

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

JOHN A. DONOVAN  
KENDALL P. BATES  
WILLIAM E. POLLETTAELLEN D. GORDON  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 208RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 021811997 NOV 26 A 9:15  
SUMNER H. BABCOCK  
ROBERT A. BASTILLE

ZBA 97-102

Petition of Warren Cross, Jr./Cross Enterprises Inc.  
10 Prescott Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 20, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of WARREN CROSS, JR./CROSS ENTERPRISES, INC. requesting renewal of a Special Permit pursuant to the provisions of Section XI and Section XXV of the Zoning Bylaw to continue to allow 600 square feet of the premises located at 10 PRESCOTT STREET, in a Business District, to be used for the sale of used motor vehicles, a use not allowed by right in a Business District.

On November 3, 1997, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Warren Cross, Jr., who said that he would like to renew his Special Permit. He is located in a building owned by Arnold Haynes, which is behind the MRI facility. He had not planned to renew the Special Permit as all sales must be inside the building, and as his car detailing business has expanded, he did not have the necessary space. However, the other side of the building has become available to rent, and they will now have additional space to be able to operate the used car business.

Mr. Cross explained that since he was first granted the Special Permit, he has not done any buying or selling of used cars. Now that he will be leasing the other side of the building, he will have space for the second business. The same 600 square feet allocated on the original plans will be used, so there will be no change.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 10 Prescott Street, in a Business District, and is owned by Cliff Associates. Until recently, Cross Enterprises, Inc. leased only 4,500 square feet of the building for the purpose of operating the "Classic Shine Auto Fitness Center". The petitioner will now be leasing the entire 8,700 square foot building.

ZBA 97-102  
Petition of Warren Cross, Jr./Cross Enterprises Inc.  
10 Prescott Street

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181  
1997 NOV 26 A 9:15

The petitioner is requesting renewal of a Special Permit pursuant to the provisions of Section XI of the Zoning Bylaw to use 600 square feet of the premises for the purchase and sale of used motor vehicles, a use not allowed by right in a Business District. Cross Enterprises, Inc. sublets this space to W.K. Corporation for this purpose.

The proposed use will involve storage of no more than three used cars at any one time within the confines of the allocated 600 square feet of the building. Repairs to these vehicles will not be made on site, nor will there be any truck delivery of the vehicles to the site. The hours of operation will be the same as those of "Classic Shine", except on Saturdays, when customers will be seen by appointment only. The owner will be the only employee.

A Class Two license is required to be issued by the Board of Selectmen.

On November 18, 1997, the Planning Board reviewed the petition and recommended renewal of the Special Permit based on the same terms and conditions as are currently in effect.

#### Decision

This Authority has made a careful study of the application submitted and the information presented at the hearing. The requested use of the premises for the sale of used motor vehicles is not a use allowed by right in a Business District.

It is the opinion of this Authority that the proposed use of the premises is in harmony with the intent and purpose of the Zoning Bylaw, and will not be detrimental to the surrounding neighborhood.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the use of 600 square feet of the premises for the sale of used motor vehicles, subject to the following conditions:

1. The Class Two license issued by the Board of Selectmen must be renewed prior to December 31, 1997, and again prior to December 31, 1998.
2. The hours of operation of the W.K. Corporation shall be limited to between 7 a.m. and 5 p.m. on Monday through Friday and on Saturday by appointment only throughout the year.
3. The use of the premises for the sale of used motor vehicles shall be limited to 600 square feet.
4. There shall be no more than three used motor vehicles stored on the premises for the purpose of resale at any given time; and these vehicles shall be stored within the 600 square feet designated for this purpose.

ZBA 97-102

Petition of Warren Cross, Jr./Cross Enterprises Inc.  
10 Prescott Street

5. There shall be no repair or servicing operations done on the premises in conjunction with the use of the premises for the sale of used motor vehicles.

6. This Special Permit shall expire two years from the date of this decision.

APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Inspector of Buildings  
edg

Kendall P. Bates  
Kendall P. Bates, Acting Chairman

William E. Polletta  
William E. Polletta

Robert A. Bastille  
Robert A. Bastille

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181  
1997 NOV 26 A 9:15