CAPIZZI LAW OFFICES

11 Hillside Ave., Second Floor Tenafly, NJ 07670 201 266 8300 (o) MATTHEW G. CAPIZZI, ESQ. 201 266 8301 (f)

Capizzilaw.com

New York Office: 1 Blue Hill Plaza Lobby Level, Suite 1509 Pearl River, NY 10965 Reply to New Jersey Office

November 22, 2022

Initial Submittal for Completeness Review

Via Overnight Mail

N.J., N.Y., & D.C. Bars

Maureen Oppelaar – Secretary Borough of New Milford Zoning Board of Adjustment 930 River Road New Milford, NJ 07646

Mitchell – New Milford ZBA (the "Applicant") Re:

396 Graphic Boulevard; Block 818, Lot 2 (the "Property")

Dear Ms. Oppelaar:

This office represents the Applicant regarding their variance application before the New Milford Zoning Board of Adjustment seeking variance relief as to the construction of an addition atop the existing dwelling. To that end, enclosed please find the following for completeness review:

- 1. Notice of Appeal Zoning Board of Adjustment with Rider to the Application and Letter of Denial dated October 23, 2022 attached thereto (17 copies);
- 2. Borough of New Milford Zoning Work Sheet (17 copies);
- 3. Highlighted Tax Map (17 copies);
- 4. As-Built Survey prepared by Ampol Surveying, LLC dated October 29, 2021 (17 copies);
- 5. Architectural Plan prepared by William G. Severino Architect, LLC dated July 13, 2022 and last revised as of October 5, 2022 consisting of five (5) sheets (17 copies); and
- 6. Applicant's W9 and Checks:
 - Check # 2161 in the amount of \$350.00 (Application Fee)
 - Check # 2162 in the amount of \$1,500.00 (Escrow Fee).

Maureen Oppelaar – Secretary November 22, 2022 Page 2 of 2

Kindly advise when this matter has been deemed complete and assigned a hearing date before the New Milford Zoning Board of Adjustment.

Thank you.

Very truly yours,

Gloria Duby

Gloria Duby, Paralegal

MGC/gd Enclosures

Application	#	
4.4		

NOTICE OF APPEAL ZONING BOARD OF ADJUSTMENT BOROUGH OF NEW MILFORD, BERGEN COUNTY, NJ 07646

Property	Address 390	6 Graphic B	oulevard, New	Milford NJ 0	7646	Subjec	t to Sale ag	reement	(YES (NO)
Block 818	Lot	2	_ Zone (Re	esidential – B	usiness- To	ownhome	– other <u> </u>		
Size of Lo	14,000 Sq.	Ft.]	Present use	Residential	Business-	Townhom	ie- other)	
Owned)	Leased - I	property i	is within 200'	of Borough	line name a	idjacent n	nunicipality	(ies) <u>N/A</u>	
Name of (Owner Robe	rt and Adel	ina Mitchell			-	Telephone		
Owner's A	Address (if d	ifferent fro	om above)					L.	
Name of A	Applicant (if	not homeo	wner) Robert	and Adelina	Mitchell c/o	Matthew	G. Capizzi, I	Esq.	
Applicant	address 11 H	lillside Ave	nue, 2nd Floor	, Tenafly NJ	07670		_ Phone N	umber 2	01-266-8300
Name of A	Attorney Mat	thew G. Ca	pizzi, Esq.	Ph	one Numb	er_201-26	6-8300 Att	ending M	[eeting Yes
Name of A	rchitect Will	iam G. Sev	erino, A.I.A.	Pi			15-7001 Att		eeting Yes
The applic Borough C	eant/homeow Ordinance.	ner hereby	seeks relief f	rom section	30-21.5 (s) <u>30-21-5</u> (statute r	(a)(1), 30- (c)(2) <mark>umbers</mark> f	21.5(a)(4), a rom denial	and of th letter)	e New Milford
necessary. Minimum F	(What you a	re proposi back as to	ary to the ord ng and why it Graphic Boule k as to Holly S	violates the	zoning ord	inance). iired v. 29.	2' Existing a	and Propo	
							2		1000 G
See attached Required	Lot Area Rider 7,500 sq.ft.	Front	Right Side	Left Side	Corner	Rear	Height	Buildin	g Coverage
Existing		***************************************		11000		1			
Proposed	<u>n/a</u>		-			***************************************			
Difference	<u>n/a</u>	-	100			5 E	-		
Driveway V	Vidth Requ	ired	_ Existing	24' Prop	osed <u>24'</u>	Curb Cu	nt [YN]S	ize	
Are trees be	ing removed	XESONO	How many				n date appi	oved	
Signature of	Applicant	· W	> Afto	They for	Capizzi,	Cant	ate//	22/0	7022
Filed on beb	alf of Applic	ant by Mar	thew G. Capiz	zi, Esq.		1	Γitle Applica	nt's Attori	ney

Robert and Adelina Mitchell 396 Graphic Boulevard, New Milford NJ

Block: 818, Lot: 2

Rider to the Borough of New Milford Notice of Appeal Zoning Board of Adjustment Application

	Lot Area	Front Yard Setback as to Graphic Boulevard	Exterior Side Yard Setback as to Holly Street	Right Side	Rear	Height	Building Coverage
Required	7,500 Sq. Ft.	30*	30'	10'	35'	30'	20%
Existing	14,000 Sq. Ft.	29.2'	20.3'	10.2'	67.5'	29'	16.37%
Proposed	No change	29.2' (V) ¹	20.3' (V) ²	No change	No change	No change	No change

(V) = Variance

¹ Additions follow existing non-conforming setback along Graphic Boulevard

² Additions follow existing non-conforming setback along Holly Street



Borough of New Milford Department of Public Works

850 Robert K. Chester Way, New Milford, New Jersey 07646 Tel.: (201) 967-8172 Fax: (201) 967-1741 Mailing address: 930 River Road, New Milford, New Jersey 07646 VINCENT A. CAHILL, CPWM, CFM, CIS, CRP Director of Public Works Zoning Officer Recycling/Clean Communities Coordinator Property Maintenance Officer yeahill@newmllfordboro.com

SYL BRESA, CPWM
Superintendent of Public Works
Property Maintenance Officer
sbresa@newmilfordboro.com

October 23, 2022

Mr. Robert Mitchell 396 Graphic Boulevard New Milford, New Jersey 07646

Re: Permit Application 396 Graphic Boulevard, block 818 lot 2

Dear Mr. Mitchell,

This letter is to inform you that your application to construct an addition/renovation at the above address has been denied. The construction violates Borough codes 30-21.5 (a)(1) front yards, 30-21.5 (a)(4) corner lot, 30-21.5 (c)(2) side yard setback, and any other that the Board may deem necessary. As a corner lot there should be a 30-foot setback where yours is 20.3 feet. There should be a front yard setback of 30-feet where yours is 29.5 feet.

30-21.5 Yards.

- a. Front Yards.
- 1. No new building shall be erected and no existing building shall be altered or reconstructed to project beyond the average setback line of the buildings situated within the same block and within two hundred (200') feet of either side lot line and measured in a direction parallel to the street on which the lot faces.
- 4. In case of a corner lot, the owner shall designate either of the two exterior yards as the front yard, the other to be governed by the side yard provision of this subsection.
- Side Yards.
 - 1. There shall be two (2) side yards. The least dimension of either side yard shall be not less than ten (10') feet; provided, however, that in the case of a corner lot, the exterior side yard shall be not less than thirty (30') feet in width and the interior side yard not less than ten (10') feet in width.
 - 2. Each side yard of an interior lot having a frontage of sixty-five (65') feet or more shall be not less than ten (10') feet; where a lot has a frontage less than sixty-five (65') feet, each side yard shall be not less than seven and one-half (7 1/2') feet. However, in the case of a corner lot, the exterior side yard shall be not less than thirty (30') feet.

If this project if approved by the board for a variance your seepage pit must be reviewed by an engineer to determine if it is large enough to handle the additional capacity.

If you wish to schedule a meeting with the Zoning Board of Adjustment please contact Board Secretary, Maureen Oppelaar, at 201-967-5044 extension 5560.

Sincerely,

Vincent A Cahill, CPWM, CFM, CIS, CRP

mapales

Zoning Officer

BOROUGH OF NEW MILFOR	D ZONING WORK SHEET
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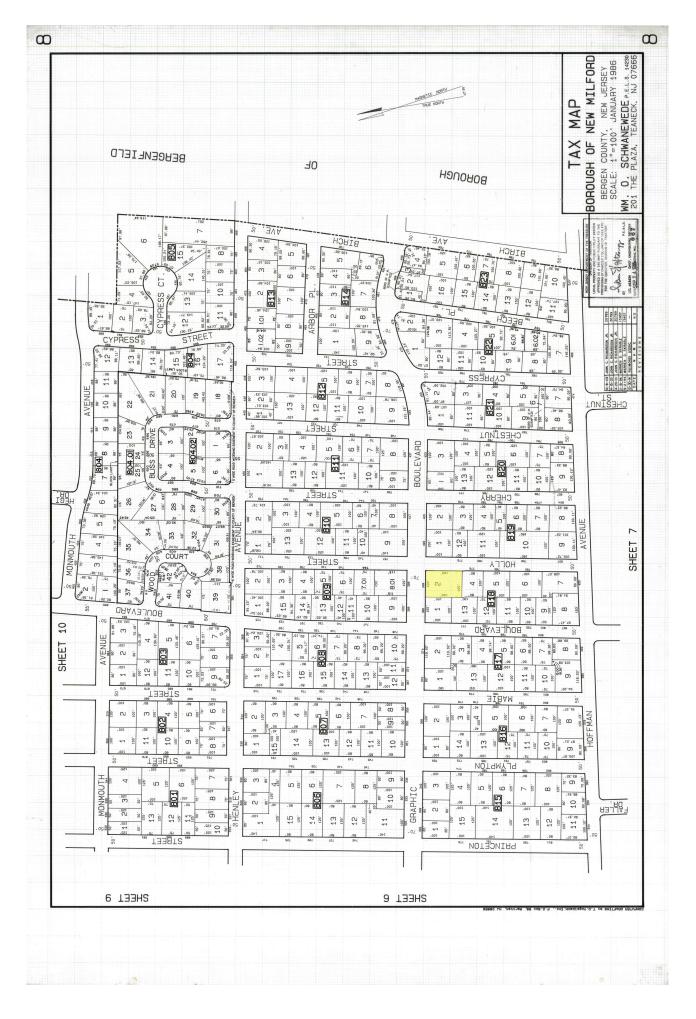
930 River Road, New Milford, NJ 07646 - (201) 967-8172 fax (201) 967-1741

\$65.00 Fee _____

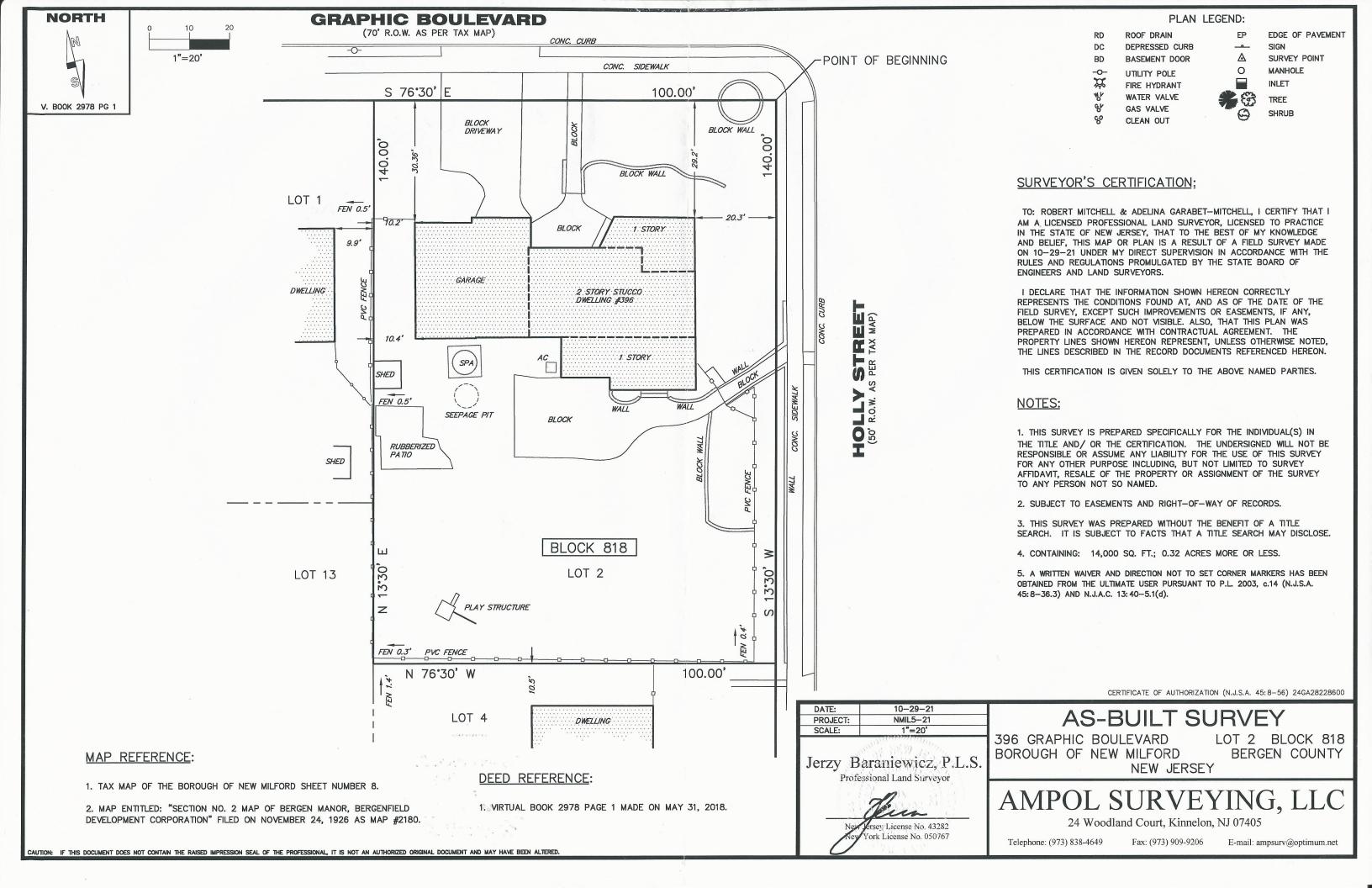
Owner Kobert Mit	chell Proposed Project add two Renaution Co	orner Property YES [🗸] NO []
Job Location 396 Graphs	c Blod Phone Number Lol	4435258
	the zoning work sheet in the spaces where applicable based on project sizes, dimensions and setback figures drawn on it. You a	· -
Setback Requirements		
Sheds/Detached Garages	5' from rear & side yard (Sheds 9' high, Garages/ Gazebos 1	15' high)
Pools		uch as walkways, heater, filter, etc.)
IN GROUND POOLS -	Two typography site plans are required & \$500 escrow deposit	
	hay be required to comply with the new zero run off law, to be on e average setback line of the buildings situated within the same	
	e average setback line of the buildings situated within the same ag exists within (200') feet & measured in a direction parallel to	
	ect please include front yard worksheet.	the street on which the lot locas. For
Rear yard setback	25% of lot depth, 20' minimum if your lot is less than 100' deep	o.
	10' setback for lots 65' or more of the front width of your property	erty
	7.5' setback for lots 64' or less front width of your property	
Corner setback Height	30' setback	grade to the highest point of the roof
_	30' high, measured from the average of four corners from the g Where the basement ceiling is at least 3 feet above the averag	•
building the basement shall co	_	e mistica grade along any side of the
SETBACK WORKSHEET Front Yard Setback (30-21.	.5) (Include separate front yard worksheet for all porches, porti	
Requirement 30'	Existing <u>29.2</u> Proposed <u>29.2</u>	Yes [] No [父]
Rear Yard Setback (30-21.5		*
Requirement35	Existing <u>67.94</u> Proposed <u>67.9-</u>	<u>4</u> Yes [] No [X]
Right Side Yard Setback (30	0-21.5c)	,
Requirement	Existing 10.0 Proposed 10.0	Yes [] No 💢
Left Side Yard Setback (30-	·21.5c)	
Requirement N/A	Existing Proposed	Yes [] No [✓
Corner Setback (30-21.5c1		
Requirement 30'	Existing 20.3^{1} Proposed 20.3	3 Yes [] No [X
Height (30-21.6)	¥	o e
Requirement 30'	Existing 21.0 Proposed 29.0	O Yes [] No [X
Stories (30-21.6) & definitio	n of story	
Requirement <u>2 ½ stories</u>	Existing 2 Proposed 2 1/2	<u>2</u>
Maximum Building Covera	ge Requirements determined by lot size (30-21.4)	
Your lot size 14,000SQ.F		(A)
1 1000120	Courrequiement	· <i>V</i> > <i>I</i>
Maximum Total Imperviou	s Coverage Requirements (30-21.4)	
Your lot size 14.000 SQ.	FT. x 0.40 = 5 <u>LOO</u> SQ. FT. ←Your requirement	(B)

ITEM	DESCRIPTION	EXISTING	PROPOSED	REMARKS
NO.		(SQUARE FEET)	(SQUARE FEET)	
1	BUILDING FOOTPRINT	2291.74	2291.74	
2	DETACHED GARAGE	_	_	
3	ROOFED PORCHES, PATIOS AND BREEZEWAYS			
4	STORAGE SHEDS	64	64	
5	OTHER ACCESSORY BULDINGS	-		
6	DRIVEWAYS AND PARKING AREAS	85D	B50	
7	OPEN PORCHES, TERRACES, PATIOS AND DECKS	890	890	
8	STEPS AND WALKWAYS	310	310	
9	SWIMMING POOLS			
10	OTHER IMPERVIOUS SURFACES	_	/	
11	TOTAL BUILDING COVERAGE (ADD ITEMS 1 THROUGH 5)	2291.74.F.	2281.74F.	DIVIDE THE TOTAL SQUARE FOOT AREA BY THE LOT AREA TO
12	TOTAL IMPERVIOUS COVERAGE (ADD ITEMS 1 THROUGH 10)	4405.74. 31.46 %		DETERMINE % OF COVERAGE

		(6.71	16.21	AREA BY THE LOT AREA TO
12	(ADD ITEMS 1 THROUGH 10)	4405.74	4405.74.F.	DETERMINE % OF COVERAGE
	(ADD TEMS 1 THROUGH 10)	31.46 %	31.45 %	
				Marianaa Na adad
		3000	216	Variance Needed
BUILDII	NG COVERAGE: Req	uired <u>2600</u> (A), Proposed: 22	•
TOTAL	IMPERVIOUS LOT COVERAGE Req	uired <u>5600</u> (B), Proposed: 44	05.7412) Yes [] No [*
•		-		h the pool (filters, heaters, and walkway)
	quirement <u>6'</u> Existing			
Rear Re	equirement <u>6'</u> Existing	Proposed	INGROU	JND [] ABOVE GROUND [] SEMI []
determ	ermination of the need or lack of ne ination may only be made by the ap this request for a zoning determina	propriate land use	e board or through	the judicial process, the applicant, b
Survey	and as built plans may be required t	for this project.		
Цотооч	vner/ Architect/ Contractor Signature	-Mm	<u>-</u> 5	Phone Number 20/ 443 525
Tomeov	where Architecty Contractor Signature	for.		Priorie Number
For Office	Use Only:	NEA.		30-21.3 (E)(Z)
Approv	ed [] Denied [🗡 Variance	es Needed: 30 -	21.5 (A)(1)	30-21-5(A)(4)
• •	Use Only: ed [] Denied [DATE	
			DATE	
Vince C	ahill – Zoning Officer 201-967-8172	2		



1 of 1 11/22/2022, 12:39 PM



THE MITCHELL RESIDENCE

396 GRAPHIC BOULEVARD
BOROUGH OF NEW MILFORD, NEW JERSEY
R E S I D E N T I A L A D D I T I O N

PHOTOS OF EXISTING

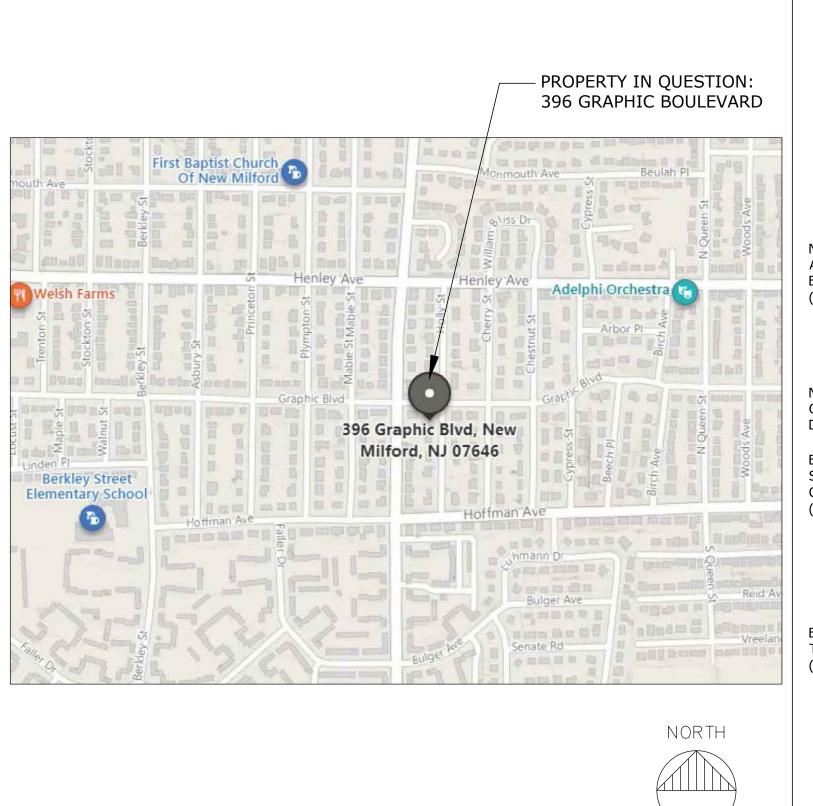
KEY MAP

KEY MAP





SITE DIAGRAM



NOT TO SCALE

			N 76°30′ W	100.00'		
	J.b		PVC FENCE	35.00'	EXISTING PLAY STRUCTURE BUILDING COVERAGE: HOUSE: 2,291.74 SF TOTAL: 2,291.74 SF	
The state of the s	ASO'R.O.W. AS PER TAX MAP		SI3°30.00 BLOCK 818 LOT 2	10.00'	2,291.74 SF / 14,000 SF = 16.37 % IMPERVIOUS COVERAGE: BUILDING COVERAGE: 2,292 SF FRONT WALK: 310 SF REAR WALK / PATIO: 890 SF ASPHALT DRIVE: 850 SF TOTAL: 4,342 SF	
a Contract diad in	ADDITION OVER EXISTING (389 SF)		MANAGER	SEEPAGE PIT SHED	EXISTING PAVER PATIO TO REMAIN (890 SF)	
The se	NEW GABLED ROOF OVER ENTIRE DWELLING		2 STORY DWELLING		DWELLING	
	EXISTING SECOND STORY BALCONY OVER EXISTING (245 SF)		NO. 396		NEW SECOND STORY ADDITION OVER EXISTING GARAGE (735 SF)	
	EXISTING FRONT WALK TO REMAIN (310 SF)		20.3' BLOCK WALL S 76°30' E 100.00'	10.2'	NEW SECOND STORY BALCONY OVER EXISTING GARAGE (103 SF) EXISTING ASPHALT DRIVEWAY TO REMAIN (850 SF)	
			CONC. SIDEWALK		N IN THIS SITE DIAGRAM WAS TAKEN FROM A DRAWING	
	NORTH NORTH	_	GRAPHIC BOULEVARD 70' R.O.W. AS PER TAX MAP	ENTITLED 'AS-BU BOROUGH OF NE NEW JERSEY', DA	ILT SURVEY, 396 GRAPHIC BOULEVARD, LOT 2, BLOCK 818, W MILFORD, BERGEN COUNTY, TED OCTOBER 29, 2021, BY JERZY BARANIEWICZ,P.L.S., AMPOL SURVEYING, LLC, KINNELON, NJ	
	SITE DIA	4GK	Al ^v I		SCALE: 1" = 20'	

BUILDING CODE DATA LIST OF DRAWINGS

Use Group: R-5 Construction Classification: V-B All work shall conform to the following codes:

International Residential Code - NJ ed. , 2018

New Jersey Uniform Construction Code Rehabilitation Sub-code - NJAC 5:23-6

International Energy Conservation Code, 2018 (Residential)

International Mechanical Code, 2018

National Electric Code, 2017

National Standard Plumbing Code, 2018

International Fuel Gas Code, 2018

BUILDING AREA	Existing	Proposed	Total
Second Floor:	860.1 S.F.	1,123.6 S.F.	1,983.7 S.F.
First Floor:	1,607.0 S.F.	0 S.F.	1,607.0 S.F.
Garage:	725.4 S.F.	0 S.F.	725.4 S.F.
Total:	3,192.5 S.F.	1,123.6 S.F.	4,316.1 S.F.
DUTI DING VOLUME			

BUILDING VOLUME	Existing	Proposed	Total
Second Floor: sf x 8.83ft =	7,595 CuFt	9,921 CuFt	17,516 CuFt
First Floor: sf x 9.00ft = $\frac{1}{2}$	14,463 CuFt	0 CuFt	14,463 CuFt
Garage: $sf x 9.00ft =$	6,529 CuFt	0 CuFt	6,529 CuFt
Total:	28,587 CuFt	9,921 CuFt	38,508 CuFt

ZONING DATA

OFF STREET PARKING

LOT:	2	BLOCK: 818
ZONE:	A ZC	ONE - RESIDENTIAL

CONSTRUCTION CLASS: V-B USE GROUP: R-5

ONE FAMILY				
	REQUIRED	EXISTING	PROPOSED	VARIANCE
MINIMUM LOT REQUIREMENT	S	T	I	
MAX. NO. OF FAMILIES	1	1	1	NO
LOT AREA (MIN.)	7,500 S.F.	14,000 SF	14,000 SF	NO
LOT WIDTH (MIN.)	75 FT	100 FT	100 FT	NO
LOT DEPTH (MIN.)	100 FT	140 FT	140 FT	NO
MINIMUM REQUIRED YARD D	EPTHS - PRIN	NCIPAL STRUC	ΓURE	
FRONT YARD - GRAPHIC	30.0 FT	29.2 FT	29.2 FT	EXIST.
FRONT YARD - HOLLY	30.0 FT	20.3 FT	20.3 FT	YES
REAR YARD - 25% OF TOTAL	35.0 FT	67.5 FT	67.5 FT	NO
SIDE YARD, MIN.	10.0 FT	10.2 FT	10.2 FT	NO
BULK REQUIREMENTS				
MAX. BUILDING HEIGHT	30.0 FT	29.0 FT	29.0 FT	NO
STORIES / HEIGHT	2.5	2.5	2.5	NO
MAX. BUILDING COVERAGE	20% 2,800 S.F.	16.37% 2,291.74 SF	16.37% 2,291.74 SF	NO
MAX. IMPERVIOUS COVERAGE	40% 5,600 S.F.	31.02% 4,342 SF	31.02% 4,342 SF	NO

2 SPACES 4 SPACES

4 SPACES

NO

ARCHITECTURAL

T-1 TITLE SHEET, SITE DIAGRAM

A-101 FIRST FLOOR PLAN
A-102 SECOND FLOOR PLAN

A-201 ELEVATIONS
A-202 ELEVATIONS

SYMBOLS

WALL AND DOOR SYMBOLS

EXISTING WALL TO REMAIN

NEW WALL TO BE CONSTRUCTED

SEE BUILDING SECTION FOR DETAILS

EXISTING WALL TO BE REMOVED

EXISTING DOOR TO REMAIN.

EXISTING DOOR TO BE REMOVED

→ NEW DOOR TO BE INSTALLED

GENERAL SYMBOLS

DETAIL NUMBER

DETAIL DESIGNATION

SHEET NUMBER

SECTION NUMBER
SECTION DESIGNATION
SHEET NUMBER
ELEVATION DESIGNATION
SHEET NUMBER

ELEVATION DESIGNATION
SHEET NUMBER

A - - COLUMN GRID DESIGNATION

PEVI

REVISION DESIGNATION

DATE:
JULY 13, 2022
SCALE:

TITLE SHEET

ADDITION / ALTERATIONS TO

THE MITCHELL RESIDENCE
396 GRAPHIC BOULEVARD
NEW MILFORD, NEW JERSEY 07646

ROBERT & ADELINA MITCHELL

396 GRAPHIC BOULEVARD

NEW MILFORD, NEW JERSEY 07646

DRAWING NAME

AS SHOWN

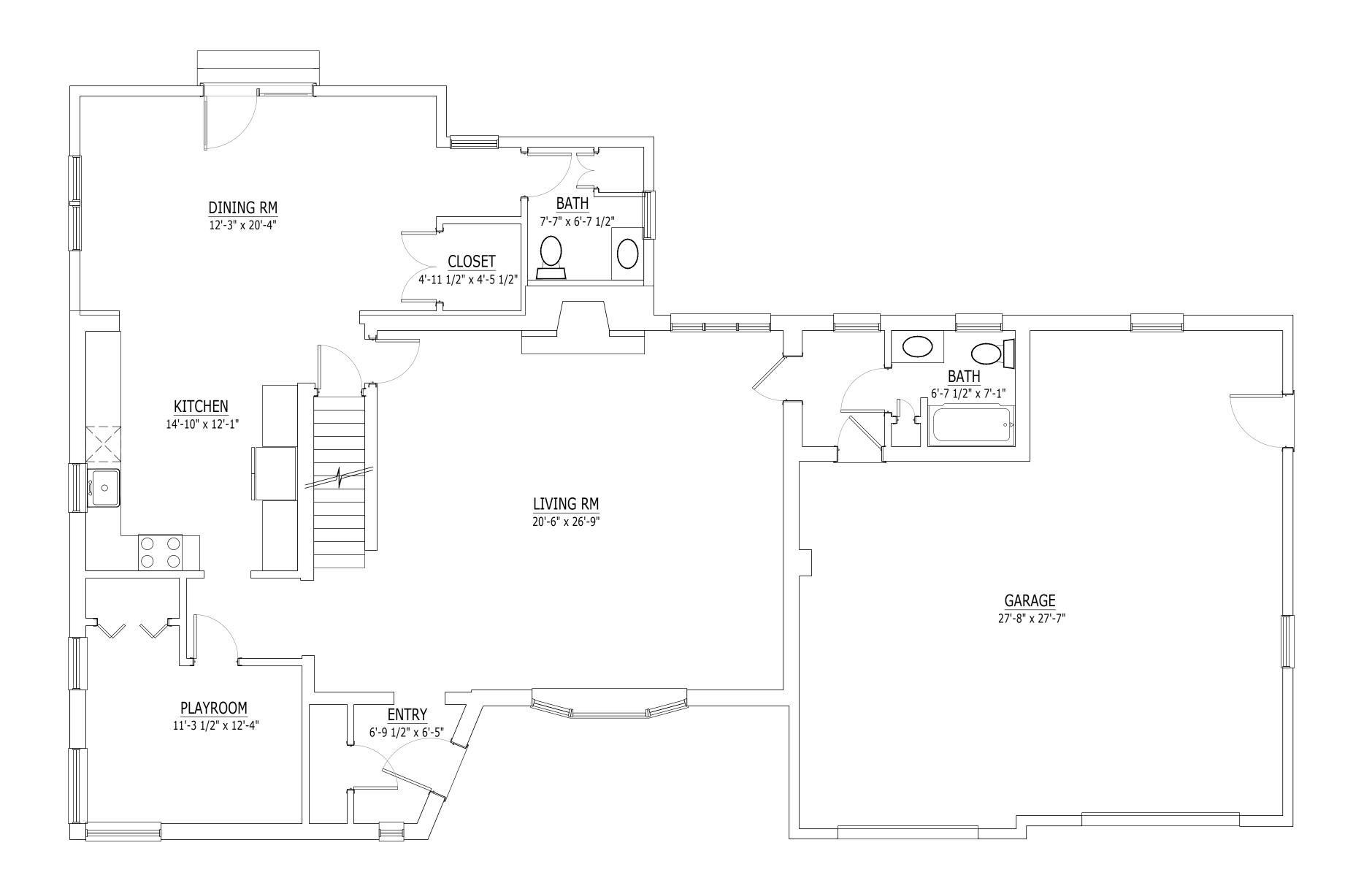
DRAWN BY: CHECKED BY:
WGS WGS

PROJECT NO.:
2022-22

DRAWING NO.

— 4

T-1



FIRST FLOOR PLAN - UNCHANGED

SCALE: 1/4" = 1'-0"

		REVISED FOR ZONING REVIEW	FOR ZONING REVIEW	
		10/05/22	08/30/25	

William G. Severino
ARCHITECT, LLC
SISTERED ARCHITECT NJ 21AI01374500

PROJECT

ADDITION / ALTERATIONS TO

THE MITCHELL RESIDENCE

396 GRAPHIC BOULEVARD

NEW MILFORD, NEW JERSEY 07646

CLIENT

ROBERT & ADELINA MITCHELL

ROBERT & ADELINA MITCHELL 396 GRAPHIC BOULEVARD NEW MILFORD, NEW JERSEY 07646

DRAWING NAME
FIRST FLOOR PLAN

DATE:

JULY 13, 2022

SCALE:

AS SHOWN

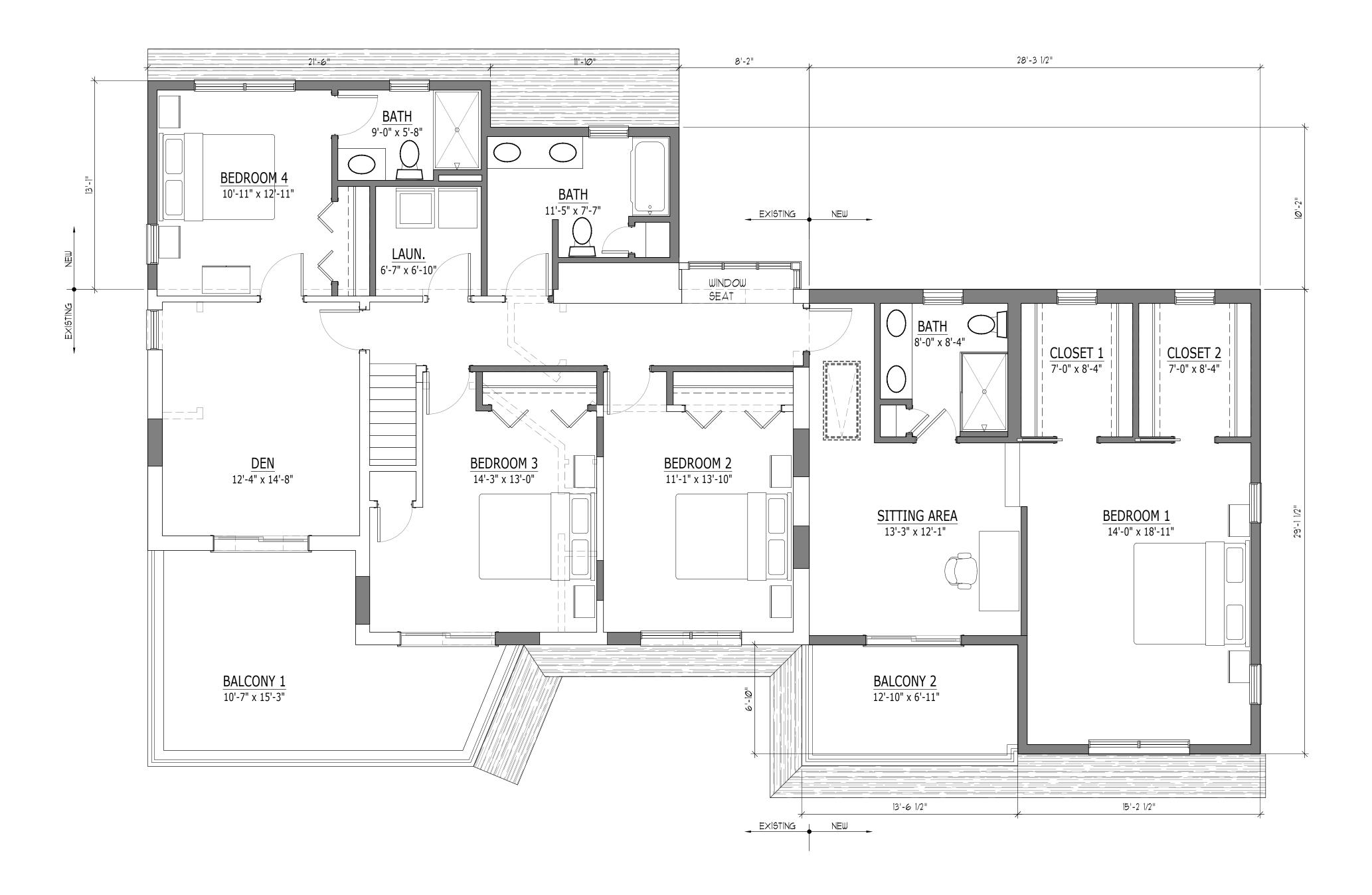
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PROJECT NO.:

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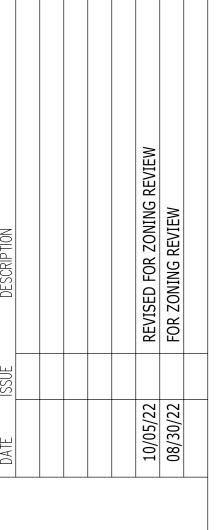
Δ-101

2022-22



PROPOSED SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



ARCHITECT, LLC EGISTERED ARCHITECT NJ 21AI01374500

PROJECT

ADDITION / ALTERATIONS TO

THE MITCHELL RESIDENCE

396 GRAPHIC BOULEVARD

NEW MILFORD, NEW JERSEY 07646

CLIENT

ROBERT & AD

ROBERT & ADELINA MITCHELL 396 GRAPHIC BOULEVARD NEW MILFORD, NEW JERSEY 07646

DRAWING NAME

SECOND FLOOR PLAN

DATE:

JULY 13, 2022

SCALE:

AS SHOWN

DRAWN BY: CHECKED BY: WGS WGS

PROJECT NO.:

DRAWING NO.

A 100

2022-22



PROPOSED FRONT ELEVATION - GRAPHIC BOULEVARD - NORTH

SCALE: 1/4" = 1'-0"



PROPOSED SIDE ELEVATION - WEST

SCALE: 1/4" = 1'-0"

		REVISED FOR ZONING REVIEW	FOR ZONING REVIEW	
		10/05/22	08/30/22	

REGISTERED ARCHITECT NJ 21AI01374500

104 SUMMIT CIRCLE
LITTLE FERRY, NJ 07643

BILL.WGS_ARCH@VERIZON.NET

WWW.SEVERINOARCHITECT.COM

PROJECT

ADDITION / ALTERATIONS TO
THE MITCHELL RESIDENCE
396 GRAPHIC BOULEVARD
NEW MILFORD, NEW JERSEY 07646

ROBERT & ADELINA MITCHELL
396 GRAPHIC BOULEVARD
NEW MILFORD, NEW JERSEY 07646

DRAWING NAME

ELEVATIONS

JULY 13, 2022

SCALE:

AS SHOWN

DRAWN BY: CHECKED BY: WGS WGS

DRAWING NO.

A-201

2022-22



PROPOSED REAR ELEVATION - SOUTH

SCALE: 1/4" = 1'-0"



PROPOSED SIDE ELEVATION - HOLLY STREET EAST

SCALE: 1/4" = 1'-0"

DATE ISSUE DESCRIPTION				08/30/22 FOR ZONING REVIEW				
William G. Severino	EGISTERED ARCHITECT NJ 21AI01374500	T COL	SUMMILICIACLE 201.013.7001 FEL LE FERRY, NJ 07643 201.329.9380 FAX	BILL.WGS_ARCH@VERIZON.NET WWW.SEVERINOARCHITECT.COM				
ADDI	PROJECT ADDITION / ALTERATIONS TO							
THE MITCHELL RESIDENCE 396 GRAPHIC BOULEVARD NEW MILFORD, NEW JERSEY 07646 CLIENT ROBERT & ADELINA MITCHELL 396 GRAPHIC BOULEVARD NEW MILFORD, NEW JERSEY 07646								
DRAWING NAME ELEVATIONS DATE: JULY 13, 2022 SCALE: AS SHOWN DRAWN BY: WGS PROJECT NO.: 2022-22 DRAWING NO.								