



Date 1/28/2026

Case No. 25-14

TITLE: RESOLUTION OF MEMORIALIZATION

Applicant: Rakhee Enterprise LLC

Application: Preliminary and Final Major Site Plan Approval with Design Waivers

WHEREAS, Rakhee Enterprise LLC (“Applicant”) submitted an Application to City of Orange Township Planning Board (“Board”) for Preliminary and Final Major Site Plan Approval to demolish the existing structures on the site and in its place construct a new 4-story low-rise multi family dwelling with thirty-two (32) dwelling units and the equivalent of thirty-nine (39) parking spaces in a 1st floor garage, on the property identified as Block 3704 Lots 33, 34, 35 and 36 on the Official Tax Map of the City of Orange Township (“City” or “Orange”) which is commonly known as 339-355 Henry Street, City of Orange, State of New Jersey (“Property”); and

WHEREAS, the Property is located in District B of the Central Orange Redevelopment Area (“CORA”); and

WHEREAS, the proposed low-rise multi-family development is permitted in District B of the CORA; and

WHEREAS, the proposed development meets all the bulk and design standards required for this use in District B of the CORA, with design waivers for parking space size (9x20 ft. required; 9x18 ft. proposed), tandem parking, and failure to provide a required street tree; and

WHEREAS, the applicant is seeking preliminary and final major site plan approval; and

WHEREAS, the applicant has made the appropriate application to the Board for preliminary and final major site plan approval; 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</u>	<u>Date</u>
City of Orange Township Planning Board Application for Development	September 8, 2025

Site Plans titled, “Preliminary & Final Site Plans for, 345-355 henry Street, Block 3704, Lots 33, 34, 35 & 36, City of Orange Township, Essex County, New Jersey, consisting of nine (9) sheets, prepared by Kiersten Osterkorn, PE, PLS of Omland & Osterkorn, Inc. August 18, 2025
Revised November 1, 2025

Architectural Plans titled, “Henry Street Redevelopment, Lots 33, 34, 35 & 36, Block 3704, City of Orange Township, NJ., consisting of six (6) sheets, prepared by Alexander C. Elias, RA of Alexander Elias Architects, LLC. August 18, 2025

Boundary & Topographic Survey for Properties, Block 3704, Lots 33 & 34, City of Orange, Essex County, New Jersey, consisting of one (1) sheet prepared by William T. Manning, PLS of PAX Surveying& Environmental Consultants, LLC. June 20, 2024

Boundary & Topographic Survey for Properties, Block 3704, Lot 36, City of Orange, Essex County, New Jersey, consisting of one (1) sheet prepared by William T. Manning, PLS of PAX Surveying & Environmental Consultants, LLC. June 20, 2024

Boundary & Topographic Survey for Properties, 351 Henry Street, Block 3704, Lot 35, City of Orange, Essex County, New Jersey, consisting of one (1) sheet prepared by Kiersten Osterkorn, PE, PLS of Omland & Osterkorn, Inc. May 3, 2025

WHEREAS, a public hearing was held on this application in a virtual session on December 18, 2025 with the application being presented to the Board by Benjamin Wine, Esq. of Prime Tuvel & Miceli; and,

WHEREAS, the Board heard testimony from the Applicant’s Architect, Planner and Engineer as well as from the Board Professionals, and opened the meeting to comments from members of the public in relation to the application during the virtual public hearing held on December 18, 2025; and

WHEREAS, *N.J.S.A.* 40:55D-46 requires the Board to grant preliminary major site plan approval for an application if it complies with applicable local ordinances and the Municipal Land Use Law (*N.J.S.A.* 40:55D-1, et. seq.); and

WHEREAS, *N.J.S.A.* 40:55D-50 requires the Board to grant final major site plan approval for an application if the detailed drawings, specifications and estimates of the application for final approval conform to the standards established by ordinance for final approval and the conditions of preliminary approval; and

WHEREAS, the Board has carefully reviewed all relevant documents and drawings, heard testimony from the Applicant’s and Board’s professionals and considered all comments from the public related to this application during the virtual public hearing on December 18, 2025; and

WHEREAS, 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 Redevelopment Plan and that the design waivers requested may be granted and 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 Redevelopment Plan, the Master Plan or any other land use regulations applicable to the Property, and the benefits associated with granting the design waivers will substantially outweigh any possible detriments; 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); Purpose C (development that will not hinder the public's light, air and open space); 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 appropriate residential use where intended); Purpose I (promoting a desirable visual environment and aesthetic); and Purpose N (the inclusion of electric vehicle-ready parking spaces); and

WHEREAS, the Board has determined that this application meets the standards for preliminary and final major site plan approval set forth in *N.J.S.A. 40:55D-46* and *N.J.S.A. 40:55D-50*, respectively 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, during the virtual public hearing on December 18, 2025, the Board voted to approve this application for preliminary and final site plan approval, subject to certain conditions as specified herein; and

WHEREAS, this Resolution incorporates by reference all discussions, exhibits and testimony presented at the virtual public hearing on December 18, 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 Preliminary and Final Major Site Plan Approval 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 has agreed, as an express condition of approval to provide a signal to pedestrians for cars entering/exiting parking garage.

10. 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.

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Motion to Approve Site Plan

Motion Date: December 18, 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	FAUSTIN, Enock		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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:

7	0	1	0
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 Approved Rejected

Motion to Approve Resolution

Motion Date: January 28, 2026

M	2d	Member		AYE	NAY	N/V	N/P
<input type="checkbox"/>	<input type="checkbox"/>	HOLMES, Dwight	Board Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	FAUSTIN, Enock		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	LAUTURE, Jean-Guy		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	CHRISTMAS, Rhea		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Vote Totals:

6	0	2	1
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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 January 28, 2026, and that said resolution memorializes the action of the Planning Board taken at its meeting on December 18, 2025.

Dwight Holmes
Dwight Holmes (Jan 29, 2026 15:19:48 EST)
 Dwight Holmes
 Planning Board Chair

Alexandra Reyes
Alexandra Reyes (Jan 29, 2026 14:42:42 EST)
 Alexandra Reyes
 Planning Board Secretary

Approved as to form and legality:

Joseph M. Wenzel
 Joseph Wenzel, Esq.
 Planning Board Attorney

Rakhee Enterprise LLC (339-335 Henry Street) - Resolution

Final Audit Report

2026-01-29

Created:	2026-01-29
By:	Gisell Reyes (areyes@orangenj.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMandaDH2efxhUs70mQujWcSZhhsqnXq6

"Rakhee Enterprise LLC (339-335 Henry Street) - Resolution" History

-  Document created by Gisell Reyes (areyes@orangenj.gov)
2026-01-29 - 7:34:03 PM GMT
-  Document emailed to Dwight Holmes (dwithholmes78@yahoo.com) for signature
2026-01-29 - 7:34:07 PM GMT
-  Document emailed to Joseph Wenzel (joe@friendwenzel.com) for signature
2026-01-29 - 7:34:08 PM GMT
-  Document emailed to Gisell Reyes (areyes@orangenj.gov) for signature
2026-01-29 - 7:34:08 PM GMT
-  Email viewed by Gisell Reyes (areyes@orangenj.gov)
2026-01-29 - 7:42:21 PM GMT
-  Document e-signed by Gisell Reyes (areyes@orangenj.gov)
Signature Date: 2026-01-29 - 7:42:42 PM GMT - Time Source: server
-  Email viewed by Joseph Wenzel (joe@friendwenzel.com)
2026-01-29 - 7:46:18 PM GMT
-  Document e-signed by Joseph Wenzel (joe@friendwenzel.com)
Signature Date: 2026-01-29 - 7:46:39 PM GMT - Time Source: server
-  Email viewed by Dwight Holmes (dwithholmes78@yahoo.com)
2026-01-29 - 8:19:29 PM GMT
-  Document e-signed by Dwight Holmes (dwithholmes78@yahoo.com)
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✔ Agreement completed.

2026-01-29 - 8:19:48 PM GMT