

TOWN OF PLYMPTON  
BOARD OF APPEALS



Application For (check one):

Variance   
Special Permit   
Appeal   
Comprehensive Permit

Date

November 14, 2023

Name of Applicant

RPBP, LLC and S L T  
Construction Corporation

Case Number:

23-1115

Date & Time  
Received by Town Clerk

2023 NOV 15 PM 1:20  
2023 NOV 15 PM 1:20

TOWN OF PLYMPTON BOARD OF APPEALS  
APPLICATION

This is an application for: (complete only one of the following):

1. A Variance from Section \_\_\_\_\_ of the Zoning Bylaw for \_\_\_\_\_
2. A Special Permit under Section \_\_\_\_\_ of the Zoning Bylaw for \_\_\_\_\_
3. An Appeal of a Zoning Ruling by the Building Inspector or planning agency,  
dated October 17, 2023 (a copy of which must be attached)
4. A Comprehensive Permit Application for low or moderate income housing under MGL Chapter 40B \_\_\_\_\_

Date November 14, 2023

Name of Applicant RPBP, LLC and S L T Construction Corporation

Name of Property Owner (if a corporation or trust, also give names of beneficial owners) RPBP, LLC

Address of Applicant for Public Hearing Notice 0 Spring Street

Phone 617-378-4312 E-Mail rferguson@hinckleyallen.com

Property Location: Assessor's Map # 19 Block # 2 Lot # 4

Street Address or Measurement from known point 0 Spring Street

Lot Area 23.4 acres Frontage 255' Depth 1890'

Applicant's interest in land was acquired on (date) October 24, 2018

From MA Department of Transportation (Book 50438, Page 270)

Complete statement of nature of this application (may be attached): See attached

Names and address of Abutters (may be attached): See attached

A hearing is requested in the above matter: At the next available public hearing.

Applicant's Signature  Date November 14, 2023  
Peter Opachinski, Manager

## TOWN OF PLYMPTON BOARD OF APPEALS RULES

(Revised May 23, 2018)

In order to be considered a valid application, your application must be submitted to the Town Clerk's office with the appropriate fees as stated below and must comply with all of the following rules:

1. The fees are as follows and will require 4 checks:  
      Check 1—\$100.00 Application Fee for ZBA Determination  
Check made out to: **TOWN OF PLYMPTON**  
  
      Check 2—\$84.00-Advertising Fee  
Check made out to: **TOWN OF PLYMPTON**  
  
      Check 3—\$35.00-Certified Abutter's List (from Assessor's Office) Check made out to: **TOWN OF PLYMPTON**  
  
4       Check 4-Abutters Certified Letter Postage Cost  
     4 # Abutters x \$6.59\*                      \$       Check made out to: **TOWN OF PLYMPTON**

*Subject to prices of US Post Office*

*The applicant is responsible for any other fees that may apply to this case.*

2. All applications **must be submitted in duplicate** on this form or equivalent. All fields must be completed.
3. The location of the property in question must be described by Assessors map and lot number, by street number if any, and by measurement from the nearest known point if no street number is available.
4. All applications shall be accompanied by a plan of the land affected, drawn to a scale of 1"=40' or 1"=80', showing all monuments, structures, street lines, ways, and proposed structures or uses. The Board reserves the right to require that the plan be prepared by a registered land surveyor or registered professional engineer. The Board also reserves the right to waive plan requirements as appropriate.
5. The applicant shall provide the names and addresses of direct abutters, owners of land directly opposite on any street or way, and abutters to the abutters within three hundred feet of the property line. The Board reserves the right to require that the abutters list be certified by the Board of Assessors. The Board also reserves the right to notify persons not on the abutters list.
6. The Board may employ outside consultants if it determines by majority vote that it requires outside technical advice unavailable from Town employees to review an application. Whenever possible it shall work cooperatively with the applicant to identify appropriate consultants and to negotiate payment of part or all of the consultant fees by the applicant. Alternatively, the Board may, by majority vote, require that the applicant pay a reasonable fee for the employment of outside consultants chosen by the Board alone. A review fee may be imposed only if the work is in connection with the applicant's specific project, and all written results and report are made part of the record before the Board. The minimum qualifications for consultants shall consist of either an educational degree in a related field or three or more years of practice in a related field. Each review fee shall be deposited in a special account established by the Town Treasurer pursuant to MGL Ch44, Section 53G. Funds from the special account may be expended only for the purposes described above.

Upon the Town Clerk's receipt of your properly completed application and fee the Board will schedule, advertise and hold a Public Hearing on your application.

After the Public Hearing the Board will rule on your application.

Town of Plympton  
Building Department  
5 Palmer Road Plympton MA 02367  
(781) 585-0571

Zoning Permit # \_\_\_\_\_

Date 5/24/23

Zone District \_\_\_\_\_

PERMIT FEE: \$25.00

*Must include  
2 copies of  
plot plan*

**COMMERCIAL AND INDUSTRIAL ZONING APPLICATION**

*(This is not a building permit)*

1. LOCATION OF PROPERTY 0 Spring Street (access from Carver) PARCEL #: 19-2-4-0
2. PERMIT TO: ERECT  ALTER \_\_\_\_\_ DEMOLISH \_\_\_\_\_ MOVE \_\_\_\_\_ OTHER \_\_\_\_\_
3. PRESENT USE Vacant
4. NEW PROPOSED USE Material Processing Facility
5. NEW BUILDING/ADDITION: HEIGHT <sup><40 ft.</sup> <3 Stories SIZE ±4,900 s.f. maintenance garage, ±1,512 s.f. scale house
6. IF PROFESSIONAL USE - NUMBER OF OFFICES \_\_\_\_\_ TYPE \_\_\_\_\_
7. AREA OF LOT ±1,064,218 s.f. NUMBER OF FEET: FRONT 255' REAR 1195' DEPTH 1890'
8. SITE AND FLOOR PLANS NEEDED ALONG WITH DESCRIPTION OF WORK TO BE DONE: The project will consist of the

construction of a proposed ±4,900 s.f. maintenance garage and ±1,512 s.f. scale house, with associated driveway, closed-drainage system, infiltration basin, utilities and septic system. The site will include designed areas for material and equipment storage, and material processing.

9. IF TOTAL BUILDING EXCEEDS 35,000 CUBIC FEET REFER TO THE MASSACHUSETTS STATE BUILDING CODE SECTION 127.

IT IS UNDERSTOOD AND AGREED THAT THE ZONING PERMIT IS ISSUED IN RELIANCE UPON THE INFORMATION SUBMITTED BY THE PETITIONER ON AND WITH THIS APPLICATION, THEREFORE, IF ANY FALSE OR MISLEADING INFORMATION IS FOUND TO EXIST THEREIN, THE ZONING PERMIT IS VOIDABLE BY A ZONING OFFICIAL.

**ZONING PERMITS ARE GOOD FOR ONE YEAR FROM THE DATE IT IS ISSUED**

NAME (please print) RPBP, LLC.

3 Marion Drive  
MAILING ADDRESS

  
SIGNATURE OF OWNER

Carver MA 02330  
TOWN STATE ZIP CODE

SIGNATURE OF AGENT

508-958-6949  
TELEPHONE NUMBER

peter@sltconstruction.net  
E-MAIL ADDRESS

**DO NOT WRITE BELOW THIS LINE**

ZONING PERMIT APPROVED: \_\_\_\_\_

ZONING PERMIT DENIED: \_\_\_\_\_

DATE ISSUED:  
Revised 6/24/2013

\_\_\_\_\_  
ZONING OFFICIAL SIGNATURE

### SLT Construction – Plympton, MA Facility

Please be advised that Hinckley, Allen LLP represents SLT Construction Corporation ("SLT") in relation to the proposed development of 0 Spring Street, located in the "Industrial" Zone (1) in Plympton, Massachusetts (Assessor's Parcel ID 19-2-4-0) (the "Subject Property"). SLT has pursued Massachusetts Department of Environmental Protection ("MassDEP") approval of a Recycling, Composting or Conversion Permit ("RCC Permit"), and MassDEP has issued a draft approval of the same. This letter outlines SLT's position that because the proposed use of the property under said RCC Permit constitutes "Light Manufacturing" as defined in the Town of Plympton Zoning Bylaw, such use is clearly allowed as of right in the Industrial zone where the Property is located as evidenced by the Use Regulation Table set forth in the Town of Plympton Zoning Bylaw.

#### I. Background

The Subject Property is located immediately east of the intersection of State Highway Route 44 and Spring Street on the border of Plympton and Carver, Massachusetts. The entire Subject Property is located on two contiguous parcels of land owned by RPBP, LLC, with a total acreage of 24.3 acres. The larger northern parcel is located entirely within the Town of Plympton and is approximately 23.4 acres of land. All RCC operations are currently planned to occur on this parcel. The southern parcel is located within the Town of Carver and will be utilized by SLT solely for ingress and egress to the Subject Property.

According to the Town of Plympton Zoning Map, the Subject Property is located within the Industrial Zone (I) of Plympton. Only two industrial uses are prohibited in this Industrial zone: (1) "junk or salvage yard" and (2) "commercial sewage and/or septage treatment and/or disposal facilities." The RCC Permit does not contemplate either of these prohibited uses. The Subject Property is bordered by Route 44 to the north and west, solar farms to the east and south, and Ricketts Pond/Ricketts Pond Business Park (currently under development) to the South.

#### II. Proposed Use of Premises

The proposed operation of the Subject Property is set to be from 7:00am to 5:00pm on Monday-Friday, and 7:00am to 1:00pm on Saturdays, excluding holidays. The proposed operation will consist of the processing, fabrication, packaging, storage and/or distribution of manufactured product for use in driveways, patios, and other applications (the "Proposed Operation"). The products themselves will consist of the following inert materials: asphalt, brick, and concrete. SLT anticipates that it will accept up to approximately 250 tons of Asphalt, Brick, and Concrete materials (known as "ABC materials") per day, and up to approximately 80,000 tons per year. These materials will then be processed and stored on the Subject Property, and the manufactured product will be sold for use in driveways, patios, and other materials where crushed ABC materials are needed. The Subject Property is in an ideal spot for an RCC operation - the closest residential property is over 815 feet away; the nearest public water supply is approximately 2,000 feet away, and the nearest non-man-made pond is approximately 650 feet away. Importantly, asphalt and cement will *not* be manufactured on the site; rather, previously manufactured asphalt and cement will be *recycled* at the site and converted into the granular, recycled product that SLT will sell.

