

ARTICLE 1: 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 titled: “Definitions” by adding “Highway Major Retail” as a new definition, as defined below, and (ii) § 174-8.6.C titled: “IP Industrial Park District”, to include Highway Major Retail as a use allowed by special permit in the IP Industrial Park District:

§ 174-2.B. Definitions:

HIGHWAY MAJOR RETAIL – A large format, single tenant (including affiliates of the principal tenant) retail sales and services facility satisfying the development criteria in subsection (a) – (g) below, 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 (such as fast food, counter service or kiosks) and automotive fueling stations. The Planning Board shall be the special permit granting authority subject to the procedural requirements and decision criteria of §174-9, Special permit requirements, and § 174-10, Site plan approval, of the Zoning Bylaw.

Highway Major Retail use shall be confined to Parcel ID: 25-0000-004-A on the Town’s Assessor’s Map as of October 27, 2025 and subject to the following development criteria:

- 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 Lot has frontage on an existing public or private way which public or private way connects directly to the eastbound travel lanes of Route 9 – Turnpike Road; and
- c) The Lot does not abut any residential zoning district nor is it located within 500 feet of a residential district boundary as of October 27, 2025; and
- d) The Lot does not have ingress and egress on a scenic road designated by the Town as of October 27, 2025; 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; and
- f) The principal structure devoted to Highway Major Retail use shall contain a minimum of 125,000 gross square feet of floor area; and
- g) The Highway Major Retail use is part of, or adjacent to, an industrial/office park environment.

On a Lot or Lots directly abutting the above referenced Lot containing a Highway Major Retail use, a special permit from the special permit granting authority (which for Highway Major Retail use shall be the Planning Board), 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 § 174-8.6, IP Industrial Park District, of the Zoning 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.

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

(16) Highway Major Retail (Note: Special permit from the Planning Board.)
; or do or act anything in relation thereto.