

4. BUILDING AND SITE DESIGN

Demonstrate Creativity In Design And Overall Concept Excellence

4-1 Overall Theme

Describe the overall theme and concept underlying the proposed design of the facility, including how that theme and concept promote attraction of visitors to the facility and interaction by those visitors with the facility's immediate and regional surroundings.

4-2 Relationship with Surroundings

Describe the relationship, if any, between the proposed facility and the architecture, history and culture of its immediate and regional surroundings.

4-3 Architects, Engineers, and Designers

Provide the names and addresses of the architects, engineers and designers of the gaming facility. Further, please provide a brief biographical summary along with any other information including links to web sites or other similar material about these individuals and/or entities describing projects in which these individuals and/or entities have participated.

4-4 Color Rendering

Provide a color rendering of the gaming establishment and all structures located on the gaming establishment site.

4-5 Schematic Design

Provide a schematic design, as defined/understood by the AIA, for each structure within the boundaries of the site showing at least the total and usable floor area, interior and exterior themes, and finished, building elevations and perspectives.

4-6 Proposed Landscaping

Provide a site plan showing the proposed landscaping and other site improvements.

4-7 Alternative Presentation

If the applicant chooses, it may provide an electronic mockup of the project, video presentation, or other medium of presenting the proposal separate from those otherwise required. If such a presentation is provided, please provide a written explanation briefly describing it and how it has been included in the application materials.

4-8 Parking

Describe the number, location and accessibility of parking spaces for employees, patrons and buses.

4-9 Transportation Infrastructure

Describe the plans for tour bus, taxi and valet drop-off and for service vehicle parking, satellite parking and other related transportation infrastructure. Additionally, please describe plans to offer refueling, overnight bus parking, disabled vehicle assistance, and convenience store facilities on site.

Gaming Establishment Of High Caliber With Quality Amenities In Partnership With Local Facilities

4-10 Gaming

Describe the proposed gaming area, including the square feet of gaming area, the number and types of table games and slot machines it will contain, the number of gaming positions, as defined in G.L. c. 23K, §2, it will contain and the specific location of the games and machines in the proposed gaming establishment. Further, please discuss any plans for special high limit or VIP areas.

4-11 Non-Gaming Amenities

Describe the restaurants, retail spaces, bars, lounges and other non-gaming amenities located within the boundaries of the gaming establishment site, along with the names of their proposed operators.

4-12 Exhibition Spaces

(Optional For Category 2 applicants) Describe any exhibition space or spaces the applicant plans to include in its facility, including the square footage of the spaces and the amenities they will contain.

4-13 Conference Space

(Optional For Category 2 applicants) Describe any conference space or spaces the applicant plans to include in its facility, including the square footage of the spaces and the amenities they will contain

4-14 Serving the Surrounding Community

Describe how the restaurants, retail spaces, bars, lounges and other non-gaming amenities located within the boundaries of the gaming establishment site will serve the surrounding community.

4-15 Entertainment Venues

Describe the entertainment venues located on the gaming establishment site inside or outside the gaming establishment proper, the capacity of each and uses to which the venues will be dedicated. Note- in accordance with M.G.L. c.23K, §9(a)(11) a gaming licensee shall only be permitted to build a live entertainment venue that has less than 1,000 seats or more than 3,500 seats.

4-16 Public Spaces

(Optional For Category 2 applicants) Describe the convention, meeting and other public spaces, other than those identified in response to questions 4-11 and 4-12 if any, located on the gaming establishment site inside or outside the gaming establishment proper, the capacity of each and uses to which the venues will be dedicated.

4-17 Description of Hotel

(Optional For Category 2 applicants) Describe the proposed hotel, including the types of rooms, the numbers of each type, and the number that will be reserved for gaming establishment promotions. Additionally specify whether linen supply, housekeeping, and laundry will be out sourced or retained within the facility operations.

4-18 Other Facilities

Describe any other facilities or amenities, other than those already described, that will be located on the site. Further, please specify whether day care or minor/child babysitting services are planned. If so, what standards will be utilized in offering such patron services?

4-19 Quality of Amenities

(Hotel and hotel room portion of the response is optional For Category 2 applicants) State how the hotels, hotel rooms, restaurants and other amenities that are part of the proposed facility will compare in quality to other area hotels and amenities as well as those included and offered in other competitive gaming establishments within the 300 mile area.

4-20 Art

Describe any public art, sculpture, paintings, or other patron attractions that will be located at the gaming establishment complex.

4-21 Tourism Diversity

Describe how the applicant proposes to build a gaming establishment of high caliber with a variety of quality amenities included as part of the gaming establishment and operated in partnership with local hotels, and dining, retail, and entertainment facilities, including identifying the existing or anticipated contracts, agreements, or strategies between and among the applicant and local hotels and dining, retail and entertainment facilities, designed to ensure that patrons experience the diversified regional tourism industry. Further please describe the applicant's intended use of any busing programs including any plans for patron solicitation for bus related marketing programs.

4-22 Diversified Regional Tourism

Describe the existing or anticipated contracts or agreements between non-gaming entities within the boundaries of the gaming establishment complex and local hotels and dining, retail and entertainment facilities designed to ensure that patrons experience the diversified regional tourism industry.

Compatibility with Surroundings

4-23 Egress from Gaming Establishment Site

Describe all adjacent streets, highways, buses, and other public transportation facilities and how they will be utilized for access to and egress from the gaming establishment site.

4-24 Adequacy of Existing Transportation Infrastructure

Provide an analysis of the adequacy of the existing transportation facilities, including those for refueling, to deliver patrons to and from the gaming establishment complex and the measures the applicant will take, including infrastructure and other improvements, to remedy any inadequacy.

4-25 Traffic Mitigation

Describe the steps, plans and measures the applicant will take, including infrastructure improvements, to mitigate traffic flow in the vicinity of the gaming establishment complex by stimulating use of public transit.

4-26 Parking Facilities

Describe the parking facilities and how they will be linked to the gaming establishment complex in a manner consistent with other design elements.

4-27 Adjacent Land

Describe the relationship of the project to adjacent land uses and proposed land uses to ensure compatibility between the gaming establishment complex and the adjacent uses.

4-28 Delivery of Supplies and Trash Removal

Describe how the facilities for delivery and storage of supplies and trash removal are integrated with the overall project complex including an explanation as to whether on-site compacting or incineration will be utilized and what facility systemic recycling processes, if any, are planned.

4-29 Signage

Describe the proposed signage and the plans to ensure that signs are energy efficient and sensitive to surroundings.

4-30 Minimizing Noise and Lighting

Describe plans to minimize impact of noise and facility lighting on surroundings areas.

4-31 Integration with Surrounding Venues

Describe how the site will be integrated with and provide access to and from surrounding areas restaurants, hotels, bars, entertainment venues and other attractions through multiple entry and exit points.

4-32 Site improvements

Describe the landscaping, lighting, and other site improvements and how they will integrate the gaming establishment complex with its surroundings.

4-33 Stimulating Retail Activity

Describe how the facility will stimulate retail activity in the immediate vicinity.

4-34 Extreme Weather

State whether facilities will be available for community use in the event of extreme weather and, if so, describe how.

4-35 Regional Water Facilities

Provide an analysis of existing regional water facilities available to the project, the impact the facility's water usage will have on those who share the same water resources, and the steps the applicant plans to take to remedy any deficiencies the impact produces.

4-36 Sewage Facilities

Provide an analysis of existing sewage facilities and their capacity to absorb the effluent from the gaming establishment complex during average and peak flows, including an estimate of those flows in gallons per day, and the steps the applicant plans to take to remedy any deficiencies in the ability of the existing infrastructure to absorb that flow.

Utilize Sustainable Development Principles In The Construction And During The Life Cycle Of The Facility

4-37 LEED Certification

Describe plans including all proposed baseline and improved building design elements and measures for becoming certifiable at the gold or higher level under the appropriate certification category in the Leadership in Environmental and Energy Design (LEED) program created by the United States Green Building Council.

4-38 Compliance with Environmental Standards

Describe the extent to which the building and site will comply with LEED-ND, LEED Existing Building; LEED EBOM Water; ISI; & IGCC Standards.

4-39 Stretch Energy Code

Describe plans to meet or exceed the stretch energy code requirements contained in Appendix 115AA of the Massachusetts State Building Code, 8th edition (780 CMR 115: Appendices) or equivalent commitment to advanced energy efficiency as determined by the secretary of energy and environmental affairs, including any building energy efficiency measures you propose to use to do so.

4-40 Alternative Fuel Vehicles

Describe any plans for utilizing electric vehicles and other alternative fuel vehicles for the resort fleet vehicles, and the accommodation of electric vehicle recharging for resort patrons, and any preferential parking for hybrid or electric vehicles at the site.

4-41 Storm Water

Describe plans for management of storm water including any plans to use Institute for Sustainable Infrastructure (“ISI”) techniques to minimize impact of storm water and maximize its reuse.

4-42 Water Conservation

Describe plans for conservation of water including any plans to target use of 40% less water than standard buildings of same size and design, for example through the use of waterless urinals, dual flush toilets, and low flow faucets, and by water saving landscaping techniques, and promotion of water reuse and recharge.

4-43 Energy Efficient Equipment

Describe plans for ensuring use of Energy Star rated equipment and high efficiency HVAC and heat recovery systems throughout the gaming establishment complex.

4-44 Energy Efficient Gaming Equipment

Describe any plans for ensuring that all gaming equipment conforms to best practices for energy efficient use.

4-45 Lighting

Describe plans for incorporating and fully commissioning state of the art daylighting, LED lighting and lighting controls and for installing upgraded lighting periodically every 5 years or less.

4-46 On-Site Energy Generation

Describe plans for procuring or generating on-site at least 10% of the facility's annual electricity consumption from renewable energy sources qualified by the Massachusetts Department of Energy Resources (DOER) under G.L. c.25A, §11F. Further, please describe plans, if any, for ensuring that 25% of the facility's annual electricity generated on site is from renewable energy sources, and the date by which that goal will be reached

4-47 Off-Site Renewable Energy

Describe any plans for obtaining off site power from renewable energy sources or with renewable energy credits.

4-48 Building Envelope and HVAC

Describe plans for commissioning the building envelope and HVAC systems in all buildings, and plans for ongoing retrocommissioning of facilities.

4-49 Energy Consumption Monitoring

Describe plans for developing an ongoing system that will submeter and monitor all major sources of energy consumption and for undertaking regular and sustained efforts throughout the life-cycle of the facility to maintain and improve energy efficiency and reliance on renewable sources of power in all buildings and equipment that are part of the facility.

4-50 Advanced Building Controls for Energy Use

Describe plans for including advanced building controls necessary to manage energy use throughout the entire facility.

4-51 Centralized Heating and Cooling

Describe plans for use of centralized & efficient heating and cooling systems, including opportunities to utilize renewable thermal energy such as solar water heating and geothermal heating and cooling. Provide evaluation and opportunities to utilize of e.g., co-generation of combined heat and power (CHP, or cogeneration) to provide efficient electric generation with heat recovery to serve building heating and cooling loads.

4-52 Shifting Peak Energy Use

Describe plans, if any, to utilize technologies such as absorption chiller based cooling and off- peak thermal ice and heat storage, to maximize operational efficiencies of the physical plant, and to shift peak demands to off-peak time periods for the electric grid.

4-53 Net Zero Energy

Describe plans, if any, for operation of one or more buildings at net zero energy within 3 years.

4-54 Sustainable Building Construction

Describe any plans for incorporating other sustainable features into building construction, such as use of local, recycled and/or natural materials, protection of indoor environmental quality from construction materials and, natural habitat protection, reuse and recycling of construction materials.

4-55 Ongoing Sustainable Site Operations

Describe any plans for ongoing sustainable site operations,, including, but not limited to, the management of solid waste generated at the site, including food waste and other organic materials, the use of less or non-toxic cleaning, personal care, and any other products used at the facility, policies to minimize use of hazardous materials and to effectively manage any hazardous materials on site, the procurement of environmentally preferable products for use in the facility, EPEAT certified equipment, and other products certified by independent 3rd party organizations.

4-56 Testing of Clean Energy Technologies

Describe any plans for integrating emerging clean energy technologies by providing beta test sites for Massachusetts based companies into buildings, facilities, and vehicles in partnership with the Massachusetts Clean Energy Center and other parties.

4-57 Energy Contracts

Describe any plans to offset all or some of the projected electrical energy consumption not met with on-site renewable energy sources via long term contracts for energy and RECs with off-site RPS Class I qualified wind, or solar, or other renewable energy projects, or other strategies.

4-58 Public Education on Clean Energy, Sustainability, and Waste Management

Describe any plans to educate building and facility occupants with educational kiosks, display screens, or other public awareness campaigns regarding the clean energy, sustainability, and waste management strategies and technologies deployed on and off site.

4-59 Grid Failure

Describe any plans to identify a portion of the gaming establishment to serve as a designated critical facility that would allow patrons and other affected residents to seek shelter, heating or cooling, and cell phone charging emergency power services in the event of a grid failure and describe the applicant's back up power generation plans. Such a system could integrate CHP or fuel cells, energy storage (electric and thermal) and clean DG (solar) with grid islanding capabilities to provide community resilience benefits while also helping to shave peak loads and reduce facility electric demand charges. Further, please describe the applicant's plan to ensure that adequate data and information protection and backup is in place in the event of a grid failure.

Security

4-60 Surveillance

Describe the applicant's approach to surveillance within and in the immediate vicinity of the gaming establishment and the types and kinds of security surveillance the facility will contain including, but not limited to, specifics relating to gaming floor coverage, location of cameras, recording policies, retention of recordings, sharing of information with other gaming facilities and law enforcement agencies, monitoring room access, and operational guidelines. Please also describe the applicant's plans to ensure that adequate backup generator or battery power systems are in place to protect and ensure that there is no interruption of mandatory continuous visual surveillance and security systems for the gaming establishment.

4-61 Emergency Evacuation

State how the design of the building will support emergency evacuation.

4-62 Emergency Response

Describe all of the applicant's plans for dealing with emergencies, including any and all use of local, state or regional public safety and medical entities and facilities that will be utilized in the event an emergency occurs. Further, please discuss any plan to develop and implement an active shooter/terrorist response plan.

4-63 Regulatory Accommodations

Describe the spaces within the facility that will be provided for regulatory staff, including members of the State Police including designation of square footage. Plans should also address the provision of security, law enforcement and regulatory interview rooms with electronic surveillance coverage, including any temporary criminal holding facility plans, and fingerprinting area. Additionally, please discuss plans for enabling Commission and State Police access to computer terminals for player tracking, surveillance coverage, and any required audit capabilities.

4-64 Remote Regulatory Surveillance

Describe the applicant's approach to remote regulatory surveillance, including the facilities and equipment in the establishment that will be available for facilitating surveillance of that type.

4-65 Excluding Minors

Describe the steps and measures the applicant will take to ensure that minors are excluded from the gaming premises including a description of plans for controlled facility access points, security policies, and age verification techniques and equipment. Further, please describe how the facility design itself will help minimize access by minors into restricted areas.

4-66 Security of Premises

Describes the steps and measures that the applicant will take with respect to security and prevention of unlawful behavior on the gaming establishment premises and in its immediate vicinity. Please also describe any planned policies relative to use of force and restraint, notification to law enforcement, and use of non-lethal chemical and electrical equipment for subduing unruly and physically assaultive patrons. Further, please describe any planned processes for the discovery, documentation and notification of proper authorities relative to forged documents, counterfeit currency, credit card fraud, player bonus point frauds, and false identifications. Finally, please describe any anticipated policies and procedures addressing such issues as the abandonment of minors in a parking area or hotel room.

4-67 History of Security

Describe the measures the applicant has utilized with respect to security and prevention of unlawful behavior at other facilities it owns and operates, how well those measures have succeeded and the metrics used to measure their success.

4-68 Computerized Accounting and Auditing

The Commission will likely utilize a central, computerized accounting and auditing system to assure the integrity, security, honesty, accountability and fairness in the operation and administration of games played at the facility. Describe the measures and commitment that the applicant will institute to facilitate installation and maintenance of any hardware and software necessary for the system's operation and the applicant's experience with similar systems at all other locations the applicant owns, controls or operates. Further, please attach a projected table of organization, containing brief descriptions of the positions, relative to staffing of the Information Technology department to address the needs posed by a system of this nature.

Permitting

4-69 Permit Chart

Provide as attachment 4-69-01 a chart identifying all federal, state, and local permits and approvals required, or anticipated to be required, for the construction and operation of the applicant's proposed category 1 or category 2 gaming establishment that includes:

- a. the date on which the applicant submitted, or anticipates that it will submit, its application for each permit or approval;
- b. the maximum time period set by statute, regulation, and/or by-law or ordinance that the authority having jurisdiction has to render a decision on an application, if any (e.g. 780 CMR 105.3.1 Action on Application);
- c. the expiration date or maximum effective time period for each permit or approval, if any, set by statute, regulation, and/or by-law or ordinance; and
- d. a citation to the statute, regulations, and/or by-law or ordinance governing the issuance of each permit or approval.

4-70 Permit Chart Attachments

Provide a complete copy of: (i) any completed application for each permit or approval that was submitted by the applicant to the authority having jurisdiction, including a copy of any exhibits and attachments; (ii) any written comments received by the applicant from a host community, surrounding community or prospective surrounding community, impacted live entertainment venue or prospective impacted live entertainment venue, and/or the permitting agency regarding the applicant's request for the permit or approval; and (iii) any permit, approval or decision issued by the authority having jurisdiction.

4-71 ENF

Provide a copy of the applicant's environmental notification form (ENF) along with proof of the applicant's submission of the ENF in compliance with G.L. c. 30, §62A and 301 CMR 11.00 in connection with the applicant's proposed category 1 or category 2 gaming establishment.

4-72 EOEEA Certificate (ENF)

Provide a copy of the certificate from the secretary of EOEEA after the conclusion of the comment period on the filing of the ENF pursuant to 301 CMR 11.06(7) and a copy of all written comments submitted to the MEPA unit during its review of such ENF.

4-73 EIR

Provide a copy, if any, of the draft, final, supplemental, or single environmental impact report (EIR), Notice of Project Change, or a request for an Advisory Opinion submitted by the applicant pursuant to G.L. c. 30, §§61-62H and 301 CMR 11.00 in connection with the applicant's proposed category 1 or category 2 gaming establishment.

4-74 EOEEA Certificate (EIR)

Provide a copy, if any, of the certificate from the secretary of EOEEA after the conclusion of the comment period on the filing of any such draft, final, supplemental, or single EIR, Notice(s) of Project Change, and in the case of an Advisory Opinion, the decision of either the Secretary or the MEPA Director pursuant to G.L. c. 30, §§61-62H and 301 CMR 11.00, and a copy of all written comments submitted to the MEPA unit during its review of such filing.

4-75 Environmental Assessment, Findings, and Impact Statement

Provide a copy of any notice or draft, final, or supplemental environmental assessment, finding of no significant impact, or environmental impact statement prepared by any federal agency in accordance with 42 U.S.C. §4321 in connection with the applicant's proposed category 1 or category 2 gaming establishment.

4-76 Host Community Zoning

Describe applicable zoning requirements for the site of the proposed project, explain how the applicant proposes to meet them, and provide a statement from the host community's zoning officer, town counsel or city solicitor that, notwithstanding a site plan approval, the proposed category 1 or category 2 gaming establishment is either:

4-76.1 Permitted at its proposed location as of right pursuant to the host community's zoning ordinances or bylaws; or

4-76.2 Permitted at its proposed location pursuant to all of the host community's zoning ordinances or bylaws subject only to the applicant's obtaining some or all of the permits and approvals identified in the application pursuant to 205 CMR 120.01(1)(a).

4-77 Permit Appeals

Provide a copy of the filings associated with any appeal, whether to a municipal or state entity or for judicial review, filed with respect to any permit or approval listed on the chart provided in response to question 4-69 along with a current copy of the docket sheet on such appeal and each decision on any appeal, if any.

Other

4-78 Other Uses of Facility

Describe the design features that will allow other uses of the buildings in the gaming establishment complex in the event that the applicant decides to cease gaming operations in the facility at some future date.

4-79 Site Plan

Provide documentation showing the location of the proposed gaming establishment, including all amenities and significant structures, which shall include the address, maps, book and page numbers from the appropriate registry of deeds, assessed value of the land at the time of application and ownership interests over the past 20 years, including all interests, options, agreements in property and demographic, geographic and environmental information.