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OF COUNSEL

JAMES W. MURPHY
WAYNE H. SCOTT

June 11, 2014

Via Email & 1st Class Mail

Mr. Scott Mutch,
Zoning Enforcement Officer
Town of Acton
472 Main Street
Acton, MA 01720

**Re: Bertolami, Wetherbee Plaza; 107 Great Road;
Use of Premises for Instructional and Training Facility**

Dear Enforcement Officer Mutch:

As you know, this office represents Leo Bertolami and Northeast Collection, Inc. ("Northeast") with respect to the proposal to establish an instructional and training facility on the bottom floor at 107 Great Road in the East Acton Village District (the "Property"). Northeast is submitting additional information to establish that it meets the for-profit use at the Property for instruction and training in connection with classic and specialty automobiles allowed under the Acton Zoning Bylaw.

The purpose of this letter is to supplement and further detail the instruction and training facility that is proposed at 107 Great Road, Acton, Massachusetts for classic and specialty cars. This letter is in addition to my letter dated February 12, 2014.

1. Business status.
 - a. I have attached the Secretary of State's incorporation record for Northeast Collection, Inc.
 - b. I have attached a business plan prepared by Northeast Collections, Inc. which includes revenue sources and outlays. The seminar room is shown on the plans.
2. Repairs of Automobiles.
 - a. This will not be a repair facility. There will be no repair of automobiles at the facility.

- b. The only repair equipment that will be at the facility will be for instructional purposes and will not be used for the repair of any automobiles on the premises.
3. This will not be an automobile dealership or repair facility.

I am providing you with letters from Acton Survey and the architect, E.J. Rempelakis Associates to confirm that the building is not large enough to be an automobile dealership or a repair facility. The size of the building, ceilings and outside parking constraints limit the use of the building for these purposes.

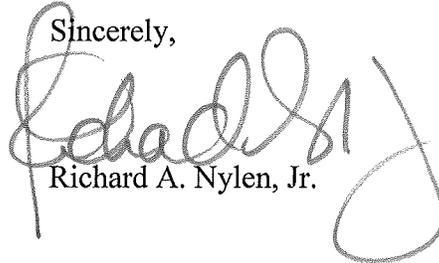
4. All classic and specialty cars/automobiles that are shown at the facility will be owned by Northeast Collection, Inc., not third party owners. Classic cars are defined as cars that are built between the years 1925 to 1948. Specialty cars are automobiles with special recognition or attributes and automobiles that have very low serial numbers, very low production, or very limited availability such as a Shelby Cobra, 53-55 Chevy Corvette or 55-57 Ford Thunderbird.
5. A log will be kept at the facility which will be open to the Town of Acton, including the Zoning Enforcement Officer, in the form of a spread sheet attached as Exhibit A which will identify each classic/specialty automobile that is on the premises, the date that the car was brought on to the premises, the origin of the car (purchase, storage, etc.); the date the car was removed from the premises and the destination, including whether the car was sold. We can also provide a copy of the log on a six (6) month or annual basis. In addition, I have provided a copy of the record required by the RMV for this category of automobiles.
6. There will be no display of any pricing or other indicia of sale of any automobiles at the facility. Further, exterior windows at the building will be tinted.
7. No more than two (2) classic/specialty cars will be sold each year by Northeast Collection, Inc. from this facility via the internet license. The above referenced log will confirm this restriction.

Based upon the information submitted we believe that Northeast has met the guidelines in the Bylaw and the items offered by Town Counsel in its letter dated January 30, 2014 for a for-profit business.

We remain available to answer any questions and we look forward to discussing this matter with you.

June 11, 2014
Page 3

Thank you.

Sincerely,

Richard A. Nylan, Jr.

RAN/kad

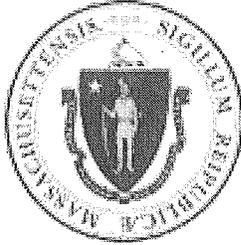
Enclosures: (1) Business Plan
(2) Corporate Status 12/30/13
(3) Spreadsheet (recordkeeping)
(4) RMV Vehicle Record
(5) Letters from Engineer, Architect

cc: Mr. Leo Bertolami/Northeast Collections, Inc.
Mr. Mark Donohoe

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Northeast Collection, Inc.
Pro Forma Cash Flow Projections

	Year 1	Year 2	Year 3	Notes
<i>Inflows:</i>				
Seminar fees	10,000	15,000	20,000	
Automobile appraisal fees	25,000	30,000	35,000	estimated appraisal intermediary fee of \$500/vehicle
Owner Contributions	15,000	4,800		as needed to fund operations
Total Inflows	50,000	49,800	55,000	
<i>Outflows:</i>				
Rent	24,000	24,000	24,000	proposed rent = \$2K/month including CAM estimated @ \$150/month with approx 6% annual increase
Utilities	1,800	1,900	2,000	part-time training center staff including secretarial and bookkeeping, Leo will not pay himself a salary
Salaries and benefits	8,000	8,500	9,000	
Instructor fees	4,000	6,000	8,000	
Professional fees	5,000	2,000	2,000	legal & accounting/tax prep
Insurance	7,200	7,400	7,700	insurance for dealer plates = \$300/month, exotic/classic/specialty car insurance = \$300/month
Total Outflows	50,000	49,800	52,700	
Net Cash Flow from Operations	-	-	2,300	



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Annual Report

(General Laws, Chapter 156D, Section 16.22; 950 CMR 113.57)

Federal Employer Identification Number: 204572217 (must be 9 digits)

1. Exact name of the corporation: NORTHEAST COLLECTION, INC.

2. Jurisdiction of Incorporation: State: MA Country:

3,4. Street address of the corporation registered office in the commonwealth and the name of the registered agent at that office:

Name: LEO BERTOLAMI
 No. and Street: 6 PROCTOR STREET
 City or Town: ACTON State: MA Zip: 01720 Country: USA

5. Street address of the corporation's principal office:

No. and Street: 107 GREAT ROAD, SUITES 1&2
 City or Town: ACTON State: MA Zip: 01720 Country: USA

6. Provide the name and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
TREASURER	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
SECRETARY	JANE A BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
DIRECTOR	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
DIRECTOR	GEORGE PALLI	50 CONCORD TURNPIKE CONCORD, MA 01742 USA

7. Briefly describe the business of the corporation:

DEAL IN, SELL, BUY & DISPLAY MOTOR VEHICLES...

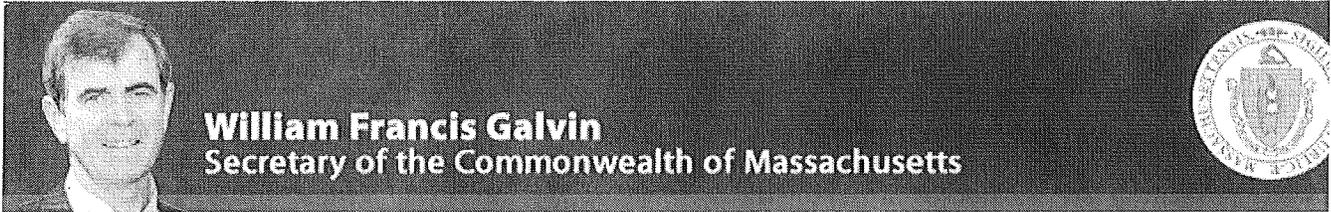
8. Capital stock of each class and series:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		<i>Num of Shares</i>	<i>Total Par Value</i>	
CNP	\$0.00000	100	\$0.00	100

9. Check here if the stock of the corporation is publicly traded:

10. Report is filed for fiscal year ending: 12/31/ 2013

Signed by LEO BERTOLAMI , its PRESIDENT
on this 10 Day of March, 2014



Corporations Division

Business Entity Summary

ID Number: 204572217

[Request certificate](#)

[New search](#)

Summary for: **NORTHEAST COLLECTION, INC.**

The exact name of the Domestic Profit Corporation: NORTHEAST COLLECTION, INC.

The name was changed from: ACTON FORD FLEET LEASE INC. **on** 12-30-2013

The name was changed from: ACTON FORD RENT A CAR INC. **on** 10-18-2011

Entity type: Domestic Profit Corporation

Identification Number: 204572217

Old ID Number:

Date of Organization in Massachusetts:

04-18-2006

Last date certain:

Current Fiscal Month/Day: 12/31

Previous Fiscal Month/Day: 12/31

The location of the Principal Office:

Address: 107 GREAT ROAD, SUITES 1&2

City or town, State, Zip code, ACTON, MA 01720 USA

Country:

The name and address of the Registered Agent:

Name: LEO BERTOLAMI

Address: 6 PROCTOR STREET

City or town, State, Zip code, ACTON, MA 01720 USA

Country:

The Officers and Directors of the Corporation:

Title	Individual Name	Address
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
PRESIDENT	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
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SECRETARY	JANE A BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
DIRECTOR	LEO BERTOLAMI	6 PROCTOR STREET ACTON, MA 01720 USA
DIRECTOR	GEORGE PALLI	50 CONCORD TURNPIKE CONCORD, MA 01742 USA

Business entity stock is publicly traded:

The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CNP	\$ 0.00	100	\$ 0.00	100

Consent
 Confidential Data
 Merger Allowed
 Manufacturing

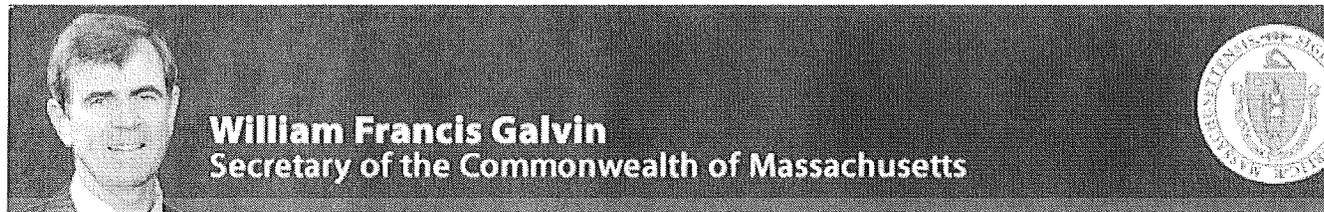
View filings for this business entity:

- ALL FILINGS
- Administrative Dissolution
- Annual Report
- Application For Revival
- Articles of Amendment
- Articles of Charter Surrender

[View filings](#)

Comments or notes associated with this business entity:

[New search](#)



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City or town, State, Zip code, ACTON, MA 01720 USA

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		No. of shares	Total par value	No. of shares
CNP	\$ 0.00	100	\$ 0.00	100

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- Articles of Charter Surrender

[View filings](#)

Comments or notes associated with this business entity:

[New search](#)

NORTHEAST COLLECTION, INC.

EXHIBIT A

	<u>Automobile</u>	<u>Date Arrived</u> (107 Great Road)	<u>Origin</u> (purchase, storage, etc.)	<u>Removal Date</u>	<u>Destination</u> (sale, storage)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					

<u>Automobile</u>	<u>Date Arrived</u> (107 Great Road)	<u>Origin</u> (purchase, storage, etc.)	<u>Removal Date</u>	<u>Destination</u> (sale, storage)
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				
26.				
27.				

<u>Automobile</u>	<u>Date Arrived</u> (107 Great Road)	<u>Origin</u> (purchase, storage, etc.)	<u>Removal Date</u>	<u>Destination</u> (sale, storage)
28.				
29.				
30.				
31.				
32.				
33.				
34.				
35.				
36.				
37.				
38.				
39.				
40.				
41.				
42.				

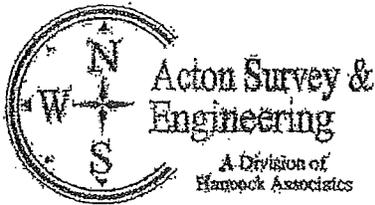
<u>Automobile</u>	<u>Date Arrived</u> (107 Great Road)	<u>Origin</u> (purchase, storage, etc.)	<u>Removal Date</u>	<u>Destination</u> (sale, storage)
43.				
44.				
45.				
46.				
47.				
48.				
49.				
50.				

Sold by
I.A.S.
569 West Street, E. Bridgewater, MA 02333
Tel. (508) 378-0136

Docuprint Express Ltd.
1041 Pearl Street
Brockton, MA 02301
Tel. (508) 895-9090

Received Time Jun. 3. 2014 12:53PM No. 3947

Used Car Form No. CG-101
Designed by C. Gendreau



PO Box 666, 97 Great Road, Suite 6
Acton, MA 01720
Phone: 978-263-3666 Fax: 978-635-0218
actonsurvey@actonsurvey.com

ASE 5180

May 19, 2014.

Leo Bertolami
6 Proctor Street
Acton, MA 01720

Re: 107 Great Road

Dear Leo:

The purpose of this letter is to provide an opinion that the proposed building at 107 Great Road is unsuitable for conversion to a automobile dealership. We understand that the Zoning Enforcement Officer is concerned and this opinion will be restricted to site plan issues as it is our understanding that other professionals will be providing opinions that pertain to the building itself.

Based on our recent experiences with a large automobile dealership in an abutting Town, the building will not be used as a dealership. The size of the site makes it unsuitable for a standard dealership. Generally, dealerships required several hundred parking spaces, over 20 service bays, a large parts department and a large showroom. Auto dealerships with displays are prohibited in this District.

The as-built plan for Wetherbee Plaza Extension shows 26 parking spaces adjacent to the buildings [107 & 115] situated directly near Great Road. The site is located in an East Acton Village District and the number of parking spaces can be reduced by a factor of 0.7 and the discussions below includes a reduction in the associated reduction in parking.

The retail use situated at 115 Great Road requires 5 spaces. Observations of the site during some business hours indicates that more than 5 spaces are occupied, during peak periods.

Of the remaining 21 spaces, 2 must be accessible spaces and it appears that the 2 spaces shown are the most appropriate locations. The location of the space near 115 would essentially cause all 7 spaces near the front of the lot near 115 to be utilized or assigned to 115.

Assuming structural changes could be made to accommodate 3 service bays, 8 parking spaces [0.7 (2+3X3)] would be required for this use and 6 spaces would be required to be removed from the front of the building to provide access to the bays. As a result 7 parking spaces [21-14] would remain for other uses related to the automobile dealership including customer and sales force parking and display spaces.

It is our opinion that 7 spaces will not support car sales and services.

Title 5 of the State Environmental Code stipulates a design flow of 150 gallons per day for a service bay, which is equivalent to the design flow of 3,000 square feet of retail store space. The subsurface sewage disposal system restricts flows from the building at 107 to 306 gallons per day [equivalent to 6,125 square feet of retail space] and even the use of the building for 2 service bays would result in the design capacity of the sewage disposal system being exceeded.

Please contact us if this letter should require clarification or if we may be of additional service.

Very truly yours,



Mark T. Donohoe, PE
for: Acton Survey & Engineering

E. J. REMPELAKIS ASSOCIATES
ARCHITECTS

179 GREAT ROAD, SUITE 201
ACTON, MASSACHUSETTS 01720
TELEPHONE: 978-263-1110
FAX: 978-263-1110

May 22, 2014

Leo Bertolami
6 Proctor Street
Acton, MA 01720

Dear Leo:

I understand that, for the existing building at 107 Great Road, you have received a denial letter from the Town of Acton based on the opinion that you intend to use the facility as an auto dealership.

Since the opening of my office, at 179 Great Road, in March 1984, I have designed and observed construction of either complete auto dealerships or additions to auto dealerships.

The dealerships are listed as follows:

1. Subaru, Acton, MA
2. Colonial Dodge, Hudson, MA
3. Acton Ford, Acton, MA
4. Colonial Chevrolet, Acton, MA
5. Acton Toyota, Acton, MA
6. Colonial Chevrolet, Fall River, MA
7. Colonial Dodge, Plymouth, MA
8. Colonial Subaru, Belmont, MA
9. Colonial Subaru, Lunenburg, MA
10. Colonial Subaru, Medford, MA
11. Colonial Volkswagen, Medford, MA
12. Colonial Volkswagen, Westford, MA
13. Colonial Honda, North Dartmouth, MA
14. Lawless Chrysler, Woburn, MA
15. Brigham-Gill Chrysler, Natick, MA

What all of these dealerships have in common, besides the auto manufacturers franchise, are floor areas to accommodate auto display, offices, retail parts sales and storage, sufficient repair bays to insure dependable service and waiting rooms with wheelchair accessible toilets. What is also required on the site are sufficient paving

E. J. REMPELAKIS ASSOCIATES
ARCHITECTS

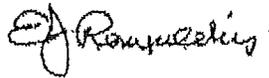
179 GREAT ROAD, SUITE 201
ACTON, MASSACHUSETTS 01720
TELEPHONE: 978-263-1110
FAX: 978-263-1110

for customer parking and new automobile parking, which in most cases is quite extensive.

The existing building has a footprint of 50 feet x 90 feet or a ground floor area of 4,500 square feet. The ceiling height is 10 feet and the height from the floor to the steel framing is 10 feet 11 inches. The height of 10 feet 11 inches will not be sufficient for a lift required for servicing cars. The usual height is 14 feet. The total ground floor area of 4,500 square feet is usually required for auto parts alone. The existing paved area is a small fraction of the paving required for an auto dealership.

In summation, in my professional opinion, as an architect with a project list of 15 dealerships, it is impossible to alter the existing building at 107 Great Road to qualify as a facility for either new or used car sales, each requiring repair services.

Yours very truly,



E.J. Rempelakis