



Date 10/15/2025

Case No. 24-11

TITLE: RESOLUTION OF MEMORIALIZATION

Applicant: Vida Capital, LLC

Application: Preliminary and Final Major Site Plan with Redevelopment Plan Deviations

WHEREAS, Vida Capital, LLC (“Applicant”) submitted an Application to City of Orange Township Planning Board (“Board”) for Preliminary and Final Major Site Plan approval, with Redevelopment Plan Deviations, to demolish the existing residential and commercial structures on the subject site and in their place construct two (2) new 6-story, multifamily buildings, consisting of a total of one hundred and thirty-five (135) residential units with a total of one hundred and forty-one (141) parking spaces on property identified as Block 6003, Lot 9, 10, 21, 22, 23, 24, 25 & 26, Block 6004, Lots 1 & 2 on the Official Tax Map of the City of Orange Township (“City” or “Orange”), commonly and collectively known as Nassau Commons (“Property”); and,

WHEREAS, the Property is situated within the Central Valley Rehabilitation Area – District 2, which is governed by the Central Valley Redevelopment Plan (CVRP) where this use is permitted; and,

WHEREAS, the Applicant has presented proof that, at least 10 days prior to the date scheduled for the hearing on this application, adequate notice of this application was published in an official newspaper and served on the neighboring property owners within 200 feet of the Property in accordance with the applicable law; and,

WHEREAS, the Application reviewed by the Board consisted of the following plans and/or reports:

<u>Document Title</u>	<u>Date</u>
Application for Development	September 4, 2024
Architectural and Site Plans thirty (30) sheets titled, Preliminary And Final Site Plan Submission, Proposed Two New 6-Story Residential Buildings, Nassau Street, Block: 6003 Lots: 9, 10, 21, 22, 23, 24, 25, 26, Block 6004, Lots: 1, 2, Orange, Essex County, NJ, prepared by Inglese Architecture & Engineering	September 9, 2024 last rev. Aug. 28, 2025

Boundary and Topographic Survey, two (2) sheets, of 538-566 Nassau Street, 497-505 South Jefferson Street & 567-569 Morrow Street, Lots 1 & 2 in Block 6004 & Lots 9, 10 & 21-26 in Block 6003 on tax maps City of Orange, Essex County, New Jersey, prepared by Michael Pronesti, PLS, of Pronesti Surveying, Inc. September 24, 2024

Stormwater Management Report, prepared by Soufiane El-Moussi, PE of Inglese Architecture & Engineering October 28, 2024

Stormwater Management Maintenance Plan, prepared by Soufiane El-Moussi, PE of Inglese Architecture & Engineering October 28, 2024

Planning Review Memorandum by Gerard M. Haziell, PP, AICP of Nishuane Group LLC Sept. 5, 2025 (revised)

Engineering Review Memorandum by CP Professional Services Sept. 10, 2025 (revised)

WHEREAS, the Applicant requested the following deviations from the Redevelopment Plan: (1) a minimum side yard setback of 5-feet is required, and the applicant proposes a side yard setback of 0-feet on the western side of the building on Site-A (Block 6003), (2) minimum side yard setback of 5-feet is required, and the applicant proposes a side yard setback of 0-feet on the eastern side of the building on Site-B (Block 6004), (3) maximum building coverage of 80% is permitted, and the applicant proposes a building coverage of 89% on Site-A (Block 6003), (4) a maximum building coverage of 80% is permitted, and the applicant proposes a building coverage of 90% on Site-B (Block 6004), (5) maximum impervious coverage of 90% is permitted, and the applicant proposes an impervious coverage of 93% on Site-B (Block 6004), and (6) maximum building height of 75-feet is permitted, and the applicant proposes a building height of 81-feet for the building on Site-A (Block 6003); and,

WHEREAS, a public hearing was held on this application in a virtual session on September 17, 2025, with Reginald Jenkins, Esq. presenting the application to the Board on behalf of the Applicant; and,

WHEREAS, during the virtual public hearing held on September 17, 2025, the Board heard testimony from the Applicant's professionals, including its architect and planner, as well as from the Board Professionals, and opened the meeting to comments from members of the public in relation to the application; and,

WHEREAS, during the virtual public hearing held on September 17, 2025, the Board voted to grant the Application for Minor Site Plan Approval with Redevelopment Plan Deviations, subject to certain conditions, as reflected in the findings set forth below; and,

WHEREAS, after careful consideration of all evidence, the Board finds and concludes that: the Applicant's proposed development is permitted as satisfying all conditions in accordance with the City's land use ordinances; and that the deviation from the Redevelopment Plan requested by the Applicant and listed above may be granted as this is an update to the quality of the uses on site; the Applicant has met the requisite negative and positive criteria necessary to grant the requested deviation; the deviation and design waivers permitting: (1) a side yard setback of 0-feet on the western side of the building on Site-A (Block 6003), (2) a side yard setback of 0-feet on the eastern side of the building on Site-B (Block 6004), (3) a building coverage of 89% on Site-A (Block 6003), (4) a building coverage of 90% on Site-B (Block 6004), (5) an impervious coverage of 93% on Site-B (Block 6004), and (6) a building height of 81-feet for the building on Site-A (Block 6003), will advance the purposes of zoning and can be granted without substantial detriment to the public good, the City's enacted zoning for the area, the Master Plan, the Central Orange Redevelopment Plan and any other land use regulations applicable to the Property, and the benefits associated with granting the deviation and design waivers will outweigh any possible detriments; and, the deviations may be granted without substantial adverse impact on the surrounding area; and, the Applicant has established good cause for minor site plan approval, having satisfied its burden of proof pursuant to the Municipal Land Use Law ("MLUL"), and its proposed development will advance the purposes of the MLUL; and,

WHEREAS, the Board concludes that the Applicant has met its burden of proof pursuant to N.J.S.A. 40:55D-70(c)(2) by a showing that the purposes of the MLUL are advanced, including Purpose A (appropriate use of land that will promote the general welfare and the inclusion of compliant, enclosed parking for the development); Purpose C (creating a compliant conditions); Purpose E (promoting the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment); Purpose G (provides for an appropriate residential use where intended); and Purpose I (promoting a desirable visual environment and aesthetic); and,

WHEREAS, the Board concludes that the relief sought will not result in substantial detriment to the public good, in that the site accommodates parking which is of paramount importance to the City, there will not be substantial impact on light, air and open space; and further, that there is no substantial impairment of the zone plan, Redevelopment Plan or Master Plan, aligns with the general scheme of the neighborhood, thereby fitting in nicely with the surrounding context, a variety of housing options are promoted, and vacant land is being redeveloped, all of which support the goals of the Redevelopment Plan.

WHEREAS, this Resolution incorporates by reference all discussions, exhibits and testimony presented at the virtual public hearing on September 17, 2025, as if set forth at length herein.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF ORANGE TOWNSHIP, that this Resolution of Memorialization be, and hereby is, adopted and that the application for Minor Site Plan Approval with redevelopment plan deviations is hereby granted, subject to the following conditions:

1. All of the recitals hereinabove set forth are incorporated herein by reference.

2. To the extent not already satisfied, Applicant shall comply with all the conditions of Board Engineer, as reflected in his reports as agreed by the Applicant on the record, and such conditions shall be incorporated by reference herein and shall be considered to be conditions of approval.

3. To the extent not already satisfied, Applicant shall comply with all the conditions of Board Planner, as reflected in his report as agreed by the Applicant on the record, and such conditions shall be incorporated by reference herein and shall be considered to be conditions of approval.

4. The Site Plan shall be updated to reflect all changes agreed to at the hearing and the Board Professionals' reports.

5. All other State, County, and Municipal regulatory agency reviews that may be necessary must be obtained.

6. No construction permits of any kind shall be issued by the Construction Code Official of the City of Orange Township until all Board escrow fees have been paid, a Resolution of Approval has been memorialized and appropriately executed by the Board, and the Construction Code Official has received final plans appropriately signed by the Board Chairman, Board Secretary and Board Engineer.

7. Pursuant to the provisions of *N.J.S.A. 40:55D-39* and *N.J.S.A. 40:55D-65*, the Applicant shall provide proof that no taxes or assessments for local improvements are due on the Property.

8. Prior to the initiation of construction activities, the Applicant shall provide inspection escrow funds in accordance with Orange Municipal Code § 210-56 for fees associated with engineering construction inspection of this project.

9. Applicant shall file for and obtain approvals and any other such permits as may be applicable to the site from the County of Essex, State of New Jersey, and any federal agency. Applicant agrees to this as an express condition of approval.

10. As an express condition of approval, Applicant will comply with the recommendation of the board experts as detailed in the planner report and the engineer report.

11. As an express condition of approval, Applicant will have to apply to the Municipal Council for approval of the pedestrian bridge which spans between the two buildings and across South Jefferson Avenue, a municipal roadway/right of way. Nothing in this Resolution shall be construed as an approval of the pedestrian bridge. The Board does acknowledge and accept the testimony provided by the Applicant as to the pedestrian bridge and its importance to the residents of the development especially during potential flooding scenarios.

12. As an express condition of approval, Applicant will continue to interface with Board professionals as to the types and location of landscaping plants on the site and also as to general landscaping plans.

13. As an express condition of approval, Applicant will install an alert system to advise pedestrians traversing in front of all garage egress/ingress points that vehicles are approaching.

Motion to Approve Site Plan

Motion Date: September 17, 2025

M	2d	Member		AYE	NAY	N/V	N/P
<input type="checkbox"/>	<input type="checkbox"/>	HOLMES, Dwight	Board Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	JONES, Antoinette	Board Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	WARREN, Hon. Dwayne D.	Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	MONTAGUE, Hon. Welson M.	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOBLEY, Christopher		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	ONYIUKE, Callistus		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	FAUSTIN, Enock		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	LAUTURE, Jean-Guy		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

M: Motion
 2d: Second
 N/V: No Vote
 (Abstain/Excused)
 N/P: Not Present

Vote Totals:

5	0	0	3
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 Approved Rejected

Motion to Approve Resolution

Motion Date: October 15, 2025

M	2d	Member		AYE	NAY	N/V	N/P
<input type="checkbox"/>	<input type="checkbox"/>	HOLMES, Dwight	Board Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	JONES, Antoinette	Board Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	WARREN, Hon. Dwayne D.	Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	MONTAGUE, Hon. Weldon M.	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	MOBLEY, Christopher		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	ONYIUKE, Callistus		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	FAUSTIN, Enock		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	LAUTURE, Jean-Guy		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

M: Motion
 2d: Second
 N/V: No Vote
 (Abstain/Excused)
 N/P: Not Present

Vote Totals:

5	0	1	2
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 Approved Rejected

I hereby certify the foregoing Resolution was adopted by the Planning Board of the City of Orange Township at its meeting on September 17, 2025, and that said resolution memorializes the action of the Planning Board taken at its meeting on October 15, 2025.

Dwight Holmes
Dwight Holmes (Oct 23, 2025 14:19:31 EDT)

Dwight Holmes
 Planning Board Chair

Alexandra Reyes
Alexandra Reyes (Oct 23, 2025 14:11:36 EDT)

Alexandra Reyes
 Planning Board Secretary

Approved as to form and legality:

Joseph M. Wenzel

Joseph Wenzel, Esq.
 Planning Board Attorney

538-544 Nassau- Resolution Final Votes

Final Audit Report

2025-10-23

Created:	2025-10-23
By:	Gisell Reyes (areyes@orangenj.gov)
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"538-544 Nassau- Resolution Final Votes" History

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-  Document e-signed by Dwight Holmes (dwightholmes78@yahoo.com)
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