

COMMUNITY SERVICES

TO : Zoning Board members
FROM : Christa Anderson, Zoning Officer CA
DATE : July 26, 2022
SUBJECT : Zoning Board application #ZB-21-2090
557-565 Morris Avenue; STMP Properties LLC
Story Above Grade analysis
COPY TO: File

Dynamic Engineering has provided a "Story Above Grade" analysis by way of a letter to Christopher Nicola dated July 7, 2022. I have reviewed the data and I concur that the lowest level is not a story above grade.

Per the definition of Story Above Grade in Article VII, Definitions, the first floor is:

- A. Not more than 6 feet above the existing or new grade plane
- B. Not more than 6 feet above the grade plane for more than 50% of the building perimeter
- C. Not more than 12 feet above the lowest grade elevation at any point. Sheet 4 of the grading plans revised to 04/14/22 shows the lowest elevation point around the perimeter to be at the entrance to the mechanical room at elevation 223 feet. With the first floor being at elevation 235, the lowest point is exactly 12 feet below the first floor but not more than 12 feet below the first floor.

I have attached the definition for reference.

35-7.2.

SOLAR ARRAY CANOPY – An elevated structure providing a roof-like cover mostly composed of solar panels and associated supporting features situated above parking spaces, parking structures and pedestrian walkways, with the additional benefit of providing shade.

SOLAR ENERGY SYSTEM – A combination of photovoltaic cells or solar panels and associated electrical generation and structural support equipment designed to capture and convert solar energy into electricity for consumption.

SOLAR PANEL – A component of a solar energy system designed to absorb the sun's rays as a source of energy to be converted into electricity or heating.

SOLAR READY - Building design and construction which anticipates the needs associated with installation and use of solar panels and eliminates or minimizes the need for alteration and retrofitting to implement solar systems, including the following considerations:

- A. Roof slope that is oriented to optimize solar system performance.
- B. Maximized roof area available for solar system by limiting area dedicated to other roof mounted mechanicals.
- C. Building and roof structure is designed to accommodate the load of solar equipment, including wind load and other environmental impacts.
- D. Ensure access for service and maintenance needs of solar system once installed.
- E. Include conduit ducts and appropriate indoor equipment space is included in building design and construction.

STORAGE – The keeping or placing of goods, wares, materials, merchandise or equipment in a warehouse or other structure or in any open space.

STORAGE SHED – An accessory building used for the storage of items such as, but not limited to, tools, lawn and garden equipment and furniture, and similar items of personal property belonging to the occupant or owner of the principal structure.

STORY – That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A "story above grade" shall be considered to be a story but an attic shall not, subject to the conditions set forth in the definition of "attic" and "attic story".

STORY ABOVE GRADE – Any story having its finished floor surface entirely above the grade plane, except that a basement shall be considered to be a story above grade where the finished surface of the floor above the basement is:

- A. More than six (6) feet above the existing or new grade plane; or
- B. More than six (6) feet above the grade plane for more than fifty (50%) percent of the total building perimeter;
or
- C. More than twelve (12) feet above the surrounding grade at any point along the foundation.

July 7, 2022
Via FedEx

City of Summit
Zoning Board of Adjustment
512 Springfield Avenue
Summit, NJ 07901

Attn: Mr. Chris Nicola
Land Use Assistant

**RE: STMB Properties, LLC
Proposed Multi-Family Residential Development
Block 404, Lots 5-9
557-565 Morris Avenue (CR 651)
City of Summit
Union County, New Jersey
DEC #3692-99-001**

Dear Mr. Nicola,

As requested at the May 16, 2022 Zoning Board Hearing regarding the above-referenced, please accept the following regarding the proposed mezzanine level.

Per the City of Summit's Development Regulations Ordinance (DRO) Definitions, a "Story Above Grade" is defined as "Any story having its finished floor surface entirely above the grade plane, except that a basement shall be considered to be a story above grade where the finished surface of the floor above the basement is:

- A. More than six (6) feet above the existing or new grade plane;
- B. More than six (6) feet above the grade plane for more than fifty (50%) percent of the total building perimeter; or
- C. More than twelve (12) feet above the surrounding grade at any point along the foundation."

Per the City's requirements, the calculated existing and proposed grade plane elevations are 229.50 and 230.71, respectively. The surface elevation of the mezzanine (224.00) is **below** these grade planes and therefore does not meet the criteria above.

Furthermore, the mezzanine would not be considered a "Story Above Grade," as it does not meet conditions A through C. The finished surface of the floor above the basement (or mezzanine) is the first-floor level (235.00) and is utilized in the calculated responses **below**.

- A. More than six (6) feet above the existing or new grade plane;

235.00 – 229.50 = 5.5' <6'. Therefore, the elevation is not more than 6' above the grade plane.

- B. More than six (6) feet above the grade plane for more than fifty (50%) percent of the total building perimeter;

The first-floor elevation (235.00) is more than 6' above the finished ground level for only 45% of the total building perimeter.

C. More than twelve (12) feet above the surrounding grade at any point along the foundation.”

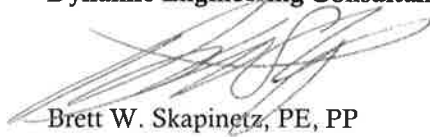
The lowest elevation around the foundation is 223.00. Therefore, $235.00 - 223.00 = 12'$, which is not more than 12'.

Based on the above, the mezzanine level is not considered a “Story Above Grade.”

Please review at your earliest convenience, and feel free to contact the undersigned should you require any additional information.

Sincerely,

Dynamic Engineering Consultants, PC



Brett W. Skapinetz, PE, PP



Joshua Wirry, PE

Enclosures

Cc: Kieran D. Flanigan
Kevin J. Flanigan
Samantha Alfonso, Esq.