights of 50', 80' and 90' heights. Most developments in the Borough only provide for a 35' height limitation and concern was expressed that there has been no formal analysis (for comparison purposes) of the heights of other buildings. **(C5-17)**

Response: *A Motion Picture, Television, and Broadcast Studio as contemplated in Plan Amendment #20 is comprised of buildings and structures of a use, scale, architectural detail and style that is unique to the use and unprecedented in the Fort Monmouth area. In preparing Plan Amendment #20, FMERA reviewed regulations for studios from around the country. The function of buildings and uses typically found on a studio lot demand heights far greater than 35 feet. The larger heights are necessary to accommodate different types of film shoots, as well as the specialized machinery and equipment, lighting, sets, and other apparatus common in film, television, and other media productions.*

To mitigate any adverse impacts related to maximum permitted heights of Buildings and Structures, FMERA created Height Districts which are intended to concentrate the highest Buildings and Structures at the center of Development Zones with the greatest setbacks from neighboring properties outside of the Mega Parcel.

BH-5: The Borough of Oceanport measures height from the crown of the primary road – whereas Amendment #20 appears to envision measuring building heights from the natural grade. It is recommended that FMERA considers revising the measurement of height calculated to be consistent with the Borough's code. This will potentially eliminate enforcement issues. It is also recommended that consideration be given to establishing the primary road for all sites utilizing Route 537/ Avenue of Memories as the primary. **(C5-18)**

Response: Please see response to BH-3. As FMERA intends to use the Determination and Measurement of Height as set forth in Plan Amendment #20, Route 537/Avenue of Memories will not be used for this calculation.

BH-6: Consideration should be given for specific sites that will seek grade changes greater than 3 feet. **(C5-19)**

Response: Plan Amendment #20 states that Determination and Measurement of Height means the vertical distance as measured from the average finished grade of a Building or Structure as measured around the perimeter of the outside wall of the foundation to the highest point of the roof of the Building or Structure but not including rooftop appurtenances. However, if the average finished grade is three feet or more above existing grade, then the measurement shall be taken from the existing grade. For example, if a Building or Structure is permitted to be 35 feet tall and the average finished grade is three feet above existing grade then the Building or Structure may only be 32 feet tall above the average finished grade. Alternatively, if a Building or Structure is permitted to be 35 feet tall and the average finished grade is two feet above the existing grade then the Building or Structure may be 37 feet tall. This is consistent with how height is measured in FMERA's Land Use Rules (N.J.A.C. §19:31C-3.2(b), except that the Amendment includes clarification as to how the height measurements applies to "structures," as well as "buildings."

BH-7: Plan Amendment #20 indicates that there will be roof-top towers, dishes, digital equipment, utilities. It is recommended that maximum height for the zone be inclusive of all rooftop structures/accessories and take consideration to limit illumination features associated with the proposed roof-top amenities and maintain appropriate shielding. **(C5-20)**

Response: Plan Amendment #20, consistent with FMERA's Land Use Rules, does not include rooftop appurtenances in calculations of maximum height of Buildings or Structures. N.J.A.C. §19:31C-3.5(c)(3) of the Land Use Rules permit rooftop appurtenances to exceed the maximum permitted building height of up to 15 percent above the permitted building height. Excluding rooftop appurtenances from calculations of maximum building height is found in many land use ordinances including the Borough of Oceanport's Land Development regulations (see §390-16).

In order to limit the height of rooftop appurtenances on buildings taller than are permitted elsewhere on the former Fort properties, Plan Amendment #20 includes the following restrictions:

- *Maximum allowable Building/Structure height excludes rooftop mechanical equipment and walls, or other devices used to screen rooftop appurtenances, provided the equipment and screening devices are both set back at least 10 feet from all sides of the Building/Structure as measured to the roof edge or parapet. If they are located within 10 feet of a roof edge, they shall count towards the height limit.*
- *Rooftop appurtenances. Rooftop appurtenances may extend above the highest point of the roof at a maximum of 15 feet or 15 percent of the Building/Structure height, whichever is greater. Rooftop appurtenances shall be set back 10 feet from the edge of the Building/Structure or parapet and shall be screened. Rooftop appurtenance shall not include Rooftop Communications Facilities.*
- *Rooftop Communication Facilities shall be no taller than 15 feet and shall be setback 10 feet from a parapet and shall be screened.*

Bulk/Intensity (B/I)

B/I-1: There was a concern that the details envisioned in Plan Amendment #20 have been designed to maximize any potential development at the site. **(C5-8)**

Response: *Plan Amendment #20 allows for the full build-out of the Mega Parcel for Motion Picture, Film, and Production Use, as well as affordable housing. The amendment includes standards intended to promote and protect the public's health, safety, and welfare. This Amendment offers the desired flexibility for FMERA to allow for the realistic development of the Fort Monmouth properties in a manner which fulfills its statutory mandate to create new jobs, remove blight, regenerate the local tax base, and advance the general prosperity and welfare of the people most affected by the Fort's closure.*

Please also note that as part of Site Plan review, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns or issues related to Site Plan applications involving lands subject to Plan Amendment #20. Unless otherwise waived by the host municipality Planning Board, Site Plan applications require plans and information related to: land use regulation compliance; site demolition; construction and phasing; parking and loading; utilities; landscaping; flood zones, wetlands, and other environmental features; grading; driveways and circulation; lighting; drainage; signage; easements; parks and open space; construction details; architectural floor plans and elevations; proposed building materials and colors; soils reports; traffic studies including anticipated traffic volumes, capacity of existing or proposed roads traffic impact on road network, and need for traffic improvements; a stormwater management report; and other information and/or plans requested by the reviewing Planning Board to thoroughly review and evaluate a proposed application. The applicant may be required to provide professional testimony regarding the redevelopment application at a public Planning Board meeting.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

B/I-2: There was a concern that in some areas, the allowable Lot Coverage approaches 85%. As Oceanport and the Fort Monmouth properties are river communities it is strongly recommended that lot coverage of 85% be limited so as not to adversely impact / implicate stormwater management runoff issues. It is also recommended that Lot Coverage overall for the mega parcel should not exceed 70%. **(C5-33)**

Response: *Plan Amendment #20 permits a Motion Picture, Television, and Broadcast Studio to be constructed on 9 Development Zones which total ±292 acres. Development Zones 3 and 7 permit a maximum lot coverage of 85 percent. However, Development Zones 1, 2, 4, 5, and 6 permit a maximum lot coverage of 75 percent; and Development Zones 8 and 9 permit a maximum lot coverage of 0 percent.*

If maximum lot coverage in acres is calculated for Zones 1 through 9 independently and then added together, approximately ±204 acres of the ±292 acres can be improved which equates to 70 percent.

Please also note that the development contemplated on the Mega Parcel will be subject to New Jersey Department of Environmental Protection's Stormwater Management Rules (N.J.A.C. 7:8).

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate concerns related to flooding and stormwater management subject to the standards set forth in Reuse Plan Amendment #20 and FMERA's Land Use Rules.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials submitted to the host municipality Planning Board detailed above, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

Draft

Construction (CSTN)

CSTN-1: A circulation plan should be developed that guides the impacts / closure of any streets in the area (during what is envisioned to be a long construction process) and coordination with local traffic authorities. **(C5-9)**

Response: *The comment is acknowledged. However, details regarding traffic circulation during construction are outside the scope of this amendment.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to traffic circulation during construction.

CSTN-2: There was a concern regarding the nature / extent of construction vehicles, and where the same will be located / placed / stored, etc. **(C5-10)**

Response: *The comment is acknowledged. However, details regarding proposed location and parking of construction vehicles are outside the scope of this amendment.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to traffic circulation during construction.

CSTN-3: There was significant discussion related to the overall construction impact associated with the development envisioned in Plan Amendment #20. It is strongly recommended that the Borough pursue a Developers Agreement that addresses project phasing, construction hours, construction timeframe for project phases, attempts to minimize impacts to the surrounding neighborhoods by restricting truck and equipment traffic to certain roadways. **(C5-12)**

Response: *The comment is acknowledged. However, details regarding construction impacts and the Borough's pursuit of a Developers Agreement are outside the scope of Plan Amendment #20.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related construction impacts and the Borough's pursuit of a Developer's Agreement.

Economic Impacts (ECI)

ECI-1: There was a concern that efforts be taken to ensure that the construction does, in fact, bring and generate good quality jobs for local residents. **(C5-11)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

ECI-2: There was recognition as to the benefits associated with an influx of individuals who would visit the Borough of Oceanport, patronize area restaurants, patronize area establishments, and the like. **(C5-15)**

Response: *The comment is acknowledged.*

ECI-3: There was recognition of the beneficial impact development of the site will have on area businesses. **(C5-16)**

Response: *The comment is acknowledged.*

ECI-4: There was recognition of the job generation / economic development associated with development of the mega-parcel, in accordance with Amendment #20. **(C5-22)**

Response: *The comment is acknowledged.*

ECI-5: There was recognition that the proposed development (as envisioned in Amendment #20) will position the former Ft. Monmouth site as a regional hub for a dynamic industry, which will attract and maintain other businesses / uses. **(C5-23)**

Response: *The comment is acknowledged.*

ECI-6: There was recognition that the proposed development can bolster the economy and create more and better jobs for local / area residents. **(C5-24)**

Response: *The comment is acknowledged.*

ECI-7: There was recognition that the development as envisioned in Amendment #20 will promote a stronger and fairer economy for the Borough of Oceanport and the surrounding communities. **(C5-25)**

Response: *The comment is acknowledged.*

ECI-8: There was also a concern that for a variety of reasons (including Developer in-house regulations and employment arrangements), the development might not necessarily generate the lasting jobs which are otherwise suggested. **(C5-26)**

Response: *Please see response to ECI-1.*

Emergency Services (EMS)

EMS-1: The Borough understands emergency response to the proposed development will need to be discussed and addressed. The Borough cannot effectively discuss and address emergency response until a site plan is proposed and approved. The Borough expects this discussion to take place as a collaborative effort between the proposed developer, Eatontown, and Oceanport and reserves the right to do so at the appropriate time. **(C1-17)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

As part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to emergency services.

Each host municipality's Police Department, Fire Department, Public Safety Offices, as well as other First Responders should be invited by Boroughs' Planning Boards to review and comment as part of Site Plan and Subdivision review.

EMS-2: We recommend that specific conditions be worked out with the Municipalities regarding emergency medical services (fire, ambulance, police). **(C3-11)**

Response: *Please see response to EMS-1.*

EMS-3: There was a concern that there has been no official or unofficial study / analysis as to how the proposed development would impact, or otherwise affect the Borough's Police Department, Fire Department, Public Safety Offices, as well as other First Responders. It is recommended that the proposed regulations be more formally reviewed and vetted with the Oceanport Emergency and First Responders. **(C5-35)**

Response: *Please see response to EMS-1.*

Environmental Impacts (EI)

EI-1: The Borough notes that the Main Post has numerous environmentally sensitive areas and that due diligence investigations will be required for any improvement projects. **(C1-19)**

Response: *FMERA grants a due diligence period to all prospective purchasers of land under the terms of FMERA's Purchase and Sale Agreement and Redevelopment Agreement ("PSARA"). Please also note that the development contemplated on Development Zones 1 - 12 will be subject to New Jersey Department of Environmental Protection's wetland protection rules and permitting process.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate concerns related to environmentally sensitive areas subject to the standards set forth in Reuse Plan Amendment #20 and FMERA's Land Use Rules.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

EI-2: We note that the Main Post has numerous environmentally-sensitive areas and that due diligence investigations will be required for any improvement projects. **(C3-12)**

Response: *Please see response to EI-1.*

EI-3: The amendment recognizes that any encroachment into the wetlands will require NJDEP approval but that any environmentally constrained land area will be preserved and protected accordingly. **(C4-5)**

Response: *The comment is acknowledged.*

General (GEN)

GEN-1: The Planning Board discussed at length the proposed Plan Amendment #20 and the majority of members found the plan amendment was consistent with the Master Plan. Board members did note that given the scope of the proposed development, as envisioned in Amendment #20, that the 45-day review period is inadequate for the magnitude of Plan Amendment #20. It is recommended that a Committee (including members of the Oceanport Planning Board) should be established to review the Zoning Regulations (including Amendment #20) in greater detail. However, the overall consensus of the Board was positive and optimistic with this future development project in partnership with the developer, FMERA and host communities. **(C5-1)**

Response: *The 45-day public comment period by the host municipalities is set forth in FMERA's enabling statute (N.J.S.A. 52:27I-35) and does not provide a distinction between small or large scale plan amendments.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to the proposed development.

GEN-2: There was recognition that the proposed development will appropriately support /encourage the art and entertainment community. **(C5-4)**

Response: *The comment is acknowledged.*

GEN-3: There was recognition that the development of the mega-parcel (as envisioned in Amendment #20) would render the area as a well-known destination point. **(C5-13)**

Response: *The comment is acknowledged.*

GEN-4: There was recognition of the excitement that a Netflix-inspired development could generate within the Borough of Oceanport and surrounding communities. **(C5-14)**

Response: *The comment is acknowledged.*

GEN-5: There was a concern about the impact the development can have on the surrounding residential communities (including the 400 District of the former Ft. Monmouth site). It is recommended that consideration be given to impacts on the quality of life for surrounding residents. **(C5-42)**

Response: *The comment is acknowledged. Consequently, FMERA modified the bulk regulations in Development Zone 6 - The 400 Area of Plan Amendment #20 to increase the no build setback along Riverside Avenue and the North Jersey Coastline Railroad from 25-feet to 50-feet.*

If Hazen Drive in Zone 6 is dedicated as a public right-of-way, then the portions of Hazen Drive outside of the 150 foot buffer along the North Jersey Coastline Railroad will be subject to a 25-foot no build setback on either side of Hazen Drive.

For the avoidance of doubt, the roadway serving the residents of Horseneck Point is permitted within the no build area.

Additionally, FMERA will only permit buildings and structures in Development Zone 6 to be up to 72 feet. However, the maximum permitted height in Development Zone 6 will remain at 85 feet to accommodate the backlots.

GEN-6: There was a concern that with such an all extensive development (as envisioned / allowed under Plan Amendment #20), development would essentially result in the creation of a self-sustaining City within the physical / geographical confines of the Borough of Oceanport. **(C5-43)**

Response: *A highly secure military fortification was located on this site for 94-years. The Fort was cut-off from all non-authorized residents and visitors, surrounded by a wall, and accessible only via manned security gates. Since 2016, FMERA has opened up previously restricted access points, roadways, open spaces and buildings to the general public. Plan Amendment #20 will continue to integrate the reimagined former military property into the community.*

As such, in preparing Plan Amendment #20, FMERA placed carefully considered restrictions on redevelopment in the Development Zones 1-9 so as to promote incorporation of the Motion Picture, Television, and Broadcast Studio into the larger host municipalities. The Plan Amendment places restrictions on the type and amount of retail, fitness centers, banking and other service uses in order to promote and encourage studio employees to patronize and bolster local businesses.

Additionally, if the Mega Parcel is developed according to the development scenario contemplated in Plan Amendment #20 then no residential units, aside from on the Affordable Housing Parcels, are permitted. This restriction on additional housing is intended to prevent a Motion Picture, Television, and Broadcast Studio on the Mega Parcel from becoming a "self-sustaining city.". This will encourage a flow of workers to and from the Studio each day and is expected to help integrate the Studio and its employees within the larger community. FMERA anticipates that some current residents of the area will work at the studio and, relatedly, some studio workers will relocate to the host municipalities.

Furthermore, Plan Amendment #20 permits "Studio Experience Retail" which is defined as "buildings and structures for the sale, display, and/or rentals of goods; Studio tours; theatrical performances; public film screenings/theaters; and/or experiences related to Motion Picture, Television, and Broadcast Studios. Food and beverage preparation and sales may also occur and may include outdoor dining. These structure types are intended to include and facilitate consumer experience centers, Studio tours, ticket sales, and related activities to the general public."

Plan Amendment #20 provides for preserved heritage open spaces such as Greely Field and Cowan Park to be publicly accessible for general use and special events, as well as the Multi-Use Trail that will be constructed.

In summary, although some portions of the studio use will be off-limits to the general public some of the time, the entire parcel will never be off-limits to the general public.

GEN-7: There was a concern that with all that will be permitted to be developed under Plan Amendment #20 the proposed Netflix-related development could essentially operate totally independent from the rest of the Borough of Oceanport. **(C5-44)**

Response: *Please see response to GEN-6.*

GEN-8: In response to Reuse Plan Amendment #20, FMERA has been provided comment letters from Oceanport's Planner, our Planning Board and our residents, all of which highlight specific, genuine concerns about what Netflix would be permitted to build if Reuse Plan Amendment #20 were to pass as is. Oceanport's volunteers, administrative staff, paid professionals and residents painstakingly reviewed Reuse Plan Amendment #20 so that their comments would be both substantial and substantive. I think, however, it is important to note that what Reuse Plan Amendment #20 permits Netflix [*sic.*]to build, is not necessarily what Netflix will be able to build, will want to build and, most importantly, what it should build if it really desires to be part of the small, close-knit communities of Oceanport and Eatontown. **(C8-1)**

Response: *The comment is acknowledged. The comments received within the 45-day public comment period window for Plan Amendment #20 have all been addressed within this document.*

GEN-9: Reuse Plan Amendment #20 is an outline, a projection, a worst case scenario as far as potential development goes. For as much the contents and particulars of Reuse Plan Amendment #20 have given rise to myriad, vaild [*sic.*] points of concern, it is actually what Reuse Plan Amendment #20 DOES NOT contain that is most troubling and causes the most consternation on the part of the local municipalities' elected officials, administrative staff, volunteer organizations and residents.

By way of example, Reuse Plan Amendment #20, doesn't tell us WHEN Netflix is actually going to start developing the property. It doesn't tell us HOW Netflix is actually going to redevelop the property. It doesn't tell us WHERE Netflix is actually going to redevelop the property. It doesn't tell us WHY Netflix is actually going to develop the property when, where and how it does. To be fair, Reuse Plan Amendment #20, much like the preceding 19 Reuse Plan Amendments, is designed to provide an overall framework for redevelopment. Reuse Plan Amendment #20 and the process it is part of, was not designed to provide answers to the How, When, Where and Why questions that remain unknown at this juncture. But the unknowns, by far, are what matters most to everybody who is paying attention and even those who aren't. **(C8-2)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

GEN-10: Most of our concerns and comments center around setbacks, building height, lighting, signage, traffic and the overall impact all of these issues will have on the quality of life of our two small communities. These types of concerns are par for the course for all developments, large and small, in towns like ours all over the country. But this isn't a large development for Oceanport. The aptly named Mega-Parcel is THE development in Oceanport and nobody knows what par is on this course. Everything about setbacks, building height, lighting, signage, traffic and overall quality of life is magnified exponentially by the sheer size and nature of Netflix's proposed redevelopment. For a small subset of people in Oceanport, those who live on Horseneck Point and Riverside Avenue, these concerns are heightened -- and rightly so --- because of their proximity to the 400 Area. **(C8-3)**

Response: *Although FMERA is currently under contract for the purchase of the Mega Parcel, the Plan Amendment creates an alternative development scenario, similar to an overlay zone, on portions of the Fort property regardless of the end-user. By the nature of this process, a site plan would be premature and is not appropriate in an amendment.*

However, Plan Amendment #20 includes certain restrictions, and regulations intended to allow for the development of a Motion, Picture Television, and Broadcast Studio while at the same time promoting

and protecting the public's health, safety, and welfare. This Plan Amendment offers the desired flexibility for FMERA to allow for the realistic development of the former for properties in a manner which fulfills its statutory mandate to create new jobs, regenerate the local tax base, and advance the general prosperity and welfare of the people most affected by the Fort's closure.

Please also note that as part of Site Plan review, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns or issues related to Site Plan applications involving lands subject to Plan Amendment #20. Unless otherwise waived by the host municipality Planning Board, Site Plan applications require plans and information related to: land use regulation compliance; site demolition; construction and phasing; parking and loading; utilities; landscaping; flood zones, wetlands, and other environmental features; grading; driveways and circulation; lighting; drainage; signage; ; easements; parks and open space; construction details; architectural floor plans and elevations; proposed building materials and colors; soils reports; traffic studies including anticipated traffic volumes, capacity of existing or proposed roads traffic impact on road network, and need for traffic improvements; a stormwater management report; and other information and/or plans requested by the reviewing Planning Board to thoroughly review and evaluate a proposed application.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

GEN-11: This small subset of Oceanport residents, especially those on Riverside Avenue, need to be heard and need to be included in the development process. Whether FMERA and Netflix like it or not, Richard Calve, Beth Hartog, Mike Sikand, Karen Sikand, Andy Judkis, Karen Matson, Luis Fernandes, Joyce Fernandes, John Pflieger, Patricia Pflieger and Andrea Saladino, all of whom live on Riverside Avenue have to be part of the development process going forward. They need to be able to voice their concerns. They need to be able to put names with faces at FMERA and Netflix. They need to know that they have some say in how, when, where and why their neighborhood will change. In furtherance of that, I am imploring Netflix and FMERA to foster a tangible, personal relationship with the residents of Horseneck Point and Riverside Avenue. Again, like it or not, these are your neighbors and this is your collective neighborhood. **(C8-4)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

GEN-12: As it stands now, the particular unknowns that need to be addressed are:

(1) WHEN is Netflix going to begin developing the property? Will nothing take place until the actual closing occurs? Will there be interim uses? **(C8-5)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

GEN-13: (2) WHERE will Netflix begin developing the property? Will Netflix [sic.] be developing the Oceanport section first? The Eatontown section? A combination of both? **(C8-6)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

- GEN-14:** (3) HOW is development going to take place? Will corporate offices come first? Will development take place in a piecemeal fashion, or will the entire site be under construction at one time? **(C8-7)**
- Response:** *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*
- GEN-15:** The Mayor and Municipal Council of the Borough of Oceanport are enthusiastic, albeit wary, proponents of the Netflix/Mega-Parcel development and we are committed to doing what is both right for our residents and necessary for the project to move forward. Reuse Plan Amendment #20 is not now, nor will it ever be, perfect. It isn't perfect for Oceanport. It isn't perfect for Netflix. It isn't perfect for FMERA. But Oceanport's governing body does not want the pursuit of the perfect to be the enemy of achieving something good, and we have no doubt that the re-development of the Mega-Parcel by Netflix has the potential to be a very, very good thing. Moving forward would be a good thing. Making the property productive again would be a good thing. Everybody is in agreement with that. **(C8-8)**
- Response:** *The comment is acknowledged.*
- GEN-16:** To date, however, for many reasons beyond almost everybody's control, I believe there has been too much distance between Netflix and the stakeholder municipalities. Independent of the contents of Reuse Plan Amendment #20, we need Netflix, which is about to become Oceanport's single largest private landowner and taxpayer, to become part of our community NOW. **(C8-9)**
- Response:** *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*
- GEN-17:** To that end, on behalf of our governing body and the residents of Oceanport, I am inviting Netflix representatives to a Town Hall Meeting in Oceanport in January of 2024 on a date convenient to them so that we can have an honest, open and public discussion about the most important issue in Oceanport's history and, hopefully, after Netflix turns the unknowns into knowns, gain a collective sense of how Oceanport's future will look with Netflix in it. **(C8-10)**
- Response:** *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*

Helipoint (HELI)

HELI-1: The Borough reserves the right to regulate the use of the proposed helipad including times and frequency of flights. **(C1-16)**

Response: *The comment is acknowledged. The use of the helipad is governed by Plan Amendment #20 and is permitted exclusively to transport passengers related to Studio operations and/or for community emergencies. The timing and frequency of the helicopter flights is outside the scope of this Plan Amendment.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to the helipad. Additionally, the Boroughs may adopt ordinances in line with applicable law governing the timing and frequency of flights.

HELI-2: We recommend that specific conditions be worked out with the Municipalities regarding operational limitations for the Helipad. **(C3-7)**

Response: *Please see response to HELI-1.*

HELI-3: It is recommended that this facility follow current guidelines and practices in the host communities with consideration given to the prohibit/limit any flying over residential areas. **(C5-21)**

Response: *Please see response to HELI-1.*

Historic Preservation (HP)

HP-1: The Amendment acknowledges The World War II Memorial, which is located on the north side of Greely Field Parcel. The memorial is dedicated to the Signal Corps members who lost their lives during World War II. The Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Greely Field Parcel as an area to be listed in the National Historic Register List. Under this amendment, The World War II Memorial is protected by historic covenants and will remain undisturbed in perpetuity. In addition, the Programmatic Agreement between the US Army and State of New Jersey Historic Preservation office identified Cowan Park as an area to be listed in the National Historic Register List and under this amendment, Cowan Park will remain open space pursuant to a deed restriction. As such the amendment will not negatively impact on any structures listed on the State or National Registers of Historic Places. **(C4-8)**

Response: *The comment is acknowledged.*

Draft

Landscaping/Berming/Buffering (LAND)

LAND-1: All berms and landscaping in the Borough's portion of the development should follow the Borough's guidelines on landscaping diversity (avoiding monoculture), forbidding invasive species and requiring native plant usage. The Borough has an ordinance on these topics which should be followed. **(C1-6)**

Response: *Per N.J.A.C. 19:31C-3.18(g)(6) of FMERA's Land Use Rules, development within the Fort Monmouth Project Area should use native plants in all landscaped areas, in order to reduce the need for irrigation and fertilization, and select organic alternatives whenever the use of fertilizers is unavoidable for pest control. The proper selection of native and drought-tolerant plant materials should minimize the need for chemical treatment of landscaped areas. An integrated turf management and pest control program should be considered, in conjunction with selection of appropriate turf grasses, to strictly control the application of pesticides and fertilizer so as to minimize potential impact to groundwater and potential transport to nearby waterways via surface runoff.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address any concerns related to landscaping or use of native plants.

LAND-2: Substantive landscaping should be provided for Vail Hall as it is currently very open and in reasonable proximity to adjacent residential uses. For many years, this area was screened by significant tree coverage on the landfill which was lost when those trees were removed. Consideration should be given to providing landscape buffering on adjacent residential properties if agreeable to neighbors. In the event that the developer demolishes Vail Hall and builds another structure there, the Borough requests even greater and significant buffering along the area. **(C1-7)**

Response: *Trees were removed on Development Zone 2 - Vail Hall Parcel and Parcel 2 in order for the Army Corps of Engineers to cap the landfill area in accordance with NJDEP standards. The cap does not permit the replanting of trees that would permeate the cap.*

However, in the event the Vail Hall Annex (Building 1152) is demolished additional buffers, including landscaping, shall be installed to provide an additional buffer between Rose Court and the Vail Hall Parcel and Parcel 2. Additional buffering may include a concealing fence constructed of a long-lasting and attractive material and landscaped green walls.

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have full opportunity to evaluate and address concerns related to buffering between Development Zone 2 and residences on Rose Court.

LAND-3: The buffering between the proposed affordable housing and the existing residential development should be significant to reflect the open space that traditionally existed in the football field and adjacent area. **(C1-13)**

Response: *Plan Amendment #20 creates Development Zone 10 - Eatontown Housing Parcel which is located in the southern section of the Main Post area in the Borough of Eatontown. Development Zone 10 shall provide affordable housing opportunities for the Borough of Eatontown that would have been required if the portions of the Mega Parcel were developed with residential uses according to the Reuse Plan. The parcel is ±32 acres. Approximately +/-13.4 acres of the parcel in the vicinity of the former football,*

track and field facilities shall be designated as deed-restricted open space. This ensures a significant area of open space will be preserved in this area.

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate and address any concerns related to the buffering between Development Zone 10 and existing residential development adjacent to Zone 10.

LAND-4: All proposed plantings should be consistent with the requirements of the Reuse Plan and Land Use Regulations and the Borough of Eatontown's ordinances require non-invasive species and no monocultures. **(C2-5)**

Response: *Please see response to LAND-1.*

LAND-5: Screening for Vail Hall should be required due to the removal of the trees over the landfill. **(C2-7)**

Response: *Please see response to LAND-2.*

LAND-6: We recommend that any berming and landscaping incorporate the Borough's guidelines on landscaping diversity and native plant usage. **(C3-5)**

Response: *Please see responses to LAND-1 and LAND-2.*

LAND-7: We recommend that substantive landscaping be provided for Vail Hall as it is currently very open and in reasonable proximity to adjacent residential uses. Consideration should be given to providing landscape buffering on adjacent residential properties if agreeable to neighbors. **(C3-6)**

Response: *Please see response to LAND-2.*

LAND-8: We recommend berming and significant landscape buffering be provided for the COAH properties which abut existing residential communities. **(C3-10)**

Response: *Please see response to LAND-3.*

LAND-9: No Build Zone for Development Zone 6 (400 Area). This development zone is highly visible and serves as a gateway to the Borough. As such, the development that will be seen from the public rights-of-way and residential areas shall be adequately setback and screened. The no build zone, which does not permit building to occur, (except for the landscape buffer as described more fully below) shall be a minimum of 75 feet in width to adequately accommodate significant sized evergreen plantings. **(C4-9)**

Response: *The comment is acknowledged. Consequently, FMERA modified the bulk regulations in Development Zone 6 - The 400 Area of Plan Amendment #20 to increase the no build setback along Riverside Avenue and the North Jersey Coastline Railroad from 25-feet to 150-feet.*

If Hazen Drive in Development Zone 6 is dedicated as a public right-of-way, then the portions of Hazen Drive outside of the 150-foot buffer along the North Jersey Coastline Railroad will be subject to a 25-foot no build setback on either side of Hazen Drive.

For the avoidance of doubt, the roadway serving the residents of Horseneck Point is permitted within the no build area.

Additionally, FMERA will only permit buildings and structures in Development Zone 6 to be up to 72-feet. However, the maximum permitted height in Development Zone 6 will remain at 85 feet to accommodate the backlots.

Regarding the landscape buffer, Reuse Plan Amendment #20 requires densely planted landscaping to break up sight lines and create visual interest along the perimeter wall, but does not require a 75 feet width, see LAND-10 for additional landscaping requirements in Development Zone 6.

LAND-10: Landscape Buffer. A significant landscape buffer shall be provided between any rights-of-way and residential properties and Development Zone 6 & 7. The buffer shall be a minimum of 75 feet in width and be planted with evergreen trees that make up 80% of the plant material within the buffer. In addition, the size of the evergreen trees at planting shall be a minimum of 18 feet in height. The purpose of the landscape buffer is to screen the perimeter wall and eventually help to reduce the perceived building mass from the public viewshed. **(C4-11)**

Response: *The comment is acknowledged. Consequently, FMERA modified Plan Amendment #20 to require in Development Zone 6 landscaping inclusive of varied, native species of evergreen trees that shall be approximately 10-12 feet at planting with a projected mature height of 18 feet or higher in residential facing areas.*

Additionally, Plan Amendment #20 requires densely planted landscaping to break up sight lines and create visual interest along the perimeter wall. The perimeter wall will provide a general visual buffer along rights of ways; however, rights of way are permitted to have signage which must remain unobstructed. Development Zone 7 does not directly abut residential properties.

LAND-11: It was strongly recommended that the development site in the 400 area should provide the same type of buffering and mature landscaping as well as height restrictions along Hazen Avenue similar to that which buffers the railroad. **(C5-7)**

Response: *Please see response to GEN-5.*

LAND-12: There was a concern that more specific landscaping details be presented / identified in the proposed Plan Amendment. **(C5-27)**

Response: *Please see response to LAND-1.*

LAND-13: There was a concern that there should be more landscaping and more buffering proposed (than not referenced in Amendment #20). **(C5-28)**

Response: *Please see response to LAND-1.*

LAND-14: There was a concern that the Plan Amendment language be modified and clarified to require any Developer to plant mature landscaping at the site. **(C5-29)**

Response: *Please see responses to LAND-2, LAND-9; LAND-10.*

Lighting (LTG)

LTG-1: Lighting. All outdoor lighting, including streetlamps and accent lighting, shall comply with “dark sky” standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. **(C4-14)**

Response: *It should be noted that FMERA’s Land Use Regulations and Reuse Plan supersedes the host municipalities’ land use regulations and Master Plans.*

That said, the nature of film production involves night shoots which restricts the ability of the studio to meet dark sky standards during such times that there are night shoots. Plan Amendment #20 provides regulations intended to reduce light pollution including requiring the following:

- *Light fixtures shall be shielded using full cutoff light fixtures.*
- *All lights shall direct light downward and while light fixtures may be visible the light source (i.e., light bulb) shall not be visible beyond the property boundary.*
- *Illumination levels at exterior tract boundary lines shall not exceed 0.5 footcandles, except where driveways/streets intersect with a public street and where lighting levels along external roadways must meet NJDOT criteria. Lighting levels at exterior tract boundary lines abutting residential zones shall not exceed 0.1 footcandles.*
- *Film productions shall focus lighting on the filming area only and make every effort to shield the lighting from adjacent properties.*
- *Exceptional lighting (e.g., Musco and Bebee lighting) shall not be allowed within 400 feet of adjoining residential properties between the hours of 10:00p.m. and 7:00a.m. Exceptional lighting outside of these parameters may be approved at the discretion of the approving authority(ies)/entity(ies).*

Additionally, FMERA’s Land Use Rules at N.J.A.C. 19:31C-3.10(j) include the following:

1. *All outdoor light fixtures installed and thereafter maintained, other than those serving single-family dwellings, shall be shielded. Where used for commercial purposes or for sports or recreational facilities, all light fixtures shall be equipped with automatic timing devices. In addition, light fixtures used to illuminate flags, statues, or other objects mounted on a pole, pedestal, or platform shall use a narrow column beam of light that will not extend beyond the maximum extensions of the illuminated object. Other upward directed architectural, landscape, or decorative direct-light emissions shall have at least 90 percent of their total distribution pattern within the profile of the illuminated structure. Externally illuminated building identification or other signs shall only use shielded light fixtures mounted on top of the sign structure.*
2. *All outdoor lighting during non-operating hours of the business on site, not necessary for safety and security purposes, shall be reduced, activated by motion-sensor devices, or turned off. All lighting shall be designed to prevent misdirected or excessive artificial light and to maximize energy efficiency. All lighting shall be designed, constructed, and maintained in such a manner as not to be a nuisance to surrounding uses. No lighting shall be of a yellow, red, green, or blue beam nor be a rotating, pulsating, or other intermittent*

frequency. All light fixtures shall be designed, installed, and maintained to prevent trespass light.

3. *The maximum height of freestanding lights shall not exceed the height of the principal building, or 18 feet, whichever is less. The style of the light and light standards shall be consistent with the architectural style of the principal building or surrounding area. Freestanding lights shall be so located and protected to avoid being damaged by vehicles.*

LTG-2: The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways, and other areas of site, as well as the light quality produced, shall be the same or of a compatible design. **(C4-15)**

Response: *Every effort will be made to incorporate lighting that is of compatible design; however, given the nature and scale of the studio use it may not always be possible to do so.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate concerns related to lighting subject to the standards set forth in Reuse Plan Amendment #20 and FMERA's Land Use Rules.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). Among the criteria are a review architectural and aesthetics which can include lighting fixtures. A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

LTG-3: Exterior lighting shall be L.E.D. (i.e., light emitting diodes) or equivalent energy saving technology available at the time of construction. L.E.D. lighting shall not exceed 3,500 degrees Kelvin. **(C4-16)**

Response: *Plan Amendment #20 and FMERA's Land Use Rules N.J.A.C. 19:31C-3.10(j) provide lighting standards utilizing footcandles.*

LTG-4: Light fixtures attached to the exterior of a building shall be architecturally compatible with the style, materials, colors, and details of the building. **(C4-17)**

Response: *Please see responses to LTG-1 and LTG-2. FMERA's Land Use Rules do not regulate the architectural compatibility of light fixtures with building exteriors.*

LTG-5: Exterior lights may be concealed through shielding or recessed behind architectural features. **(C4-18)**

Response: *Please see response to LTG-1 and N.J.A.C. 19:31C-3.10(j)(1).*

LTG-6: There was a concern regarding illumination levels. **(C5-30)**

Response: *Please see response to LTG-1.*

LTG-7: There was a concern about apparent lack of light poles associated with the mega parcel. **(C5-31)**

Response: *Please see response to LTG-1. Light poles are anticipated to be part of the redeveloped Mega Parcel. The maximum height of freestanding lights shall not exceed 18 feet, except that in parking lots and basecamp areas the height of freestanding lights may not exceed a height of 25 feet. As the backlots serve as a location for outdoor filming, the light poles must be portable in some of these areas to maximize the ability to film unobstructed.*

LTG-8: There was a concern that lighting levels should be reduced, to 50% levels at night time. **(C5-32)**

Response: *Please see response to LTG-1.*

Draft

Master Plan (MP)

MP-1: The Borough adopted the Fort to Village Plan (Plan) in 2008 as an amendment into the Borough's Master Plan in order to properly plan for the redevelopment of Fort Monmouth. The Plan called for the 400 Area Parcel to include a mixed-use village center surrounded by medium density residential housing and for the McAfee Parcel to become a corporate center district. The McAfee Corporate Campus development concept identified in the Fort to Village Plan focused on creating employment opportunities and commercial ratables. The proposed Amendment #20 is not inconsistent with these development goals. The 400 Area Parcel is identified as a future village center in the Fort to Village Plan including residential multi-family units, retail/commercial space and open space. While the proposed Amendment #20 departs from the Fort to Village Plan vision for this area, it is anticipated that commercial space will be created and open space will be provided in the environmentally sensitive areas. In addition, it is important to recognize that the affordable housing units required for the market rate residential units within the 400 Area will be produced within Development Zones 11 and 12 and therefore is consistent with the affordable housing goals and requirements of the Fort to Village Plan.

The two open space areas (Development Zones 8 and 9) were both envisioned to be open space in the Fort to Village Plan and therefore are consistent with the Borough's Master Plan. **(C4-1)**

Response: *The comment is acknowledged.*

MP-2: There was recognition that development of the mega-parcel (as envisioned in Amendment #20) could fulfill the redevelopment vision of the former Ft. Monmouth site. **(C5-59)**

Response: *The comment is acknowledged.*

Miscellaneous (MISC)

MISC-1: Pages 7, 11, 81, 83 – it appears that the summary list on Page 7 designates Zones 11 and 12 reversed and should be switched to match what is shown on pages 11, 81, 83 **(C6-1)**

Response: *The comment is acknowledged. Consequently, FMERA modified and corrected the above referenced sections of the above references' pages of Plan Amendment #20.*

MISC-2: Page 22 - #9, 1st paragraph – last sentence – “two feet above” should be changed to “two feet below” **(C6-2)**

Response: *The explanation of Determination and Measurement of Height is written as intended and is consistent with the definition of how height is measured in FMERA's Land Use Rules (see definition of “Building Height” at N.J.A.C. §19:31C-3.2(b)), except that the Amendment provides clarification as to how height measurement applies to “structures” as well as “buildings.”*

Draft

Noise (Noise)

NOISE-1: Deliveries and trash/recycle collections to Vail Hall, or any successor building(s) in that area, should be limited to the hours of 7am to 8pm. **(C1-8)**

Response: *The comment is acknowledged. However, trash and recycling collections is outside the scope of this Plan Amendment #20.*

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have an opportunity to evaluate and address any concerns related to the deliveries and trash/recycle collection to Vail Hall, or any successor buildings(s) in Development Zone 2.

NOISE-2: The Borough reserves the right to regulate noise times for productions that create or emit outdoor sounds. Further, the Borough also reserves the right to notify the public of such sounds. **(C1-15)**

Response: *The comment is acknowledged. However, noise emanating from the Mega Parcel must be consistent with Noise Control Regulations N.J.A.C. 7:29. Furthermore, as part of Site Plan review involving lands subject to Reuse Plan Amendment #20, the host municipality's Planning Board will have an opportunity to evaluate and address any concerns related to noise.*

NOISE-3: Trash collection and deliveries should be limited to prior to 7 am or later than 8 pm at Vail Hall (C2-8)

Response: *Please see response to NOISE-1.*

NOISE-4: The Borough of Eatontown shall reserve the right to regulate noise times for production that have outdoor sounds, permits, etc. **(C2-10)**

Response: *Please see response to NOISE-2.*

NOISE-5: We recommend that the proposed uses follow Municipal noise ordinances and notify the Municipalities of any special events that might generate more noise than usually expected (explosions, fireworks, etc.). **(C3-8)**

Response: *Please see response to NOISE-2.*

NOISE-6: It is recommended that any noise to be generated from the Ft. Monmouth site should comply with the Borough's Prevailing Noise Regulations. **(C5-36)**

Response: *Please see response to NOISE-2.*

NOISE-7: There was a concern that any sound stage operate in accordance with the Borough's Prevailing Municipal Regulations (which allow sound to be generated between 10:00 a.m. and 8:00 p.m. on weekdays and between 9:00 a.m. and 6:00 p.m. on weekends). **(C5-50)**

Response: *Please see response to NOISE-2. Please also note that soundstages as defined in Plan Amendment #20 are soundproof.*

Open Space/Trails (OS/T)

OS/T-1: Plan Amendment #20 should ensure that the 12 foot proposed multi-use trail designed for the former Fort continues to be available to the public throughout the property. **(C1-10)**

Response: *Consistent with the Reuse Plan and other amendments to the Reuse Plan, Plan Amendment #20 requires a 12-foot wide publicly accessible trail system to be maintained, improved, and extended within the boundaries of the Mega Parcel, except when the trail system connects to sidewalks adjacent to roadways where construction of a 12-foot trail is not possible due to other site constraints. The trail will connect to various open spaces within the former Fort Monmouth properties.*

OS/T-2: The Amendment should ensure that the 12 ft. proposed multi use trail is designed to be available to public throughout the entirety of Fort Monmouth. **(C2-3)**

Response: *Please see response to OS/T-1.*

OS/T-3: We recommend incorporation of the 12' multi use trail throughout the property to provide public walkability. **(C3-13)**

Response: *Please see response to OS/T-1.*

OS/T-4: Plan Amendment #20 does not anticipate the removal of open space areas or impact to the environmental resources within the development zones. **(C4-4)**

Response: *The comment is acknowledged.*

OS/T-5: It is recommended that language be expanded to provide clarity on the restrictions of the parade grounds and any limits for hosting special events. **(C5-37).**

Response: *Plan Amendment #20, requires that the Greely Field and Cowan Park Parcels will remain publicly accessible heritage open spaces pursuant to a deed restriction. As discussed in Plan Amendment #20, Greely Field and Cowan Park (Development Zones 8-9), as well as the World War II Memorial building located within Greely Field, are listed in the State and National Registers of Historic Places and are subject to New Jersey Historic Trust easements as per the guidelines of the State Historic Preservation Office (SHPO). Additionally, Greely Field, Cowan Park, and the World War II Memorial building are located within the Fort's Historic District. The redevelopment of the historic properties within the Historic District are subject to the Fort's Historic Preservation Design Guidelines. Pursuant to the Historic Guidelines, and the FMERA Land Use Rules, FMERA's Historical Preservation Staff Advisory Committee is required to review any redevelopment involving the properties within the Historic District. No development is permitted on Greely Field or Cowan Park and shall be preserved heritage open space.*

A special events permit issued by the Borough of Oceanport will be required for any special events on either Cowan Park or Greely Field.

OS/T-6: It is suggested that the Ft. Monmouth Redevelopment Plan specifically identifies the importance of the Complex having a Complex-wide natural trail throughout the site at the expense of the developer and ensure that the natural trail is appropriately installed /maintained. **(C5-57)**

Response: *Please see response to OS/T-1.*

Parking (PK)

PK-1: There was a concern that some of the parking ratios utilized do not appropriately count employees, etc., that proposed parking ratios mirror that of the host municipality and the need for thorough and complete parking analysis reports for the site plan phase. **(C5-38)**

Response: *Plan Amendment #20 contemplates Motion Picture, Television, and Broadcast Studio uses that do not currently exist in any of the host municipalities. In preparing the draft amendment, FMERA reviewed land use regulations for studios around the country. The parking ratios required in Plan Amendment #20 for buildings such as mills/workshops; retail studio experience; storage/warehouses; soundstages; and studio business & support offices are consistent with zoning standards for such buildings in other locations around the country. The parking standards provided for publicly facing retail and hotels are consistent with the current parking standards for such uses in FMERA's Land Use Rules at N.J.A.C. 19:31C-3.7.*

It should also be noted that requiring excessive parking could have detrimental impact on storm water and other environmental aspects of the area. The parking standards in Plan Amendment #20 are anticipated to meet the demand for parking on the Mega Parcel while not causing additional burden on the storm water infrastructure.

Furthermore, as part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate concerns related to parking subject to the standards set forth in Reuse Plan Amendment #20 and FMERA's Land Use Rules.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

Setbacks (SB)

SB-1: Page 45, Minimum Setbacks from Lot lines Table and Height Zone Tables: Request that additional categories be added as highlighted in yellow below:

Riverside Ave Lot Lines:

0 to 25 feet No build area 26 to 49 feet Up to 35'

50 to 150 feet Up to 50'

>150 feet Up to 85'

Oceanport Ave Lot Lines:

0 to 25 feet No build area 26 to 49 feet Up to 35'

50 to 125 feet Up to 50'

>125 feet Up to 85'

From Lot Line Along North Jersey Coastline Railroad: 0 to 25 feet No build area

26 to 49 feet Up to 35'

50 to 150 feet Up to 50'

>150 feet Up to 85'

From Parker's Creek Lot Line:

0 to 25 feet No build area 26 to 49 feet Up to 35'

50 to 150 feet Up to 50'

>150 feet Up to 85' **(C6-3)**

Response: *The comment is acknowledged. Consequently, FMERA modified the bulk regulations in Development Zone 6 - The 400 Area Parcel of Plan Amendment #20 to increase the no build setback along Riverside Avenue and the North Jersey Coastline Railroad from 25-feet to 150-feet.*

If Hazen Drive in Development Zone 6 is dedicated as a public right-of-way, then the portions of Hazen Drive outside of the 150 foot buffer along the North Jersey Coastline Railroad will be subject to a 25-foot no build setback on either side of Hazen Drive.

For the avoidance of doubt, the roadway serving the residents of Horseneck Point is permitted within the no build area.

Additionally, FMERA will only permit buildings and structures in Development Zone 6 to be up to 72 feet. However, the maximum permitted height in Development Zone 6 will remain at 85 feet to accommodate the backlots.

SB-2: We respectfully ask that you impose a much larger setback along Riverside Ave, and lower maximum building heights. We would like see a no-build area of 150 feet, a maximum height of 3 stories or 45 feet (which we believe is consistent with Oceanport residential zoning), and a requirement that a buffer of trees be created between us and any new buildings. This would seem to us to reasonably accommodate our ongoing lives here while still allowing Netflix to accomplish its goals for the site. **(C7-1)**

Response: *Please see responses to SB-1; BH-4; and LAND-10.*

Signs

SIGN-1: Signs. The proposed sign package is unique as it relates to a use that is not commonly seen in New Jersey. However, the digital signs that are permitted seem to be grossly oversized and should be limited to a certain number of signs permitted per development zone and include a limitation that they shall not be seen from any residential use or district. **(C4-19)**

Response: Proposed Sign Package

A Motion Picture, Television and Broadcast Studio is a unique and highly specialized land use with specific requirements for signage. In drafting Plan Amendment #20, FMERA reviewed land use regulations governing signage at production studios across the country. FMERA determined that the existing signage ordinances governing the former Fort Monmouth properties as well as the Borough of Eatontown and Oceanport do not permit the number, type, and size of signage common to the Motion Picture, Television and Broadcast Studio use. For example, studios typically employ state of the art signage advertising films, television shows, and other media being developed onsite. Studios also often have retail studio experiences with signage designed to excite and attract visitors. Furthermore, studios have many more structures and buildings on site than a typical development. Each building and structure requires its own identification, sometimes along multiple facades, to facilitate wayfinding for studio employees, visitors, and emergency services. Additionally, some of the permitted building and structure types unique to the studio use, i.e., soundstages, mill buildings, etc., have relatively large facade sizes. Signs larger than typically permitted in a municipality are of a scale appropriate to these large facade sizes and assist with breaking up the massing of the building and/or structure.

The signage standards in Plan Amendment #20 are intended to allow for the operation of a modern, state-of-the art Motion Picture, Television and Broadcast Studio. At the same time, the signage standards provide restrictions intended to mitigate any potential negative impacts of studio signage on surrounding properties and passing motorists/cyclists/pedestrians.

For example, signs are permitted on the perimeter security wall only in sections of the wall facing Route 35, Avenue of Memories and Oceanport Avenue. No signage facing Oceanport Avenue shall rotate, gyrate, blink, move, or appear to move in any fashion. Supergraphic signs are limited to certain building and structure types and shall not be placed on any facade within 500 feet of and facing Brewer Avenue in Development Zone 7; within 500 feet of and facing the North Jersey Coastline Railroad in Development Zone 6; and within 500 feet of and facing Riverside Avenue in Development Zone 6.

It should be noted that many of the signs permitted at the studio will be internal signs with minimal visibility to properties outside of the perimeter security wall.

Digital Signs

As defined in Plan Amendment #20, digital display signs are permitted to be erected as studio wall signs, studio monument signs, and/or studio roof signs. This type of signage is common at film studios. That said, Plan Amendment #20 places size, number, and location restrictions on digital signs as follows:

- *A Digital Monument Display Sign is the largest sign permitted on the Mega Parcel. Only one is permitted on the entire parcel (i.e., in Development Zone 1). The sign shall not be placed within 250 feet of Avenue of Memories and facing the northern boundary line of Development Zone 2.*
- *Digital Display Signs are permitted on certain structures. Each structure is limited to one such sign. A digital display sign shall not emit any noise. And no such sign shall be placed on any façade within 500 feet of and facing Brewer Avenue in Development Zone 7; within 500 feet of and facing the North Jersey Coastline Railroad in Development Zone 6; within 500 feet of and facing Riverside Avenue in Development Zone 6; and 250 feet of Avenue of Memories and facing the northern boundary line of Development Zone 2.*
- *A studio roof sign may be, but is not necessarily, digital. Studio roof signs are permitted in Development Zones 1-6, but are limited to one such sign per Development Zone. A studio roof sign is only permitted on structured parking garages, a studio retail experience building, or a Studio Business & Production Support Office building with or without helipad.*

Please also see response WALL-2 on further limitations on the location of Digital Monument Display Sign and Digital Display Signs.

SIGN-2

All sign and banner details should be specifically reviewed / approved by the Zoning Officer and should be consistent with the local host municipality's ordinances. **(C5-49)**

Response:

Please see response to SIGN-1. Additionally, FMERA modified Plan Amendment #20 to clarify that Studio Wall signs may not be used for advertising/promotional purposes unless the advertising/promotional content is related to productions, events, or other content involving the Motion Picture, Television and Broadcast Studio use.

Site Plan (SITE)

SITE-1: The Plan Amendment takes great efforts to identify permitted uses, broken out by Zone, along with land use regulations associated thereto. Such a large site presents certain planning problems and scenarios. With a site plan, even a draft one, the Borough may have offered different comments. **(C1-21)**

Response: *Although FMERA is currently under contract for the purchase of the Mega Parcel, the Plan amendment creates an alternative development scenario, similar to an overlay zone, on portions of the Fort property regardless of the end-user. By the nature of this process, a site plan would be premature and is not appropriate in an amendment.*

However, Plan Amendment #20 includes certain restrictions, and regulations intended to allow for the development of a Motion, Picture Television, and Broadcast Studio while at the same time promoting and protecting the public's health, safety, and welfare. This Plan Amendment offers the desired flexibility for FMERA to allow for the realistic development of the former Fort properties in a manner which fulfills its statutory mandate to create new jobs, regenerate the local tax base, and advance the general prosperity and welfare of the people most affected by the Fort's closure.

Please also that as part of Site Plan review, the host municipality's Planning Board will have the opportunity to evaluate and address any concerns or issues related to Site Plan applications involving lands subject to Plan Amendment #20. Unless otherwise waived by the host municipality Planning Board, Site Plan applications require plans and information related to: land use regulation compliance; site demolition; construction and phasing; parking and loading; utilities; landscaping; flood zones, wetlands, and other environmental features; grading; driveways and circulation; lighting; drainage; signage; ; easements; parks and open space; construction details; architectural floor plans and elevations; proposed building materials and colors; soils reports; traffic studies including anticipated traffic volumes, capacity of existing or proposed roads traffic impact on road network, and need for traffic improvements; a stormwater management report; and other information and/or plans requested by the reviewing Planning Board to thoroughly review and evaluate a proposed application.

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)). A written determination as to the results of its MCR process is required for any site plan application in a host municipality to be deemed complete and, therefore, heard by a Planning Board.

SITE-2: An anticipated site layout should be included in the Plan Amendment to identify what types of uses are proposed at different locations throughout the Mega parcel and give Eatontown a better idea of the ratables they may be receiving. In particular, the intended location of the hotel and uses outside of the state-of-the-art Motion Picture, Television and Broadcast Studio campus should be identified, understanding that the location of specific buildings within the overall campus may change. **(C2-2)**

Response: *Please see response to SITE-1. As set forth in Plan Amendment #20, if a hotel is built in Eatontown it must be located within 1,500 linear feet of Route 35 in Development Zone 1. Please see Development Zone Tables in Plan Amendment #20 for other permitted uses in Eatontown.*

Stormwater/ Infrastructure (SW/I)

SW/I-1: Specific consideration regarding stormwater management will be important as always because this area has encountered and faced flooding challenges for a number of years. Any site plans for this area will need to incorporate specific improvements to help mitigate these issues and improve infrastructure accordingly. **(C1-20)**

Response: *The comment is acknowledged. However, this is outside the scope of Plan Amendment #20. As part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate concerns related to stormwater management subject to the standards set forth in Reuse Plan Amendment #20 and FMERA's Land Use Rules.*

Additionally, FMERA's Mandatory Conceptual Review ("MCR") (N.J.A.C. §19:31C-3.20) application requires submission of Site Plan materials, as well as completion of an Environmental Features Checklist, and other materials necessary for FMERA to evaluate an application according to the criteria listed in the Land Use Rules ((N.J.A.C. § 19:31C-3.20(c)(5)).

Please also note that the development contemplated on Development Zones 1-12 will be subject to all regulations and permitting required pursuant to New Jersey Department of Environmental Protection's Stormwater Management rules (N.J.A.C. 7:8).

SW/I-2: Specific consideration regarding stormwater management will be important as always, as this area has had flooding challenges for a number of years. Any site plans for this area will need to incorporate specific improvements to help mitigate these issues and improve infrastructure accordingly. **(C3-14)**

Response: *Please see response to SW/I-1.*

SW/I-3: The ability of existing and planned infrastructure is deferred to the Borough Engineer and other Borough professionals, as may be appropriate. **(C4-6)**

Response: *Please see response to SW/I-1.*

SW/I-4: It is recommended that language include guidance that the developer shall comply with all stormwater management regulations. **(C5-52)**

Response: *Please see response to SW/I-1.*

Traffic/Circulation/Transportation (T/C/T)

T/C/T-1: With the potential buildout of the Main Post, traffic impacts should be expected. Consideration should be made for traffic signal upgrades and possible turning lane upgrades at the Route 35 and Avenue of Memories intersection. **(C1-1)**

Response: *The comment is acknowledged. However, this comment is outside the scope of Plan Amendment #20.*
As part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have an opportunity to evaluate and address any concerns related to traffic and circulation.

T/C/T-2: In addition, any internal driveways, or roadways in close proximity to this intersection shall have considerations for appropriate stacking/turn lanes to ensure that no queueing on site will negatively impact this intersection or the flow of traffic. In particular, the queuing, arrival and departure of large trucks should be planned, especially at these intersections or any new entrances/exits created along any exterior road. **(C1-2)**

Response: *Please see response to T/C/T-1.*

T/C/T-3: With the exception of Nicodemus, the Borough rejects the opening into the Fort property of any municipal side street along Broad Street whether to provide access to residential or commercial uses. **(C1-18)**

Response: *Plan Amendment #20 does not amend the Reuse Plan regarding the opening of roadways. No additional ingresses or egresses are being proposed under this Plan Amendment.*

T/C/T-4: The entrance to the Studio campus should allow a large amount of queue and for larger trucks so traffic does not back up onto Route 35. **(C2-6)**

Response: *Please see response to T/C/T-1. Please also note that Route 35 is under the jurisdiction of the State of New Jersey Department of Transportation (NJDOT) and is subject to NJDOT review.*

T/C/T-5: Prior discussions have been held with respect to the ultimate disposition of all roadways within the Main Post. Further clarity will be required regarding the specific roadways that will be dedicated to each of the Municipalities, and also what investigation/improvements to the roadway and existing utilities may be required in order for the Municipalities to accept same. **(C3-1)**

Response: *The comment is acknowledged. However, the comment is outside the scope of Plan Amendment #20.*
FMERA successfully dedicated Route 537 to Monmouth County and continues to work together with the Boroughs of Eatontown and Oceanport to identify roadways for dedication outside of the Plan Amendment #20 process.

T/C/T-6: Traffic generation, potential major intersection improvements and traffic signal adjustments. With the potential buildout of the Main Post, traffic impacts should be expected. Consideration should be made for traffic signal upgrades and possible turning lane upgrades at the Route 35 and Avenue of Memories intersection. **(C3-2)**

Response: *Please see response to T/C/T-1.*

T/C/T-7: In addition, any internal driveways or roadways in close proximity to this intersection shall have considerations for appropriate stacking/turn lanes to ensure that no queueing on site will negatively impact this intersection. **(C3-3)**

Response: *Please see response to T/C/T-1.*

T/C/T-8: We recommend that none of the existing dead-end streets abutting the property be extended into the property. **(C3-9)**

Response: *Please see response to T/C/T-3.*

T/C/T-9: While the amendment does not anticipate the change in circulation patterns, the additional permitted uses may result in increased traffic along Oceanport Avenue and Main Street. A traffic analysis will be required as part of any site plan application and reviewed by the Borough's traffic engineer to ensure that any necessary traffic mitigation measures are required as part of the approval process. **(C4-2)**

Response: *Please see response to T/C/T-1.*

T/C/T-10: Pedestrian and bicycle facilities and improvements should be accommodated for all Development Zones and surrounding streets. The use permitted will be a destination for employees and visitors and as such the users of the buildings may want to rely upon alternative forms of transportation (pedestrian, bicycle, mass transit) and it is critical that this development area properly accommodate the needs of the development users. **(C4-3)**

Response: *Consistent with the Reuse Plan and other amendments to the Reuse Plan, Plan Amendment #20 requires a 12-foot wide publicly accessible trail system to be maintained, improved, and extended within the boundaries of the Mega Parcel, except when the trail system connects to sidewalks adjacent to roadways where construction of a 12-foot trail is not possible due to other site constraints. The trail will connect various open spaces within the former Fort Monmouth properties. With regard to pedestrian and bicycle mobility and circulation, the proposed amendment does not alter or override any standards included under N.J.A.C. 19:31C-3.14(c), N.J.A.C. 19:31C-3.15(e)(1)(iv) and N.J.A.C. 19:31C-3.15(e)(3) with respect to sidewalks, pedestrian connectivity and bicycle parking.*

T/C/T-11: There was a concern for more details pertaining to potential train station relocation /improvements. There was a question as to whether there was going to be any rail improvements associated with the proposed development. **(C5-53)**

Response: *The comment is acknowledged. However, Plan Amendment #20 does not address relocation/improvements of any train stations or rail improvements and is outside the scope of Plan Amendment #20.*

T/C/T-12: It is recommended that sound planning requires the review and approval of a comprehensive Traffic Impact Report. There is concern that the Development envisioned in Plan Amendment #20 would create / place heavy traffic demands both on the former Ft. Monmouth site and the area surrounding the former Ft. Monmouth site. **(C5-54)**

Response: *Please see response to T/C/T-1.*

T/C/T-13: There was a concern that the existing infrastructure limitations may impact the ability of the site to comfortably / safely accommodate various traffic / vehicular / pedestrian / public safety concerns, thereby further underscoring the need to successfully review / approve a professional and comprehensive Traffic Report. **(C5-55)**

Response: *Please see response to T/C/T-1.*

T/C/T-14: It is recommended that individual Traffic Circulation Plans should be submitted, reviewed, and approved for any individual development within the subject parcel. **(C5-56)**

Response: *Please see response to T/C/T-1.*

T/C/T-15: Maintain walkability and bicycling in the community. **(C5-58)**

Response: *Please see response to T/C/T-10.*

Draft

Permitted Uses (USE)

USE-1: The document seemed to suggest that animal boarding would be permitted on the mega- parcel. There was a question as to the specific details associated with the same – including types of animals permitted, types of facilities, noise prevention measures, preservation of quality-of-life issues, disposition of animal waste, etc. **(C5-3)**

Response: *Many motion picture film, television, and broadcast productions involve animal performers. American Humane, an animal welfare organization, has representatives on sets to document production's humane care of animals including the boarding of animals. American Humane is the only animal welfare organization authorized to issue the official "No Animals Were Harmed" end credit certification. American Humane's standards are outlined in the "Guidelines for the Safe Use of Animals in Filmed Media by the American Humane" ("the Guidelines"). The Guidelines define "animal" as "any sentient creature, including birds, fish, reptiles and insects." The Guidelines provide specific standards for the following: dogs; domestic cats; birds; fish; insects and arachnids; horses and livestock; exotic/captive wildlife; primates; reptiles; and amphibians.*

On the set, the American Humane's Certified Animal Safety Representative(s)™ ensure that the Guidelines are upheld; advise production on safety issues; document all animal action and care; and serve as independent, professional, objective witnesses to the treatment and well-being of animal actors. Also onset are animal handlers and veterinarians. The Guidelines define "animal handlers" as "any person responsible for feeding, watering, cleaning, manipulating, loading, crating, shifting, transferring, immobilizing, restraining, treating, training, working or moving any animal. The term "animal handler" includes, but is not limited to, animal coordinators, wranglers, historic re-enactors and any other cast or crew member or private party providing or taking responsibility for an animal (for example, the props or stunts department). Animal handlers may include veterinarians who are on set for the purpose of ensuring the health of animals.

Many animals used in production are covered by the Federal Animal Welfare Act (AWA) which requires the handlers to have appropriate USDA and state licenses permits. The licenses and permits can only be granted if certain standards are met regarding the animal's housing, handling, sanitation, nutrition, water, veterinary care, and production from extreme weather and temperatures.

Plan Amendment #20 defines "animal boarding" as "Buildings and Structures for overnight boarding of animals being used as part of a production." The amendment permits "animal boarding" in the following proposed Mega Parcel Development Zones:

- *Development Zone 1 - Whale Parcel*
- *Development Zone 3 - Tech A Parcel & Barracks Parcel*
- *Development Zone 4 - Bowling Center Parcel*
- *Development Zone 5 - Tech B Parcel*
- *Development Zone 6- 400 Area Parcel*
- *Development Zone 7- McAfee Parcel*

Animal boarding structures are restricted in the above Development Zones to Height Districts which permit a maximum height of 80 feet or greater. The intention of only allowing animal boarding structures in the highest Height Districts is because these districts are generally the furthest from lot lines and therefore furthest from residences and other uses outside of the Mega Parcel boundaries.

The combination of setbacks, the perimeter wall, and animal welfare guidelines and regulations governing film, television, and broadcast productions are anticipated to minimize any potential impacts from animal boarding on properties outside of the Mega Parcel.

USE-2: There was a concern for more specific details pertaining to mobile facilities and trailers which may be located on the development site. **(C5-34)**

Response: *As defined in Plan Amendment #20, trailers are mobile vehicles that offer space for production departments including, but not limited to, hair and make-up, wardrobe, sound, stunts, art, costuming and sewing departments, on-set medical staff, schoolteachers, animal wranglers or other personnel associated with production, talent during filming, craft services, and restrooms.*

Trailers are essential to site operations for a studio and are a common feature of Motion Picture, Television, and Broadcast Studios. Trailers are permitted in locations throughout the studio. As trailers are mobile vehicles, they do not contribute to lot coverage or floor area ratio.

Please note that trailers may not be used for overnight stays.

As part of Site Plan review involving lands subject to Plan Amendment #20, the host municipality's Planning Board will have the opportunity to evaluate concerns related to mobile vehicles subject to the standards set forth in Reuse Plan Amendment #20 and FMERA's Land Use Rules.

USE-3: It is recommended that language be expanded to provide clarity on the restrictions of the parade grounds and any limits for hosting special events. **(C5-37)** See also OS/T-5.

Response: *Please see response to HP-1. Greely Field and Cowan Park Parcels (Development Zones 8-9), as well as the World War II Memorial building located within Greely Field, are listed in the State and National Registers of Historic Places and are subject to New Jersey Historic Trust easements as per the guidelines of the State Historic Preservation Office (SHPO). Additionally, Greely Field and Cowan Park, and the World War II Memorial building are located within the Fort Monmouth Historic District. The redevelopment of the historic properties within the Historic District are subject to the Fort's Historic Preservation Design Guidelines. Pursuant to the Historic Guidelines, and FMERA's Land Use Rules, FMERA's Historical Preservation Staff Advisory Committee is required to review any redevelopment involving the properties within the Historic District. No development is permitted on Greely Field or Cowan Park and shall be preserved heritage open space.*

A special events permit issued by the Borough of Oceanport will be required for any special events on either Greely Field and Cowan Park.

USE-4: It is recommended that the regulations identify the need for specific information relative to the type of production vehicles which may be on site during the site plan phase – including the location of the same, where the same will be stored, how the same will be shielded /landscaped, etc. **(C5-39)**

Response: *The type and number of vehicles used at any one time will be dependent on the projects in production at the Studio at any given time. These vehicles are critical to a studio's operations. The vehicles will be screened by the 20-foot perimeter wall.*

- USE-5:** There was also a request for confirmation that no vehicular body work will be performed on site. **(C5-40)**
- Response:** *The maintenance, repair, body work, and cleaning of vehicles involved in production is permitted in Development Zones 1, 3-7. This use is common and critical for the Studio's operations. The vehicles will be screened by the 20-foot perimeter wall.*
- USE-6:** There was a concern that Amendment #20 would allow / permit cell towers, radio towers, satellite dishes, etc. and the impact such cell towers, radio towers, satellite dishes, radio waves, etc. would have, or could have, on the surrounding community. **(C5-41)**
- Response:** *Rooftop communication facilities are an essential component of a state-of-the art Studio's operations. Plan Amendment #20 permits rooftop communication facilities which is defined as "Any structure or equipment installed on a rooftop and used for the purpose of sending or receiving data and information communications or housing equipment to support the sending or receiving of communications, other than Cellular Facilities. Communication Facilities may include, but are not limited to, satellite and microwave dishes. Communication Facilities shall also include all necessary support infrastructure which may be ground-mounted or located on rooftops."*
- As such, cell towers are explicitly not included in the definition of rooftop communication facilities. Furthermore, rooftop communication facilities shall be no taller than 15-feet and shall be setback 10-feet from a parapet and shall be screened.*
- USE-7:** It is recommended that all special events will need to comply with Prevailing Borough of Oceanport Regulations. **(C5-51)**
- Response:** *The comment is acknowledged. FMERA concurs that special events located within Oceanport will be regulated by the Borough of Oceanport and special events within the Eatontown will be governed by the Borough of Eatontown.*

Perimeter Wall (WALL)

WALL-1: Consideration should be made for the proposed security walls and their impact on aesthetics and viewsheds, especially from neighboring residential communities. **(C1-3)**

Response: *Plan Amendment #20 permits a perimeter security wall around portions of the Mega Parcel devoted to film, television, and broadcast production. The wall is a permitted accessory use in Development Zones 1-7. The wall is a necessary security measure for a production studio which must protect onset talent and active productions from trespassers and outside intrusions. Relatedly, the wall helps to protect persons and properties outside of the wall from production activities taking place within. It is important that the wall is not scalable. The wall is permitted in the “no build” setback areas.*

Plan Amendment #20 permits a wall up to 20-feet in height. To mitigate bulk and mass and improve its aesthetics, Plan Amendment #20 provides the following standards for the wall:

- The portions of the wall facing adjoining properties must appear to be 10-feet through the use of berms, or other landscaping features.*
- The wall shall contain variation in façade surface, materials, texture, color, or projections every 30- to 50-feet to break the massing of the wall and create visual interest.*
- Areas between the Perimeter Security Wall and external lot lines shall be landscaped.*
- Large scale murals may be placed on sections of the wall.*
- The wall shall consist of one or a combination of the following materials: concrete, precast concrete, unit masonry, brick, stone, tile, wood, plaster, stucco, and metal.*
- The wall shall not be topped with barbed wire, razor wire, broken glass, or similar materials, or that are electrically charged, are prohibited.*
- The wall may have decorative lighting subject to Planning Board review.*
- The area between the property boundary and the Perimeter Security Wall shall include areas of densely planted landscaping to break up sight lines and create visual interest.*
- Signage may also be applied to or incorporated into portions of the wall that front Route 35, Avenue of Memories, and Oceanport Avenue.*

Additionally, please see response to LAND-10, which indicates that in certain locations within Development Zone 6- 400 Area Parcel, the wall’s impact may be lessened by additional landscaping obligations.

WALL-2: No flashing wall signage should be permitted within the viewshed of Rose Court. **(C1-4)**

Response: *The comment is acknowledged. Consequently, FMERA modified the chart on Restrictions by Sign Type in Plan Amendment #20 to create additional restrictions on the Digital Monument Display Sign and Digital Display Signs. Only one Digital Monument Display Sign is permitted on the entire parcel (i.e., in Development Zone 1). The Restrictions by Sign Type chart now reflects that the sign shall not be placed within 250-feet of Avenue of Memories and facing the northern boundary line of Development Zone 2 and that the sign shall not be permitted to be placed east of Building 1150 (Vail Hall) along Avenue of*

Memories. Digital Display Signs shall not be placed within 250- feet of Avenue of Memories and facing the northern boundary line of Development Zone 2.

WALL-3: FMERA should address the massing of the proposed buildings and security walls by providing visual breaks in the façade. **(C1-5)**

Response: *Please see response to WALL-1.*

WALL-4: No flashing wall signage shall be permitted within the viewshed of residents on Rose Court. **(C2-9)**

Response: *Please see response to WALL-2.*

WALL-5: Consideration shall be made for the proposed security walls and their impact on aesthetics and viewsheds, especially from neighboring residential communities. **(C3-4)**

Response: *Please see response to WALL-1.*

WALL-6: There was a concern regarding the perimeter of the security wall, and details associated therewith and the approximately 25 ft. Setback associated with any proposed security /perimeter wall. **(C5-45)**

Response: *Please see response to WALL-1.*

WALL-7: There was a concern regarding the materials which would be utilized for the security wall would the same be concrete, pre-cast concrete, etc. There was a concern that the security wall would have a massive / monolithic appearance / façade. **(C5-46)**

Response: *Please see response to WALL-1.*

WALL-8: There was a concern regarding the maintenance of the security wall. **(C5-47)**

Response: *The comment is acknowledged. The care and maintenance of the wall will be the responsibility of the owner of the Mega Parcel and/or any designee of the owner.*

WALL-9: There was a concern that Plan Amendment #20 should be modified to prevent the installation of any signs on / over the proposed perimeter wall. **(C5-48)**

Response: *Signage may only be applied to or incorporated into portions of the wall facing Route 35, Avenue of Memories, and Oceanport Avenue. No signage facing Oceanport Avenue shall rotate, gyrate, blink, move, or appear to move in any fashion.*