FORT MONMOUTH

DISCOVER • INNOVATE • TRANSFORM

July 10, 2024

Lisa A. John-Basta, Esq.
Chiesa Shahinian & Giantomasi PC
105 Eisenhower Parkway
Roseland, NJ 07068

Re: MCR Application Review-Preliminary and Final Major Site Plan
Netflix Studios (Phase 1A)
Block 301, Lot 1.01 and Portion of Lot 1 (Eatontown); and
Block 110, Portion of Lot 1 (Oceanport)

Dear Ms. John-Basta:

Our office is in receipt of the following in support of the Fort Monmouth Economic Revitalization Authority's Mandatory Conceptual Review ("MCR") pursuant to the Fort Monmouth Land Use Regulations and Development Design Guidelines (the "Land Use Rules") at N.J.A.C. 19:31C-3 and Reuse Plan Amendment #20 ("Plan Amendment #20") for the above referenced development for a Major Site Plan.

A. Items Received on May 22, 2024:

a. MCR application, dated May 21, 2024;
b. Environmental Features Checklist, dated May 21, 2024;
c. Application Fee – Check number 72016;
d. Escrow Fee – Check number 72017;
e. Preliminary and Final Site Plan – prepared by Langan Engineering and Environmental Services, consisting of 68 sheets, dated May 17, 2024, containing Demolition Plan, Site Layout & Dimension Plan, Easement Plan, Sight Triangle Plan, Vehicle Circulation Plan, Emergency Service Vehicle Circulation Plan, Signage and Striping Plan, Grading and Drainage Plan, Utility Plan, Secure Perimeter Plan and Details, Landscape Plan and Details, Lighting Plan and Details, Soil Erosion and Sediment Control Plan, Soil Erosion and Sediment Control Details, Soil Decompaction Plan, and Construction Details;
f. Architectural plans, prepared by Mancini Duffy, consisting of 46 sheets, dated May 21, 2024;
g. Stormwater Management Report for Netflix Studios Fort Monmouth Phase 1A, prepared by Langan Engineering and Environmental Services, revised through May 20, 2024;
h. Environmental Impact Statement for Netflix Studios Fort Monmouth Phase 1A, prepared by Langan Engineering and Environmental Services, dated May 17, 2024;
i. Traffic Impact Study for Netflix Studios Fort Monmouth Phase 1A, prepared by Langan Engineering and Environmental Services, dated May 17, 2024;
j. Project Electric Load Report based on the National Electric Code (NEC) Electric Service Calculation, Phase 1A;
k. Water Systems Engineering Report for Netflix Studios Fort Monmouth Phase 1A, prepared by Langan Engineering and Environmental Services, dated May 17, 2024;
l. Will Serve Letter from New Jersey Natural Gas letter dated February 13, 2023;
m. Will Serve Letter from Verizon letter dated February 16, 2023;
n. Will Serve Letter from Jersey Central Power & Light letter dated February 22, 2023;
o. Will Serve Letter from New Jersey American Water dated March 7, 2023;

p. Will Serve Letter from Two Rivers Water Reclamation Authority dated March 21, 2023;
q. Existing Monitoring Well Location Plan – Phase 1A for Netflix Studios Fort Monmouth Phase 1A, prepared by Langan Engineering and Environmental Services, consisting of 1 sheet, dated March 28, 2024;
r. Existing Nest Location Plan – Phase 1A for Netflix Studios Fort Monmouth Phase lA, prepared by Langan Engineering and Environmental Services, consisting of 1 sheet, dated March 28, 2024;
s. Copy of the Eatontown Planning Board Application Forms for Preliminary and Final Major Site Plan approval; and
t. Copy of the Oceanport Planning Board Application Forms for Preliminary and Final Major Site Plan approval.

The Authority has deemed this application complete on May 24, 2024.

1. Subject Parcel and Applicable Land Use Rules

The Applicant is proposing to construct Phase 1A of its Motion Picture, Television and Broadcast Studio Campus, relying on Plan Amendment #20 to permit an alternative development scenario and allow these uses. As such, the proposed development will involve the following Development Zones (collectively, the "Subject Parcel") which were established within Plan Amendment #20 and are reflected in Exhibit A "Zone Map".

Reuse Plan Amendment #20

Plan Amendment #20 permits Motion Picture, Television, and Broadcast Studios as a principal use in all Mega Parcel Development Zones, including **Development Zones 1, 3, 4, and 7**. Under Plan Amendment #20, 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.

Under Plan Amendment #20, accessory uses and structures that support Motion Picture, Television, and Broadcast Studios can be located either in standalone buildings/structures or co-located within the principal structures. These accessory uses and structures are allowed in a Development Zone even if no principal structures are present, subject to the limitations set forth under Plan Amendment #20.

Plan Amendment #20 also permits multiple principal and accessory permitted uses and structures on any individual lot and/or within any of the Mega Parcel Development Zones and can also be co-located within one structure. Any Pre-existing Nonconforming Structures/Buildings, or portion thereof, identified for reuse on the Mega Parcel are exempt from the Maximum Permitted Heights and Development Zone Wide Bulk Standards set forth under Plan Amendment #20.

Plan Amendment #20 mandates a 12-foot-wide, publicly accessible trail system within the Mega Parcel, to be maintained, improved, and extended, except where the trail system connects to sidewalks adjacent to roadways and constructing a 12-foot trail is not possible due to site constraints.

Whale Parcel - Development Zone 1

The **Whale Parcel - Development Zone 1** consists of approximately 117.5 acres of land and 18 buildings, including Mallette Hall (Building 1207) and the Expo Theater (Building 1215). The Development Zone is located in the Borough of Eatontown and borders on State Highway 35 to the west, Lafetra Creek to the north, Avenue of Memories to the south and Wilson Avenue to the east.

The Reuse Plan calls for the westernmost ±50 acres of the zone (i.e. closest to State Highway 35) to be developed as a lifestyle/mixed-use center. 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. However, Mallette Hall is no longer envisioned as a municipal complex nor is the Expo Theater envisioned to be reused by a not-for-profit theater or arts group.

Except for a small triangular section of the parcel which lies in the Oceanport Green Tech district, the majority of the **Development Zone 1** falls within the Eatontown Route 35 Lifestyle Tech Center district under the Land Use Rules.

As this parcel was bifurcated by the former municipal boundary, Eatontown and Oceanport adopted ordinances; Eatontown Ordinance 19-2023 on July 26, 2023, and Oceanport Ordinance 1078 on August 17, 2023, respectively, adjusting the common boundary to provide more consistency for redevelopment. Therefore, **Development Zone 1** is now wholly in the Borough of Eatontown.

The parcel falls within **Development Zone 1** under Plan Amendment #20 which permits Mallette Hall and the Expo Theatre to be adaptively reused or demolished, and Motion Picture, Television, and Broadcast Studio is permitted as a principal use.

Wilson Avenue - North

The Reuse Plan called for Wilson Avenue to serve as a connector roadway for Sherrill Avenue and the Avenue of Memories to allow traffic to continue to circulate the site. As such, FMERA dedicated that roadway along with Sherrill Avenue and the Avenue of Memories to Monmouth County in 2016. The County has operated the roadway since then.

Plan Amendment #20 contemplated the vacation of a portion of Wilson Avenue ("Wilson Avenue North") to allow for the merger of the adjacent properties with the goal of placing this land within **Development Zone 1**. By resolution dated March 14, 2024, by the Monmouth County Board of County Commissioners and recorded in the Monmouth County Clerk's Office on April 9, 2024, Book OR-9683 Page 6707, Wilson Avenue North was vacated. Thereafter, and subject to the terms set forth under the Road Vacation and Conveyance Agreement ("RVC Agreement") dated May 31, 2024, as among the Applicant, the Authority and Monmouth County, the Applicant requested, and the County agreed to convey fee title of Wilson Avenue North to the Applicant subject to the terms set forth in the RVC Agreement. By way of a resolution dated March 28, 2024, the Monmouth County Board of County Commissioners agreed to convey title of the Wilson Avenue North to the Applicant via two deeds which shall be held in escrow until such time as the developer has closed on the Mega Parcel as set forth under the Purchase and Sale Agreement and Redevelopment Agreement dated January 13, 2023, as amended, between the Authority and the Applicant. These agreements and Applicant closing on the property will effectively merge Wilson Avenue North with the adjacent properties and place it within **Development Zone 1**.

The Applicant's proposed development includes plans which reflect the construction of a cul-de-sac and additional roadway modifications impacting Wilson Avenue North and portions of land owned by the Army and FMERA. The design and development of these improvements will be made in conjunction with the County of Monmouth and remain subject to the terms set forth in the RVC Agreement.

Tech A Parcel & Barracks Parcel - Development Zone 3

The **Tech A Parcel & Barracks Parcel – Development Zone 3** consists of ±9.6 acres of land located in the Borough of Eatontown 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). The parcel is bounded on the

north by Avenue of Memories, on the east by Nicodemus Avenue, on the south by Alexander Avenue & the JCP&L Right of Way, and on the west by Wilson Avenue.

Under the Land Use Rules, approximately ±4.5 acres of land in the western section of the parcel is 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 is located in the Oceanport Green Tech Campus section of the Fort.

As this parcel was bifurcated by the former municipal boundary, Eatontown and Oceanport adopted ordinances; Eatontown Ordinance 19-2023 on July 26, 2023, and Oceanport Ordinance 1078 on August 17, 2023, respectively, adjusting the common boundary to provide more consistency for redevelopment. Therefore, **Development Zone 3** is now wholly in the Borough of Eatontown.

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 contemplates the redevelopment of the parcel as a green open space.

A prior Reuse Plan Amendment was completed for the site. Per Plan Amendment #9, the Barracks buildings could be adaptively reused or demolished. However, the Applicant is not relying on Plan Amendment #9 for this redevelopment.

Plan Amendment #20 designated this area as **Development Zone 3** which permits demolition of all the buildings in the parcel, and Motion Picture, Television, and Broadcast Studio as a principal use.

Bowling Center Parcel - Development Zone 4

The **Bowling Center Parcel - Development Zone 4** consists of ±2.5 acres of land and is located in the Eatontown section of Fort Monmouth and contains the Fort Monmouth Bowling Center (Building 689) and Building 682. The **Bowling Center Parcel - Development Zone 4** 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, near Messenger Avenue.

The Reuse Plan calls for Building 689 to remain as a commercially operated bowling alley and Building 682 to be demolished. The Land Use Rules places the **Bowling Center Parcel - Development Zone 4** in the State Highway 35 Lifestyle/Tech Center District and the Oceanport Green Tech Campus Development District.

As this parcel was bifurcated by the former municipal boundary, Eatontown and Oceanport adopted ordinances; Eatontown Ordinance 19-2023 on July 26, 2023, and Oceanport Ordinance 1078 on August 17, 2023, respectively, adjusting the common boundary to provide more consistency for redevelopment. Therefore, **Development Zone 4** is now wholly in the Borough of Eatontown.

The parcel falls within **Development Zone 4** under Plan Amendment #20 which permits the demolition of the Fort Monmouth Bowling Center and Building 682 and Motion Picture, Television, and Broadcast Studio as a principal use.

McAfee Parcel – Development Zone 7

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 **McAfee Parcel – Development Zone 7** is bounded by **Development Zone 4** near Messenger Avenue 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.

As this parcel was bifurcated by the former municipal boundary, Eatontown and Oceanport adopted ordinances; Eatontown Ordinance 19-2023 on July 26, 2023, and Oceanport Ordinance 1078 on August 17, 2023, respectively, adjusting the boundary to provide more consistency for redevelopment. Therefore, **Development Zone 7** is now wholly in the Borough of Oceanport.

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 the Plan Amendment #20, this parcel falls within **Development Zone 7** and permits the McAfee Center and the FMERA Office buildings to be adaptively reused or demolished. Building 601 and 602 are to be demolished. Motion Picture, Television, and Broadcast Studio is permitted as a principal use.

1.1 Historic Preservation

The Subject Parcel is not located within the Fort Monmouth National Register Historic District ("Historic District").

2. Proposed Development

The redevelopment of the site may occur in phases under a Purchase and Sale Agreement and Redevelopment Agreement dated January 13, 2023, as amended. The Applicant has submitted the application for the Phase 1A at this time and has identified Plan Amendment #20 as the pertinent zoning. The majority of the Phase 1A development is proposed within **McAfee Parcel - Development Zone 7**, which involves the construction of Sound Stages, a Mill Building, a Storage/Warehouse Building, and the adaptive reuse of the McAfee Center and the FMERA Office. The development of McAfee Parcel also includes basecamps, parking, and other associated infrastructure and utilities. The remainder of Phase 1A extends beyond **Development Zone 7** and incorporates **Development Zones 1, 3 & 4** for the rest of the redevelopment.

Please note that while **Development Zone 1 & 3** are partially impacted by Phase 1A, the remainder of their redevelopment is intended to be reviewed under a future MCR.

The proposed development consists of the following:

a. Sound Stages

A Sound Stage is 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.

The Applicant has proposed to construct four (4) Sound Stages with a total of 128,355 square feet. Each Sound Stage will also include a 'backpack' building—a pass-through area attached to the main building intended to facilitate crew movement without disrupting shoots and to house most building utilities.

Sound Stage 1
Sound Stage 1 will be a standalone building of 22,330 square feet, located directly to the east of the McAfee Center. The building includes a backpack on the south of the building.

Sound Stage 2
Sound Stage 2, with an area of 22,470 square feet, will be located on the west side of the McAfee Center and will be physically connected with the McAfee building. The backpack is attached to the eastern side of the Sound Stage building.

Sound Stages 3 & 4 (Twin Sound Stage)
Sound Stages 3 and 4, totaling 83,555 square feet, are designed as a twin studio and will be located just west of the McAfee Center. The building includes a backpack on the south side of Stages 3 and 4 and a 3-story, Studio Business and Production Support Office on the north side of the building.

b. Mill/Workshop Building

A Mill/Workshop Building is a structure 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.

The proposed development includes a Mill/Workshop building, a 61,800 square foot standalone structure, which will be located south of the McAfee Center. It will support the construction, maintenance, repair, and storage of sets, props, costumes, lighting and grip equipment, and other studio-related uses and equipment.

c. Studio Business and Production Support Office Buildings

A Studio Business and Production Support Office building (SBPSO) is an 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.

The proposed development includes two (2) SBPSOs.

McAfee Center
The McAfee Center (Building 600), a 91,595 square foot existing building, located in the central section of **McAfee Parcel - Development Zone 7**. The building will be adaptively reused as an SBPSO.

FMERA Office
The FMERA Office (Building 552), a 9,696 square foot existing building which is located at the southeast corner of the site, at the intersection of Avenue of Memories and Brewer Avenue, will also be adaptively reused as an SBPSO.

d. Storage/Warehouse Building

A Storage/Warehouse building measuring 11,824 square feet will be located at the northeast corner of the Phase 1A site, near the intersection of Sherill and Malterer Avenues.

e. Basecamp

Basecamp is a designated area that typically accommodates mobile facilities such as trucks, generators, support vehicles, and tents, essential for production activities. These facilities often include wardrobe, hair and makeup, craft services, and trailers for talent and production staff. Basecamps are strategically located to provide efficient access to filming locations and ensure smooth operations throughout the production.

The Phase 1A site plan indicates three (3) basecamps proposed to the south of the planned Sound Stages.

Basecamp 1
A 34,476 square foot basecamp will be located on the south side of Sound Stage 1.

Basecamp 2
The second basecamp, measuring 25,738 square feet, will be located on the south side of Sound Stage 2.

Basecamp 3
The third basecamp, measuring 59,482 square feet, will be located on the south side of Sound Stages 3 and 4.

f. Perimeter Security Wall

As defined in Plan Amendment #20, Perimeter Security Walls are intended to prohibit access onto the Studio outside of the designated access points.

The site plan shows a Perimeter Security Wall proposed around the Phase 1A site. The cross-section details show that the Perimeter Security Wall will not exceed 10 feet in appearance from adjoining properties or public rights of way. Sheet LS501 shows that the Perimeter Security Wall will feature a combination of finishes, such as concrete wall panels, intermittent projections similar to pilasters, architectural features, and various colors, at intervals of up to 50 feet. The Applicant has indicated that the proposed Perimeter Security Wall is intended to be constructed for permanency.

g. Parking & Loading

The parking has been distributed throughout the site, with a total of 547 parking spaces proposed where 415 is required. Of those, forty-three (43) spaces are designated for the four (4) Soundstages, three hundred four (304) are designated in the Studio Business and Production Support Office Buildings (SBPSO), sixty-two (62) are designated for the Mill/Workshop Building with six (6) designated for the Storage/Warehouse Building. All parking spaces are proposed to be constructed behind the Perimeter Security Wall.

A total of 12 loading spaces have been proposed. Each Sound Stage will have one (1) loading space. The McAfee Center and FMERA Office will each have one (1) loading space as well. Additionally, five (5) loading spaces have been allocated for the Mill/Workshop building, and one (1) loading space will be provided for the Storage/Warehouse building.

Additionally, the site plan also indicates several golf cart parking areas within the Motion Picture, Television and Broadcast Studio Campus.[1]

h. Access

The project site will have four (4) access driveways. The main entrance and security gate will be located at the intersection of Avenue of Memories (County Route 537) and Wilson Avenue North.

Additional gated access driveways will be situated at the proposed western end of Sherrill Avenue, along the southeastern frontage of Sherrill Avenue, and along the frontage of Brewer Avenue.

The Applicant has proposed a cul-de-sac at the western end of Sherrill Avenue to facilitate vehicle turning along with one of the gated driveways planned for the development. The proposed cul-de-sac will also incorporate a small portion of the Carve Out Parcel 44, still owned by the Army, which is subject to the terms of the RVC Agreement.

[1] Please note that the Land Use Rules do not include any requirements or standards regarding golf cart parking or operation. FMERA defers to the respective Boroughs and County for the adoption or enforcement of ordinances or standards pertaining to golf cart operation, including travel on public roadways.

i. Concrete Sidewalk (Portion of Multi-Purpose Trail)

The site plan shows an 8-ft wide concrete sidewalk along Avenue of Memories, stretching from its intersections with Wilson Avenue to Brewer Avenue. The 8-ft wide concrete sidewalk is also proposed along Sherrill Avenue from its western end to its intersection with Malterer Avenue and continuing along Malterer Avenue running south to its intersection with Brewer Lane.

j. Landscaping and Trees

The proposed landscape plan shows various types of native vegetation, primarily around stormwater basins. Shade trees are planned along Avenue of Memories, Sherrill Avenue, and the northwestern section of Malterer Avenue. According to the plant schedule provided by the Applicant, a total of two hundred two (202) shade trees with a caliper size of 2½" to 3" inches will be planted throughout the site and along the public right-of-way. Additionally, one hundred one (101) ornamental trees with a height of up to 8-10 feet and ten (10) evergreen trees up to 6-7 feet are also proposed for Phase 1A of the development. Additionally, the landscape plan features various types of shrubs, perennials and ornamental grasses. The landscape plans also show that the areas between the perimeter security wall and external lot lines as landscaped with dense plantings to break up sight lines and create visual interest. The Applicant has submitted cross-section details showing that densely planted landscaping is proposed between the exterior lot lines and the Perimeter Security Wall.

k. Lighting

The lighting plan includes a total of one hundred twenty-eight (128) pole-mounted lights with mounting heights ranging from 12 to 25 feet, positioned throughout the site and along Avenue of Memories and Sherrill Avenue. Additionally, one hundred sixty-three (163) wall-mounted lights with mounting heights ranging from 8 to 25 feet will be installed on existing and proposed new buildings. All lighting is proposed as having an illumination level of ≤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 are proposed as ≤0.1 footcandles.

l. Signage

The Applicant has proposed following sign types**:**

Identification Sign

An Identification Sign is 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.

The signage plan proposes the following Identification Signs for Sound Stages: four (4) for Twin Sound Stage 3-4 which include Signs A1 & A2 measuring 11'-11" x 12' (143 Square Feet) and A3 & A4 measuring 11'-10" x 12' (142 Square Feet), two (2) for Sound Stage 2 which include A5 & A6 measuring 11'-5" x 12' (137 Square Feet), and two (2) for Sound Stage 1 which include A7 & A8 measuring 7'-1" x 12'(85 Square Feet). For the Mill/Workshop building, nine (9) Identification Signs are proposed including A9, A10, A11 & A12 measuring 7'-3 ½" x 12' (87.5 Square Feet) and D1 measuring 5'-9 ½" x 6'-2" (35.7 Square Feet), D2 measuring 4'-10 ½" x 6'-2" (31.1 Square Feet), D3 measuring 5'-5" x 6'-2" (33.4 Square Feet), D4 measuring 5'-3" x 6'-2" (32.4 Square Feet), and D5 measuring 4'-4" x 6'-2" (26.7 Square Feet)'

Studio Wall Sign

A Studio Wall Sign 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.

The Applicant has proposed one Studio Wall Sign labeled as "BA1" for Twin Sound Stage 3-4. Sign "BA1" is proposed to be 25' x 3'-6" (87.5 square feet) in size.

Studio Window Sign

A Studio Window Sign 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.

The signage plan proposes the following Studio Window Signs: three (3) signs including BB1 measuring 15' x 20' (300 square feet), BB6 measuring 8'-4 ½" x 17'-6 ½" (146.9 square feet) and BB2 [no dimensions provided] (150 square feet) for the McAfee Center (SBPSO) and three (3) signs including signs BB3, BB4 and BB5 measuring 4'-5" x 6'-2" (27.2 square feet) for the FMERA Office (SBPSO).

Supergraphic Sign

A Supergraphic Sign 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.

The signage plan proposes the following Supergraphic Signs: four (4) signs labeled as E6, E7, E10 & E11 proposed for Twin Sound Stages 3-4, three (3) signs labeled as E8, E12, E13 for Sound Stage 2, three (3) signs labeled as E9, E14 & E15 for Sound Stage 1, and five (5) signs labeled as E1, E2, E3, E4 & E5 for the Mill/Workshop building. All Supergraphic Signs from E1-E15 will be typical and will measure 14' x 20' (280 square feet).

3. Requested Relief

Please be advised that an application within the Fort Monmouth project area, pursuant to N.J.A.C. 19:31C-3.20(b)4, may not be deemed complete by the local Planning Board until the Board has received the results of this MCR.

3.1 Variances

Pursuant to N.J.A.C. 19:31C-3.21(a), the local planning board shall have the authority to grant bulk and area-type variances from the requirements set forth within N.J.A.C. 19:31C-3. The Authority staff is also required to review each application to determine whether one or more use-type variances or an amendment to the Reuse Plan may be required. If the Authority staff determines that a use-type variance or an amendment to the Reuse Plan is required, the local planning board shall not have jurisdiction over the subdivision application or site plan application until the Applicant obtains approval from the Authority for the required use-type variance(s) under the Authority's purview or receives an amendment to the Reuse Plan.

Plan Amendment #20 identified permitted maximum standards for height and FAR in **Development Zones 1, 3, 4, and 7** for a Motion Picture, Television and Broadcast Studio. The maximum requirements for height and FAR and the applicant's proposed height and FAR are shown in the tables below.

Development Zone	Permitted FAR	Proposed FAR
1	0.50	0.0001
3	0.30	0.00
4	0.30	0.0005
7	0.30	0.24

Building/Structure	Development Zone	Permitted Height per Development Zone Height Requirement Map*	Permitted Height per Building Type	Proposed Height
Sound Stage 1	7	80 feet	70 feet	68.5 feet
Sound Stage 2	7	80 feet	70 feet	68.5 feet
Sound Stage 3 & 4	7	80 feet	70 feet	68.2 feet
SBPSO McAfee Center (Building 600)	7	80 feet	75 feet	52.7 feet
SBPSO FMERA Office (Building 502)	7	35 feet	35 feet	17.1 feet
Mill Building	7	80 feet	35 feet	35 feet
Storage/Warehouse Building	7	35 feet	35 feet	25 feet

* Plan 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 each of which is described further below. Development Zone Height Requirement maps are provided in Plan Amendment #20. Unless otherwise noted in Plan Amendment #20, the maximum permitted height of a Structure or Outdoor Space shall be the lesser of the maximum permitted height by Structure type/Outdoor Space or the maximum permitted height by Height District.

As indicated in the tables above, the proposed development is in compliance with the use, height, and FAR requirements set forth in the Land Use Rules and Plan Amendment #20. **Therefore, a need for a use-type variance was not identified.**

The following bulk variance is required: [2]

a. As per the Amendment, Identification Signs shall not exceed 10 feet in height. However, the Applicant has proposed twelve (12) Identification Signs labeled from AA1 to AA12 with a height of 12 feet. The proposed Identification Signs are intended to clearly identify and differentiate buildings throughout the closed campus, which will not have individual addresses. For the purposes of emergency service response, the increase in scale provides the benefit of increased visibility. The scale of the proposed deviation is minimal. **Therefore, FMERA supports granting a variance from the above-referenced standard.**

[2] Relating to bulk standards, please note that the following inconsistencies were identified. On sheet CS003, Zoning Data Table **Development Zone 7 – McAfee Parcel** indicates the proposed Max Floor Area Ratio as calculated based on 303,438 SF. The site plan, however, reflects 303,270 SF. Additionally, Sheet CS003 Parking Space Calculations – Development Zone 7 - McAfee Parcel (table) indicates that 546 parking spaces are proposed. The site plan, however, reflects 547 parking spaces. Neither parking space amount adversely impacts the overall compliance of FAR or parking requirements.

3.2 Design Exceptions

Pursuant to N.J.A.C. 19:31C-3.21(d)(1), the local planning board, when acting on site plan and subdivision applications, shall have the power to grant design exceptions from the requirements listed in N.J.A.C. 19:31C-3.10 through 3.12. **There were no design exceptions identified as part of this Application.**

3.3 Design and Development Guideline Deviations

The Applicant deviated from the design and development guidelines listed in N.J.A.C. 19:31C-3.14 through 3.18 as further explained below:

a. Pursuant to N.J.A.C. 19:31C-3.15(e)(1)(iv), for all non-residential buildings secure indoor bicycle racks should be provided within the garage area or within a separate secure storage room. Pursuant to N.J.A.C. 19:31C-3.15(e)(3), the number of bicycle parking racks in each required area should be based on the expected number of occupants, visitors, and or workers at the building. No indoor bike racks are proposed. The Applicant has, however, proposed a total of thirty-six (36) outdoor bicycle racks to be distributed across different buildings within the campus. **Though the Applicant has not proposed indoor bicycle racks, FMERA believes that the proposed outdoor bicycle racks meet FMERA's intent of reducing auto traffic within and around the Fort area. Therefore, FMERA supports the granting of an exception to allow for this deviation.**

b. Pursuant to 19:31C-3.18(b)(2)(a)(1)(B), facades for any use should have transparent glazing occupying at least 40 percent (40%) of the ground-floor facade area. The proposed development does not meet these transparency requirements. The proposed transparency levels for each building are tabulated below:

Buildings	**Transparency Level**			
	North Elevation	**South Elevation**	**East Elevation**	**West Elevation**
1. Sound Stage 1	8%	8%	0%	0%
2. Sound Stage 2	0%	0%	0%	0%
3. Twin Sound Stage 3-4	33%	7%	12%	12%
4. FMERA Building	22%	25%	24%	21%
5. McAfee Center	10%	19%	12%	7%
6. Mill Building	0%	0%	0%	0%
7. Storage Building	0%	0%	0%	0%

The transparency requirements are primarily intended to enhance visual interest in street-facing building facades, improve the pedestrian experience, and enhance area safety by minimizing blank wall areas. The proposed buildings will be enclosed within a secure campus and significantly set back from the adjoining streets. As such, the architectural treatment to the building facades is not expected to have a significant impact on the pedestrian experience and aesthetic of the area. However, the proposed buildings will incorporate different colors, materials, and various types of signage, including Supergraphic and Identification signs, which will contribute to architectural interest in the area. Furthermore, the intended use and soundproofing requirements for Sound Stages make it infeasible to achieve 40% transparency from a practical standpoint. **Therefore, FMERA supports granting an exception to allow for this deviation.**

4. FMERA's Six Criteria for Evaluation

In addition to determining whether use-type variances may be required, in conducting the MCR, the Authority staff may evaluate the application for, and express the Authority's position as to, each of the following six criteria, if and as applicable, to the application under consideration pursuant to N.J.A.C.19:3.20(c)(5)(i) – (vi):

4.1 The need and justification for, and desirability of, any bulk and/or area-type variances requested by the Applicant or that the Authority identifies as being required:

FMERA's Response: The Applicant requires a bulk variance for excessive signage height for the Identification Sign type. The Applicant has proposed a sign height of 12 feet, whereas a maximum height of 10 feet is permitted under Plan Amendment #20. FMERA considers this difference minimal and believes that granting a variance will not detrimentally impact the aesthetic of the proposed development and instead the proposed two-foot increase will provide expanded visibility for emergency responders. **Therefore, FMERA supports granting a variance to allow for this deviation. However, FMERA recommends that the Applicant provide appropriate testimony before the Borough's Planning Board.**

4.2 Adequacy of access to and egress from the subject property, the impact of the proposed project on the existing road-way system within the Fort Monmouth project area boundaries, the relationship of the proposed project to the existing municipal or county roadway system, and the need for roadway improvements, relocations or modifications:

FMERA's Response: The Phase 1A Studio campus will have four (4) access driveways. The main entrance and security gate will be located at the intersection of Avenue of Memories and Wilson Avenue North. Additional gated access driveways will be situated at the western end of Sherrill Avenue, along its southeastern frontage, and on the Brewer Avenue frontage. The Sherrill Avenue driveways are reserved for occasional movement of production equipment, not for daily or general use. Daily activities and traffic will primarily use the main gate on Avenue of Memories. Furthermore, to enhance pedestrian access to the campus and the rest of Fort Monmouth, 8-foot-wide concrete sidewalks are proposed along Avenue of Memories and Sherrill Avenue. A pedestrian gate is also proposed to link the FMERA Office directly to the concrete walkway on Avenue of Memories.[3] [4]

The Applicant also provided a Traffic Assessment in support of the proposed Phase 1A Studio campus development. The study estimates that the proposed development would generate a maximum of 106 peak-hour trips. According to the report, the development of the remainder of the Studio campus across the Mega Parcel and continued area redevelopment activity, traffic flow along these corridors is expected to increase. However, the roadway corridors generally have the capacity to accommodate the traffic from the Studio campus. The report further suggests that the proposed Studio campus will not significantly impact area traffic operations and will generate significantly less traffic than when the Fort Monmouth Base was fully operational. **FMERA recommends that the Applicant provide appropriate testimony before the Borough's Planning Board. As such, FMERA will defer to the Borough's Planner and Engineer for any additional comments and recommendations.**

4.3 Availability and adequacy of water, sewer, electric, gas and telecommunication utilities, potential impacts of the proposed project on the existing utility infrastructure within the Fort Monmouth Project Area, the relationship of the project to the existing municipal or other utility systems, and the need for infrastructure improvements or modifications:

[3] Please note that sheets CS 101 and CS 102 identify an 8-foot-wide concrete sidewalk along Avenue of Memories. However, this labeling is missing for the concrete sidewalk along Sherrill Avenue in Sheets CS 103 and CS 104. FMERA recommends that the Applicant update Sheets CS 103 and CS 104 to indicate the 8-foot-wide concrete sidewalk along Sherrill Avenue.

[4] Additionally, the cross section of Avenue of Memories West Section included in Sheet LP 501 shows an 8-foot-wide multi-use path. The Applicant should revise this cross section to accurately indicate that the 8-foot-wide concrete path along Avenue of Memories is a sidewalk. Further, the Applicant should note that under the Plan Amendment #20, 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.

FMERA's Response:

a. Water

The former Army water system owned and operated by FMERA is expected to be fully decommissioned in 2024. FMERA has no existing water service available to the development area.

The Applicant is responsible for coordinating water service to the property through New Jersey American Water (NJAW) as it owns the water mains which now service all Main Post developments.

The MCR plan set depicts both domestic and fire water service connections to NJAW owned and operated 24" water mains along the northern bounds of Avenue of Memories and within the bounds of Irwin Avenue.

Since 2019, domestic water service to the FMERA Office has been supplied by a lateral connected to the NJAW 24" water main in Irwin Avenue. The building has a dedicated NJAW water meter.

In 2024, FMERA installed new 8" fire service lines to the McAfee Center and to Buildings 601 and 603, with a 2" domestic service connection to building 602 teed off the trunk line. The new service line installation included a hotbox, with backflow prevention and a NJAW multi-use meter, located along Avenue of Memories, and a tap to the existing 24" NJAW water main, also along Avenue of Memories. The site plans show Buildings 601- 603 as being demolished, at which time service must be terminated.

The Applicant provided a will serve letter from New Jersey American Water, dated March 7, 2023.

b. Sanitary

The **McAfee Parcel – Development Zone 7** is within the Two Rivers Water Reclamation Authority (TRWRA) service area. TRWRA service to this area is available via a 12" PVC sanitary main along the northern bounds of Sherrill Avenue. The MCR plan set depicts the development connecting to this existing main. The FMERA Office is already connected to the TRWRA system by means of a TRWRA sanitary main in Malterer Avenue.

The Applicant submitted a will serve letter from TRWRA dated March 21, 2023.

The **Bowling Center Parcel - Development Zone 4** portion of the development area is within the Eatontown Sewerage Authority (ESA) service area; however, the MCR plan set does not depict any sewer connection required in that area. Per the plans, the existing buildings are slated for demolition and stormwater basins will be placed on the site.

c. Electric

All former Army buildings within the development area were served by the Army electrical system. FMERA is currently working with Jersey Central Power and Light (JCP&L) to replace the former Army 4160V electric system with a new JCP&L owned and operated 12.5KVA distribution system. The Applicant intends to connect to this new proposed JCP&L grid. The Applicant submitted a will serve letter from JCP&L dated February 22, 2023.

In the interim, FMERA has limited electric service available to the site via overhead 4160V primary lines along Avenue of Memories, Messenger Avenue, Sherrill Avenue, and Irwin Avenue. Until such time as the JCP&L electrical grid is installed and operational, FMERA will provide limited power as needed, on a temporary basis. All power supplied by the FMERA owned electrical grid must be properly metered.

The Applicant is currently working with Jersey Central Power and Light (JCP&L) for permanent power to the development area.

d. Natural Gas

The MCR plan set depicts and references connections to New Jersey Natural Gas (NJNG). The Applicant is responsible for coordinating natural gas service to the property through New Jersey Natural Gas (NJNG).

The Applicant provided a will serve letter from New Jersey Natural Gas dated February 13, 2023.

e. Communications

The Applicant is responsible for coordinating communication services to the property through an available provider. The Applicant provided a will serve letter from Verizon dated February 16, 2023.

f. Stormwater

The MCR plan set indicates that all existing stormwater infrastructure in the development area is being replaced with a new stormwater system, including a series of bioretention basins, large & small-scale basins[5], and additional green infrastructure. Detailed information was provided via the Stormwater Management Report for Netflix Studios Fort Monmouth Phase 1A prepared by Langan Engineering and Environmental Services, revised through May 20, 2024. The plans show stormwater will be directed to Mill Creek and Parkers Creek to the west.

The Applicant is responsible for maintaining any existing stormwater that traverses the development area until the stormwater can be incorporated into the proposed stormwater plan. **FMERA defers to the Borough's Planner & Engineer for any additional comments and recommendations.**

4.4 The need for and existence or availability of easements in connection with access and utilities[6]:

FMERA's Response:

a. Sanitary Sewer Easements

1. Sanitary Sewer Easement L, AKA FMERA-L (Map Ref. H.)

The easement located, at the northeast corner of **McAfee Parcel - Development Zone 7**, is associated with a sanitary line that carried outfall from the Park Loft, FMERA Office, Fort Athletic Club, and sanitary pump station 752. The completion of the Malterer Avenue sewer main project replaced the old army lines, thereby eliminating the need for the easement. **Therefore, the Sanitary Sewer Easement L may be eliminated.**

2. Sanitary Sewer Easement TRWRA-K

This sanitary easement, located within the bounds of Irwin Avenue, was reserved to transport sanitary outfall from the Tech A parcel south of Avenue of Memories. The installation of the Wilson Avenue

[5] Please note that any proposed stormwater infrastructure impacting Army carve-outs or their associated remedial actions may be subject to additional review and discussion with FMERA and the Army.

[6] For easements depicted that have not yet been recorded, the Applicant shall be responsible for recording the easements at closing or at such time as set forth in the Purchase and Sale Agreement and Redevelopment Agreement dated January 13, 2023, as amended, or until such need for an easement has been eliminated.

(South) sanitary main eliminated that need for this easement. **Therefore, the Sanitary Sewer Easement TRWRA-K may be eliminated.**

3. Sanitary Sewer Easement DB. 9611, PG. 3812

The easement, located on the northwestern side of Wilson Avenue, protects a sanitary line that is owned and operated by the Two Rivers Water Reclamation Authority. **Therefore, the easement as depicted on the plan must be maintained.**

b. Stormwater Easements

1. Stormwater Easement O (Map Ref. J)

The storm line associated with the easement located on the west side of Wilson Avenue in the landfill no longer exists. **Therefore, Stormwater Easement O as depicted on the site plan may be eliminated.**

2. Stormwater Easements C & C1 and D (Map Ref. J)

The easements C & C1 and D (Map Ref. J, located at the northwest corner of the **McAfee Parcel-Development Zone 7**, are associated with drainage lines serving Avenue of Memories (C.R. 537), Wilson Avenue (C.R. 537A), and Sherrill Avenue (C.R. 537A). The Grading and Drainage plans indicate that this drainage line is proposed to be utilized by the development. **Therefore, the easements depicted on the site plan must be maintained.**

3. Stormwater Easements D and D1 (Map Ref. H)

The Easements D and D1 (Map Ref. H) located on Messenger Avenue, connecting Avenue of Memories (C.R. 537) and Wilson Avenue, are associated with a drainage line that serves Avenue of Memories (C.R. 537). Grading and Drainage plan CG103 indicates that the drainage line is being redirected to the new system as part of the drainage system buildout. **Therefore, Stormwater Easement D and D1 may be eliminated once the new stormwater buildout is complete.**

4. Stormwater Easement B1 & B2 (Per Map Ref. J)

The easements located in the **Whale Parcel - Development Zone 1** along the western bounds of Wilson Avenue, are associated with a drainage line that drains Avenue of Memories (C.R. 537), Wilson Avenue (C.R. 537A, Wilson Avenue (South). The Grading and Drainage plans indicate that the drainage line is to be re-utilized. **Therefore, the easement must be maintained.**

5. Stormwater Easement B (DB 9519, PG3847)

The easement, located at the southwest corner of Phase 1A is associated with a drainage line that drains Avenue of Memories (C.R. 537), Wilson Avenue (C.R. 537A, Wilson Avenue (South). Grading and Drainage plan CG103 indicates that the drainage line is being redirected to the new system as part of the drainage system buildout. **Therefore, Stormwater Easement B may be eliminated once the new stormwater buildout is complete.**

6. Stormwater Easement P (Per Map Ref. H)

The easement located on Irwin Avenue, serves the privately owned "Park Loft". Grading and Drainage plan CG103 indicates that the drainage line is being redirected to Large Scale Basin 3 as part of the drainage system buildout. **Therefore, Stormwater Easement P may be eliminated once the new stormwater buildout is complete.**

c. Electric and Communication Easements

1. Electric-F and COMM-B and Electric-F1 and COMM-B1 (Map Ref. H)

The easements, depicted on the map on Messenger Avenue, are associated with overhead utilities, including Comcast fiber serving NJCU, power to Sherrill Avenue streetlights, remaining active 600 area buildings, and Irwin Avenue streetlights. **With respect to electric, the easement depicted on the site plan must be maintained until such time as a new electrical distribution system is installed by JCP&L and the developments served by this line are then served by the new system. With respect to communications, the communications line within the easement area is protected by a license agreement with Comcast and must remain until such time as the license agreement is terminated.**

2. Electric Easement E (Map Ref. H)

The easement, located on the southwest corner of the **McAfee Parcel - Development Zone 7**, is associated with utilities serving Sherrill Avenue streetlights, the remaining active buildings in the 600 area, and Irwin Avenue streetlights. **Therefore, the easement depicted on the site plan must be maintained until such time as a new electrical distribution system is installed by JCP&L and the developments served by this line are then served by the new system.**

3. Electric Easement G (Map Ref. H)

The easement depicted on the map on Irwin Avenue is associated with utilities serving Sherrill Avenue streetlights, the remaining active buildings in the 600 area, Irwin Avenue streetlights, and electric to FMERA offices. **Therefore, the easement depicted on the site plan must be maintained until such time as a new electrical distribution system is installed by JCP&L and the developments served by this line are then served by the new system.**

4. Electric Easement H (Map Ref. H)

The 25-ft-wide easement, depicted on the map located between Malterer and Irwin Avenues, is associated with FMERA-owned overhead 35KVA distribution lines that serve NJCU and FMERA's North Electrical Substation, as well as FMERA-owned overhead 4160V CKT 2 lines. **Therefore, the easement depicted on the site plan must be maintained until such time as a new electrical distribution system is installed by JCP&L and the developments served by this line are then served by the new system.**

d. Water Main Easements

1. Water Main Easement NJAW – D (DB. 9519, PG 3658) and NJAW – D (DB 9586, PG 9807)

The easements, located at the intersection of Messenger Avenue and Avenue of Memories are associated with a 24" water main, owned and operated by New Jersey American Water. **Therefore, the easement depicted on the site plan must be maintained.**

2. Water Main Easement A1 (DB. 9638, PG 7757)

The easement, located in the southwest section of the **McAfee Parcel - Development Zone 7** on Avenue of Memories, is associated with a 24" water main that is owned and operated by New Jersey American Water. **Therefore, the easement depicted on the site plan must be maintained.**

*3. Water Main Easement (*DB. 9638, PG 7791)

The easement located in the southern section of the **McAfee Parcel - Development Zone 7** along Avenue of Memories is associated with a 24" water main that is owned and operated by New Jersey American Water. **Therefore, the easement depicted on the site plan must be maintained.**

4. Water Easement NJAW-J (Map Ref. K)

The easement located on Irwin Avenue is associated with a 24" water main that is owned and operated by New Jersey American Water. **Therefore, the easement depicted on the site plan must be maintained.**

e. Access Easements

1. Access Easement Access – C (Map Ref. H)

The access easement on Brewer Avenue must be maintained as part of the development of Phase 1A to provide privately owned "Park Loft" access between Avenue of Memories and the Park Loft main entrance in perpetuity, unless Brewer Avenue is transferred to the Borough of Oceanport or Monmouth County, at which time the easement may be eliminated.

2. 50'-Wide Access Easement, Access – D (Map Ref. B & E)
Brewer Lane provides access between Brewer Avenue and Malterer Avenue. The access easement associated with Brewer Lane must be maintained unless Brewer Lane is transferred to the Borough of Oceanport or Monmouth County, at which time the easement may be eliminated.

f. Multipurpose Easements

All previously recorded 12ft-wide Multi-Purpose Easements depicted on CS105 Sheet 14 of 68, dated 5.17.24, serve Monmouth County and must be maintained.

Easements depicted south of Avenue of Memories were not considered in this review and are associated with future phases of development. As such, they will be reviewed during a subsequent MCR review.

4.5 Architectural and aesthetic review:

FMERA's Response: FMERA reviewed the proposed architectural plans and elevations of the development. The exterior of the proposed buildings will feature a combination of concrete panels in different colors, aluminum screening, painted signage (Identification Signs), cladding, Supergraphic Signs, and a metal door and window system with various lighting fixtures. FMERA acknowledges that the architectural characteristics of film studios and associated facilities can be influenced by several factors, including but not limited to acoustic considerations, safety requirements, flexibility and adaptability of spaces, and other technical infrastructural arrangements. FMERA believes that the Applicant has taken all these factors into account in the design of the buildings. **Therefore, FMERA has no objections to the proposed architectural design of the studio campus. FMERA also recommends that the Applicant present pertinent graphic illustrations and renderings and provide appropriate testimony to the Borough's Planning Board regarding the architectural style of the proposed buildings.**

4.6 Any other aspect of the project that, in the opinion of the Authority is relevant to the successful redevelopment of the Fort Monmouth project area, including, but not limited to, the potential impacts of the proposed project on future redevelopment within the Fort Monmouth project area.

FMERA's Response:

a. The proposed project aligns with the goals and objectives of Plan Amendment #20.

b. The Applicant has proposed permeable pavers in the McAfee Center and FMERA Office parking lots. FMERA appreciates the implementation of such green infrastructure measures and believes they will help mitigate stormwater generation. FMERA also encourages expanding the use of permeable pavers to other parking areas wherever feasible.

c. The Applicant should note that pursuant to N.J.A.C. 19:31C-3.10(j)(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.

d. FMERA staff has reviewed the stormwater design and report and believes that the proposed stormwater management system design adequately addresses stormwater quantity, stormwater quality, groundwater recharge, and non-structural measures. The proposed redevelopment will also lead to a significant decrease in the overall stormwater runoff volume and reduction of TSS.

5. Staff Advisory Committee Review

5.1 Historical Preservation Advisory Committee (the "Historical Committee") review

The subject parcel is not located within the Fort Monmouth National Register Historic District ("Historic District"). Therefore, the MCR application is not required to be reviewed by the FMERA's Historical Preservation Staff Advisory Committee (the "Historical Committee") nor the project is subject to the Historic Preservation Design Guidelines (the "Historic Guidelines").

5.2 Environmental Staff Advisory Committee (ESAC) review

Please be advised that pursuant to N.J.A.C. 19:31C-3.20(c)(7) where the application involves open space to be preserved or sensitive environmental features identified in the natural resources inventory, the Authority shall request that the Environmental Staff Advisory Committee ("ESAC") review and comment on the application.

On June 24, 2024, the ESAC reviewed the MCR application. The review by the ESAC included a report provided by FMERA staff. The following environmental requirements were identified and discussed during the ESAC meeting:

1. A "Soil Erosion & Sediment Control Plan" shall be submitted to the Freehold Soil Conservation District (FSCD) for approval. Disturbance of site soils shall not commence until such time an approved Soil Erosion & Sediment Control Plan is secured from FSCD.
2. Netflix shall secure an "Authorization to Discharge 5G3 Construction Activity Stormwater General Permit" from the NJDEP for the redevelopment project.
3. Netflix shall secure an "Individual-Coastal Area Facilities Review Act (CAFRA) permit from the NJDEP for the redevelopment project.
4. Prior to removing any osprey nests located on the Mega Parcel or nests located within a 1,000-feet of the Mega Parcel, Netflix shall secure approval from the NJDEP to install an equal number of nesting platforms on properties located outside of the Fort. The new nesting platforms must be installed prior to the removal of any nests found on the Mega Parcel or within 1,000-feet of the Mega Parcel. In addition, Netflix shall install nest deflecting devices on all active FMERA owned utility poles (for pole designs that support osprey nesting activities) prior to the removal of any nests. Furthermore, FMERA recommends Netflix work with JCP&L to install nest deflecting devices on utility poles owned by JCP&L.

5. Subsequent to the property closing, Netflix will need to secure air permits from the NJDEP for the two boilers and the emergency generator located at Building 600 should they choose to continue operation of said equipment.

The ESAC offered no objection to the proposed development and impact to the subject parcel.

6. Conclusion

If following the completion of the MCR, the application is materially modified or revised, notice of such modifications or revisions shall be provided to the Authority, and the Authority, by written notice to the Planning Board and the Applicant, may require additional or supplemental conceptual review, if the Authority determines that such modifications or revisions materially and negatively alter the assumptions on which the conceptual review was based.

Please also note, per N.J.A.C. 19:31C-3.20(b)(4), that it shall be a condition of each final site plan granted by the Planning Board that the developer shall have entered into a redevelopment agreement with this Authority or EDA as designated redeveloper for the project unless the project is exempt from the requirement or a redevelopment agreement pursuant to N.J.A.C.19:31C-3.24(b). The Applicant executed a redeveloper's agreement with FMERA on January 13, 2023.

It shall also be noted that the MCR, once the MCR application is completed, does not in any way obviate or supersede site plan approval by the Oceanport or Eatontown Borough Planning Boards or where applicable, the Monmouth County Planning Board as stated within N.J.A.C. 19:31C-3.20(c)(8).

The Authority has completed the MCR based on the plans and documents submitted by the Applicant. The Applicant shall assume full responsibility to verify the site conditions, dimensions and details before commencing the work and assume full liability for any problems that may arise due to possible errors on these plans.

Thank you in advance and should you have any questions, please feel free to contact this office at 732-720-6350.

Sincerely,

MCR COMPLETED BY:

Upendra Sapkota, PP, AICP, LEED AP
Senior Officer - Planning & Development

MCR AUTHORIZED BY:

Kara Kopach
Executive Director