

**Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application
Chapter 14, Portland City Code §525 (a) through (c)
E. Perry Iron & Metal Co.
Portland, Maine**

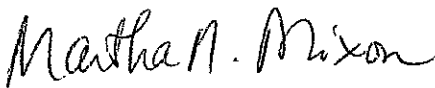
Prepared for:

E. Perry Iron & Metal Co.
115 Lancaster Street
Portland, Maine 04101

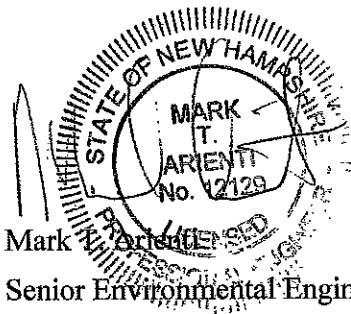
Prepared by:

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

April 30, 2008



Martha N. Mixon
Senior Geologist



Mark T. Arment
Senior Environmental Engineer

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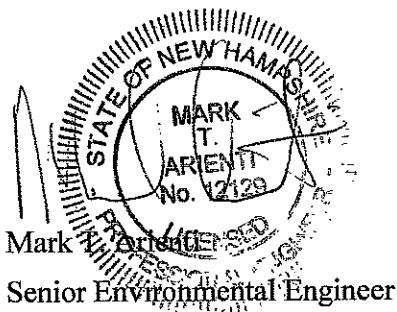
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April 30, 2008

Martha N. Nixon

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Senior Environmental Engineer

April 30, 2008

Rick Knowland, Senior Planner
Planning Division
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application
E. Perry Iron & Metal Co.
Portland, Maine

Dear Mr. Knowland:

The enclosed Development Review Application is submitted to meet the Scrap Metal Recycling Facilities Permit Application requirements for E. Perry Iron & Metal Co. ("E. Perry"). This Development Review Application satisfies Section 31-5 of the City of Portland Code of Ordinances for Scrap Metal Recycling Facilities ("Code") and the rules promulgated under that ordinance.

The development review process as described in Article V, Site Plan in Section 14 of the Code is designed to review development, which is defined as "any construction or change of use", according to Section 14-522, Definitions. Neither construction nor a change of use is planned at E. Perry. Although E. Perry does not believe Sections 25(a) and (c) apply to the permitting process, in the spirit of cooperation we are providing all information that is reasonably related to Sections 525(a), (b) and (c). Many of the Site Plan checklist items and items required to be addressed in the written statement are inapplicable, such as Sections 525(c)(7), (c)(8) and (c)(9). In fact, the City recognizes the inapplicability of Section 14-525(a) and 525(c) by virtue of Section 31-7 of the Scrap Metal Ordinance, which specifically limits submission requirements to a site plan complying with Section 525(b).

Also, as required by the Development Review Application, one set of site plans reduced to 11 by 17 inches and one compact disk containing electronic copies of the boundary surveys and site plan have been provided to the Planning Division separately.

April 30, 2008

Rick Knowland, Senior Planner
Planning Division
City of Portland
389 Congress Street
Portland, Maine 04101

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Scrap Metal Recycling Facility Permit Application
E. Perry Iron & Metal Co.
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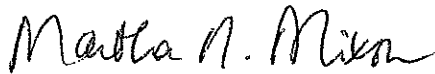
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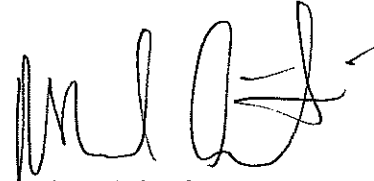
Rick Knowland, City of Portland
April 30, 2008
Page 2

Please do not hesitate to contact us if you need clarification on any of the application materials. We look forward to discussing this Development Review Application with you and continuing with the Scrap Metal Facilities Permit Application. Thank you.

Sincerely,



Martha N. Mixon
Senior Geologist



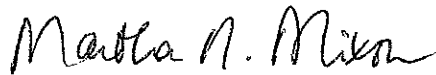
Mark T. Arienti
Senior Environmental Engineer

Encl.

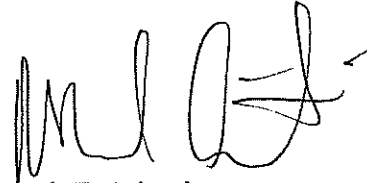
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Encl.

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**Application Form
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for

E. Perry Iron & Metal Co., Inc.
115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Development Review Application
E. Perry Iron & Metal Co.
Portland, Maine

**Application Form
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
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Prepared for

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115 Lancaster Street
Portland, Maine 04101

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Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Development Review Application
E. Perry Iron & Metal Co.
Portland, Maine



Development Review Application Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Address of Proposed Development: 115 Lancaster Street, Portland, Maine 04101

Zone: B-7

Project Name: E. Perry Iron & Metal Co., Inc., Scrap Metal Recycling Facilities Permit Application, Site Plan

Existing Building Size: Lancaster St. bldg - 11454 sq. ft. Somerset St. bldg - 3634 sq. ft.	Proposed Building Size: Not applicable sq. ft.
Existing Acreage of Site: Lancaster Street - 72142 sq. ft. Somerset St. - 34567 sq. ft.	Proposed Acreage of Site: Not applicable sq. ft.

Proposed Total Disturbed Area of the Site: Not applicable

* If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) or Chapter 500, Stormwater Management Permit with the Maine Department of Environmental Protection (DEP).

Tax Assessor's Chart, Block & Lot: Lancaster St. Somerset St. Chart # 25 24 Block # D C Lot # 002, 005, 006, 007, 008 024	Property Owners Name/ Mailing address: Alan Lerman & E, Perry Iron & Metal Co. 115 Lancaster Street Portland, Maine 04101 See Attachment C, table of chart/block/lot and ownerships.	Telephone #: 775-3181 Cell Phone #:
---	--	--

Consultant/Agent Name, Mailing Address, Telephone #, Fax # and Cell Phone # : Martha N. Mixon, Sr. Geologist Acadia Environmental Technology 48 Free Street Portland, Maine 04101 cell 712-0573	Applicant's Name/ Mailing Address: E. Perry Iron & Metal Co., Inc. 115 Lancaster Street Portland, Maine 04101	Telephone #: 775-3181 Cell Phone #:
--	---	--

Fee for Service Deposit (all applications) (\$200.00)

Proposed Development (check all that apply)

- New Building Building Addition Change of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking lot
 Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable
 Site Location of Development (\$3,000.00)
 (except for residential projects which shall be \$200.00 per lot _____)
 Traffic Movement (\$1,000.00) Storm water Quality (\$250.00)
 Section 14-403 Review (\$400.00 + \$25.00 per lot)
 Other Continued use, Scrap Metal Recycling Facility Site Plan ~ Please see next page ~



Development Review Application Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Address of Proposed Development: 115 Lancaster Street, Portland, Maine 04101

Zone: B-7

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Fee for Service Deposit (all applications) X (\$200.00)

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- Section 14-403 Review (\$400.00 + \$25.00 per lot)
- Other Continued use, Scrap Metal Recycling Facility Site Plan ~ Please see next page ~

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

Billing Address: (name, address and contact information)

Alan Lerman
 E. Perry Iron & Metal Co., Inc.
 115 Lancaster Street
 Portland, Maine 04101


Submittals shall include **seven (7) folded** packets containing of the following materials:

- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

Signature of Applicant: 	Date: 4-28-08
--	------------------

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
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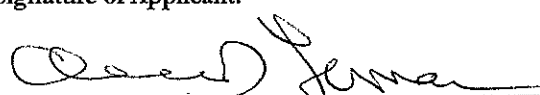
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**Site Plan Checklist
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for

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115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
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Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

E. Perry Iron & Metal Co., Inc. Scrap Metal Recycling Facilities Permit Application, Site Plan

Project Name, Address of Project

Application Number

The form is to be completed by the Applicant or Designated Representative:

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
<u>Attachment A</u>	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
<u>(2 maps)</u>	(2)	Name and address of applicant and name of proposed development	a
<u>↓</u>	(3)	Scale and north points	b
<u>↓</u>	(4)	Boundaries of the site	c
<u>↓</u>	(5)	Total land area of site	d
<u>↓</u>	(6)	Topography - existing and proposed (2 feet intervals or less)	e
<u>Attachment B</u>	(7)	Plans based on the boundary survey including:	2
<u>See Site Plan notes</u>	(8)	Existing soil conditions	a
<u>none</u>	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
<u>on Site Plan</u>	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
<u>no buildings abut site</u>	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
<u>on Site Plan</u>	(12)	Location of on-site waste receptacles	e
<u>↓</u>	(13)	Public utilities	e
<u>↓</u>	(14)	Water and sewer mains	e
<u>no drains on property</u>	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
<u>not applicable</u>	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
<u>on Site Plan</u>	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
<u>↓</u>	(18)	Parking areas	g
<u>↓</u>	(19)	Loading facilities	g
<u>↓</u>	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
<u>↓</u>	(21)	Curb and sidewalks	g
<u>not applicable</u>	(22)	Landscape plan showing:	h
<u>none</u>	(23)	Location of existing vegetation and proposed vegetation	h
<u>none</u>	(24)	Type of vegetation	h
<u>none</u>	(25)	Quantity of plantings	h
<u>none</u>	(26)	Size of proposed landscaping	h
<u>none</u>	(27)	Existing areas to be preserved	h
<u>none</u>	(28)	Preservation measures to be employed	h
<u>none</u>	(29)	Details of planting and preservation specifications	h
<u>See Site Plan, including General Notes</u>	(30)	Location and dimensions of all fencing and screening	i
<u>on Site Plan</u>	(31)	Location and intensity of outdoor lighting system	j
<u>on Site Plan</u>	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
<u>see written statement</u>	(33)	Written statements to include:	c
<u>↓</u>	(34)	Description of proposed uses to be located on site	cl
<u>↓</u>	(35)	Quantity and type of residential, if any	cl
<u>↓</u>	(36)	Total land area of the site	c2
<u>↓</u>	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
<u>↓</u>	(38)	General summary of existing and proposed easements or other burdens	c3
<u>↓</u>	(39)	Type, quantity and method of handling solid waste disposal	c4
<u>↓</u>	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
<u>↓</u>	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6



Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

E. Perry Iron & Metal Co., Inc. Scrap Metal Recycling Facilities Permit Application, Site Plan _____
Project Name, Address of Project **Application Number**

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↓	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

not applicable, see <u>written statement</u>	(42)	An estimate of the time period required for completion of the development	7
<hr/>	(43)	A list of all state and federal regulatory approvals to which the development may be subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
<hr/>	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	h8
<u>Attachment C</u>	(48)	Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
<u>none</u>	(49)	A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
<u>pdf file provided on CD</u>	(50)	A jpeg or pdf of the proposed site plan, if available.	
to be <u>provided when approved</u>	(51)	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

Other comments:

This Development Review Application for Site Plan is for an existing facility, the E. Perry Iron & Metal Co. No new development is planned at the site. This application is submitted to comply with the City of Portland's Scrap Metal Recycling Facilities ordinance.

not applicable, see <u>written statement</u>	(42)	An estimate of the time period required for completion of the development	7
<hr/>	(43)	A list of all state and federal regulatory approvals to which the development may be subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
<hr/>	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	h8
<u>Attachment C</u>	(48)	Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
<u>none</u>	(49)	A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
<u>pdf file provided on CD</u>	(50)	A jpeg or pdf of the proposed site plan, if available.	
to be <u>provided when approved</u>	(51)	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

Other comments:

This Development Review Application for Site Plan is for an existing facility, the E. Perry Iron & Metal Co. No new development is planned at the site. This application is submitted to comply with the City of Portland's Scrap Metal Recycling Facilities ordinance.

**Fire Department Checklist
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for

E. Perry Iron & Metal Co., Inc.
115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Development Review Application
E. Perry Iron & Metal Co.
Portland, Maine

**Fire Department Checklist
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
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115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Development Review Application
E. Perry Iron & Metal Co.
Portland, Maine

Fire Department Checklist Items:

Name, address, phone # of Applicant: E. Perry Iron & Metal Inc.
115 Lancaster Street
Portland, ME 04101
207-775-1381

NFPA classification of structures: Industrial

Square footage of all structures: The structure at 115 Lancaster Street is 11,467 sq. ft.
The structure at 9 Somerset Street is 3,634 sq. ft.

Proposed fire protection of all structures: No new structures are proposed. The existing structure at 115 Lancaster Street is within 200 feet of two hydrants (listed below), and the existing structure at Somerset St. is within 100 feet of a hydrant (see below).

Hydrant Locations:

PWD Hydrant Identifier	Location	Flow at 20 psi (gpm)	Flow (gpm)
POD-HYD00233	On Kennebec near intersection with Pearl	3,049	966
POD-HYD00251	On Lancaster 250 ft. west of Pearl	NA	1135
POD-HYD01864	Somerset St. opposite Pearl	15,473	2,846

Water main size and location: A 6-inch cast iron water line that runs down Pearl St. feeds the Lancaster Street property via a ¾-inch copper service line. The Somerset Street receives its water from a 16-inch ductile iron line via a 1-inch copper service line.

Access to fire department connections: Hydrants are located nearby as discussed above.

Access to all Structures: The Lancaster St. site has 4 loading/unloading doors along Lancaster Street as well as two office doors near the corner of Lancaster and Pearl St. The Somerset Street has three doors on the side of the building facing Somerset Street. (See Site Plan)

Code summary: No new construction is planned.

Elevators: none are present.

Fire flows using Annex H: No new construction is planned.

Note: E. Perry is inspected annually by the Fire Department for its Welding and Cutting Permit.

Fire Department Checklist Items:

Name, address, phone # of Applicant: E. Perry Iron & Metal Inc.
115 Lancaster Street
Portland, ME 04101
207-775-1381

NFPA classification of structures: Industrial

Square footage of all structures: The structure at 115 Lancaster Street is 11,467 sq. ft.
The structure at 9 Somerset Street is 3,634 sq. ft.

Proposed fire protection of all structures: No new structures are proposed. The existing structure at 115 Lancaster Street is within 200 feet of two hydrants (listed below), and the existing structure at Somerset St. is within 100 feet of a hydrant (see below).

Hydrant Locations:

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Water main size and location: A 6-inch cast iron water line that runs down Pearl St. feeds the Lancaster Street property via a ¾-inch copper service line. The Somerset Street receives its water from a 16-inch ductile iron line via a 1-inch copper service line.

Access to fire department connections: Hydrants are located nearby as discussed above.

Access to all Structures: The Lancaster St. site has 4 loading/unloading doors along Lancaster Street as well as two office doors near the corner of Lancaster and Pearl St. The Somerset Street has three doors on the side of the building facing Somerset Street. (See Site Plan)

Code summary: No new construction is planned.

Elevators: none are present.

Fire flows using Annex H: No new construction is planned.

Note: E. Perry is inspected annually by the Fire Department for its Welding and Cutting Permit.

Zoning Summary
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application

E. Perry Iron & Metal Co.
Portland, Maine

Prepared for

E. Perry Iron & Metal Co., Inc.
115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Development Review Application
E. Perry Iron & Metal Co.
Portland, Maine

Zoning Summary
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application

E. Perry Iron & Metal Co.
Portland, Maine

Prepared for

E. Perry Iron & Metal Co., Inc.
115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Development Review Application
E. Perry Iron & Metal Co.
Portland, Maine

Zoning Summary

The properties are located in the B-7 zone (mixed development district)

	Existing		
	B-7 Required/Allowed	Somerset Street Property	Lancaster Street Parcel
Minimum Lot Size:	None	0.79 acre	1.66 acre
Minimum Frontage:	None	181 feet	526 ft along Lancaster St. (also 532 ft along Kennebec St., 165 ft along Pearl St.)
Yard dimensions:			
Side setback:	None required.	30 ft	315 ft toward Chestnut St.
Rear setback:	None Required.	130 ft	50 ft toward Kennebec St.
Maximum Street Setback:	10 feet	Less than 10 feet	Less than 10 feet
Building wall length along street frontage:	Minimum 75% of lot street frontage or 25% of building perimeter within 10 feet of street	84 ft	137 feet along Lancaster St, also 115 ft along Pearl St
Maximum building lot coverage:	100%	10.5%	15.8 %
Maximum residential density:	None	None	None
Maximum building height:	Bayside height overlay map	Single Story	Single Story
Minimum building height:	Bayside height overlay map	Single Story	Single Story
Parking – B7	Floor area of 10-50000 square feet: sufficient parking	Parking on Street	Parking on Street
Wetland Fill	No Requirement	No wetlands on site.	No wetlands on site.

Zoning Summary

The properties are located in the B-7 zone (mixed development district)

	B-7 Required/Allowed	Somerset Street Property	Existing Lancaster Street Parcel
Minimum Lot Size:	None	0.79 acre	1.66 acre
Minimum Frontage:	None	181 feet	526 ft along Lancaster St. (also 532 ft along Kennebec St., 165 ft along Pearl St.)
Yard dimensions:			
Side setback:	None required.	30 ft	315 ft toward Chestnut St.
Rear setback:	None Required.	130 ft	50 ft toward Kennebec St.
Maximum Street Setback:	10 feet	Less than 10 feet	Less than 10 feet
Building wall length along street frontage:	Minimum 75% of lot street frontage or 25% of building perimeter within 10 feet of street	84 ft	137 feet along Lancaster St, also 115 ft along Pearl St
Maximum building lot coverage:	100%	10.5%	15.8 %
Maximum residential density:	None	None	None
Maximum building height:	Bayside height overlay map	Single Story	Single Story
Minimum building height:	Bayside height overlay map	Single Story	Single Story
Parking – B7	Floor area of 10-50000 square feet: sufficient parking	Parking on Street	Parking on Street
Wetland Fill	No Requirement	No wetlands on site.	No wetlands on site.

Development Review Application
 E. Perry Iron & Metal Co.
 Portland, Maine

**Written Statement
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for

E. Perry Iron & Metal Co., Inc.
115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

**Written Statement
Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application**

**E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for

E. Perry Iron & Metal Co., Inc.
115 Lancaster Street
Portland, Maine 04101

Prepared by

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Introduction

This written statement accompanies a Development Review Application for the E. Perry Iron & Metal Co. (E. Perry) scrap metal recycling facility located on Lancaster and Somerset Streets in Portland, Maine. This application is required to accompany the site plan required under the Scrap Metal Recycling Facilities ordinance (Chapter 31 of the City of Portland Code of Ordinances). No new development or expansion is planned at E. Perry. All uses at the site are continuing uses.

E. Perry was established in 1896 by Eli Perry and has operated continuously at the Lancaster Street location since its inception. E. Perry provides scrap metal recycling services to the municipal, commercial, industrial, and private sectors. E. Perry's facility includes two sites: one at 9 Somerset Street (Somerset Street Site) and 115 Lancaster Street (Lancaster Street Site) in Portland, Maine. The sites are located in the downtown "Bayside" area of Portland.

Information is provided under the headings below to comply with Section 14-525 (b) and (c) of the Portland Code, and the Development Review Application Site Plan Checklist (Checklist). A Boundary Survey (Attachment A), Site Plan (Attachment B), evidence of applicant's right to title (Attachment C) and an electronic file of the Site Plan on compact disc (Attachment D) are provided.

Sec. 14-525(c) (1) Description of Land Uses (Checklist Items 34, 35)

The land use at the site is a continuing use as a scrap metal recycling facility. There are no residential units included on or abutting the properties.

Sec. 14-525(c) (2) Total land area, floor area and ground coverage (Checklist Items 36, 37)

The existing land area, floor area and ground coverage for the continuing use as a scrap metal recycling facility are given in the following table and shown on the Site Plan (Attachment B). No additional buildings or uses are proposed.

	Land area	Floor area (existing)	Ground coverage
	(square feet)		
Lancaster Street	72,142	11,455	7,680 (approx)
Somerset Street	34,567	3,634	4,634 (approx)
Notes: Land areas are from boundary surveys dated October 24, 2003. Existing floor areas are calculated from the boundary surveys. Ground coverages are floor areas plus estimated pavement on each parcel.			

Sec. 14-525(c) (3) Summary of Easements (Checklist Item 38)

None. Property deeds are in Attachment C

Introduction

This written statement accompanies a Development Review Application for the E. Perry Iron & Metal Co. (E. Perry) scrap metal recycling facility located on Lancaster and Somerset Streets in Portland, Maine. This application is required to accompany the site plan required under the Scrap Metal Recycling Facilities ordinance (Chapter 31 of the City of Portland Code of Ordinances). No new development or expansion is planned at E. Perry. All uses at the site are continuing uses.

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Sec. 14-525(c) (3) Summary of Easements (Checklist Item 38)

None. Property deeds are in Attachment C

Sec. 14-525(c) (4) Solid waste type, quantity and handling (Checklist Item 39)

Waste generated by E. Perry is limited to office and packaging rubbish and universal waste (fluorescent light tubes). The waste fluorescent light tubes are disposed of at the City of Portland Riverside Recycling Center. Waste rubbish is placed in one of two 10-yard dumpsters which are emptied daily by Carey Rubbish Removal.

E. Perry does not generate hazardous or special waste, and does not accept these materials at its facility.

E. Perry has prepared a Waste Management Compliance Audit to meet requirement of the Scrap Metal Recycling Facilities ordinance and rules. This report is attached to the Scrap Metal Facilities Permit Application dated April 14, 2008, which has been submitted to the Planning Division.

Sec. 14-525(c) (5) Availability of sewer, water and streets (Checklist Item 40)

Both properties are currently served by public sewer, water and streets. These are shown on the Site Plan (Attachment B)

Sec. 14-525(c) (6) Surface drainage and stormwater management (Checklist Item 41)

The site topography is flat, with a relief of less than +/-1 feet across the site. There are no culverts, ditches, swales, ponds, or other drainage or surface water features at either of the sites.

The Lancaster Street site ground surface is primarily packed sand and gravel fill with a small section of concrete pavement. The Somerset Street site is also partially paved with asphalt or concrete and the remainder is packed sand and gravel fill. Precipitation that falls on either site partially infiltrates into the ground in areas where the surface is packed fill and/or runs off as sheet flow in areas where the surface is paved. Runoff from the Lancaster Street site flows into combined sewer drains located on Pearl, Kennebec or Lancaster Streets. Runoff from the Somerset Street site flows into a storm sewer drain on Somerset Street. No changes to surface water drainage are proposed.

Sec. 14-525(c) (7) Construction schedule (Checklist Items 42)

Not applicable. No construction is planned. This application is for continuing uses only.

Sec. 14-525(c) (8) State and Federal Regulatory Approvals (Checklist Items 43)

Not applicable. No construction is planned. This application is for continuing uses only.

Sec. 14-525(c) (9) Evidence of financial and technical capacity (Checklist Item 47)

Not applicable.

Sec. 14-525(c) (4) Solid waste type, quantity and handling (Checklist Item 39)

Waste generated by E. Perry is limited to office and packaging rubbish and universal waste (fluorescent light tubes). The waste fluorescent light tubes are disposed of at the City of Portland Riverside Recycling Center. Waste rubbish is placed in one of two 10-yard dumpsters which are emptied daily by Carey Rubbish Removal.

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Sec. 14-525(c) (5) Availability of sewer, water and streets (Checklist Item 40)

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Not applicable. No construction is planned. This application is for continuing uses only.

Sec. 14-525(c) (9) Evidence of financial and technical capacity (Checklist Item 47)

Not applicable.

Sec. 14-525(c) (10) Evidence of title, interest, deeds, leases (Checklist Item 48)

Deed references and deeds are in Attachment C.

Sec. 14-525(c) (11) Unusual natural areas, wildlife, fisheries, archeology (Checklist Item 49)

None.

Sec. 14-525(c) (12) CADD files (Checklist Item 50)

A portable document file (PDF) is in the back pocket (Attachment D).

Sec. 14-525(c) (13) Estimate of recyclable material to be generated on site

E. Perry is a scrap metals facility and receives and sends out over 1 million pounds of aluminum, 813,000 pounds of auto batteries, 650,000 pounds of copper, and 6 million pounds of various types of steel for recycle on an annual basis. E. Perry's office functions generate small amounts (less than 1 ton per year) of paper and plastic products for recycle as well.

Sec. 14-525(c) (10) Evidence of title, interest, deeds, leases (Checklist Item 48)

Deed references and deeds are in Attachment C.

Sec. 14-525(c) (11) Unusual natural areas, wildlife, fisheries, archeology (Checklist Item 49)

None.

Sec. 14-525(c) (12) CADD files (Checklist Item 50)

A portable document file (PDF) is in the back pocket (Attachment D).

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**Attachment A: Boundary Survey
Lancaster Street
Somerset Street**

**Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application
Chapter 14, Portland City Code §525 (a) through (c)
E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for:

E. Perry Iron & Metal Co.
115 Lancaster Street
Portland, Maine 04101

Prepared by:

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

**Attachment A: Boundary Survey
Lancaster Street
Somerset Street**

**Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application
Chapter 14, Portland City Code §525 (a) through (c)
E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for:

E. Perry Iron & Metal Co.
115 Lancaster Street
Portland, Maine 04101

Prepared by:

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

**Attachment B: Site Plan,
Revision Date April 30, 2008**

**Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application
Chapter 14, Portland City Code §525 (a) through (c)
E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for:

E. Perry Iron & Metal Co.
115 Lancaster Street
Portland, Maine 04101

Prepared by:

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Attachment C: Deeds

**Development Review Application for Site Plan
Scrap Metal Recycling Facility Permit Application
Chapter 14, Portland City Code §525 (a) through (c)
E. Perry Iron & Metal Co.
Portland, Maine**

Prepared for:

E. Perry Iron & Metal Co.
115 Lancaster Street
Portland, Maine 04101

Prepared by:

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

7/15-117
Lancaster St.

BK11839PG192

00803

WARRANTY DEED
(Maine Statutory Short Form)

KNOW ALL PERSONS BY THESE PRESENTS, that MORRIS P. LERMAN of Delray Beach, Florida, for consideration paid, GRANTS TO ALAN LERMAN of Portland, Maine, whose mailing address is 399 Ludlow Street, Portland, ME 04102, with WARRANTY COVENANTS, his one-half interest in common and undivided in the property situated at 115-117 Lancaster Street in the City of Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land together with the buildings thereon situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at the corner formed by the intersection of the southwesterly side of Pearl Street with the southeasterly side of Kennebec Street; thence running southwesterly by Kennebec Street two hundred eleven and seven tenths (211.7) feet to land now or formerly occupied by one Clifford; thence running southeasterly by said Clifford land one hundred twenty (120) feet to a point; thence running northeasterly, thirty-six and seven tenths (36.7) feet to a point on the southwesterly sideline of those premises conveyed by Emmett J. Spellman, Jr., et al to Commonwealth Lancaster Corporation by deed dated August 10, 1954, and recorded in Cumberland County Registry of Deeds in Book 2191, Page 161, which point is forty-five (45) feet northwesterly on the southwesterly sideline of said last mentioned parcel from the northwesterly sideline of Lancaster Street; thence running southeasterly by the southwesterly sideline of said parcel so conveyed by Spellman to Commonwealth Lancaster Corporation, forty-five feet (45) to the northwesterly side of Lancaster Street; thence running northeasterly by the northwesterly sideline of said Lancaster Street one hundred seventy-seven and six tenths (177.6) feet to the intersection of the northwesterly sideline of said Lancaster Street with the southwesterly sideline of said Pearl Street; thence running northwesterly by the southwesterly sideline of said Pearl Street, one hundred sixty-five (165) feet to the southeasterly sideline of Kennebec Street and the point of beginning.

The foregoing is a composite description of those three parcels of land conveyed to Commonwealth Lancaster Corporation by the following deeds: (1) Deed of Lewis Lerman dated July 20, 1939 and recorded in said Registry of Deeds in Book 1579, Page 328; (2) Deed of Canal National Bank of Portland dated September 3, 1943 recorded in said Registry of Deeds in Book 1719, Page 251; (3) Deed of Emmett J. Spellman and

BK 11839PG 193

Herschell M. Spellman dated August 10, 1974 and recorded in said Registry of Deeds in Book 2191, page 161.

This deed is intended to convey and does hereby convey these said three parcels so conveyed to Commonwealth Lancaster Corporation, subject to all rights and easements mentioned or referred to in any of said three specified deeds.

Being the same premises conveyed to Carl Lerman and Morris P. Lerman by deed of Commonwealth Lancaster Corporation dated December 21, 1972 and recorded in the Cumberland County Registry of Deeds at Book 1341, Page 217.

ALSO, a certain lot of land with the buildings thereon situated on the westerly corner of Pearl and Lancaster Streets in said City of Portland, bounded and described as follows:

Beginning at the corner formed by the intersection of the southwesterly side of Pearl Street with the northwesterly side of Lancaster Street; thence running northwesterly by said Pearl Street about one hundred (100) feet to land deeded to Herbert L. Berry under date of November 26, 1920; thence southwesterly by said Berry land about one hundred thirty-five (135) feet to land of said Berry; thence southeasterly by land of said Berry and by land now or formerly of one Little about one hundred (100) feet to Lancaster Street; thence northeasterly by said Lancaster Street about one hundred thirty-seven (137) and six-tenths (6/10) feet to point of beginning, and containing about thirteen thousand six hundred and thirty (13,630) square feet, together with all the rights which are reserved in a certain deed given by the Trustees of the John F. Proctor Estate to Herbert L. Berry dated November 26th, 1920 and recorded in Cumberland County Registry of Deeds in Book 1073, Page 218.

Being the same premises conveyed by to Carl Lerman and Morris P. Lerman by deed of E. Perry Iron & Metal Co., Inc. dated September 22, 1974 and recorded in the Cumberland County Registry of Deeds at Book 4709, Page 11.

This conveyance is made subject to (1) Mortgage in favor of Casco Bank & Trust Company, now Casco Northern Bank, N.A., dated September 21, 1978 and recorded in the Cumberland County Registry of Deeds at Book 4306, Page 251, (2) Assignment of Lease and Rentals in favor of Casco Bank & Trust Company, now Casco Northern Bank, N.A. dated September 21, 1978 and recorded in said Registry of Deeds at Book 4306, Page 257, and (3) Memorandum of Lease in favor of E. Perry Iron & Metal Co., Inc. dated September 21, 1970 and recorded in said Registry of Deeds at Book 4306, Page 286.

BK11839PG194

Morris P. Lerman FURTHER ASSIGNS, TRANSFERS and CONVEYS all of his right, title and interest in and to the lease between E. Perry Iron & Metal Co., Inc. and Morris P. Lerman and Carl Lerman, a memorandum of which is dated September 21, 1978 and recorded in said Registry of Deeds at Book 4306, Page 256, and any and all renewals thereof to Alan Lerman, including without limitation, all rentals whether past, present or future, due thereunder, whether pursuant to said lease, as a tenant at will or otherwise, all rights to any insurance proceeds, eminent domain proceedings damages or payments in lieu thereof, and all other rights to any sums due or which may become due to Morris P. Lerman, his heirs and assigns.

IN WITNESS WHEREOF, the said Morris P. Lerman has caused this instrument to be signed and sealed on February 22, 1995.

[Signature]
Witness

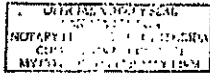
[Signature]
Morris P. Lerman

State of Florida
County of [Signature], ss.

February 22, 1995

Then personally appeared the above-named Morris P. Lerman and acknowledged the foregoing instrument to be his free act and deed.

Before me,
[Signature] Notary Public
Notary Public
Attorney-at-Law
Print Name: [Signature] [Signature]



DEEDLANC.DOC

RECEIVED
RECORDED REGISTRY OF DEEDS
95 MAR -7 AM 10:25
CUMBERLAND COUNTY
[Signature]

Lancaster St
Portland

37510

BK12604PG268

MAINE REAL ESTATE TAX PAID

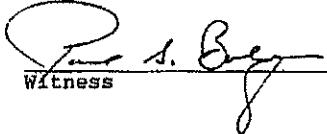
WARRANTY DEED

HIBISCUS CORPORATION, a Maine corporation with a mailing address of c/o Charlotte Silver, 38 Kenwood Street, Portland, ME 04102, for consideration paid, GRANT to E. PERRY IRON & METAL CO., a Maine corporation with a mailing address of 115 Lancaster Street, Portland, Maine 04101, with WARRANTY COVENANTS, those certain lots or parcels of land situated in the City of PORTLAND, County of CUMBERLAND and State of MAINE, and more particularly described in EXHIBIT A attached hereto and made a part hereof.

Being Parcels 2, 3 and 4 described in a deed from Sarah Silver to Hibiscus Corporation, dated July 6, 1972 and recorded in the Cumberland County Registry of Deeds in Book 3263, Page 149.

IN WITNESS WHEREOF, the said HIBISCUS CORPORATION has caused this instrument to be signed on its behalf by S. Charlotte Silver, its duly authorized President, on this 28 day of June, 1996.

HIBISCUS CORPORATION


Witness

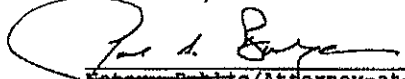
By: S. Charlotte Silver
S. Charlotte Silver
Its: President

STATE OF MAINE
COUNTY OF CUMBERLAND

June 28, 1996

Personally appeared the above named S. Charlotte Silver in her capacity as President of Hibiscus Corporation and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said Hibiscus Corporation.

Before me,


Notary Public/Attorney-at-Law
Print Name: Paul S. Bucas

66653/PSB/SKLF
40841.1920

EXHIBIT A

A certain lot or parcel of land with the buildings thereon situated in said Portland, bounded and described as follows:

Beginning in the northwesterly line of Lancaster Street at a point two hundred nine and four tenths (209.4) feet northeasterly from Chestnut Street;

thence northwesterly at right angles with said Lancaster Street eight-two and one-half ($82\frac{1}{2}$) feet;

thence northeasterly at right angles fifty feet (50);

thence southeasterly at right angles eight-two and one-half feet ($82\frac{1}{2}$) to said Lancaster Street;

thence southwesterly by said Lancaster Street fifty (50) feet to the first named bounds.

Also another certain lot or parcel of land situated in said Portland bounded and described as follows:

Beginning in the southeasterly line of Kennebec Street at a point one hundred sixty-nine and ninety-five one hundredths (169.95) feet northeasterly from Chestnut Street;

thence southeasterly at right angles with Kennebec Street eighty-two and one-half ($82\frac{1}{2}$) feet;

thence northeasterly at right angles fifty (50) feet;

thence northwesterly at right angles eighty-two and one-half ($82\frac{1}{2}$) feet to Kennebec Street;

thence southwesterly by Kennebec Street fifty (50) feet to the first named bounds.

Said two above described parcels of land being the same premises conveyed to Reuben Wascott by John H. Carroll by deed dated April 13, 1898, recorded in Cumberland County Registry of Deeds, Book 666, Page 66.

Also another certain lot or parcel of land with the buildings thereon situated in said Portland and bounded and described as follows:

Beginning on the northwesterly line of Lancaster Street at a point one hundred fifty-nine and four tenths (159.4) feet northeasterly from Chestnut Street;

thence northwesterly at right angles with Lancaster Street eight-two and one-half ($82\frac{1}{2}$) feet;

BK 12604 PG 270

thence northeasterly parallel with Lancaster Street fifty (50) feet;

thence southeasterly on a line at right angles with Lancaster Street eighty-two and one-half (82½) feet to Lancaster Street;

thence southwesterly by Lancaster Street fifty (50) feet to bound first named.

Also another certain lot or parcel of land situated in said Portland bounded and described as follows:

Beginning on the southeasterly line of Kennebec Street at a point two hundred nineteen and ninety-five one hundredths (219.95) feet northeasterly from Chestnut Street;

thence northeasterly by Kennebec Street fifty (50) feet;

thence southeasterly at right angles eighty-two and one-half (82½) feet;

thence southwesterly parallel with Kennebec Street fifty (50) feet;

thence northwesterly on a line at right angles with Kennebec Street eighty-two and one-half (82½) feet to first named bound.

BK 12604 PG 271

A certain lot or parcel of land situated on the Northerly side of Lancaster Street in Portland, Maine and bounded and described as follows:

Beginning at a stake on said Northerly side of Lancaster Street at the Southeast corner of the lot of land conveyed by John H. Carroll to Reuben Wescott by deed dated April 13, 1898, recorded in Cumberland Registry of Deeds, in Book 666, Page 66, said stake being distant two hundred fifty-nine and four-tenths (259.4) feet, more or less, from the intersection of said Northerly side of Lancaster Street with the Easterly side of Chestnut Street;

thence Northerly by land formerly of said Wescott and by the lot of land conveyed by Octavia C. Carroll to Reuben Wescott by deed dated April 13, 1898, recorded in said Registry in Book 666, Page 65 a distance of one hundred sixty-five (165) feet, more or less, to the Southerly side of Kennebec Street; thence Easterly by said Southerly side of Kennebec Street fifty and fifty-four hundredths (50.54) feet, more or less, to the lot of land conveyed by the Trustees of the Estate of John F. Proctor to Herbert L. Berry by deed dated November 26, 1920, recorded in said Registry in Book 1073, Page 218;

thence Southerly by land now or formerly of said Berry one hundred and twenty feet (120) more or less, to the Southwest corner of said Berry lot;

thence Easterly by land now or formerly of said Berry thirty-six and seven-tenths (36.7) feet, more or less, to the lot of land conveyed by Ocean Insurance Company to Edgar A. Little by deed dated February 20, 1892, recorded in said Registry in Book 590, Page 17;

thence Southerly by land formerly of said Little forty-five (45) feet, more or less, to the Northerly side of Lancaster Street;

thence Westerly by the Northerly side of Lancaster Street ninety (90) feet, more or less, to the point of beginning.

Said premises are hereby conveyed subject to sewer rights held by the City of Portland if any it has.

BK12604PG272

A certain lot or parcel of land with the buildings thereon, situated on Lancaster and Kennebec Streets in the City of Portland, County of Cumberland and State of Maine, and bounded and described as follows, to wit:

Beginning at a point on the Southerly side of Kennebec Street distant Easterly from Chestnut Street by said Kennebec Street eighty-four and ninety-five one hundredths (84.95) feet;

thence from said point easterly by said Kennebec Street eight-five (85) feet to land now or formerly belonging to Reuben Wescott;

thence southeasterly at right angles to said Kennebec Street and by the said Wescott land one hundred sixty-five (165) feet to Lancaster Street;

thence Westerly at right angles to the last course and by said Lancaster Street forty-one and four-tenths (41.4) feet to the Westerly line of a passageway extending Northerly through a building on said lot;

thence Northerly by the Westerly line of said passageway forty-seven and ninety-three one hundredths (47.93) feet to a point one and five tenths (1.5) feet Northerly of the rear line of said building; thence Westerly parallel with one and five tenths (1.5) feet Northerly of the rear line of said building forty-one and fifty-four one hundredths (41.54) feet to a point;

thence Northerly on a course that is at right angles to said Kennebec Street one hundred seventeen and one tenth (117.1) feet, more or less, to Kennebec Street and said point of beginning.

Together with all rights to the railroad track on said premises and all rights and easements of this grantor with regard to the railroad track on adjoining premises, in accordance with deeds of record in the Cumberland County Registry of Deeds.

RECEIVED
REGISTERED REGISTRY OF DEEDS

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CUMBERLAND COUNTY

John B. O'Brien