



Meeting Minutes

Date/Time: April 25, 2016 – 1:00 p.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[1:02 p.m.](#) Chairman Crosby called to order the 187th Commission meeting.

Approval of Minutes

See transcript pages 2-3

[1:02 p.m.](#) *Commissioner Macdonald moved for the approval of the April 14, 2016 Commission meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Administrative Update

See transcript pages 3-4

[1:03 p.m.](#) Executive Director Edward R. Bedrosian, Jr. reported that this will be a busy week for the Commission and staff are preparing materials for the deliberations in Brockton on Region C. He suggested that the Commission take up agenda items 4 (b) and (c) which are quick matters, before 4 (a) – which is the Wynn Section 61 matter.

Legal Division

See transcript pages 4-49

[1:04 p.m.](#) General Counsel Catherine Blue reported on amendments to regulations 205 CMR 116 - Persons Required to be Licensed or Qualified, and 205 CMR 134 - Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations; and stated that they have gone through the process, a public hearing was held, no changes have been made, the amended small business impact statements need to be filed, and they are ready for final promulgation.

Commissioner Zuniga moved that the Commission approve the Amended Small Business Impact Statement and final version of 205 CMR 116 as included in the packet, and authorize staff to file the regulation with the Secretary of State. Motion seconded by Commissioner Stebbins. Motion passed unanimously.

Commissioner Zuniga moved that the Commission approve the Amended Small Business Impact Statement and final version of 205 CMR 134 as included in the packet, and authorize staff to file the regulation with the Secretary of State. Motion seconded by Commissioner Cameron. Motion passed unanimously.

[1:08 p.m.](#) Chairman Crosby stated that since he and Commissioner Macdonald did not participate in the original vote on Region A, they will not participate in the Wynn Section 61 decision. Chairman Crosby asked Commissioner Zuniga to chair this portion of the meeting.

[1:08 p.m.](#) General Counsel Blue stated that she appreciated all the thought and work that went into the final version of the Wynn Section 61 Findings by the consultants and Ombudsman John Ziemba.

[1:09 p.m.](#) Ombudsman John Ziemba provided a summary of the Wynn Section 61 Findings process which included enhanced public review and process required by the Secretary of Energy and Environmental Affairs, solicitation of written comments, public hearings, and publication of findings. He stated that compliance with Section 61 and license conditions will be part of a regular quarterly review. He also noted the certificate required the establishment of a planning group to review transportation and development concerns and that group has met a number of times. He highlighted a provision that pertained to Wynn working with agencies and contributing funding on future plans to create mass transit opportunities. He concluded that there is significant mitigation being put forward by Wynn and the Commission has the ability to review, monitor and make changes to mitigation requirements.

[1:17 p.m.](#) Commissioner Zuniga noted for the record that MGC conducted an enhanced review and process which included a public hearing and public comments. He stated that the Commissioners, as well as staff, go through all the comments.

[1:19 p.m.](#) Rick Moore, of City Point Partners and consultant for MGC, noted two additions previously before the Commission – a lighting plan for Charlestown and an additional location in Somerville (Broadway and Lombardi Way intersection) that was added to the monitoring plan for potential traffic. He also noted another addition which

includes the William and Chestnut Street intersection in Chelsea. He noted that this intersection will be monitored as a potential taxi cut through from the airport to the casino. Mr. Moore reported on comment letters received regarding clarifications and language that was added to address a traffic monitoring plan, water transportation, and highway safety audits.

Mr. Moore reported on cooperation by Wynn on the long-term plan which includes regional issues with a focus on Sullivan Square, right-of-way issues, and broader transit issues. Mr. Moore also reported that the long-term working group will look at alternative urban ring plans.

[1:37 p.m.](#) Commissioner Zuniga reported on a letter received from the City of Somerville stating that a dissenting arbitrator raised a number of issues that the City said has come to fruition. Mr. Moore stated that the Somerville planning director cited a report by MIT that the project will impact intersections in Somerville. Mr. Moore stated that MIT did not look at mitigation proposed by Wynn. Mr. Moore stated that they could not find any credible evidence to support their contention that there was any traffic impact.

[1:42 p.m.](#) Mr. Moore stated that this is a thorough and extensive mitigation package and in many cases exceeds the standard that MEPA would require. He would recommend that the Commission approve the Section 61 Findings.

[1:44 p.m.](#) Commissioner Stebbins inquired about the lighting plan and height of the facility. Mr. Moore confirmed that those are zoning issues.

[1:45 p.m.](#) Commissioner Zuniga inquired about what work Wynn could do regarding the Chapter 91 license appeal. Mr. Moore stated that technically, Wynn could work outside the jurisdiction of the Chapter 91 license on areas like the access road.

[1:49 p.m.](#) *Commissioner Zuniga read into the record the motion for the adoption of the Wynn Section 61 Findings. Motion seconded by Commissioner Cameron. Roll call vote: Commissioner Stebbins – yes, Commissioner Cameron – Aye, and Commissioner Zuniga – Aye. Chairman Crosby recused himself from the vote. Commissioner Macdonald abstained from the vote. Motion passed 3 to 0. SEE MOTION ATTACHED.*

[1:53 p.m.](#) *Commissioner Zuniga read into the record the motion to take final agency action on the Region A Category 1 gaming license. Motion seconded by Commissioner Stebbins. Roll call vote: Commissioner Stebbins – Aye, Commissioner Cameron – Aye, and Commissioner Zuniga – Aye. Chairman Crosby recused himself from the vote. Commissioner Macdonald abstained from the vote. Motion passed 3 to 0. SEE MOTION ATTACHED.*

Other Business Not Reasonably Anticipated

See transcript page 50

[11:55 a.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated April 25, 2016
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated April 14, 2016
3. Massachusetts Gaming Commission Section 61 Findings To Be Issued Pursuant to M.G.L. c. 23K and M.G.L. c. 30, § 61 (Wynn Everett), *revisions*
4. Massachusetts Gaming Commission Section 61 Findings Issued Pursuant to M.G.L. c. 23K and M.G.L. c. 30, § 61 (Wynn Everett)
5. Letter from the Office of the Attorney General to the Massachusetts Gaming Commission, dated April 11, 2016 regarding Comments on Wynn Resort in Everett, Draft Section 61 Findings, EEA#15060
6. Letter from Boston Harbor Now to the Massachusetts Gaming Commission, dated April 11, 2016 regarding Wynn Resort in Everett Draft Section 61 Findings
7. Letter from Charlestown Residents (Evelyn Addame, Ann Kelleher and Nicole Payne) to the Massachusetts Gaming Commission, dated April 11, 2016 regarding Wynn Casino
8. Email from Former Governor Michael Dukakis to the Massachusetts Gaming Commission, dated April 11, 2016 regarding Comments on Wynn Draft Section 61 Requirements on the Proposed Casino
9. Letter from Frederick Salvucci to the Massachusetts Gaming Commission, dated April 11, 2016 regarding Statement to the Gaming Commission on Draft Section 61 – Wynn
10. Letter from Andrew Hudson to Somerville Mayor Curtatone, dated April 11, 2016 Regarding Wynn Casino
11. Letter from Brad Rawson, (Somerville Mayor’s Office) to the Massachusetts Gaming Commission, dated April 11, 2016, regarding Draft Section 61 Findings/Wynn MA,
12. Email from Maureen Lavelly to the Massachusetts Gaming Commission, dated March 30, 2016 regarding Wynn Casino Hearing
13. Email from Lynne Levesque to the Massachusetts Gaming Commission, dated March 30, 2016 regarding Wynn Section 61 Findings EEA #150600
14. Email from Jane Garvey to the Massachusetts Gaming Commission, dated April 3, 2016 regarding Draft Section 61- Wynn
15. Draft 205 CMR 116: Persons Required to be Licensed or Qualified
16. Amended Small Business Impact Statement, 206 CMR 116.07 (New Qualifier)
17. Draft 206 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations
18. Amended Small Business Impact Statement, 205 CMR 134.04 (New Qualifiers Gaming Vendors)
19. Amended Small Business Impact Statement, 205 CMR 134.12 (Temporary License)
20. Amended Small Business Impact Statement, 205 CMR 134.16 (Term of License)
21. Massachusetts Gaming Commission, Vote to Adopt Section 61 Findings Pursuant to M.G.L. c. 30, §61 and M.G.L. c. 23K (Wynn Everett), dated April 25, 2016
22. Massachusetts Gaming Commission, Vote to Take Final Agency Action on Region A Category 1 Gaming License (Wynn Everett), dated April 25, 2016

/s/ Catherine Blue

Catherine Blue, Assistant Secretary