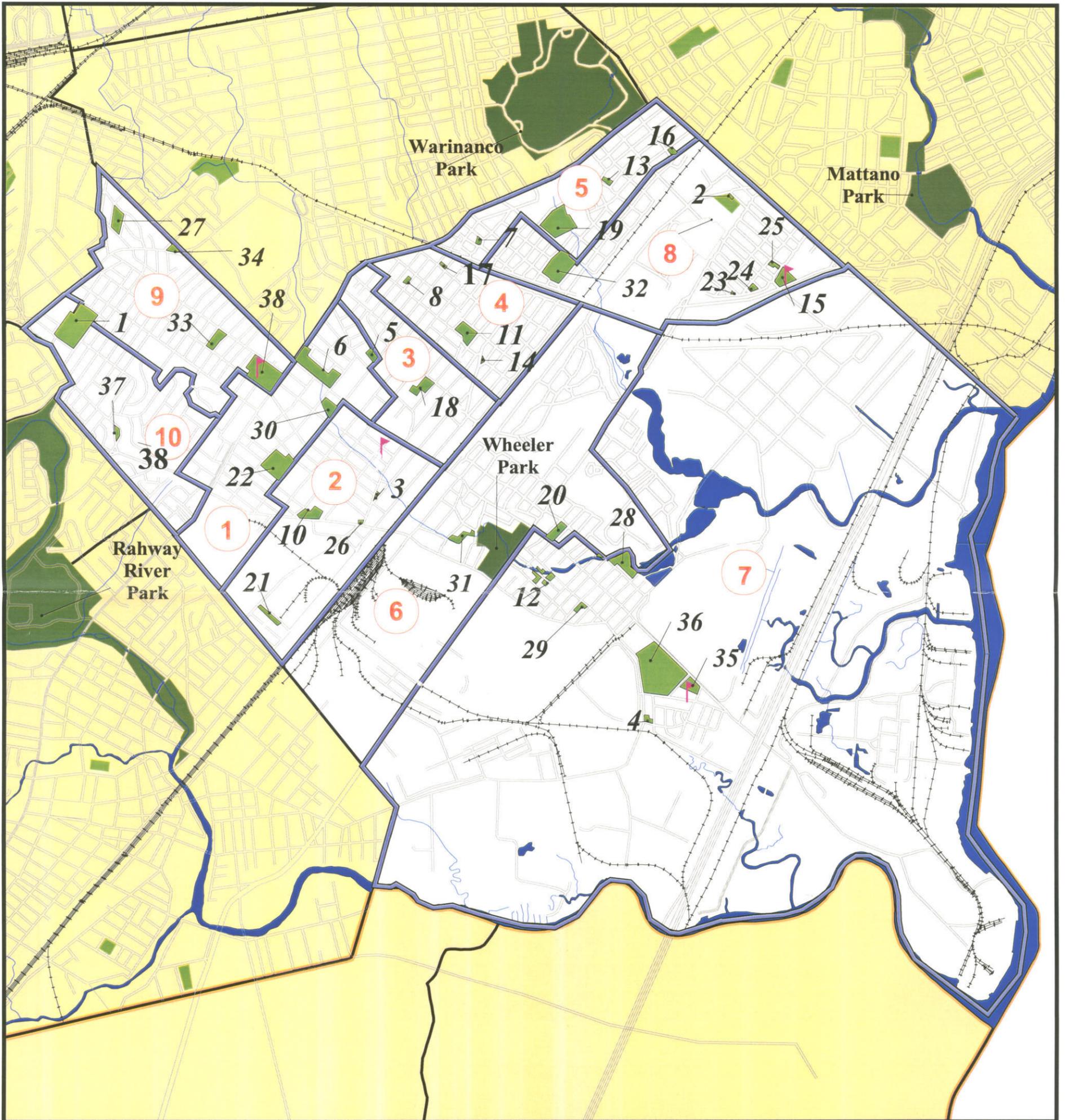
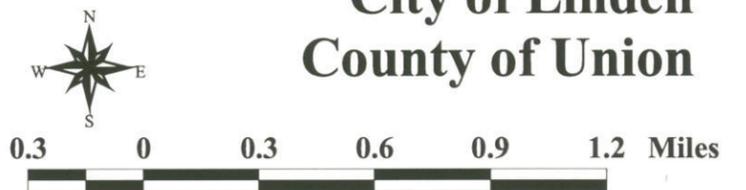


Exhibit 4



- Railroads
- Roadways
- Streams/Rivers
- Lakes/Water Bodies
- Municipal Boundary
- County Boundary
- Ward Boundary
- Ward
- Municipal Parks
- County Parks
- Recreation Center

Parks and Recreation City of Linden County of Union



Sources: Union County Master Plan
City of Linden Ward Map
City of Linden Parks and Recreation Dept.



ENVIRONMENT AND NATURAL RESOURCES

Linden's location along the banks of the Arthur Kill and Rahway River had a direct impact on the early development of the City. Today, State and Federal environmental regulations enacted over the past several decades influence City planning and development decisions. This section summarizes the City's key environmental features and conditions including physiography and geology, topographic conditions, flood plains and wetlands, brownfields, and contaminated lands.

Physiography and Geology

The City of Linden is located in the physiographic division called the Piedmont but more widely known as the Triassic Lowland. This is a gently rolling southeastward sloping lowland with most elevations at about 200 to 400 feet above sea level. Higher elevations, lying up to almost 900 feet above sea level, are composed of very hard rock of volcanic origin. Prominent landscape features include the Watchung Ridges of the north central part of the Piedmont and the Palisades, facing Manhattan Island. The Raritan, Passaic, and Hackensack rivers drain the Piedmont. The upper Passaic watershed, located between the Highlands and the Watchungs, harbored a large glacial lake (Lake Passaic), which resulted in subsequent poor drainage. A number of swamps still exist in the area, including the Great Swamp National Wildlife Refuge. The Piedmont occupies one fifth of the state, about 1,500 square miles.

Topography and Water Features

The City of Linden gently slopes from approximately 90 feet above sea on North Wood Avenue at Drapkin Avenue to sea level at the city's eastern boundary along the Arthur Kill. Higher areas of the city to the north and west are dominated by residential and commercial land uses. Marsh, wetlands, and floodplains characterize low-lying areas to the east. This area was initially developed for heavy industrial use, which continues to this day. Two major rivers dominate the geographic landscape of Linden. The Arthur Kill, forming the eastern boundary of the City, separates New York from New Jersey. The Rahway River, forming the southern boundary of the city, separates Union County from Middlesex County. A number of small tributaries of both the rivers traverse the city

forming the city's eastern floodplain. These tributaries include Marshes Creek, Piles Creek, Morses Creek, Peach Orchard Brook and King's Creek.

Soils

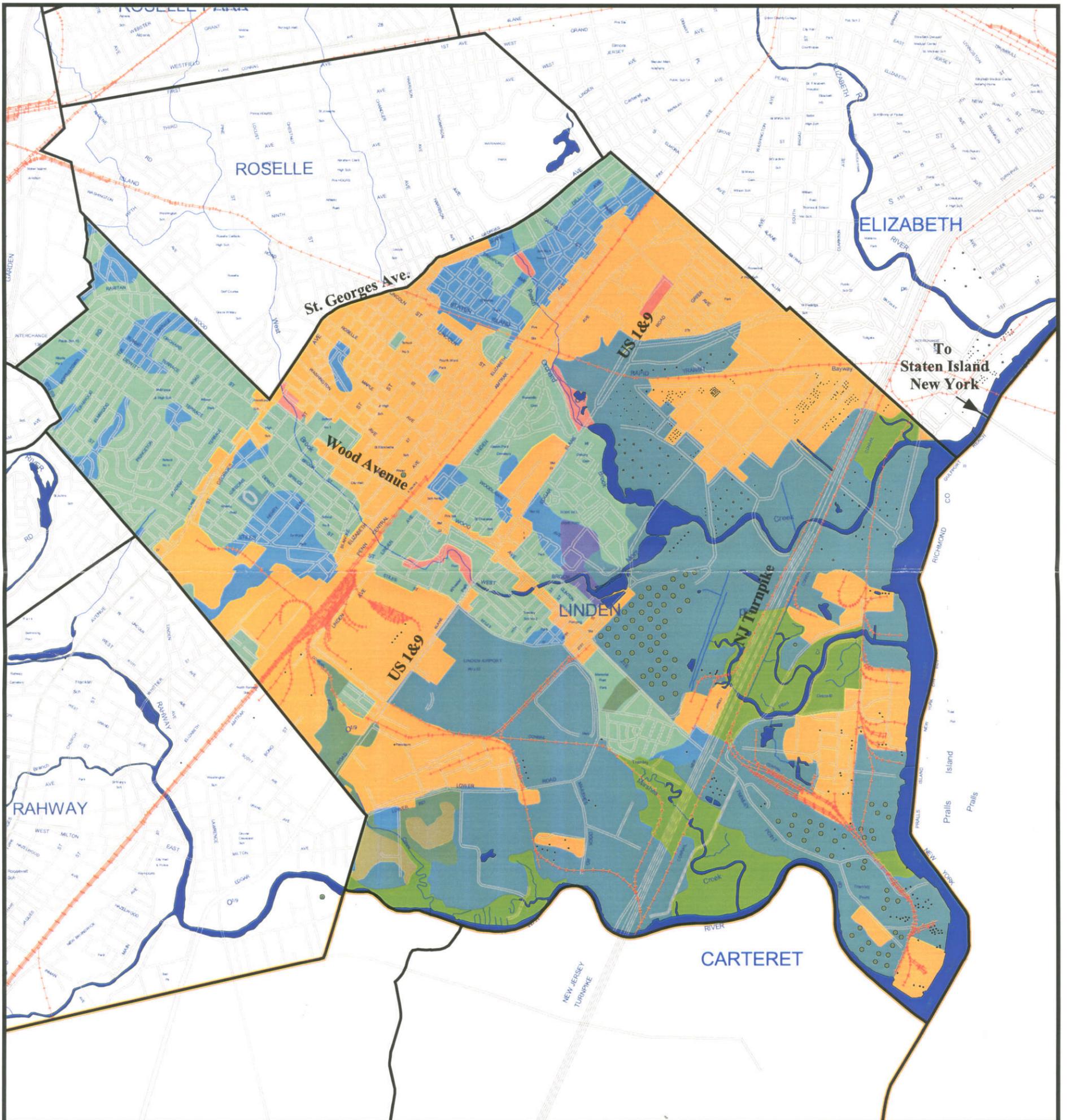
The New Jersey Department of Environmental Protection has delineated soil types for all of Union County. Table 6 lists the twelve (12) types of soil found within the City of Linden including:

Table 6		
Symbol	Soil	Description
BoB	Boonton loam	3 to 8% slope
BUB	Boonton-urban land	Haledon association, gently sloping
HaB	Haledon silt loam	3 to 8% slope
HUB	Haledon-urban land	Hasbrouck complex, gently sloping
Hv	Hasbrouck silt loam	0-3% slope
PM	Parsippany-urban land complex	Near level
SU	Sulfihemists and sulfaquents	Frequently flooded
UG	Udorthents loamy	
UH	Udorthents, organic substratum	
UK	Udorthents, waste substratum	
UL	Urban land	
W	Water	Water

Source: NJDEP

Table 6 corresponds with the Soils Map presented in this report as Exhibit 5. The most common series of soils found in the City are Urban Land, Udorthents, loamy and Udorthents, organic substratum. Urban lands, as the name implies, is found mostly in the developed western areas of the city. Sulfihemists and sulfaquents soil types are typical of wetlands and flood prone areas. These soils are found along the riverfronts and are the most restrictive areas of development due to wetland and floodplain regulations.

Exhibit 5



- Railroads
- Roadways
- Streams/Rivers
- Lakes
- Tank Storage
- Municipal Boundary
- County Boundary

- Soil Types**
- Aquentis
 - Boonton
 - Haledon
 - Hasbrock
 - Humaepts
 - Parsippany
 - Sulphemists
 - Udorthents
 - Unknown
 - Urban Land
 - Water



0.5 0 0.5 1 Miles

Soil Types City of Linden County of Union

"This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized."

Floodplains & Wetlands

The Federal Emergency Management Agency has delineated flood-prone areas in Linden. Flood boundaries have been determined from profiles based on high water marks and regional stage-frequency relations. Approximate boundaries of flood prone areas shown on the map average about 1 chance in 100 that the designated area will be inundated in any year. The purpose of the flood-plain area map is to show public and private land use decision-makers those areas that are subject to flooding.

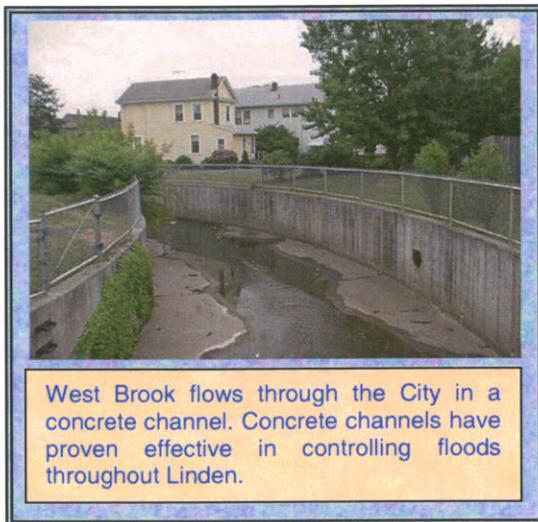


Exhibit 6 is a map showing the delineated wetlands and flood prone areas. The New Jersey Department of Environmental Protection has identified freshwater wetlands for the entire state. The identification was done using both aerial photographic interpretation and field checking and verification from quarter-quad base maps (1:12000). The wetlands mapping identifies freshwater wetland areas greater than one (1) acre in area and all linear freshwater wetland

features greater than 10 feet in width. A classification code developed by the NJDEP is used to evaluate the significance of wetland features.

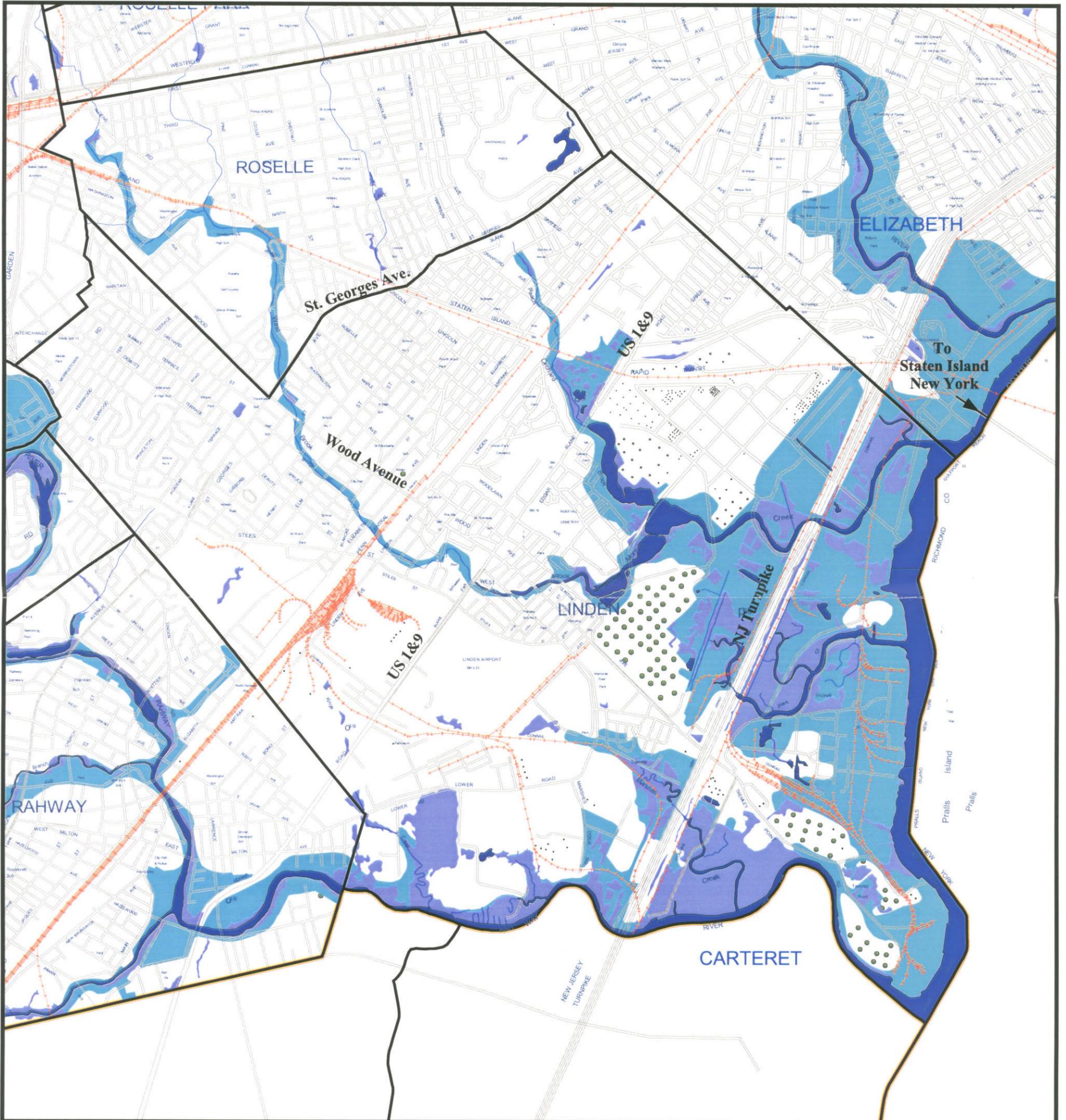
Looking at the City of Linden's Wetlands and Flood-prone Map, it is quite obvious that most of the area east of the New Jersey Turnpike is either within the 100-year floodplain or a wetland. Flood-prone areas exist mostly along the tributaries of Peach Orchard Brook and Morses Creek as well as along the Arthur Kill and the Rahway River.

Regulations pertaining to wetlands and floodplains can impact industrial redevelopment efforts.

Contaminated Sites

The New Jersey Department of Environmental Protection provides a list of contaminated sites throughout the State of New Jersey. A pollutant either on site or from an unknown source contaminates the sites. The contaminated site map shows the location of these sites in Linden. Sites with the most serious contamination problems relating to human health and safety located closest to residential areas should receive priority for remediation. Sixty (60) active sites with on-site sources of contamination have been identified by the NJDEP. The term “active” means that the site is assigned to a remedial program. Two (2) additional sites have unknown contamination sources and four (4) sites have been closed with engineering and/or institutional controls. Each site has a designated name and a 12-digit alpha/numeric designation beginning with “NJ” that is a unique site identifier. If a valid United States Environmental Protection Agency number has been assigned to the site from a federally mandated program such as the Comprehensive Environmental Response Compensation and Liability Act (CERCLA or Superfund) or the Resource Conservation and Recovery Act (RCRA) Program, it is used as the identification number. For each site, a remedial program contact has been designated according to the case assignment process of the Site Remediation Program. A list of sites in Linden can be found on the NJDEP web page. The location of identified contaminated sites is shown in Exhibit 7.

Exhibit 6



Wetlands and Floodprone Areas City of Linden County of Union

- Roadways
- Railroads
- Lakes
- Streams/Rivers
- Wetlands
- Flood Prone (100 Year Floodplain)
- Tank Storage
- Municipal Boundary
- County Boundary

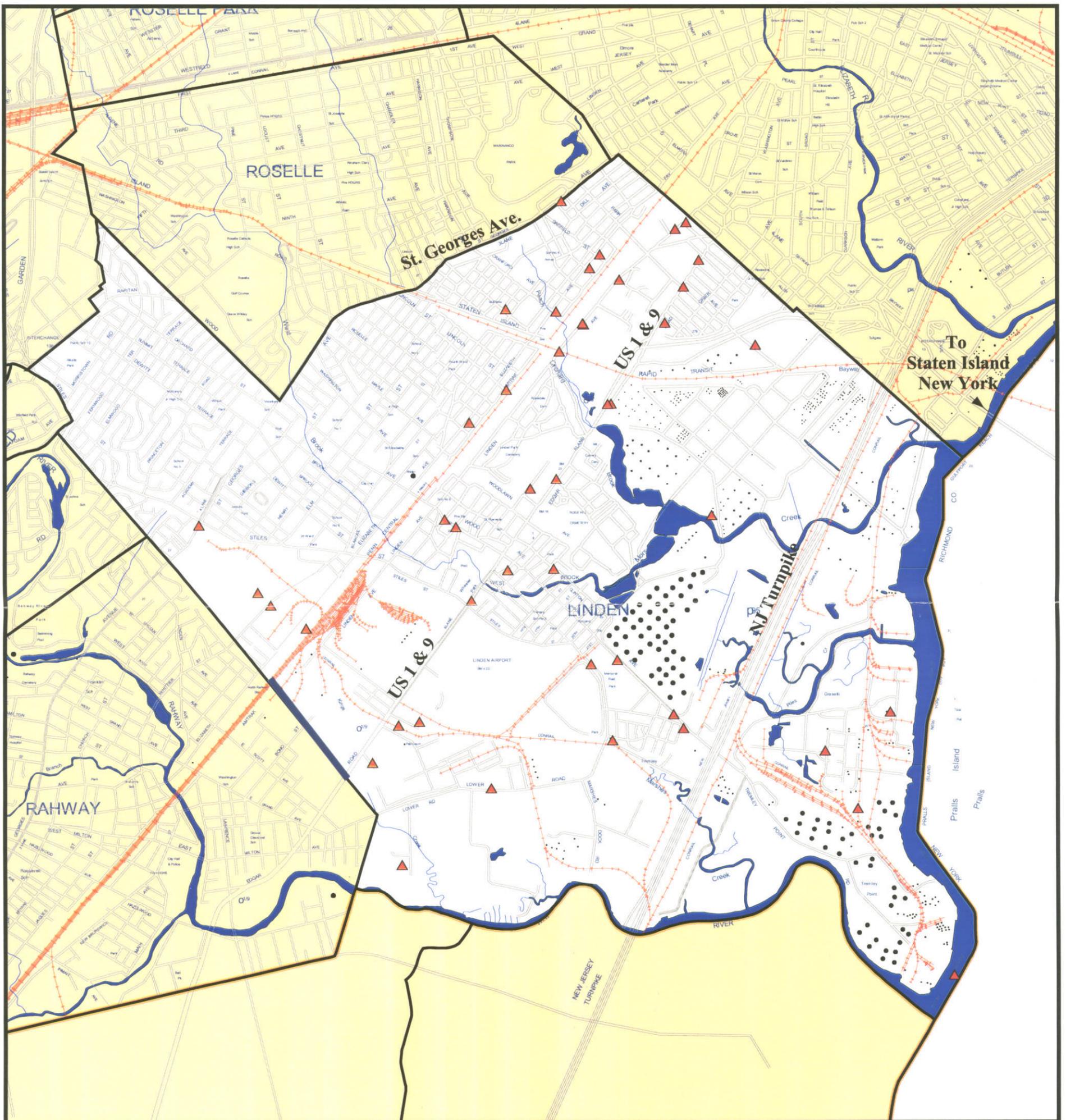


0.5 0 0.5 1 Miles

"This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized."



Exhibit 7



Known Contaminated Sites (1995)

City of Linden
County of Union

-  Contaminated Sites
-  Railroads
-  Roadways
-  Streams/Rivers
-  Lakes
-  Tank Storage
-  Municipal Boundary
-  County Boundary



0.3 0 0.3 0.6 0.9 1.2 Miles

*This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-subsidized.

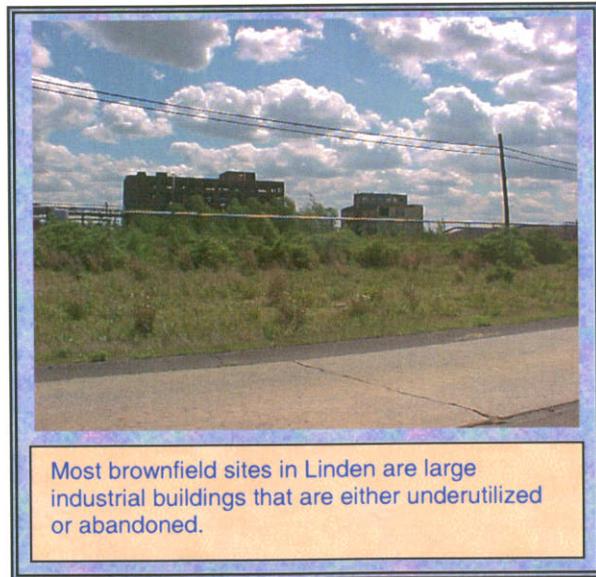


Brownfields

Brownfields are any former or current commercial or industrial sites that are currently vacant or underutilized and on which there has been, or there is suspected to have been a discharge of contamination. In 1998, the New Jersey Department of Environmental Protection’s Site Remediation Program (SRP) produced the first draft brownfield sites inventory for the entire state. This inventory was updated again in December 2000. Union County contains over ninety (90) brownfield sites, twelve (12) of which are in Linden. The Linden site inventory includes:

Table 7		
Reference ID	Site	Location
LN01	Flicker Vacuum Manufacturing Inc.	500 Commerce Rd
LN02	Cooper Electric Supply Company	1080 Edward St.
LN03	Barre Company	201 Park Ave.
LN04	E.I. Dupont De Nemours & Comp.	S. Wood Ave.
LN05	MAACO Autobody	415 Roselle St.
LN06	1000 Clinton Street	1000 Clinton St.
LN07*	GAF Corp.	S.Wood Ave.
LN08	Merck & Comp. Inc. Landfill	Range Rd.
LN09	Patwin Plastics	2300 E. Linden Ave.
LN10	Kippys Auto Service	700 E. St. Georges Ave.
LN11	Cytec Industries	3301A Tremley Point Road
LN12	Liquid Carbonic Specialty Gas Corp.	1101 E. Linden Ave.

* USEPA Superfund Site

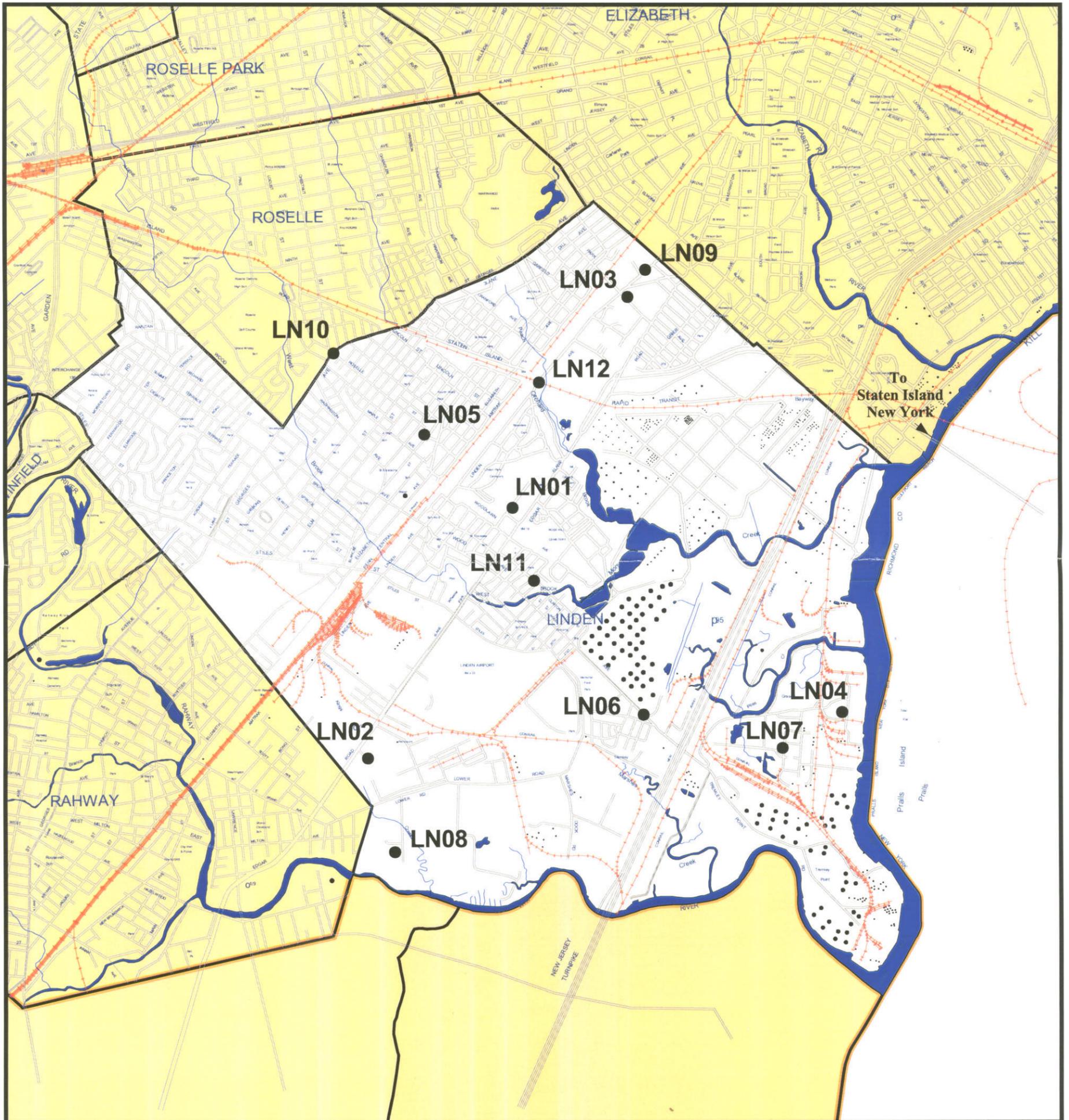


The accompanying Brownfields Map (Exhibit 8) shows the location of the above referenced sites by the Reference ID. With the passage of the new State Brownfield Act, a developer can enter a Redevelopment Agreement with the State that provides up to 75 percent reimbursement of remedial costs. The state may use projected tax revenues from future operations at the redeveloped site to pay a portion of remedial costs. Private developers must operate under NJDEP oversight at a brownfield site and receive a No Further Action determination after all remedial work is completed to allow the Redevelopment Agreement to be enacted.

Other Text and Data Sources for Part I:

New Jersey Municipal Almanac 2000
New Jersey & National Registers of Historic Places
Union County New Jersey Master Plan
Master Plan for the City of Linden, 1976
Master Plan for the City of Linden update, 1980
Master Plan for the City of Linden, 1990
Linden Airport Master Plan update, 1992
Linden Public Library
New Jersey Municipal Almanac

Exhibit 8



- NJDEP Brownfields
- Tank Storage
- Railroads
- Roadways
- Streams/Rivers
- Lakes
- ▭ Municipal Boundary
- ▭ County Boundary



NJDEP Brownfield Sites

City of Linden
County of Union



*This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.



PART II: MASTER PLAN ELEMENTS

The New Jersey Municipal Land Use Law (NJSA 40:55D-28 as amended) is designed to guide development in a manner which will promote and protect the health, safety, and general welfare of present and future residents of Linden.

The Linden master plan is based upon principles, objectives, assumptions, policies, and standards that have been developed over a period of time by the City. The master plan proposals for the physical, economic, and social development of Linden are based upon the following planning and development guidelines.

A Principle is a goal or end product. Principles are general statements of a future position. Objectives are specific actions to achieve principles. Each evolves from a study of factors, conditions, changes, and public input regarding the City's future.

Principles

In order to balance the need for new development and continued growth in Linden with the need to preserve desirable neighborhood features, this master plan is based on the following principles:

- Provide for the reasonable economic and most aesthetically pleasing use of land possible.
- Maintain and enhance the City's position as a center of commerce and employment.
- Provide housing opportunities to meet the needs of varied age and income groups and particularly for semi-retired elderly and young adults.
- Maintain a coordinated system of transportation facilities that meet the needs of people and businesses.
- Maintain adequate facilities and services to meet the needs of residents and business communities.

- Maintain and enhance the City's traditional community form characterized by its residential neighborhoods, central business district, pedestrian scale, and railroad orientation.
- Maintain and preserve existing single-family neighborhoods.
- Restrict multi-family use to defined areas.
- Limit the scale of residential development to preserve the integrity and continuity of existing neighborhoods.
- Coordinate future development with existing infrastructure and the need to maintain satisfactory levels of municipal services.
- Encourage development and redevelopment of the City's economic base.
- Identify and conserve environmentally significant features.
- Identify and conserve existing historic sites.
- Encourage infill development and redevelopment compatible in scale and type with the surrounding built environment and development patterns.

Objectives

- Ensure that new residential construction will be visually and functionally compatible with existing structures and facilities. Housing design should be harmonious with the existing scale of development in the neighborhood.
- Maintain residential densities that are protective of existing character.
- Continue efforts, programs, and funding to preserve and rehabilitate existing housing.
- Preserve and enhance residential character of existing neighborhoods.
- Maintain housing inspection programs.
- Actively monitor housing conversions and alterations.

- Encourage rehabilitation of existing structures, both residential and other vacant structures, for housing.
- Discourage further high-rise residential development that conflicts with the scale, character, and development capacity of existing residential neighborhoods.
- Encourage diversification in commercial areas in order to enhance the overall livability of the areas.
- Improve the City's visual environment and image by restricting or eliminating eyesores such as, but not limited to, storage containers or trailers in retail commercial areas.
- Continue support of the city's CBD (Central Business District) through parking facility expansion, added pedestrian amenities, and enforcement of codes.
- Maintain the relatively compact CBD along Wood Avenue.
- Encourage office and service development within the CBD.
- Encourage diversification of industry.
- Encourage the reutilization of brownfields to promote economic development and employment opportunities.
- Preserve and enhance the City's industrial and commercial economic base.
- Participate in State and Federal programs that support the development and redevelopment of industrial areas; or that improves the City's infrastructure; or that improves the City's quality of life with new, expanded or rehabilitated community facilities, parks, and public open space.
- Provide for mixed-use development and redevelopment that can successfully integrate compatible light industrial and merchandising uses or that can integrate compatible residential and nonresidential uses.

- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents.
- Secure safety from fire, flood, panic, and other man-made or natural disasters.
- Promote a desirable visual environment.
- Preserve historic sites and structures.
- Prevent the degradation of the environment through the improper use of land.
- Provide sufficient space, in appropriate locations, for commercial, residential, industrial, recreation, and open space uses.
- Promote the recovery of recyclable material from the municipal solid wastes streams and encourage the conservation of energy.
- Encourage development which contributes to the enhancement and improvement of the community.
- Maintain and attract beneficial commercial and industrial uses.
- Establish appropriate population densities and control the intensity of development to ensure neighborhood, community, and regional well being and protection of the environment.
- Encourage the appropriate and efficient expenditure of public funds by coordinating public and private development within a framework of land use and development policies and principles.
- Establish new and upgrade existing municipal recreation facilities.
- Encourage location and design of transportation and circulation routes which will permit the free flow of traffic in appropriate locations while discouraging roadways in areas which will result in congestion, blight, or depreciated property values.

Assumptions

The Linden master plan is based upon these assumptions:

- There will be continued economic development in the New York/Newark metropolitan area that will create opportunities for future regional growth and development. This expansion will manifest itself in Linden through moderate population growth and opportunities to expand the City's economic base by virtue of its favorable access in a developing region.
- Future economic growth in the State and region will be in the service, finance, and retail sectors of the economy and will include public efforts and programs to provide the necessary infrastructure to support growth, including public efforts to redevelop the region's brownfields for productive uses.
- There will be no catastrophic disruption of existing man-made or natural features within the City and no Federal or State mandates or programs that would significantly alter the City's master plan approach.

Policies

The Linden master plan is based upon the following policies:

- Enhancement of the central business district and industrial areas to strengthen their commercial attraction and expand the choice of beneficial goods, services, and employment opportunities available within the City.
- Maintenance of the livability and value of residential neighborhoods.
- Provisions for a variety of residential and non-residential uses that will improve the quality of life for the City's residents.

Standards

Standards for the development of the City of Linden are presented in the Master Plan Elements.

LAND USE ELEMENT

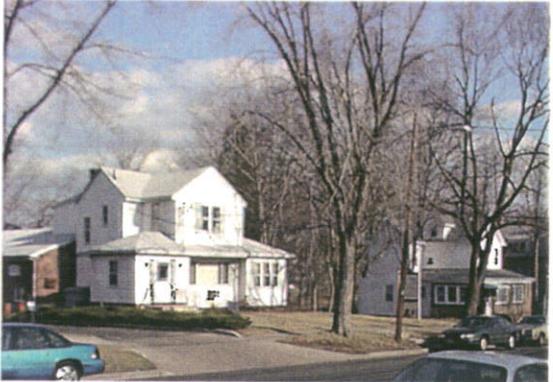
The land use plan element guides the extent and intensity of development within the City of Linden. The land use recommendations are coordinated with the other master plan elements, the basic planning studies and the statement of principles, objectives and assumptions.

As an older and developed suburb, land development patterns in the City of Linden are very well established. The land use element recognizes the City's historic development patterns, existing land uses, and the need to encourage beneficial future development or redevelopment compatible with providing a good quality living environment to City residents. Land use in Linden is generally consistent with existing zoning. The zone districts provided for in the Linden Land Development Ordinance are shown in Table 8 and the land use plan is presented in Exhibit 9. Examples of the type of land uses found within the City and corresponding zoning is shown in the following pictorial display:

EXAMPLES OF VARIOUS TYPES OF LAND USE IN LINDEN
RESIDENTIAL LAND USES

<p>LOW DENSITY-RESIDENTIAL Single Family Residential Housing</p> <p><u>Corresponding Zone Districts</u> R1A, R1B</p>	
<p>MEDIUM DENSITY-RESIDENTIAL Neighborhoods Consisting of Single Family Residential Housing and Two Family Residential Housing</p> <p><u>Corresponding Zone Districts</u> R2A, R2B</p>	
<p>HIGH DENSITY-RESIDENTIAL Residential Multi Family Apartments</p> <p><u>Corresponding Zone Districts</u> R-3, PRO</p>	

**EXAMPLES OF VARIOUS TYPES OF LAND USE IN LINDEN
COMMERCIAL LAND USES**

<p>OFFICE PROFESSIONAL TRANSITION <u>Corresponding Zone Districts</u> OPT</p>	
<p>RESIDENTIAL OFFICE COMMERCIAL <u>Corresponding Zone Districts</u> ROC</p>	
<p>LIMITED COMMERCIAL Limited Retail and Specialized Manufacturing <u>Corresponding Zone Districts</u> CL</p>	

EXAMPLES OF VARIOUS TYPES OF LAND USE IN LINDEN
COMMERCIAL LAND USES

<p>CENTRAL BUSINESS DISTRICT Wood Avenue Business Area <u>Corresponding Zone Districts</u> C-1</p>	
<p>NEIGHBORHOOD COMMERCIAL Providing neighborhood retail, professional and specialty services & HIGHWAY COMMERCIAL Providing regional goods and services <u>Corresponding Zone Districts</u> C-1a, C-2</p>	
<p>ECONOMIC DEVELOPMENT DISTRICT <u>Corresponding Zone Districts</u> EDD, RD</p>	

EXAMPLES OF VARIOUS TYPES OF LAND USE IN LINDEN
INDUSTRIAL LAND USES

LIGHT INDUSTRIAL

Corresponding Zone Districts

LI, LI-A



HEAVY INDUSTRIAL

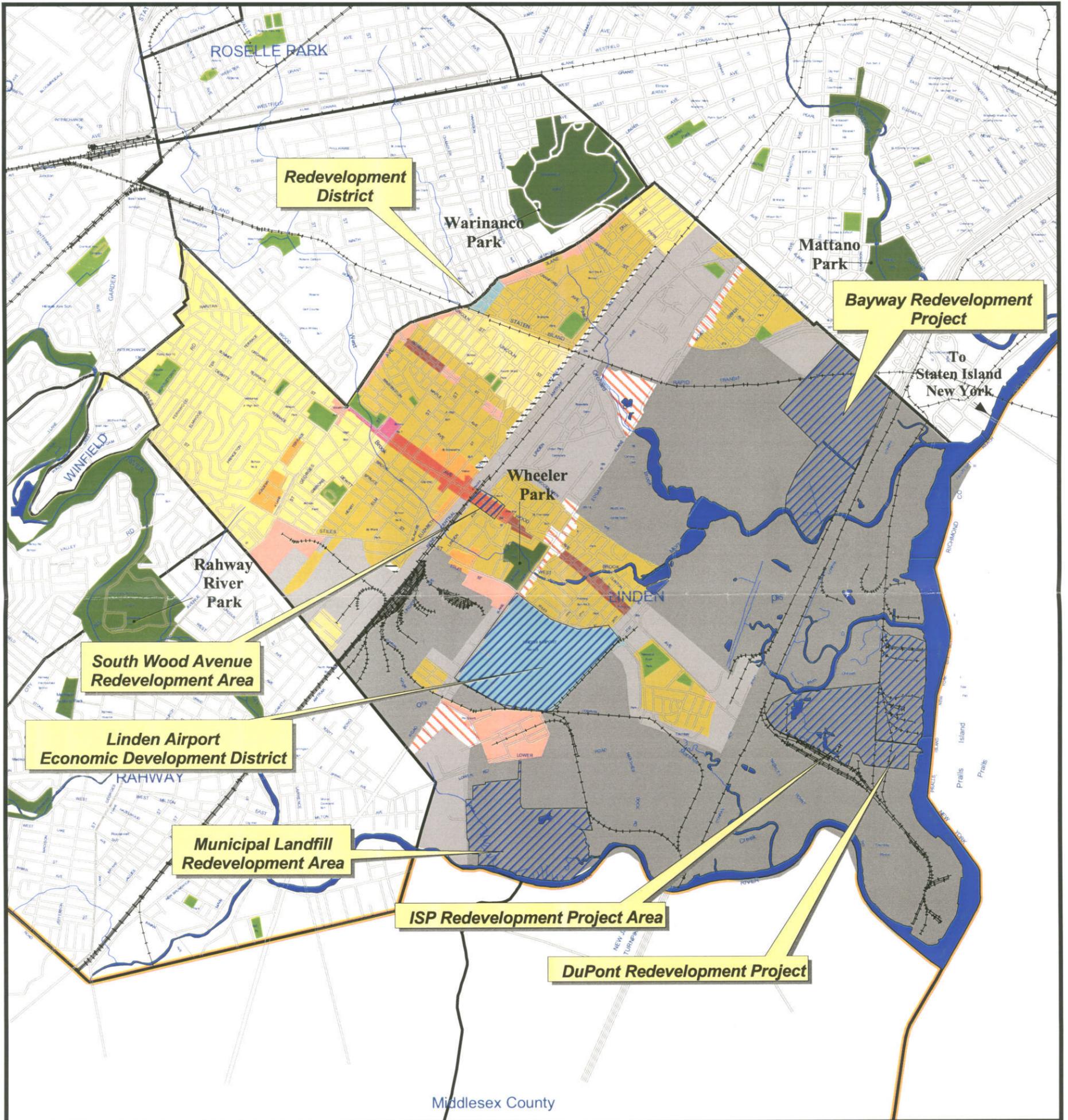
Corresponding Zone Districts

HI



Table 8	
Zone District	Use
R1a	Single Family
R1b	Single Family
R2a	Two Family
R2b	Two Family
R3	Apartment (includes condos but not townhouses / multi-family)
OPT	Office, professional, transitional
ROC	Residential, office, commercial
C-L	Limited Retail / Specialized Manufacturing
C1	Central Business
C1a	General Commercial
C2 (40)	Residential/Retail commercial
C2 (60)	Retail Commercial
C2 (100)	Retail Commercial
ED	Economic Development
EDD	Light Industrial with Planned Residential option
LI	Light Industrial
LI-A	Light Industrial
LI-B	Light Industrial
HI	Heavy Industrial
POC	Planned Office and Commercial Park

Exhibit 9



- Railroads
- Roadways
- Streams/Rivers
- Lakes
- Municipal Park
- County Park
- Redevelopment Area
- Municipal Boundary
- County Boundary

- Land Use Categories**
- Central Business District
 - Neighborhood Commercial
 - Highway Commercial
 - Limited Commercial
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Residential Office Commercial
 - Office Professional Transition
 - Heavy Industrial
 - Light Industrial
 - Economic Development

Land Use Plan City of Linden County of Union



*This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.



Residential Land Use

The land use element provides for three (3) categories of residential development based on density including low-density residential, medium density residential and high density residential. Low-density residential areas are comprised of single family homes found in both the R-1a zone (5,000 S.F. minimum lot size) and R-1b (4,000 S.F. minimum lot size) zone districts. Medium density residential areas provide for single family or two-family homes. This type of development is located in the R-2a (5,000 S.F. minimum lot size), R-2b (4,000 S.F. minimum lot size) zone districts. The highest density residential zone contains low-rise (3 stories or less) apartments that are permitted in the R-3 zone district. The maximum density for a two (2) story apartment building in the R-3 zone is eighteen units per acre. For a three (3) story apartment building, the maximum is 27 units per acre.

A planned residential development option (PRO) district was incorporated into the zoning ordinance resulting from recommendations made in 1990 Comprehensive Master Plan. The PRO district permits single-family, attached, and townhouse development at a medium density similar to the standards of the R-2b or R-3 zones as a conditional use. The area interfaces with other residential districts and possessed the size and natural conditions (existing woodlands) for redevelopment to residential use. This use has not materialized and the area remains partially developed for light industrial uses.

Recommendation: The city should study other possible development scenarios for the PRO zone district including affordable senior housing.

Because of the limited amount of developable land for housing, most new housing stock in the City results from infill developments within established residential neighborhoods. The City is experiencing the resubdivision of lots and tear downs of existing single family dwellings. In their place, higher density two family dwellings are being built. The size and scale of these infill units is creating conflicts with the existing neighborhood patterns. Two-family houses



Newly constructed two-family homes are replacing single family homes

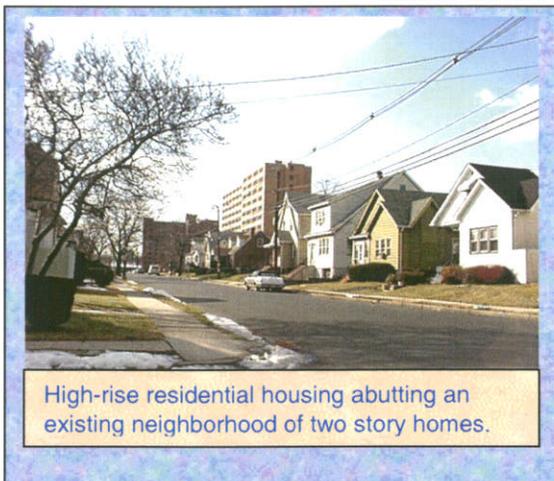
are being constructed in neighborhoods that have been traditionally single-family. The reasoning behind allowing increased densification of neighborhoods was that this would make redevelopment an attractive option in neighborhoods that were no longer desirable. However, increases in housing density are creating on street parking shortages and in some parts of the city are changing the single-family character of stable neighborhoods. Many of the newer houses are much larger than existing dwellings, which breaks up the harmonious appearance of the street. Other concerns include the unlawful conversion of new two-family buildings into three family residences and tear downs of sound single family dwellings.

Table 9 shows the type of housing being constructed in the city between 1997-2000. In recent years, the construction of new two family housing units outnumbers construction of new single family homes.

Table 9				
Private Owned Residential Building Permits. 1997-2000				
Housing Type	1997	1998	1999	2000
Single Family	6	5	5	6
Two Family	8	21	13	20
Three & Four Family	0	0	0	0
Five or More Family	1	0	1	1
Total	15	26	19	27

*US Census Bureau

Two-family dwellings have become more common as infill residential construction in Linden neighborhoods. As a result, changes are needed to the City land development



regulations to ensure that two family infill development does not negatively impact low density and medium density residential neighborhoods.

High-rise, high density residential buildings pose similar problems on lower density neighborhoods. The structures can conflict with the surrounding neighborhood, and

block or change views, and cast long shadows. High-rise housing can exacerbate problems such as parking and place stress on the public infrastructure. Presently, high rise residential structures are not permitted in any zone district. High rise residential buildings, however, have been constructed by the Linden Housing Authority (Peach Orchard Towers and Murawski Towers). A mixed use commercial/residential high rise has been constructed on Wood Avenue and Elizabeth Avenue. The South Wood Avenue Redevelopment Plan proposes four story mixed uses residential/commercial buildings in the Linden Railroad Station area. The R-3 zone district allows for apartments with a height limitation of three stories.

Recommendations:

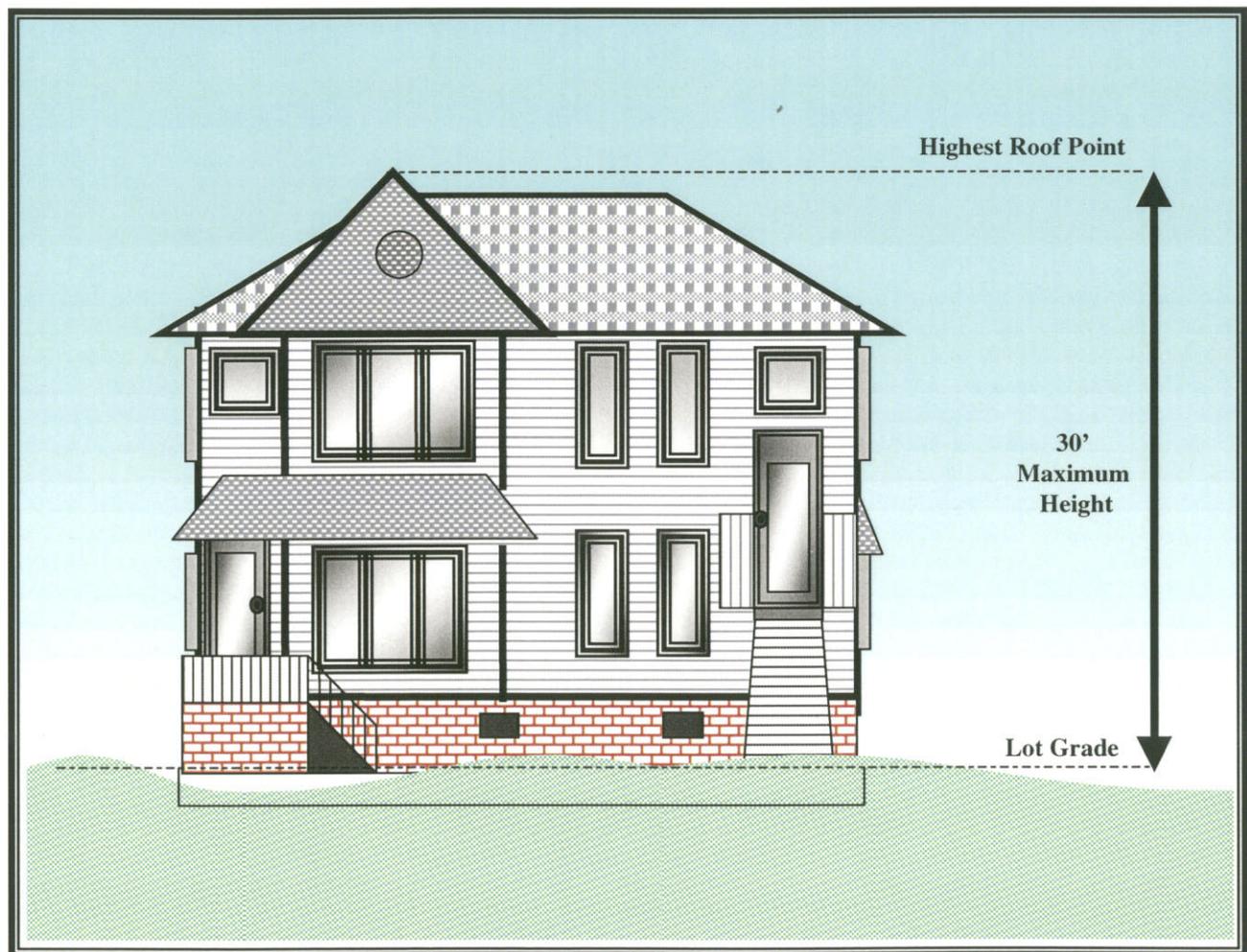
- A maximum impervious coverage requirement should be established in each zone district to control lot coverage by all structures including buildings, driveways, parking areas, patios, and other structures.
- The zoning regulations should specifically limit the height of single family and two family structures to two and one half stories and thirty feet. Where the maximum height is specified by number of stories and by feet, buildings shall comply with both of these height limits. Height should be defined as the vertical distance measured from the original lot grade or any revised lot grade to the highest point of the roofline. Such revised lot grade shall not include mounding, terracing or other devices to increase building height. (See Exhibit 10). Basements are to be located more than 75% below the original lot grade or revised lot grade. Any basement more than 75% above the original lot grade or revised lot grade should be considered the first story of the housing unit for the purpose of measuring height.
- Any attached garage within the structure should be considered the first story and the garage level should be elevated at least one foot above the curb line.

- In the R-2a and R-2b zones, future two family units should be required to be constructed on larger lots with wider frontages. The minimum lot size for a single family dwelling in R-2a is presently 5,000 square feet; in R-2b, the minimum is presently 4,000 square feet. Two family dwellings should only be permitted in those zones on lots with a minimum frontage of 60'; a minimum lot area of 6,000 square feet; and a combined side yard of at least 20', with no side yard being less than five (5) feet.
- Residential parking standards for attached single family dwelling units should be revised to reflect State Residential Site Improvement Standard (RSIS).
- The City should initiate an aggressive program to identify illegal apartments in residential areas. Illegal conversions of attic space and basement space into additional residential units exacerbates on-street parking problems, leads to overcrowded living conditions that adversely affect neighborhoods, and shifts the property tax burden onto lawful units and property owners.
- Continue to restrict new residential high-rise construction except for those that provide for senior housing needs and are located in the vicinity of existing senior housing developments along Dill Avenue.

Exhibit 10

ILLUSTRATION OF HEIGHT LIMITATIONS

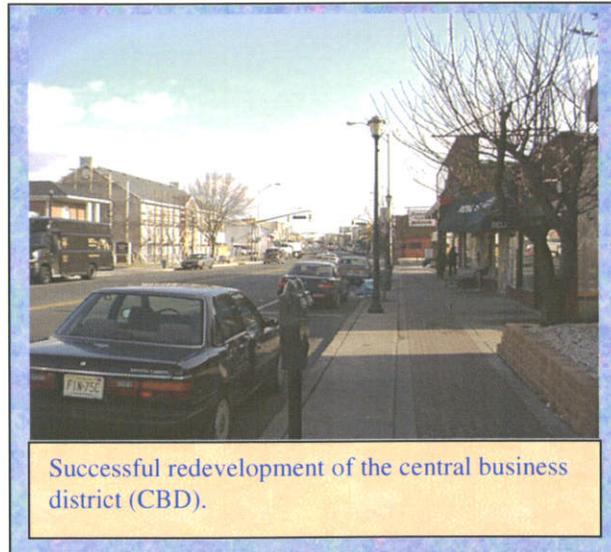
Single-Family and Two-Family Dwellings



Commercial Land Use

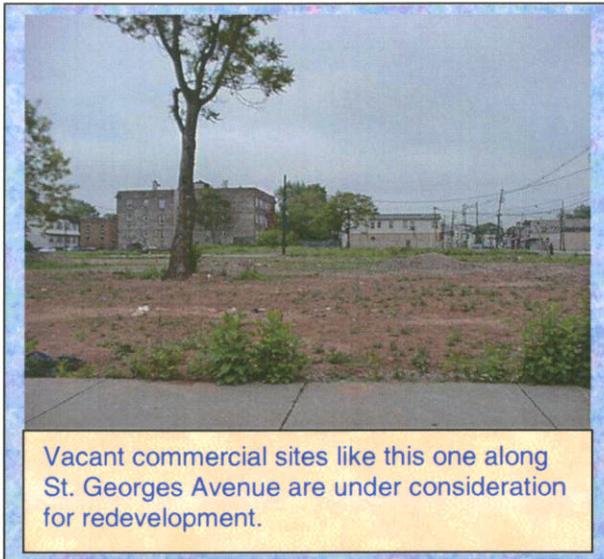
Exhibit 9 displays seven (7) land use categories that have been defined for commercial, retail and service uses. These include the central business district (CBD), neighborhood commercial, highway commercial, limited commercial, residential office commercial, office professional transition and economic development areas that incorporate the Economic Development District (Linden Airport) as well as the Redevelopment District along St. Georges Road. Commercial land use categories generally coincide with the current zone districts and the standards contained therein. Neighborhood commercial areas and highway commercial areas are similarly zoned as both C-1a and C-2. However, the intent of the neighborhood commercial development is to provide retail, professional and specialty services to the local population while highway commercial areas are intended to support goods and services to a larger, regional population. The highway commercial area is concentrated along Route 1 while neighborhood commercial areas are located throughout the city providing convenient access to the residential population. Other commercial uses in the City include office professional transition and residential office commercial areas that offer a unique mix of retail, residential uses and professional services. These uses remain similar to those described in the 1990 Comprehensive Master Plan.

Since that time, redevelopment initiatives have resulted in the revitalization of Linden's downtown. The CBD is identified in the zone plan as the C-1 district. This area remains the commercial hub and focal point of the community extending along Wood Avenue from Curtis Street to Munsell Avenue. New businesses, refurbished store fronts, roadway and street improvements have resulted in a



cohesive and traditional downtown setting. Until recently, the central business district redevelopment effort has been limited to north of the train station. However, the area south of the station has also been studied and qualifies as redevelopment area in

accordance with New Jersey's Redevelopment and Housing Law, 40A:12A-1. City officials have adopted the South Wood Avenue Redevelopment Project Plan and a developer has been selected to begin work on the project.



Linden has been successful in its commercial revitalization efforts elsewhere in the city. Stemming from recommendations made by the 1990 Comprehensive Master Plan, an Economic Development District was incorporated into the zoning ordinance. The E.D.D. district encompasses the City of Linden Airport and small contiguous lots adjacent to the airport. The Governing Body acting as the redevelopment agency establishes the

use, development and other regulations for this zone district. A Redevelopment Plan for the Airport area was adopted in July 1994 and was subsequently amended in August 1996 and March 1998. In brief, the study recommends the area provide for an overall master plan of development which would include office, regional commercial, convention center, as well as manufacturing and warehousing uses. This location represents the single largest tract of land available for development in the City. Zoning regulations are designed to encourage maximum employment opportunity and to expand the municipal ratable base. This effort has resulted in the Aviation Plaza commercial development that is currently under construction.

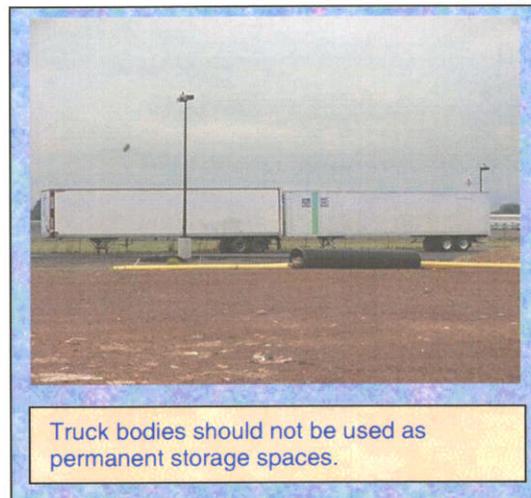
Linden has continued its commitment to revitalization by creating a redevelopment district (RD) located on St. Georges Avenue between East Baltimore Avenue and Chandler Avenue. The city has acquired and cleared property between Charles Street and Chandler Avenue for the purpose of redevelopment. A recent site plan and subdivision approval for this location proposes to construct a retail auto parts store, a restaurant and a police substation, thus improving almost half of the entire district area. The Redevelopment District permits such uses as retail establishments, personal and business service establishments, offices, restaurants, churches, and public uses. Efforts

to pursue redevelopment for properties between Charles Street and East Baltimore Avenue should continue.

Recommendation: Promote further commercial redevelopment by identifying other locations along the St. Georges Avenue corridor for inclusion in the RD zone district.

Storage Trailers

One area of concern regarding permitted uses in the commercial districts is the use of temporary storage trailers as permanent fixtures. Some merchants have been observed using truck bodies or prefabricated sheds as warehouse/storage space. Permanent use of temporary structures should be discouraged because they are not subject to zoning or fire safety rules. Storage trailers may interfere with off street parking, inhibit on-site vehicular circulation, create an undesirable environment,



and hinder emergency vehicle response. The City should strictly regulate and limit the use of trailers and other structures used for the storage, display and sale of goods, materials or merchandise in commercial districts. Municipalities with ordinances regulating trailers associated with retail sales generally prohibit their use unless they conform to the certain requirements of the municipality's land development ordinance.

Recommendations (for storage trailers):

- Outdoor storage should be prohibited with retail uses. All other commercial uses should screen outdoor storage from public view.
- In specific zones, require that all storage be within the principal building or within an accessory building that meets a minimum floor area requirement, and prohibit outdoor storage or the use of shipping containers or trailers for storage in those zones.
- Define "structure" in accordance with the Municipal Land Use Law definition; provide a definition for portable storage containers and trailers; and further provide that any ordinance provision regulating portable shipping containers and trailers should not be construed to prohibit trailers hauling, loading or unloading merchandise in the course of their customary function.
- If shipping containers/trailers are to be permitted for storage, then limit the number, size and location of trailers or storage containers on the property. Trailers/containers may be restricted from the front yard area and may be required to adhere to the setback requirements for the principal building. Trailers may require screening from the street or may require certain setbacks from property lines or roadways. They should be placed on the same lot as the principal use they serve and should not interfere with off-street parking areas, vehicular circulation or fire protection.
- If trailers or containers are to be permitted on a temporary basis, then limit the days and number of events per year in which a temporary trailer or container may be used. The City may limit outdoor sales to one week in duration and no more than a certain number of sales per year. Consideration should be given to temporary sales of Christmas trees beginning the day after Thanksgiving through the end of December. Consideration should also be given to the temporary use of trailers as construction offices, classrooms, and sales offices. Any new regulation should specify the circumstance, duration, and permit requirements for such uses.

Telecommunication Facilities

Like many other communities in New Jersey, Linden has seen an increase in the number of applications for wireless telecommunication facilities such as cellular telephone towers and antennas. Although the City encourages the development of a wireless communication network, the appropriate siting of these types of facilities is paramount in mitigating adverse impacts to the community. Service providers tend to place facilities within heavily traveled transportation corridors to provide seamless coverage for their subscribers along their most traveled routes. One of the most apparent physical impacts caused by the construction of telecommunication towers and antennas is visual impact on surrounding neighborhoods. The placement of tall towers with supporting equipment cabinets and buildings in or near residential and neighborhood retail areas and office districts can detract from the desirable visual environment that the City seeks to establish.

The City should modify the current ordinance that regulates placement of these types of facilities to further limit their physical proximity, and thus their negative visual impact, on residential neighborhoods, neighborhood retail areas and the central business district. Telecommunication facilities are less intrusive and more compatible with zones where commercial and industrial uses are more intensely developed. Siting new facilities in Linden should be limited to light and heavy industrial zones. Towers should also be permitted on City property where approved by City Council as a municipal facility for the improvement of telecommunications within Linden. In order to ensure that new facilities do not intrude on non-compatible zones, a five hundred (500) foot buffer should be required between a new tower site and zone districts where towers are prohibited.

Recommendations (for wireless telecommunication facilities):

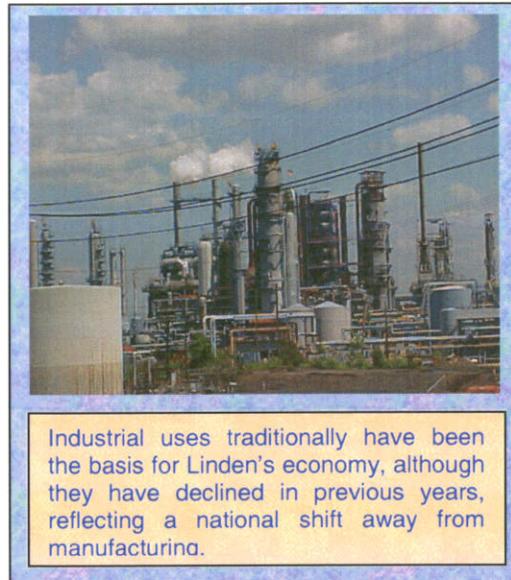
- The definition of tower should be revised to clarify the ambiguity between an antenna and antenna array supported by ballasts or brackets on an existing building or structure and an antenna or array to be placed on a free standing tower.
- Antennas and towers should only be considered a permitted use in the City of Linden restricted to the following areas and zones:
 1. On property owned, leased or otherwise controlled by the City of Linden in any zone district provided that a license or lease authorizing such antenna or tower has been approved by the City
 2. In the Light Industrial Zones including the L-I, LI-A and LI-B
 3. In the Heavy Industrial Zone (H-I)
 4. In the Highway Development District (HD)
- Zones other than those listed above are considered non-compatible with telecommunication uses. A five hundred (500) foot buffer should be required between a proposed site and a non-compatible zone district. Site proposed on property owned, leased or otherwise controlled by the City of Linden would not be subject to the buffer requirement. The buffer requirement would replace the standards established in subsection 31-28.7.b(5) Table 1 of the City's Land Development Regulations.
- Site plans proposing the placement of towers or antenna outside of these specific compatible areas and zones must go before the Zoning Board of Adjustment for a use variance.

- The siting of towers and/or antennas should not be administratively approved. Subsection 31-28.6, Administratively Approved Uses, of the City's Land Development Code should be removed from the ordinance. All applications other than municipal facilities approved by City Council for wireless communication facilities should be subject to site plan review and approval. The design standards presented in subsection 31-28.6 should be maintained as requirements for antennas being placed on an existing structure or freestanding tower as a permitted use.
- Conditional use guidelines established in subsection 31-28.7 should be maintained as requirements for freestanding towers as a permitted use.

Industrial Land Use

Industrial land uses are comprised of three zone districts including Light Industrial (LI, LI-A) and Heavy Industrial (HI). All lands east of the New Jersey Turnpike are zoned for heavy industry and are predominately used as such. Most of the land east of the Pennsylvania Railroad (Conrail) excluding commercial and residential areas along Route 1&9 and Wood Avenue is zoned for a mix of

light and heavy industrial uses. The Light Industrial uses include manufacturing provided that no chemical or raw material processing is involved, assembly and packaging, and warehousing and distribution facilities. Uses other than industrial in nature are also permitted including office, research and laboratories, service stations and automotive repair shops provided that no materials are repaired or stored outdoors. In addition to the uses permitted in the light industrial areas, heavy industrial districts



permit public utility power generating stations, truck terminals, manufacturing, fabrication and assembly of products and materials not including explosives, and tank farms.

The decline in the national and state manufacturing sector continues to affect the economic stability of communities dependent upon traditional industrial uses for employment and tax base. As the new economy shifts focus to service industries, many manufacturing and industrial uses have become obsolete or abandoned. These sites are referred to as "brownfields" because they are typically located in urban areas and require environmental remediation before a suitable reuse can begin. The City of Linden has had to address the issue of underutilized industrial lands and has commissioned several redevelopment studies for these types of properties. The City has recently taken a proactive stance to combat this problem by issuing a redevelopment study and approving a redevelopment plan for the ISP Environmental Services Inc. site. The site, located east of the New Jersey Turnpike, and contains multiple substandard structures and abandoned buildings associated with the previous industrial use. Goals and

objectives of the redevelopment plan include the mitigation of conditions that cause the area to be considered an “area in need of redevelopment”, simulate private sector investment, encourage economic development in the City of Linden, expand employment opportunities and encourage the development of uses consistent with the current zoning and land uses in the area.

Recommendation: Focus industrial revitalization efforts by working with the State to determine which properties are vacant or underutilized for inclusion in the State Brownfield Program (see Brownfield Redevelopment below).

Brownfield Redevelopment

Conducting remedial activities at brownfield sites brings new life to industrial and commercial areas where expansion or redevelopment is complicated by real or perceived environmental contamination. These new projects complement local and state redevelopment plans in areas targeted for revival. In 1998, the State of New Jersey passed the Brownfields and Contaminated Site Remediation Act. With passage of the Brownfield Act, a developer can enter a Redevelopment Agreement with the state that provides up to a 75 percent reimbursement of remedial costs. This new aspect of the Brownfield and Contaminated Site Remediation Act allows the state to use projected tax revenue from future operations at the redeveloped site to pay a portion of remedial costs. Private developers must operate under NJDEP oversight at a brownfield site and receive a No Further Action determination after all remedial work is completed to allow the Redevelopment Agreement to be enacted. To implement the act, the State of New Jersey has developed a Brownfields Redevelopment Program. The purpose of this program is to speed the process of returning brownfield sites to productive use in the State. This program encourages redevelopment of industrial and commercial properties by providing the following incentives:

- Innocent Purchaser Protection — Provides a purchaser who investigates and remedies a property with a liability exemption from the Spill Compensation and Control Act.

- Covenant Not-to-Sue — NJDEP now includes language within its No Further Action letters stating it will not sue a property owner to require additional cleanup work for past contamination problems or previously undiscovered contamination once the property is remediated in accordance with Department guidance.
- Development of Presumptive Remedies — NJDEP will develop protective redevelopment remedies that may be implemented without prior NJDEP approval — helping to expedite redevelopment.
- Tax incentives — Enables reimbursement for up to 75 percent of the cost of remediation of contaminated sites from newly generated tax revenues.
- Incentives for Innovative Technology — Adds incentives for those who use innovative technology by eliminating a requirement that developers post financial assurances and dedicates five percent of Hazardous Discharge Site Remediation Fund grants for those using innovative technologies.
- Enhanced Information — Requires NJDEP to study contamination of state aquifers and investigate and map large areas of historic fill. The information would be accessible through the Geographic Information System (GIS) program.
- Lender Liability for Storage Tanks — Exempts lenders from liability for underground storage tanks provided that action is taken to empty and close the tanks.
- Environmental Opportunity Zone Amendment — Permits residential or other "productive" development in these zones where the prior law allowed only industrial or commercial reuse.

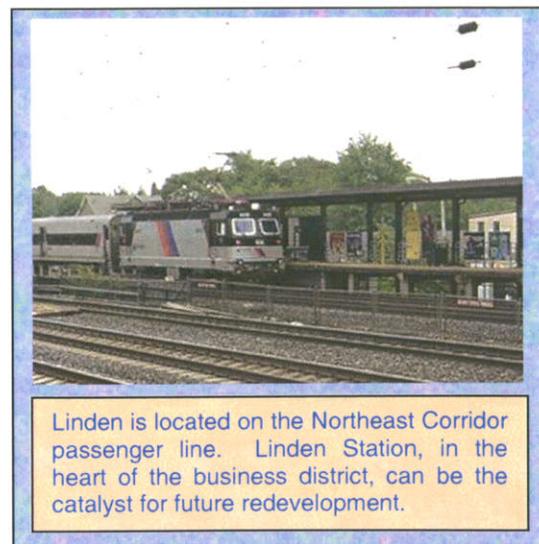
The most important liability provisions of the 1998 law are that it protects buyers of tainted sites from private lawsuits and from having to perform additional cleanup work, both related to past contamination problems, if they clean up the site in accordance with NJDEP regulations. Such buyers also must not be a party responsible for the site's original pollution problems. The Brownfield Act also established a Brownfields Redevelopment Task Force to coordinate state policy on brownfields redevelopment, including incentives, regulatory programs, provision of infrastructure, and redevelopment planning assistance to local governments.

The Department of Environmental Protection works in conjunction with the New Jersey Economic Development Authority (EDA) on the financing aspect of brownfields reuse to award grants and loans to municipalities and private parties to assist with site investigations and cleanup activities. In 1998, municipalities received \$6 million in grants, while private parties received \$2.2 million in grants and \$1.3 million in loans, all from the Hazardous Discharge Site Remediation Fund. NJDEP technically approves applications for grants and loans from the fund and forwards these to EDA for financial review and approval.

The New Jersey Department of Environmental Protection has identified twelve (12) brownfield sites in Linden (refer to Exhibit 8), all of which are eligible for participation in the Brownfield Program. Linden has taken the initiative to perform redevelopment studies and plans on several of these sites including the Bayway Redevelopment Area property and the Dupont de Nemours & Company property. Both redevelopment plans have been adopted by the Governing Body. These studies were performed pursuant to the Redevelopment and Housing Law, N.J.S. 40A:12A-1 et seq. Interest in recovery and reuse of these types of sites is exemplified by the recent site plan approval for the Liberty Power Generation Station on the Dupont de Nemours & Company property.

Other Redevelopment

The ED Economic District includes all lands of the City of Linden Airport (Block 580, Lot 1) and other contiguous lots. All lots not owned by the City are regulated as if zoned L-1. The use, development and other regulations for ED District shall be the standards and uses established by the Mayor and Council acting as the redevelopment agency pursuant to N.J.A.C. 40:55C-37. No change of plan, use or development regulations shall be permitted unless a public hearing by the Planning Board is held and the Mayor and Council thereafter review and approve the Planning Board decision on the plan.



South Wood Avenue just south of the train station is now the subject of a redevelopment project. Wood Avenue represents the community's main commercial thoroughfare with direct access to Route 27 and U.S. 1 & 9. The Linden Train Station provides NJ Transit rail service on the Northeast corridor line and is a key element to city revitalization efforts. A variety of mixed uses including public, private, commercial and residential exist in this general area. The City should continue to expand downtown revitalization efforts south of the train station.

Additional redevelopment is taking place along St. Georges Avenue in the RD Redevelopment District. The Redevelopment District permits such uses as retail establishments, personal and business service establishments, offices, restaurants, churches, and public uses. Exhibit 11 shows the location of all redevelopment and potential redevelopment sites in Linden.

The New Jersey Department of Community Affairs is making available \$3,000,000 to counties and local government agencies for local planning assistance. The Department is soliciting proposals from these agencies to develop plans that lead to "Smart Growth" and more livable and sustainable communities. "Smart Growth" means growing in ways that make more efficient use of land and infrastructure improvements while protecting the environment and its valuable natural resources. The twin aspects of Smart Growth are revitalizing cities and towns in ways that encourage redevelopment and infill, while also discouraging sprawl in suburban and rural areas through more compact development. As an established suburb in developed area, Linden would qualify for grants to study infill and brownfield redevelopment.