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Via Electronic Mail

Alysha Siciliano-Perry, Chair
Pembroke Planning Board
100 Center Street
Pembroke, MA 02359

Re: Application for Age-Qualified Cluster Development Special Permit
Applicant/Owner: Weathervane at Pembroke Country Club, LLC

Dear Chair Siciliano-Perry:

As you are aware, this office represents Weathervane at Pembroke Country Club, LLC (“Weathervane”) with respect to its (i) Application for Approval of an Age-Qualified Village Cluster Development Special Permit, and (ii) Application for Site Plan Approval, relating to its proposed Age-Qualified Cluster Development project for occupancy by individuals 55 years of age or older, with preservation of open/recreational space, on approximately 244 acres, at 94 West Elm Street, 0 West Elm Street, 80 West Elm Street, 54 Dwelley Street, 110 Dwelley Street, a portion of 84 Hazelwood Drive, and a portion of 58 West Elm Street (the “Property”).

This letter provides information in response to comments and requests from the Board’s peer-reviewer. Specifically, the information provided relates to (i) the renovation and proposed use-mix of the existing clubhouse function building, (ii) the ownership and restriction of the Open Land, and (iii) the age-restriction to be recorded requiring that at least one resident of a dwelling unit be over the age of 55.

I. Renovation of Clubhouse Function Building and Uses.

The Board’s peer-reviewer has requested that the Applicant provide a description and narrative concerning the renovation and proposed use-mix of the existing clubhouse function building.

a. Background

The existing clubhouse function building was constructed as a component of the 18-hole Pembroke Country Club in 1973. The existing clubhouse function building is approximately 30,000 s.f., inclusive of the basement floor that is used to store and charge golf carts. The first floor of the clubhouse function building is approximately 12,670 s.f. and houses the “Augusta Ball Room” with main ballroom with dance floor (507 persons), bar and bar seating (60 persons), bridal

suite, commercial kitchen and four (4) restrooms. The approximately 6,000 s.f. second floor of the function building includes the “Troon Room” with dance floor (125 persons), bridal suite, commercial kitchen, balcony and two (2) restrooms. The existing clubhouse function building is aged and inefficient and struggled to compete in the marketplace as a desirable function venue.

b. Proposed Uses in New Pro Shop/Office/Event/Guest Suite/Golf Cart Storage Building

Weathervane proposes to relocate the function facility use to the proposed Clubhouse Building, which will be equipped with new, modern kitchen facilities. The existing clubhouse function building will be re-purposed for Pro Shop/Office/Event/Guest Suite/Golf Cart Storage use and receive a façade redesign and an interior reconfiguration and upgrade to add contemporary golf club support amenities. The basement floor of the building will continue to be used to store and charge golf carts. The first floor of the building is proposed to be renovated to include a new Pro Shop, an event reception area, event meeting rooms, an event lounge, and guest suites, all customarily incidental to well-known Massachusetts golf courses with function facilities including, The Country Club (Brookline), The Kittansett Club (Marion), Old Sandwich Golf Club (Plymouth), Myopia Golf Club (S. Hamilton), and Essex Country Club (Manchester-by-the-Sea). The second floor of the building will be renovated to house administrative offices and conference rooms also customarily incidental to golf courses with function facilities.

c. Proposed Renovation Features

The renovated exterior of the Pro Shop/Office/Event/Guest Suite/Golf Cart Storage building will feature new composite exterior siding, new Azek trim boards, new flat membrane roofing and sloped shingle roof and new energy efficient windows and doors with grill pattern to match the proposed Clubhouse Building. Landscaping, hardscape and lighting will be updated and upgraded, as reflected on the submitted landscape plan. Interior renovations will include a complete renovation including new framing to accommodate the proposed floor plan, new insulation, new mechanical systems and finishes that are featured throughout the Weathervane residential and clubhouse program. As previously stated, the basement level will continue to be used for golf cart storage/charging and maintenance; and, as such, will not be renovated.

II. Ownership and Restriction of the Open Land.

The Board’s peer-reviewer requested that Weathervane provide documentation related to the ownership of the Open Land. As the Board is aware, at least 50% of the land area of the project site, exclusive of land set aside for road and drainage areas, shall be designated as Open Land, and the Open Land may be reserved for open space, conservation, recreation, or a combination thereof.

As reflected in the updated plans, Weathervane proposes that 64% of the site (156± acres) be Open Land reserved for recreation (golf), conservation and open space. See Open Land Exhibit (Supplemental Sheet X-5). The entirety of the site, inclusive of the Open Land, is proposed to be part of a single condominium association, subject to the master documents for the condominium association. Pursuant to Section V.13.5.B of the By-Law, Weathervane proposes to include within the Master Deed for the condominium association language similar to the following, to be approved by the Planning Department prior to finalization and recording:

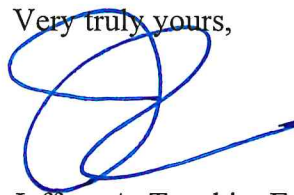
- Open Land: All areas shown as or designated as Open Land on the Open Land Exhibit, recorded herewith, shall be subject to a restriction in perpetuity, and enforceable by the Town of Pembroke to ensure compliance therewith that such designated Open Land shall perpetually be reserved for open space, conservation, agriculture, recreation, park purposes or some combination of the foregoing.
- Town of Pembroke Enforcement: The Town of Pembroke, through its Select Board, is hereby deemed to be a third party beneficiary of the Trust for the purpose of enforcing, in law or equity, any restrictions imposed upon the Open Land by the Town of Pembroke Planning Board as conditions of its Age-Qualified Cluster Development Special Permit; provided, however, that the Town of Pembroke shall have no obligation to so enforce any provision of this Trust or undertake any obligations hereunder, and neither the Town of Pembroke, nor any board, committee, agency, elected official, officer, or municipal employee of the Town shall be liable for any default or obligation of any party subject to this Trust.

III. Age-Restriction – Deed Restriction

The Board's peer-reviewer noted that the Age-Qualified Cluster Development By-Law requires that a deed restriction be recorded with each dwelling unit that at least one resident of the dwelling unit be over the age of 55. Weathervane proposes to include within the Master Deed of the Condominium, as well as individual unit deeds, a provision that provides "Units shall be occupied by persons aged 55 and over; provided, however, that one spouse may be under 55 years of age. In the event a spouse under 55 years of age is predeceased by their spouse/occupant that was aged 55 and over, said underage spouse may continue to occupy the Unit as long as at least 80 percent of the occupied Units in the Condominium are occupied by at least one resident that is aged 55 and over."

We look forward to appearing before the Board at the December 18th hearing. Thank you for your attention to this matter.

Very truly yours,



Jeffery A. Tocchio, Esq.
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CC.: Susan Glauben (sglauben@townofpembrokmass.org)
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