



TOWN OF PLYMPTON
OFFICE OF THE INSPECTOR OF BUILDINGS
BUILDING COMMISSIONER
5 PALMER ROAD
Telephone: (781) 585-0571

By Hand
By USPS First Class Mail
By USPS Certified Mail

Date: 9/28/2022

Mr. Peter Opachinski
SLT Construction Corporation
3 Marion Drive
Carver MA 02330

RE: M19-B2-L4
Plympton MA 02367

You are hereby **ORDERED TO IMMEDIATELY CEASE AND DESIST** from violating the following provisions of the Town of Plympton By-Laws Chapter 145 §145-3 regarding Earth Removal

This office has concluded based on evidence obtained that Earth Removal operations being conducted on your land in Plympton M19-B2-L4 Spring Street are in violation of The Town of Plympton By-Laws Chapter §145-Earth Removal as defined in §145-2 Definitions.

EARTH REMOVAL OPERATION or OPERATIONS

The processing or removal, or both, from a site, by hand or by machinery, of any earth material, including but not limited to loam, sand, gravel, clay, peat, hard-pan, or rock, from the surface or subsurface without the aid of drilling and/or blasting, together with all activities associated with the removal, including, but not limited to, the stripping of vegetation, loam, topsoil, or sod, the digging, **stockpiling**, processing, moving, depositing, or transportation of earth products in any form, natural, altered or otherwise. "Earth removal operation" includes the moving of equipment required for the operation to, from, or within the site, and all land affected by the operation (e.g., fill, or storage piles, access ways, or structures). **Earth removal** operations shall include all land impacted by the operation (e.g., pits, fill or storage piles, access ways and structures).

§ 145-3 Permit required; compliance with other laws and regulations.

A. No person shall conduct an earth removal operation in the Town of Plympton unless they are the holder of an earth removal permit issued by the Board or the operation qualifies for an exemption set forth in this bylaw. The burden shall be on the operator to prove the applicability of an exemption.

NO SUCH PERMIT HAS BEEN ISSUED.



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§ 145-11 Enforcement; violations and penalties.

This by-law may be enforced by the Town's Building Inspector or his/her designee. Whoever violates any provision of this bylaw may be penalized by a noncriminal disposition process as provided in MGL c. 40, § 21D and the Town's noncriminal disposition bylaw.^[1] If noncriminal disposition is elected, then the noncriminal fine for each such violation, if not otherwise specified, shall be \$300 for each day and for each unit of removal on which a violation exists. A "unit of removal" shall be measured according to the method used to remove soil, loam, sand or gravel from the original site, such as a truckload of any size.

YOU ARE AGAIN HEREBY ORDERED TO CEASE AND DESIST THE UNPERMITTED ACTIVITY IMMEDIATELY.

You may appeal my determination in accordance with state law.

Thomas Millias
Inspector of Buildings/
Building Commissioner

CC: Board of Selectmen