

ARTICLE __: To see if the Town will vote to amend the following sections of the Zoning Code of the Town of Southborough: (i) §174-2.B entitled: “Definitions” by adding “Highway Major Retail” as a new definition, as defined below, and (ii) Section §174-8.6.C entitled: “IP Industrial Park District”, to include Highway Major Retail as a use allowed by special permit in the IP Industrial Park District:

Section 174-2.B. Definitions:

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 retail sale to an end user of goods and services, including, but not limited to: traditional grocery store items (which may or may not be sold under its own brand) that contain a range of food products that are fresh, packaged or prepared (excluding storage) household goods, optical goods and services, pharmacy goods and services, liquor, automotive parts and repair, 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 Route 9 – Turnpike Road or a divided roadway containing a minimum of two travel lanes in each direction; and
- d) The Lot does not abut any residential zoning district nor is it 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 Route 9 – Turnpike Road or a divided roadway containing a minimum of two travel lanes in each direction; and
- f) The Highway Major Retail use is part of, or adjacent to, an industrial/office park environment.

In connection with the foregoing, on a Lot or Lots directly abutting the Lot containing a Highway Major Retail use, a special permit from the special permit granting authority, may be granted for, 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 to the Lot containing the Highway Major Retail Use shall not exceed 50,000 gross square feet in the aggregate (or greater if allowed pursuant to this Bylaw). For purposes of this definition, 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.

Section 174-8.6.C. Uses requiring a special permit are as follows:

(16) Highway Major Retail

; or do or act anything in relation thereto.