

ARTICLE __ : To see if the Town will vote to amend the Zoning Code of the Town of Southborough, §174-2.B entitled: “Definitions” by adding the following new definition:

HIGHWAY MAJOR RETAIL – A large format, single tenant (including affiliates of the principal tenant) retail sales and services facility containing no less than 50,000 gross square feet devoted to the sale to an end user of traditional and customary grocery store items that contain a range of food products that are fresh, packaged or prepared (excluding storage) and also including but not be limited to, sales and services of the following: household goods, optical, pharmacy, liquor, automotive parts, food service and fueling stations, provided that all the following criteria are met:

- a) The Highway Major Retail use is located on a single Lot (which may be partially located in another jurisdiction) having a minimum Lot area of 20 acres; and
- b) The principal structure devoted to Highway Major Retail use shall contain a minimum of 125,000 gross square feet of floor area; and
- c) The Lot has frontage on a public or private way that connects directly to a limited access highway with a minimum of two travel lanes in each direction and controlled by State or Federal Departments of Transportation; and
- d) The Lot does not abut any residential zoning district nor located within 500 feet of a residential district boundary; and
- e) The principal structure devoted to Highway Major Retail use shall be set back a minimum of 500 feet from the limited access highway referenced in (c) above; and
- f) The Highway Major Retail use is part of, or adjacent to, an industrial/office park environment.

; or do or act anything in relation thereto.

ARTICLE __ : To see if the Town will vote to amend the Zoning Code of the Town of Southborough, Section §174-8.6 entitled: “IP Industrial Park District”, to allow the following use by special permit in the IP Industrial Park District:

C. Uses requiring a special permit are as follows:

(16) Highway Major Retail ¹

; or do or act anything in relation thereto.

4396302.2

¹ On a Lot or Lots directly abutting a Highway Major Retail use, it shall be allowed to develop by a granting of a special permit from the special permit granting authority, supporting and/or complementary retail uses such as food service, general retail and general and/or personal services provided that the said uses on all directly abutting Lots shall not exceed 50,000 gross square feet in the aggregate. For purposes of this footnote, a Lot directly abutting a Highway Major Retail use, shall be deemed to include a Lot or Lots that may be separated from the Lot containing the Highway Major Retail use by a public or private way. On such qualifying Lots, supporting and/or complementary uses may be in one or more structures.