

## **SOUTH PORTLAND CITY COUNCIL**

*POSITION PAPER OF THE CITY CLERK*

***SUBJECT:***

***ORDER #89-17/18 - EDWARD H. BENJAMIN D/B/A BENJAMIN BUILDING WRECKING CO., 41 JACKSON STREET, FOR AN AUTOMOBILE GRAVEYARD/AUTOMOBILE RECYCLING BUSINESS AND/OR JUNKYARD LICENSE. Passage requires majority vote.***

***POSITION:***

This is an existing business that requires annual approval by the municipal officers to grant the license, pursuant to Title 30-A Sec. 3753 & 3754 and Sec. 14-756 of the City's Code of Ordinances.

The application was submitted and notices were sent to the Department of Motor Vehicles, as is required. A legal notice was placed in the South Portland-Cape Elizabeth Sentry. There have been no objections from the public.

***REQUESTED ACTION:***

Passage of ORDER #89-17/18.



CITY OF SOUTH PORTLAND

PATRICIA SMITH  
Mayor

SCOTT T. MORELLI  
City Manager

EMILY F. SCULLY  
City Clerk

SALLY J. DAGGETT  
Jensen Baird Gardner & Henry

**In Council  
Order #89-17/18**

District One  
CLAUDE V.Z. MORGAN

\_\_\_\_\_  
District Two  
PATRICIA SMITH

\_\_\_\_\_  
District Three  
EBEN ROSE

\_\_\_\_\_  
District Four  
LINDA C. COHEN

\_\_\_\_\_  
District Five  
BRAD FOX

\_\_\_\_\_  
At Large  
MAXINE BEECHER

\_\_\_\_\_  
At Large  
SUSAN HENDERSON

ORDERED, that EDWARD H. BENJAMIN, doing business as BENJAMIN BUILDING WRECKING CO., of 41 Jackson Street, be granted an Automobile Graveyard/Automobile Recycling Business and/or Junkyard license. Passage requires majority vote.

Fiscal Note: Less than \$1,000

Dated: November 20, 2017

# Application for Automobile Graveyard/Automobile Recycling Business and/or Junkyard Permit

## Municipal Office Use Only

Tentative Date of Hearing: 11/20/17 Application Received: 10/30/17  
Time of Hearing: 7:30 pm Permit No: \_\_\_\_\_  
Place of Hearing: So. Portland Fee Paid: \_\_\_\_\_  
Notifications sent by: \_\_\_\_\_ Date: \_\_\_\_\_

\* \* \* \* \*

**Applicant, please answer all questions in full.**

To the City of South Portland, County of Cumberland, Maine: I/we Edward H. Benjamin hereby make application (quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard, Automobile Recycling Business and/or Junkyard at the following described location and in accordance with the provisions of Title 30-A, Sections 3751 to 3760, Chapter 183.

1. Give location of Automobile Graveyard and/or Junkyard: 41 Jackson St. So. Portland

2. Is this application made by or for a company, partnership, corporation-individual? Individual

Contact Name: Edward Benjamin Telephone Number: 767-1122

3. Is this property leased? no Property owned by: Edward Benjamin

Address: 93 Lincoln St City: So. Portland State: ME Zip: 04106

4. How is "yard" screened? a. Fence (Type): Panel/Iron Height: 12'

b. Trees (Type): \_\_\_\_\_ c. Embankment? \_\_\_\_\_ d. Gully? \_\_\_\_\_ e. Hill? \_\_\_\_\_

f. Other? Specify: \_\_\_\_\_

5. How far is the edge of the "yard" from the center of the highway? 40' feet.

6. Can junk be seen from any part of the highway? Yes \_\_\_\_\_ No

7. Was Junkyard Law, Requirements and Fees explained to you? Yes  No \_\_\_\_\_

8. Is any portion of this "yard" on public property? Yes \_\_\_\_\_ No

9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes \_\_\_\_\_ No

10. When was "yard" established? 1938 By whom? Oxford Wrecking Co.

11. When was last permit issued? 2016 To whom? Edward Benjamin

Continued on back...

The undersigned certifies that the above information is true and correct to the best of his/her knowledge and that he/she is the owner or agent of the property or that he/she has been duly authorized by the owner, individual, partnership, company or corporation to make this application and to receive the permit under the law.

Signed by: Edward Benjamin For: \_\_\_\_\_  
Name of Company, Corporation, Partnership, Individual

Address 93 Lincoln So Portland Email: benjamin.demo55@yahoo.com

Make complete sketch of "yard."

\* See previous years

1. Show footage all sides and location in relationship to adjacent properties. *Sketch, nothing has change*
2. Show distance (in feet) from edge of "yard" to center of highway. Fill in Route Number or Local Road Name.
3. Name of nearest City/Town in each direction.
4. Distance from nearest intersection, bridge or other known reference point.

Circle Correct Direction:    North            South            East            West

Tax Map and Lot No.: 30            Zone: C

37-32

-----  
 Road Name Jackson St  
 or  
 Route Number \_\_\_\_\_ To Deaclen  
 -----  
Lincoln To \_\_\_\_\_

**License Fees:**            \$300.00  
**Processing Fee:**        \$20.00  
**Total:**                    \$320.00

Advertising Fee: 50            Date Paid: 10/30/17

You will be billed for the cost of the legal ad. All fees must be paid before a permit can be issued.

**Municipal Use Only**

Map and Lot #: \_\_\_\_\_ RE Taxes Paid:

Personal Property Tax #: \_\_\_\_\_ Paid:

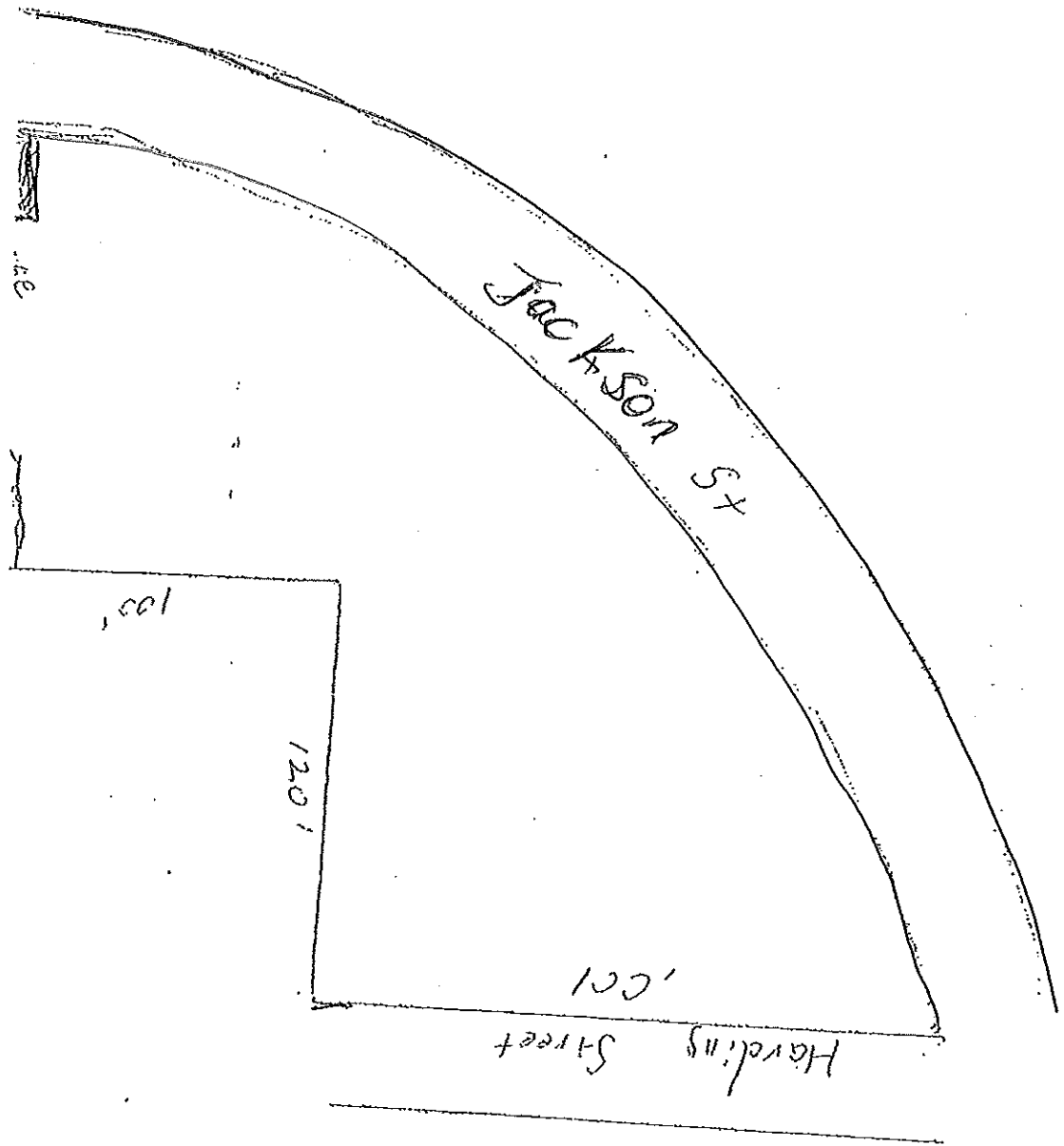
**Legal Advertisement  
City of South Portland**

**Notice of Public Hearing**

A Public Hearing will be held on the renewal application of the following  
Automobile Graveyard/Automobile Recycling Business and/or Junkyard:  
Benjamin Building & Wrecking Co., 41 Jackson St., on November 20, 2017  
at 7:00 P.M. in the Council Chambers, 25 Cottage Road.

Emily Scully, City Clerk

main building wreckage  
Jackson St South Portland



A  
North

**Permit to be Displayed on Premises**

City of South Portland, Cumberland County, Maine

Permit Number: \_\_\_\_\_

Public Hearing held: 11/20/17

Fee Paid: 320 -

**Permit**

To establish, operate or maintain an Automobile Graveyard, Automobile Recycling Business and/or Junkyard. Subject to existing rules, regulations and any amendments that may be made thereto, under the provisions of Title 30-A, Sections 3751 to 3760, Chapter 183.

This permit is hereby granted upon condition that the Automobile Graveyard, Automobile Recycling business or Junkyard does not violate any of the above Sections of Title 30-A.

Owner's Name: Edward H. Benjamin

Business Name: Benjamin Building and Wrecking

Street Address: 41 Jackson St, South Portland, ME.

This permit expires December 31, 20\_\_ unless sooner revoked by the Municipal Officials.

Dated at South Portland, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Municipal Officers**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certified True Copy:**

\_\_\_\_\_  
City Clerk

1 Copy to the City

1 Copy to Applicant

1 Copy of the Application to Bureau of Motor Vehicles, Attn: Wayne Russell, 29 State House Station, Augusta, ME 04333

**Restrictions and/or Conditions:** N/A

**Recommendations of the Department of Environmental Protection:** N/A

**Recommendations of State and/or Local Police** N/A

**Violations:** N/A