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Mark S. Denisiuk, PE, CME, LEED AP (2003-2023)

October 2, 2023

Via Email, Certified Mail and Regular Mail

Mr. Brian Cavanaugh
610 Cherry Lane
Mendham, New Jersey 07945

Re: Stop Work Order
Wall Construction
610 Cherry Lane

Dear Mr. Cavanaugh,

This letter is a formal stop work after as a follow up to our discussion of Wednesday, September 27, 2023 regarding the wall construction on your property at 610 Cherry Lane. To recap our discussion, you were advised to stop all work on the stone wall you were constructing on the property until all permits were obtained. These include a fence permit and a road opening permit for work within the right of way. You stated that you went to the zoning officer to obtain a fence permit but they would not issue one because you did not have a survey. You then stated that you were doing the project anyway because you had to get it done before you left New Jersey for the season. You also stated the position that the replacement of a nonconforming wood fence with a potentially nonconforming stone wall was somehow a "replacement in kind". This position is completely illogical and unsupported by the ordinance or any reasonable interpretation thereof. I advised you that you must stop work. You have continued to work since then, including work on the weekend that is specifically prohibited by the ordinance.

This is a formal stop work letter. You must stop work immediately and restore the area. The reason for the stop work order is your blatant and continued violations of several sections of the Borough ordinance including, at least:

Section 147-9 – Construction on Sunday by contractors
Section 190-38 – Failure to obtain a road opening permit
Section 215-29 – Failure to provide fence specifications
Section 215-29 – Failure to obtain a fence permit
Section 215-39 – Failure to obtain all necessary permits

This letter is a formal stop work order. Be advised that summons will be issued by the Borough for each infraction and that each day is a separate offense.

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Ferriero Engineering, Inc.

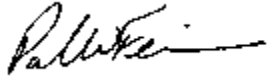
October 2, 2023

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Re: Stop Work Order
Wall Construction
610 Cherry Lane

As noted above, all work must cease immediately and all permits must be obtained before work can continue.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul W. Ferriero", with a horizontal line extending to the right.

Paul W. Ferriero, PE, CME
Borough Engineer

cc: Rob Rosendale, Zoning Officer
Fred Semrau, Esq.
Joyce Bushman, Administrator