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THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS GAMING COMMISSION  
PUBLIC MEETING #183

CHAIRMAN

Stephen P. Crosby

COMMISSIONERS

Gayle Cameron

Lloyd Macdonald

Bruce W. Stebbins

Enrique Zuniga

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March 22, 2016 1:00 p.m.- 2:42 p.m.

MASSACHUSETTS GAMING COMMISSION  
101 Federal Street, 12th Floor  
Boston, Massachusetts

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P R O C E E D I N G S :

CHAIRMAN CROSBY: It is my pleasure to call to order the 183rd meeting of the Massachusetts Gaming Commission again held at our offices at 101 Federal Street at 1:00 on March 22.

As has been my practice since I recused myself from the deliberations on Region C -- sorry, Region A, thank you, when there have been replays of that or issues which came out of that period, I have chosen to recuse myself. So, I will recuse myself from participation in the discussions today.

And as has been our practice since Commissioner Macdonald was not here when those Region A deliberations took place where the roots of the Section 61 Findings were sown or were planted, he's going to recuse himself as well, but we'll both sit here. And Commissioner Zuniga will chair the meeting for purposes of this agenda item.

COMMISSIONER ZUNIGA: Thank you, Mr. Chairman. We have only one item on the agenda

1 today. And that's the legal division to  
2 present the Wynn draft Section 61 presentation  
3 and review, General Counsel Blue.

4 MS. BLUE: Good afternoon,  
5 Commissioners. Last fall, the Commission  
6 reviewed and determined the process it would  
7 use for drafting and approving the Section 61  
8 Findings for the Wynn project.

9 Today, the Commission is beginning  
10 the formal process for approving this final  
11 Section 61 Findings for the project. As we  
12 discussed then, the Wynn MEPA certificate  
13 contained certain additional steps such as a  
14 public hearing that the Commission needs to  
15 incorporate into its review process. While the  
16 Commission was working on its draft Section 61  
17 Findings, other permitting agencies such as  
18 MassDOT, DEP and the MWRA were working on their  
19 Section 61 Findings. The Commission will  
20 incorporate the final Section 61 Findings from  
21 these permitting agencies into the Commission's  
22 final Section 61 Findings.

23 Before I go over the steps the  
24 Commission needs to take, I want to go over the

1 steps that MassDOT was required to take before  
2 it could issue its Section 61 Findings. Those  
3 steps include revising the MassDOT Section 61  
4 Findings based upon discussions with Wynn and  
5 other stakeholders; identifying Wynn's  
6 financial contribution to the regional working  
7 group identified in the MEPA certificate;  
8 publishing MassDOT Section 61 Findings in the  
9 Environmental Monitor for a 15-day public  
10 review and comment period; holding a public  
11 meeting to review comments and accept  
12 additional comments; and publish the final  
13 Section 61 Findings within 40 days of the  
14 publication of the draft Section 61 Findings in  
15 the Environmental Monitor.

16 MassDOT has taken all of the  
17 required steps up to the point of issuing its  
18 final Section 61 Findings. We expect that they  
19 will do so within the required timeframe.

20 Staff with the assistance of outside  
21 counsel has completed draft Section 61 Findings  
22 and has provided the draft findings to  
23 Commission consultants for their review. The  
24 consultants have reviewed the project as

1 currently configured against the draft Section  
2 61 Findings.

3           The purpose of the consultants  
4 review is to make recommendations on possible  
5 changes or additions to the draft Section 61  
6 Findings. Staff has also provided the draft  
7 Section 61 Findings to Wynn for its review.

8           Wynn's mitigation presentation, the  
9 Commission's consultant report and the  
10 Commission's draft Section 61 Findings are in  
11 the Commission packet. We have also included  
12 MassDOT's presentation from their Section 61  
13 public hearing.

14           Wynn is here today to present to the  
15 Commission on their overall project mitigation  
16 plan. The Commission's consultants are here  
17 today to summarize their report and to answer  
18 any questions from the Commission. The  
19 Commission will review the presentation and  
20 recommendations from the consultants and  
21 authorize staff to make any changes if changes  
22 are necessary.

23           After today's meeting in accordance  
24 with the process we discussed last fall, staff

1 will post the draft Section 61 Findings as well  
2 as the consultants reports on the Commission's  
3 website with a request for comments. Staff has  
4 already posted what we refer to the staff draft  
5 or the preview draft on the Commission's  
6 website on March 18 just to get a jump on the  
7 process for obtaining comments.

8           The Commission will hold a public  
9 hearing on March 29 to solicit comments from  
10 the public and other interested parties on the  
11 draft Section 61 Findings. The comment period  
12 will remain open until April 11. The  
13 Commission will receive comments by email to  
14 MGC comments or by regular mail. All comments  
15 will be gathered and provided to Commissioners  
16 before the April 14 Commission meeting.

17           At the Commission meeting on April  
18 14, the Commission will consider the comments  
19 received and determine whether any revisions  
20 should be made to the draft Section 61  
21 Findings. Once the Commission finds the final  
22 Section 61 Findings to be complete, the  
23 Commission will vote to incorporate the Section  
24 61 Findings into the Wynn license, authorize

1 staff to file the Section 61 Findings for  
2 publication in the Environmental Monitor, and  
3 vote to take final action on the Region A  
4 license.

5           Thereafter, in each quarterly  
6 report, Wynn will report to Commission on its  
7 compliance with the Section 61 Findings.

8           There are a couple of important  
9 points keep in mind. Section 61 Findings are a  
10 determination at a fixed point in time  
11 regarding whether all feasible measures have  
12 been taken to avoid or minimize the impacts of  
13 the project and damage to the environment. The  
14 Commission reserves the right to reopen the  
15 Section 61 Findings in the future if the  
16 Commission finds additional mitigation is  
17 required.

18           The other point is that if there are  
19 the unanticipated impacts from the project that  
20 require mitigation, the Commission will  
21 entertain applications to the Community  
22 Mitigation Fund in the coming years for funding  
23 to address those impacts. Are there any  
24 questions at this point?

1                   COMMISSIONER ZUNIGA: Just to  
2 clarify, the MassDOT Section 61 Findings just  
3 tell me that date again.

4                   MS. BLUE: They should be done in  
5 the next couple of days. And then once we get  
6 their final, we'll review them and we'll review  
7 them against our draft and make any changes  
8 that we need to make.

9                   COMMISSIONER ZUNIGA: But the public  
10 hearing that they conducted took place --  
11 remind me.

12                   MS. BLUE: I think about two weeks  
13 ago now. If there are no further questions, I  
14 would ask Wynn to begin its presentation.

15                   MR. DESALVIO: Good afternoon,  
16 Commissioners. And thank you General Counsel  
17 Blue for that very thorough intro. With me  
18 today is Chris Gordon, immediately to my right  
19 who is President of Wynn Design Development  
20 Massachusetts and Jacqui Krum, who is Senior  
21 Vice President and General Counsel.

22                   First of all, we would like to thank  
23 you for the opportunity to present this very  
24 comprehensive mitigation plan for our project.



1                   Before I turn this over to Chris for  
2 the first few items, I want to address one  
3 particular thing. Last week Mr. Wynn was in  
4 town. And he unveiled new models of the  
5 property. We have two new models over in our  
6 Medford office along with some new renderings  
7 that we introduced. And you'll see those a  
8 little later in our presentation. But we also  
9 introduced a new name for the project. And I  
10 want to spend a minute just talking about that.  
11 Wynn Boston Harbor as the name that we've  
12 selected for the project.

13                   First and foremost, I want to make  
14 one thing perfectly clear. Our location and  
15 address is in Everett, Massachusetts. It  
16 always has been. It always will be. And I  
17 want to make sure that's clear because it's  
18 important that we don't forget our community  
19 that we are located in, our host community, the  
20 tremendous support that we have always received  
21 from the Everett residents which we are always  
22 thankful for. They attend all of the meetings.  
23 They've been great supporters of the project.  
24 So, we are and always have been in Everett,

1 Massachusetts.

2 Why the interest in the name change?

3 After some long discussion between the team  
4 with Mr. Wynn, we felt that our connection to  
5 the water and the harbor was a critical part of  
6 the ongoing success of the project. The  
7 ongoing success of the project is important for  
8 our 4000 employees that are going to be working  
9 there as well as the Commonwealth and the  
10 expected revenue tax generation that derives  
11 from the project.

12 And the more that we look at the  
13 model, the more that we look at the renderings  
14 and you realize how much we really salute the  
15 water. I know we are at the mouth of the  
16 Mystic River, but we are also part of the  
17 Boston Harbor watershed. A lot of people maybe  
18 don't realize how active a port, really a port  
19 city Everett is and connected to the port of  
20 Boston.

21 One example alone is when you think  
22 of the LNG tankers that come up. We are in an  
23 area that is below the Amelia Earhart Dam. We  
24 are tidal. I'm sure a lot of people don't

1 realize, we have about an eight- to nine-foot  
2 swing daily in our tide up front. That's why  
3 we are designing our dock system to be able to  
4 accommodate the tidal swing.

5           Of course, as most everyone knows,  
6 you don't get eight or nine feet of tidal swing  
7 in a river. So, we are below the dam. We  
8 think we are a very important part of the  
9 harbor scenario even though of course we know  
10 we're at the mouth of the Mystic River.

11           We want to celebrate that. We think  
12 it is important. I had multiple discussions  
13 with the mayor, Mayor DeMaria in Everett. He  
14 supports the move. He also thinks when you  
15 look at the Wynn project and what we are doing  
16 and how we are presenting ourselves to the  
17 waterfront, the fact that we are using this  
18 name and embracing this name will actually help  
19 support the lower Broadway master plan and  
20 other economic development projects.

21           Because in a sense really what we  
22 are doing is grabbing that harbor and all of  
23 the equity that's in it and bringing it right  
24 up to the mouth of the Mystic River and the

1 Everett location where we are.

2           So, I've had long discussions about  
3 it. We're going to have more discussions both  
4 with elected officials in the town as well as  
5 residents of Everett. But I thought it would  
6 be important that we didn't just slip that in  
7 on a PowerPoint slide that we spent a few  
8 minutes talking about why we felt that was  
9 important for the project.

10           With that now I'm going to turn it  
11 over to Chris to start the first discussion on  
12 the Section 61 Findings.

13           MR. GORDON: Thank you, Bob. As you  
14 know there's quite a process for the Section 61  
15 Findings. So, we've been working for a number  
16 of months to achieve that.

17           There were other Section 61 Findings  
18 leading up to the Gaming Commission Section 61  
19 Findings. As you see list on slide three,  
20 MWRA, Massport, Mass DEP, the DOT including  
21 MBTA and also combined with DCR are all Section  
22 61 Findings that are complete.

23           We did talk to DOT this morning.  
24 And they do expect to post that tomorrow. So,

1 we think that will be the last one. And then  
2 of course, we look forward to working with  
3 Gaming Commission on yours. So, we think we're  
4 near the end of that, but there's a lot of  
5 material we're going to talk about today that's  
6 included in all of those and then wrapped up  
7 into the Gaming Commission's finding.

8           Very briefly, and I know you know  
9 the project well, but for any new Commissioners  
10 and also for anyone listening, we want to make  
11 sure we give you a brief overview of the  
12 project before we dive into the benefits.

13           As you can see on the slide, we're  
14 located in Everett approximately in the middle  
15 of that slide. We'll zoom in in a second, but  
16 it's between Broadway otherwise known as Route  
17 99, the MBTA commuter rail tracks. We're  
18 across the river from Assembly Row. We're just  
19 south of the MBTA's repair shop.

20           We're in an ideal location on the  
21 river and on the harbor for access downtown,  
22 roadway access and other things you'll hear  
23 about today during the transportation portion  
24 of the briefing.

1           The site has a long history. It was  
2 the home to three different chemical companies  
3 since the 1800s. It was a heavy industrial  
4 site where a lot of chemicals were  
5 manufactured. Things like sulfur were used  
6 there extensively. Sulfuric acid was actually  
7 manufactured there. It was transported from  
8 there. And we'll show you some photos in a  
9 second. Dyes and acids were made there.

10           Monsanto was the longest owner of  
11 the property. They owned it from 1929 to 1983.  
12 When they left, they left behind a lot of  
13 residual products in the ground primarily heavy  
14 metals. We have arsenic, lead, copper, a number  
15 of things that are still in the ground as we go  
16 through the remediation process.

17           Coincidentally, it was also with the  
18 original home of the Union Oyster House where  
19 they got their oysters, the oldest restaurant  
20 in America. So, what started at the home of  
21 the purest, cleanest oysters and ended up as a  
22 chemical plant. So, it had an ugly transition  
23 there, if you will.

24           The next slide shows a historic

1 photo of the site. In the lower left, below  
2 the tracks that's our site. If you look in the  
3 background for wayfinding, you can see the  
4 Custom House tower, the only high-rise on the  
5 horizon. You can see the little toll on the  
6 bridge going across the river.

7 But more important, in the  
8 foreground you can see the chemical plant as  
9 Monsanto ran it. And ironically, as you look  
10 at that layout of buildings and tanks, we can  
11 track some of our worst contamination to some  
12 of the biggest tanks.

13 So, it's not a coincidences that  
14 some of those tanks were leaking. They were  
15 not well maintained. We still have foundations  
16 of the crane on the right. So, that historic  
17 legacy has remained on the site which is one  
18 the reasons it's remained vacant for close to  
19 30 years until it was proposed for  
20 redevelopment.

21 It also had a bit of an  
22 environmental activist site. You can see the  
23 Green Harbors did a civil disobedience on the  
24 site and a few other things. So, it's been the

1 site of controversy in the environmental world  
2 for many decades trying to get it cleaned up.

3           So, it's not a new issue. This goes  
4 back a very long time trying to get this site  
5 cleaned up. It's one of the worst sites  
6 around.

7           The next slide shows the site just  
8 before we started the remediation. It was a  
9 vacant lot for roughly 30 years. There were  
10 containers stored there, trucks parked there  
11 but there was no real activity there. There  
12 was material from Deer Island was brought there  
13 and put on top of it.

14           So, the top eight feet is actually  
15 tunnel muck from the tunnel from Deer Island  
16 that goes out into the harbor. It was dumped  
17 here with a goal of creating a clean site.  
18 Well, as you know, you don't really create a  
19 clean site just by putting a layer of clean  
20 dirt on top of dirty dirt. So, we're going  
21 below that clean layer and cleaning it up. But  
22 there is a layer of clean dirt there which  
23 again was meant to enable development a number  
24 of years ago.



1                   If you look at the development  
2 history, we became involved in 2012. Steve  
3 Wynn identified the site. It was brought to  
4 his attention. He took great interest, and we  
5 worked our way through the process since then.

6                   In 2013, we started obviously with  
7 our gaming application, our environmental  
8 applications and things really heated up in  
9 2013. Through 2014, we had a number of  
10 filings. We also were successful in our  
11 surrounding community agreements which Jacqui  
12 is going talk about a little bit later.

13                   Working all the way through, we  
14 obviously went through the statewide  
15 referendum. And we were selected for our  
16 Region A license, which we're very, very  
17 pleased about. Then in 2015, we continue with  
18 design and permitting. You can see a number of  
19 permitting activities there.

20                   It is quite a journey to get a  
21 permit for a project like this that we worked  
22 our way through a number of different federal,  
23 state and local permits. Then of course in  
24 2016, we are here today trying to work our way

1 through the Section 61 Finding. You'll see  
2 other things like selecting our construction  
3 contractor, Suffolk, working on the remediation  
4 and etc. So, we are far along in the process.

5 Next is slide 11. This is a summary  
6 of our current program for the building. We  
7 have about 4500 gaming positions proposed for  
8 the building. We have about 629 keys. This is  
9 a combination of rooms and suites in the hotel.

10 You can see the square footages, but  
11 we have an extensive retail pavilion, which  
12 will be a key part of the project where there  
13 will be high-end retail where people can browse  
14 either as part of their gaming day or not part  
15 of their gaming day. They can be there to  
16 shop.

17 Also dining, we have a number of  
18 restaurants where people can eat. Again, this  
19 is meant to be either part of gaming or not  
20 part of gaming. It'll be up to the patron  
21 whether they are there for that or for  
22 something else. Spas, gyms, extensive  
23 convention space, so a very mixed-use building.

24 In the three million square feet,

1 there are many things that are tucked into the  
2 same resort. The intent being, of course, to  
3 attract people that might want to be there for  
4 different things or to entertain people that  
5 might be there with a spouse or whatever it  
6 might be. So, there's going to be a lot of  
7 different things to do in the building.

8           Next is the site plan. You've seen  
9 this before, so we won't spend a lot of time on  
10 it. But starting left to right, you can  
11 obviously see the river and the harbor off to  
12 the left of the page. You'll see an arrow that  
13 says connecting to DCR.

14           We're going to be connecting over to  
15 the DCR park, which is just north of here,  
16 which you'll see a little later some slides for  
17 bikes and pedestrians. Moving in you'll see a  
18 large oval. That's an event lawn. That is a  
19 very carefully designed space where we can have  
20 weddings, outdoor community concerts, all sorts  
21 of stuff. You can get close to 1000 people in  
22 that outdoor space that could be there for a  
23 function if that was desired. The views from  
24 there are spectacular looking back over the

1 city and over the harbor.

2           Moving to the right, the end of the  
3 building toward the water is primarily meeting  
4 and convention space. There's a large ballroom  
5 there with a stage, which can be used for a  
6 variety of functions. From there toward the  
7 middle of the building is mostly where the  
8 retail and the food and beverage is.

9           So, that would be a pavilion was  
10 shopping on both sides, access to the outdoors,  
11 access to the waterfront. Moving a little  
12 further into almost the middle of the page, you  
13 see the crescent shape outline on the drawing.  
14 That's the hotel tower. That's where the 629  
15 hotel rooms are.

16           Below that of course is lobbies and  
17 access that way. And then behind that is  
18 gaming. So, the gaming is behind the hotel  
19 tower. So, someone can choose to go to gaming  
20 or choose to not go to gaming. And then behind  
21 that there's a very large back of house area  
22 with utility plants and employee spaces and a  
23 number of things for employees.

24           Off to the page to the right is a

1 service road that services into the site. Then  
2 of course the landscaping and waterfront is a  
3 very comprehensive effort to restore the  
4 waterfront and make the outdoor space very  
5 useful.

6           Some facts, as you heard Steve Wynn  
7 talk about last week, we're in the \$2 billion  
8 range right now. We have a lot of work going  
9 on in the estimate and lot of work going on in  
10 pricing. Now we have a contract. We're out in  
11 the market. We're talking to subcontractors.

12           This isn't a growth because suddenly  
13 prices have gone up. This is a refinement of  
14 the estimate. We've now got enough  
15 information. We have detailed designs of the  
16 interior, detailed designs of the exterior.  
17 We've got most of our permits.

18           So, this is really an accurate  
19 estimate as opposed to something that changed  
20 since we did the last number. Wo, we're  
21 getting quite comfortable in that range that  
22 that's where we ought to be. Of that a little  
23 more than half is hard costs. And the rest is  
24 a variety of other things. It's Gaming

1 Commission fees. It's design. It's also land  
2 acquisition and that sort of stuff.

3 We're still at about 4000 permanent  
4 employees that Bob will be hiring. That has  
5 already started. We've got people in the  
6 office today that are full-time employees. And  
7 that will grow, of course, toward opening.

8 That will put us immediately in the  
9 top five employers in the state which we are  
10 excited about. 4000 construction jobs, we talk  
11 to the construction unions and trades and  
12 subcontractors every day. And they are all  
13 excited. And we're out talking to them about  
14 ramping up on this.

15 And we're very confident of getting  
16 4000 workers. We were worried about that  
17 initially but it's a diverse workforce. So,  
18 we've been talking to not just anybody but  
19 making sure we get diverse workforce on the  
20 jobsite. So, that's been going we think very  
21 well.

22 Millions will be spent on local  
23 materials. We have a lot of buying we're going  
24 to be doing both during construction and once

1 we open. Everybody who is working for us has  
2 got the word that if you can buy local, go do  
3 it. So, whether it be buying paper cups or  
4 buying vehicles or buying furniture or buying  
5 whatever you can, buy as much local as you can.

6 That's part of the procurement we do  
7 with a number of vendors and contractors. So,  
8 that word is out. And it says here once Bob is  
9 up and running, we expect he'll be around \$100  
10 million in vendor spending. So, that's a big  
11 boost that companies in area should be chasing  
12 as a future client.

13 MR. DESALVIO: On page 14, we have a  
14 breakdown of the gaming tax allocation. Just  
15 as a reminder, the column on the left, the  
16 percent dedicated of course comes from the  
17 enabling legislation and the funds that were  
18 created in order to be able to spread this  
19 gaming tax money through a number of very  
20 worthy causes throughout the Commonwealth,  
21 including such things as the Community  
22 Mitigation Fund.

23 Again, this is all based on an  
24 estimate of our gaming revenue. So, right now

1 we refine that estimate all the time. I know  
2 the Commission's consultants went through their  
3 own estimations on it. But this number, we  
4 keep hovering in this \$830 to \$840 million in  
5 gross revenue. And that would produce a little  
6 over \$200 million at the 25 percent tax rate.

7 But using those numbers as the  
8 estimate, substantial money going into these  
9 funds, \$13 million in Community Mitigation, \$41  
10 million in the gaming local aid fund, which is  
11 distributed all throughout the Commonwealth,  
12 the education fund \$30 million in that, \$30  
13 million plus in the transportation fund.

14 So, we think that obviously as we  
15 get up and running in generating those funds  
16 there's a tremendous benefit throughout the  
17 Commonwealth. For those that are not familiar  
18 with these numbers, this is on an annual basis.  
19 So, this is not one time. This is recurring  
20 revenue from the 25 percent.

21 The next slide is our exterior  
22 rendering. That is the rendering that we  
23 presented, I guess, it was a year ago January.  
24 So, no difference there. I just wanted to



1 start with that. But on the next page, we are  
2 now starting to show some of the renderings  
3 that Mr. Wynn introduced last week.

4           You can see at the base of these  
5 escalators, this is shot by the way, after you  
6 come into the main lobby. We wanted to make  
7 sure that there was a great arrival sequence  
8 and a real wow space when you come into the  
9 building. Here you've got a series of curved  
10 escalators that lead you up to a café on one  
11 side and a lounge on the other side.

12           At the base is Jeff Koons Popeye  
13 statue which is currently in residence in Las  
14 Vegas, but was originally, as Mr. Wynn said, he  
15 purchased it for this particular project and  
16 had that in mind. So, that will be transported  
17 back over to Everett and installed at the base  
18 of the escalators.

19           For anyone that hasn't been to Las  
20 Vegas, pictures and renderings don't do it any  
21 justice. You really have to see it in person.  
22 It's a great, great work of art and we'll be  
23 very pleased to have it on display. The next  
24 shot is a little wider angle shot of the main

1 lobby.

2           You can also see the tremendous  
3 floral works. We have a relationship with  
4 Preston Bailey who is one of the great floral  
5 designers in the world. He does a lot of the  
6 feature work that you see at Wynn and Encore in  
7 Vegas as well as over in Macau. And he'll be  
8 doing that work for our property as well. You  
9 can see also the tall skylight interior. And  
10 on the left-hand side, the presentation of the  
11 first doors in our retail esplanade.

12           And then the next shot is a much  
13 more of a close-up shot of the first store  
14 immediately on your left on the retail  
15 esplanade right behind that first door. You  
16 would actually take a left and then walk down  
17 and you'd come across the other restaurants and  
18 retail stores.

19           So, you can see the quality of the  
20 finishes. It's really gorgeous work. We are  
21 very happy with what's been done by Roger  
22 Thomas and the interiors group in Las Vegas.  
23 And we think this is going to be something very  
24 special for the greater Boston area.

1                   And I'm going to turn it back over  
2 to Chris now to about LEED in our construction  
3 process.

4                   MR. GORDON: As we transition into  
5 discussion of benefits and mitigation, we  
6 obviously want to start with some of the  
7 sustainability features.

8                   The building is quite green. That's  
9 partly because we're pursuing LEED  
10 certification, but also because we just think  
11 it's the right thing to do both for an image  
12 point of view and a business point of view.

13                   The biggest thing we are doing of  
14 course is cleaning up the site. We're going to  
15 show you photos in a minute, but we are deep  
16 into the remediation of the site. It's very  
17 going well. The generations that are fretting  
18 about it we hope is going to come to an end  
19 because most of the material has already left  
20 the site and is somewhere else in a lined  
21 landfill. So, we are making good progress on  
22 that.

23                   We've done a number of other  
24 building features. We have a large array of

1 solar panels on the roof. Almost the entire  
2 sunny side of the roof, if you will, is covered  
3 with solar panels. We are excited about that.  
4 That's power that will be used on-site,  
5 generated and used on-site.

6           We set up the plantings both inside  
7 and outside the building to minimize heat  
8 islands. So, we'll have rooftop gardens.  
9 We'll have indoor gardens, of course outdoor  
10 plantings. And all of that is meant to set up  
11 so we've got a softer, cooler area around the  
12 building so that you don't have big areas of  
13 pavement or hard surface to create heat  
14 islands.

15           We're going to be using sustainable  
16 wood products wherever possible. So, as much  
17 of the wood in the building, and there is a  
18 fair amount of wood that can be sustainably  
19 certified. We're going to be doing that.

20           We talked about LEED Gold. We will  
21 definitely be achieving LEED Gold if not  
22 higher. So, we're actively pursuing that as we  
23 speak.

24           Construction waste, if you know the

1 construction business, an enormous percentage  
2 of construction material is thrown away.  
3 They're sawed off ends, there are extra pieces,  
4 there's mis-ordered. So, there's just  
5 thousands of dumpsters of material at the end  
6 of a job like this.

7           We're proposing to minimize that by  
8 at least 75 percent or reduce that by 75  
9 percent. That's a conscious effort by us, by  
10 Suffolk Construction, by all the subs involved.  
11 It's good business and it's also a smart thing  
12 to do environmentally. So, we're pushing very  
13 hard on that.

14           We're also going to have two on-site  
15 cogeneration systems. If you're familiar with  
16 cogeneration, this is when you use a piece of  
17 equipment to generate heat but then you are  
18 also able to generate other things off that  
19 like electricity, hot water, other things off  
20 that. So, we're going to be using cogeneration  
21 to significantly reduce our power costs and our  
22 pollution emitted from that. And I'll show you  
23 a picture of that in a minute.

24           Also, water systems, we're going to

1 be looking at reduced systems to save about 35  
2 percent of the water. We're also going to be  
3 capturing rain water for irrigation. So, we're  
4 going to be using water as carefully as we can  
5 so that we can minimize that.

6           The next picture is off of our  
7 brand-new model. It's in Everett. That's an  
8 example of one of the green roofs. If you know  
9 green roofs, they do a lot of things. They  
10 absorb rain water and use it so they don't have  
11 a lot of runoff. They allow the roof to be  
12 cooler. It allows visually a better place to  
13 be. So, there's a lot of advantages to green  
14 roofs. And we've got significant green roofs  
15 on the podium portion of the building. And the  
16 pool, that's right, it's right next to the  
17 pool.

18           The next photo is a series of co-  
19 generators. We're envisioning two to three of  
20 these, not as many as you see in this  
21 photograph. This is the idea of what these  
22 are. Very large pieces of equipment that are  
23 highly efficient. And in a building like ours,  
24 there's a very quick payoff, payback on this

1 kind of equipment.

2           Also, once it's operating, once Bob  
3 has the building up and operating, we intend to  
4 be very green. It says 10 percent of our  
5 energy generated from green sources. That's  
6 things like solar panels and the cogeneration  
7 fixtures. It's also part of it may be power  
8 that's purchased as well. But we definitely  
9 will be exceeding the 10 percent green power  
10 requirement.

11           Energy performance systems, we've  
12 got a number of high-energy systems in the  
13 building. We're working closely National Grid.  
14 They have a very active review and rebate  
15 system we're working on with National Grid.

16           In other words, if you put much  
17 higher efficiency equipment in the building, it  
18 helps with the utility rates. It helps with  
19 the rebates. Again, all good business but also  
20 the right thing to do. So, we're working  
21 highly aggressively on that things LED lights  
22 and the different kitchen equipment, heating,  
23 cooling, all that sort of stuff.

24           The lighting and optimization, we

1 talked briefly about that. Electric vehicles,  
2 we're going to have 210 priority parking spots  
3 to charge electric vehicles. And you might  
4 think that's sort of a nice thing to do. But  
5 if you look around Massachusetts, people are  
6 using them.

7           You see cars plugged in a lot more  
8 than you used to. So, we'll have 210 spaces  
9 where somebody can plug their car in. The  
10 program is obviously expendable. If those 210  
11 fill up on a regular basis, it's not hard to  
12 make 210 more. So, we think that's a good  
13 thing to do in the garage.

14           We'll be compositing the food. We  
15 have a number of restaurants. So, we're going  
16 to be working with a vendor to have that food  
17 taken and composted instead of just thrown  
18 away, which would be a waste. We're going to  
19 be sourcing as much local food as we can.  
20 Again, being in New England and being in  
21 Massachusetts, why wouldn't you buy local food.  
22 So, we'll do as much of that as we can.

23           We talked about a 50,000 gallon  
24 storm water harvesting system. In the garage



1 in the basement, there are large tanks that  
2 will store rain water. That rain water will  
3 then be reused for irrigation. So, we'll have  
4 very little water used for irrigation. Most of  
5 it will be just recapturing rain water. Saves  
6 runoff, saves water, saves all kinds of stuff.  
7 So, we've very pleased about that.

8           Jacqui is going to talk a bit about  
9 the MEPA history and how we got here today.

10           MS. KRUM: As you know, this has  
11 been a long process for us, the MEPA process.  
12 This says it's been a two-year process. In  
13 May, it'll actually have been three years.  
14 We've had over 10, 15 different consultants  
15 working on all different things such as wind  
16 studies, shadow analysis, transportation, LEED,  
17 storm water.

18           And we are very proud of where we  
19 are today. We think it's a much more developed  
20 process than other developers in a similar --  
21 similarly situated developers have gone  
22 through.

23           As this says, we've filed over  
24 10,000 pages of detailed analysis. We've

1 received comment letters from a variety of  
2 different organizations both government,  
3 public, private as well as individuals.

4 We've had to respond every single  
5 comment that we received in these letters,  
6 which we've done so now in our filings.

7 As a result of this, we've agreed to  
8 make approximately \$840 million in community  
9 and mitigation payments over a 15 year process  
10 -- over 15 years. \$574 million will be paid to  
11 our host and surrounding communities. Another  
12 \$58 million will be done before were open for  
13 road infrastructure improvements.

14 And we've also implemented a  
15 transportation demand management program, which  
16 will cost us about \$208 million. This  
17 encompasses the Orange Line subsidy, the first  
18 of its kind, water transportation and employee  
19 and customer shuttles.

20 In addition to mitigation that we  
21 committed to through the MEPA process, we also  
22 as you know entered into agreements, host and  
23 surrounding and neighboring community  
24 agreements with Medford, Malden, Cambridge,

1 Boston, Chelsea as surrounding communities.  
2 Everett is our host community, obviously, and  
3 Melrose and Lynn as neighboring communities.

4 The total benefits that we'll be  
5 providing under these host and surrounding  
6 community agreements will be \$574 million over  
7 the 15-year period.

8 Just a quick summary of our host  
9 community agreement. As you know, this was  
10 signed in April 2013 and approved by over 86  
11 percent of the residents for the city of the  
12 city of Everett in June of that year. It  
13 provides for \$30 million in advanced payments  
14 for a community enhancement fund. The first \$5  
15 million of which will be made upon receipt of  
16 our building permit or the start of  
17 construction, whichever comes earlier.

18 Then we've agreed to \$25 million,  
19 approximately \$25 million annually following  
20 the opening. \$20 million of that will be for  
21 real estate taxes, \$5 million for community  
22 impact fee and \$250,000 a year for the Everett  
23 Citizens Foundation which will be used to  
24 benefit nonprofits throughout Everett.

1                   We've also agreed to a job  
2 preference for residents of Everett both on the  
3 construction and the operation phase. And  
4 we've agreed to transportation and  
5 infrastructure improvements that are also set  
6 forth in our MEPA filings.

7                   Here is just a summary of the  
8 payments that we've agreed to both for Everett  
9 as well as our surrounding communities. As you  
10 can see, it totals \$574 million over 15 years.  
11 This includes the upfront payments as well as  
12 the annual payments going forward.

13                   Finally, just a brief review of our  
14 most recent surrounding community agreement. I  
15 know we were here just recently, but just to  
16 highlight some of the commitments that we've  
17 made to the city of Boston.

18                   We've agreed to \$25 million for the  
19 long-term Sullivan Square infrastructure  
20 improvement. That is in addition to the money  
21 that we'll be spending to mitigate our traffic  
22 impacts before we open, which is estimated to  
23 be approximately \$11 million. In addition,  
24 we've agreed to \$250,000 to fund the Sullivan

1 Square Regional Working Group, which isn't  
2 actually the Sullivan Square Regional Working  
3 Group. I think the name has changed to the  
4 Lower Mystic Regional Working Group.

5 The purpose of this group isn't just  
6 to look at Sullivan Square which is reflected  
7 in the new name, it's to look at the whole  
8 regional benefits. Obviously, the city of  
9 Boston is responsible for the ultimate solution  
10 to Sullivan Square. So, this group is a little  
11 bit broader than that.

12 One of the key things we want to  
13 point out in the Boston surrounding community  
14 agreement is our continuing obligation to  
15 monitor operational deficiencies leading to  
16 excess traffic and to implement additional  
17 mitigation measures if necessary. And this  
18 comes up in a number of places.

19 First of all, we've committed this  
20 to the city of Boston. We've also committed to  
21 do this in our MEPA files and our Secretary's  
22 certificate to MassDOT as well as to the Gaming  
23 Commission.

24 Also in our Boston surrounding

1 community agreement, we've got an ongoing  
2 community outreach commitment, \$2 million per  
3 year in community impact payment, and good-  
4 faith efforts to purchase \$20 million annually  
5 from Boston-based business, which Bob assures  
6 us should be no problem at all.

7           And we've agreed to a hiring  
8 preference for Boston residents for  
9 construction and operations jobs. Here's a  
10 picture just to prove that it actually  
11 happened.

12           In terms of other benefits, this is  
13 not just to Boston, this to all of our  
14 surrounding community agreements as well as our  
15 host community agreement. As I've mentioned,  
16 we have job preferences both on the  
17 construction and operations side. We've held  
18 already numerous vendor and job fairs, and hope  
19 to as we ramp up full construction, again,  
20 following the successful conclusion of our  
21 Chapter 91 appeal to continue with job fairs.

22           We've also made commitments to local  
23 vendor spending in each of our communities and  
24 support for local businesses. We've agreed to

1 buy a certain amount of gift certificates from  
2 each community every single year.

3           Finally, we are developing our  
4 concierge program. That will be used to assist  
5 local businesses in participating with our  
6 guests. And here is a picture from Mr. Wynn's  
7 most recent visit last Tuesday. We had support  
8 and representation from Medford, Everett,  
9 Malden, Boston and of course our state senators  
10 and reps. from the districts.

11           I will give you back to Chris for  
12 the transportation mitigation.

13           MR. GORDON: Thank you. We want to  
14 give you an overview of where we are  
15 specifically on the mitigation commitments in  
16 the Section 61 Finding.

17           As you may remember from earlier  
18 briefings, we tried very hard to do a holistic  
19 approach to transportation. We didn't try to  
20 look just at roads or just at rail or just at  
21 walking. And this was our own doing, but also  
22 pushed very hard by the Commissioning and by  
23 the various regulators around the state is  
24 don't just look at one little intersection and

1 figure that out.

2           As you can see, we looked at rail,  
3 buses, bikes, cars, boats, walking and tried to  
4 make it a well-rounded approach the project so  
5 there's many different options for people.

6           The next slide I know is a bit  
7 dense, but this is a summary of all benefits.  
8 You heard the numbers being thrown around, but  
9 we just want to remind you of what they are.  
10 Preopening we're envisioning spending a little  
11 over \$42 million on transportation  
12 infrastructure.

13           The biggest chunk of that is about  
14 \$32.5 million on roadways. And I'm going to  
15 walk you through that in a minute of different  
16 roadways that we are envisioning repairing.  
17 We've got about \$8.6 million to set up our  
18 water transportation system that's boats and  
19 docks. We've got a very extensive system that  
20 we'll be funding ourselves completely to run  
21 around the harbor and get people to our site on  
22 boats.

23           We have improvements to Wellington  
24 Station. We have DCR funding for the



1 pedestrian bridge. And we're also --  
2 improvements to Malden Station. So, that \$42  
3 million gets spent before we open and will be  
4 done by us completely. Then you've got annual  
5 payments of about \$15.6 million, which are  
6 payments that we make over time for various  
7 things you can list there. Over 15 years that  
8 equals \$223 million for a total of \$265  
9 million.

10 So, when you hear those numbers  
11 thrown around, we want to make sure we broke  
12 down what that entailed.

13 COMMISSIONER ZUNIGA: Chris, these  
14 numbers sometimes they may be part of a host or  
15 surrounding community but most of the time are  
16 not. Is that a fair statement?

17 MR. GORDON: Well, many things for  
18 example the employee shuttles, the premium park  
19 and ride, a lot of those are things we do  
20 operationally that are not necessarily part of  
21 the agreements but some of course specifically  
22 are.

23 MS. KRUM: Yes. For instance, in  
24 the case of Medford. We committed to things in

1 their surrounding community agreement that was  
2 also encompassed in our MEPA filings. So, it  
3 shows up in both places in certain  
4 circumstances.

5 COMMISSIONER ZUNIGA: But these are  
6 exclusive of many other non-infrastructure  
7 costs, surrounding community payments.

8 MS. KRUM: That's correct. This  
9 does not include any of our actual monetary  
10 payments to the surrounding communities.

11 MR. GORDON: We also view these as  
12 firm commitments which is part of the Section  
13 61 Findings. In other words, some of these  
14 things, even though they're operational,  
15 they're not just things we want to do. We're  
16 actually committed to doing. So, we know the  
17 importance of that too.

18 COMMISSIONER STEBBINS: Chris, real  
19 quick, the last item, improvements to Malden  
20 Station. It's not a big ticket item. I just  
21 wondering what you do for \$25,000.

22 MR. GORDON: You improve the ability  
23 for a bus to stop there. Right now, they've  
24 got various places where buses stop and pick

1 people up. We want our buses to be able to  
2 have a clear place where they can pick people  
3 up and be recognizable.

4 So, this is some repaving,  
5 restriping and signage so that people will know  
6 where to go to get the bus. It'll mostly be  
7 employees, but also some patrons. So, there  
8 won't be confusion when they go.

9 So, we worked with the T on that and  
10 Wellington Station and Sullivan Square Station  
11 to redesign the stations. In some cases like  
12 Malden, frankly, it's minor. Wellington it's a  
13 bit more and Sullivan Square is significant.  
14 We will be actually working closely with the T  
15 in a rebuilding of those stations.

16 MS. KRUM: Actually, this is a good  
17 example of where we committed more to the city  
18 of Malden in the surrounding community  
19 agreement than is shown on this. So, this is  
20 just our MEPA commitments.

21 COMMISSIONER STEBBINS: Thank you.

22 MR. GORDON: Next, just to remind  
23 people, you always hear that sort of how do you  
24 get there? Well, there's three stations very

1 nearby. Sullivan Square and Wellington are  
2 both very close to the site. There's bus  
3 access from both to the site. And we'll be  
4 adding additional private bus access to the  
5 site. Frankly, they're within walking  
6 distance. So, on a nice day, you can easily  
7 see employees and patrons doing the short walk  
8 from Wellington or Sullivan Square.

9 Assembly Row, you can see it but you  
10 can't get there, which is why we funded a study  
11 for a pedestrian bridge across the river.  
12 We're a big fan of that. We know anytime you  
13 put anything over a river it's controversial.  
14 But we think eventually there will be a bridge  
15 that spans from the new Assembly Row T station  
16 to our site and to the DCR mall site next door.

17 It creates an enormous benefit.  
18 It's one of the missing links in the overall  
19 transportation system nearby. So, we're  
20 meeting with the DCR Commissioner this week.  
21 We funded the study. And we're going to be  
22 moving forward with a study to look at that  
23 bridge. We hope the study goes well. And then  
24 we hope we're back talking about a commitment

1 later on with other people to try to figure out  
2 how to make the bridge actually happen.

3 You'll see here are some photographs  
4 of park-and-ride. Part of our mode split is a  
5 premium park-and-ride. This is where we're  
6 talking with Massport about teaming up with  
7 them either at the Braintree site, the Woburn  
8 site or the Framingham site to add our own  
9 premium buses.

10 So, someone can go there and park  
11 and ride in. I'm very familiar with the  
12 Massport system. It's been highly successful.  
13 They're usually full on busy times. So, this  
14 would be the ability to use a system where  
15 people can park remotely if they don't  
16 necessarily want to drive the casino.

17 You'll see in the bottom left-hand  
18 corner. That is bus from the Macau property.  
19 So, we know how to do this. This isn't a new  
20 idea. We've done this in other places and know  
21 how to make those bus systems work.

22 Also in this area around our site,  
23 there is a very active bicycle and pedestrian  
24 network, a lot of joggers, a lot of walkers, a

1 lot of bike trails. And they're used. If  
2 you're out there on a regular basis, you see  
3 how often people are not just recreating, but  
4 commuting on bicycles and walking.

5 Our site has always been a missing  
6 link in that. You can get north of here. You  
7 can go some 20 some odd miles north of here and  
8 eight or 10 miles south of here. But you can't  
9 get across our site. By adding our site and  
10 connecting it with the bike trails and the  
11 harbor walk we're going to build on our  
12 property and connect to the DCR, you can  
13 finally get all the way through the region on  
14 bicycles or on foot which we think will work  
15 quite well.

16 Transportation demand management,  
17 this is to not just let things happen. This is  
18 to try to control some behavior and try to get  
19 more people on Mass. transit, more people on  
20 boats, more people on buses that sort of stuff.  
21 So, there's a number of things we're going to  
22 do that we've committed to. And I'll go  
23 through them quickly, but it's a very  
24 aggressive program that will fall within Bob's

1 operating group.

2 First of all, we'll have a full-time  
3 transportation coordinator. It sounds obvious,  
4 but this is a person whose job is to facilitate  
5 transportation for employees, for guests. Bus  
6 schedules, train schedules, how do you do it,  
7 where do you go that sort of stuff. It makes  
8 sense if you put somebody on it, they will take  
9 it seriously.

10 Guaranteed ride home, if you're an  
11 employee and you work late after the T stops  
12 running, we'll get you home. So, it takes it  
13 off their mind if the T for some reason isn't  
14 running.

15 Ride share, we'll do commuter  
16 boards. We'll do ride sharing blogs that kind  
17 of stuff so if five people live in Framingham,  
18 they all know who they are. And they can  
19 figure out how to commute together. And we'll  
20 help with coordinating shifts and that sort of  
21 stuff.

22 Charlie cards, we'll be providing  
23 discounted cards at a discounted rate to  
24 employees. We'll be selling them at the front

1 desk to patrons. So, if somebody wants to ride  
2 the T, it's easy. You just go buy a Charlie  
3 card and you're off and running. So, we'll  
4 make that as easy as we could.

5           Public transportation service,  
6 obviously, we'll have a lot of information in  
7 the building. We'll have it electronically.  
8 We'll have it on paper. So, if somebody is  
9 here from another state or another country and  
10 they want to figure out how to get to the  
11 Boston Garden, it's not hard. We'll make sure  
12 they know how to do that.

13           We'll have Zipcars on-site. If  
14 somebody wants to rent a Zipcar they can go do  
15 that and then can move on that way. Hubway,  
16 same way, we're going to have a Hubway bike  
17 sharing mode on-site so you can go down and  
18 rent a bicycle and take a ride on a bike.

19           We'll have covered bicycle parking.  
20 It sounds silly but employees love to have a  
21 nice place to put their bike, otherwise it's a  
22 little risky. It also makes the property look  
23 better when you have an organized place to put  
24 bikes. So, we'll have a covered place where an



1 employee can ride their bike, put it in the  
2 covered room, and it's safe for the day while  
3 they're working.

4 MS. KRUM: Or a patron.

5 MR. GORDON: Or a patron, very true.  
6 We talked about the electric vehicle charging  
7 stations. The employee shuttles, we're going  
8 to be running shuttles back and forth to Malden  
9 and Wellington as we talked about.

10 Again, this takes the load off of  
11 how do I get there and how do I get to work?  
12 Well, you take the train to Wellington. You  
13 get off and there's a shuttle waiting for you.  
14 So, that will be easy.

15 Water shuttle, we are very  
16 committed. I don't want to speak for Bob, but  
17 we are very committed to promoting the water  
18 shuttle. We think it's a very neat way to get  
19 to the property. Not just efficient from a  
20 transportation point of view, but it's a good  
21 experience. It's a nice ride. So, we'll be  
22 promoting that heavily.

23 And we talk here about marketing and  
24 incentive plans. Over time, we'll figure out

1 how to do this once we really get a sense of  
2 how this all works. Do we incentivize the  
3 water shuttle a different way, the train, the  
4 buses? So, that's always knobs we can be  
5 turning to make sure these systems are heavily  
6 used.

7           Transportation monitoring, as you  
8 know we are committed to monitor the  
9 transportation. We're not just hoping it  
10 works. Through our MEPA process and through  
11 the Section 61 Findings, we will be regularly  
12 monitoring the transportation. We'll be  
13 reporting to you. We'll be reporting to the  
14 DOT, to the city of Everett and we'll be  
15 explaining what we think is happening with mode  
16 splits and riderships and that sort of stuff.

17           And frankly, we'll be adjusting  
18 things. We'll all work together to make sure  
19 it works well. As you see here, if we're by  
20 more than 10 percent on something, if we sort  
21 of over- or underestimated how people are going  
22 to get there, we'll make adjustments. Things  
23 like retiming of signals, additional  
24 incentives, increase bicycle parking, more

1 electric vehicle charging, more local and  
2 regional shuttles.

3           We don't know what the issue might  
4 be. So, we don't know what solution will work,  
5 but we're committed that we'll find a solution  
6 for it. And this isn't a comprehensive list.  
7 There may be other things that you or we come  
8 up with and say, gee, if you added two more of  
9 these you'd have better luck with that. So,  
10 we've very committed to keep very close track  
11 of transportation.

12           Again, as we said from our first  
13 meeting, it isn't just to check a box, this is  
14 good for us. If customers are really sick and  
15 tired of how the traffic is working, they're  
16 not going to be happy. So, this is in our best  
17 interest to make sure this works.

18           COMMISSIONER ZUNIGA: Chris,  
19 something like this, the transportation  
20 monitoring, when do you anticipate to begin the  
21 monitoring?

22           MR. GORDON: It starts every six  
23 months once we open, and eventually transitions  
24 to once a year. So, in the first several

1 years, we'll do it every six -- And it's a  
2 structured program. We actually have to submit  
3 a plan of here's what we're going to measure,  
4 here's what we're going to measure. So,  
5 there's actually a structure to it.

6 And then every six months we'll go  
7 out and measure everything. It's done through  
8 surveys and traffic counts and interviews and  
9 that sort of stuff. And then eventually it  
10 goes to yearly. And then eventually, hopefully  
11 it's in good shape. But we'll be doing it  
12 every six months to start.

13 COMMISSIONER ZUNIGA: Okay.

14 MR. GORDON: About \$58 million in  
15 roadway improvements. The big ones are on this  
16 list. And I'll walk you through them,  
17 Wellington, Sullivan Square, Santilli,  
18 Sweetser, Lower Broadway. And I'll break those  
19 down each individually.

20 But as you can see, they are the  
21 major transportation intersections around our  
22 property that we feel there's a need for  
23 mitigation. And we will be mitigating those  
24 spaces.

1                   Starting off with the city of  
2                   Everett, we have the most work to do in  
3                   Everett. We have \$14.5 million worth of work  
4                   to do in Everett before we open. This is all  
5                   off our property. On Revere Beach Parkway,  
6                   primarily Santilli Circle -- excuse me Santilli  
7                   Highway, we'll be re-signaling, rebuilding and  
8                   doing parts of that to optimize the  
9                   transportation flow through the Revere Beach  
10                  Parkway.

11                  Sweetser Circle, which is right at  
12                  the end of Broadway, just beyond our property,  
13                  we are restriping, relining, widening, doing a  
14                  number of things in Sweetser Circle to make  
15                  that flow better. That's about \$2 million.

16                  Lower Broadway, that's \$4 million.  
17                  That's both Broadway itself, which runs in  
18                  front of our property and the truck lane that  
19                  parallels it on Robin and Dexter. So, that  
20                  gets completely rebuilt with traffic islands,  
21                  new signals, turning lanes, landscaping.

22                  One little example that you probably  
23                  heard about but one of the biggest problems on  
24                  Broadway is left-hand turns. There is no left-

1 hand turning lane. So, if one car wants to go  
2 to McDonalds, they can hold up traffic for 10  
3 minutes. So, this adds turning lanes at each  
4 intersection. So, somebody can pull off and  
5 let traffic flow. Little things like that are  
6 going to make a big difference on Broadway.

7           Again, we're far into the design of  
8 these. We've already done the surveys. We've  
9 done the roadway safety audits. And we're  
10 doing conceptual design. Lower Broadway truck  
11 route, that's another big item. We want to  
12 pull trucks off Broadway. This has been a goal  
13 of the city for many, many years, and now we're  
14 finally funding it.

15           So, Dexter and Robin will be  
16 significantly improved so trucks will have a  
17 better way to get over towards Charlestown and  
18 up north towards Malden and Medford instead of  
19 just going down Broadway.

20           The city of Boston, as you know, by  
21 far the bulk of this is Sullivan Square. We're  
22 going to spend around \$11 million if you look  
23 at the first item, second, third item. We're  
24 at \$11 million for the Sullivan Square

1 mitigation. This is to mitigate our traffic.

2 In addition, we've committed \$25  
3 million to a longer term fix. And you know  
4 that story as well as we do about the strong  
5 interest in a long-term fix in Sullivan Square.  
6 We're also funding the study group that's been  
7 meeting. And Bob's a member of that. They  
8 started. We're putting a quarter of a million  
9 dollars towards that as well to try to  
10 facilitate the permanent fix. Again, we like  
11 this. We think a long-term fix to Sullivan  
12 Square is good news. So, we're committed to do  
13 this.

14 If you look at the next plan, we can  
15 answer any detailed questions, but this is the  
16 overview of what we're doing in Sullivan Square  
17 for our mitigation. This is the \$11 million in  
18 mitigation.

19 The biggest thing you might notice  
20 as you come off the ramp off 93, Cambridge  
21 Street is rebuilt. You have options. You can  
22 now go left towards the MBTA station at a  
23 signal. You can go right down Spice Street and  
24 D Street. You can go out to Maffa Way and up

1 38 that way.

2           So, it pulls a lot of traffic off  
3 Cambridge Street, which is where the biggest  
4 bottleneck is today. It also rebuilds the  
5 connection with Main Street, which is another  
6 big bottleneck. This will absolutely mitigate  
7 our traffic. Then again, the following we  
8 expect will be a longer term fix for the  
9 overall plan for Sullivan Square.

10           In Medford, we have some work to do  
11 in Medford primarily in Wellington Circle.  
12 This is lane widening. This is re-  
13 signalization. It's about \$4 million worth of  
14 the work to do in Wellington. A busy  
15 intersection, it doesn't work bad today, but it  
16 can certainly work better. So, with our  
17 traffic, we want to do this mitigation work.

18           We also, if you notice the last  
19 item, we've committed to \$1.5 million to study.  
20 They have a long-term idea that someday --  
21 they've talked about tunnels, overpasses,  
22 bypasses, all kinds of big ideas, which is all  
23 good thinking. So, they asked us to fund that  
24 study.



1           So, we've committed \$1.5 million for  
2 them to study potential solutions on a grander  
3 scale for Wellington Circle way down the road  
4 that might be needed in future decades. So,  
5 that money is in here as well.

6           Revere, we have a little bit of work  
7 to do in Belle Circle. This is mostly  
8 optimization. There's some signal optimization  
9 that will go on in Belle Circle for the city of  
10 Revere.

11           The city of Chelsea, we have work to  
12 do on Route 16. Again, most of this is signal  
13 work. A lot of these signals are old. And by  
14 putting in new signals, you can do a lot more  
15 of an electronic solution or simulation of how  
16 they actually work.

17           And in Sullivan Square, we are tying  
18 them back to the city of Boston's controls.  
19 So, all of the new work we're doing on Sullivan  
20 Square will be with a hard-wire, 3800 feet of  
21 wiring back to the city of Boston control  
22 center. So, if there's an emergency or a big  
23 event or a Bruins game, they can actually  
24 monitor and change the signals in Sullivan

1 Square from their control center, which they  
2 can't do today.

3 Same with some of these others.  
4 They won't be controlled by Boston, but by  
5 putting new signals in these intersections,  
6 they're just much smarter signals. You can do  
7 a lot more with them than just red-light,  
8 greenlight kind of thing.

9 If you look at a comparison, and  
10 this not to brag or to point fingers, but if  
11 you look at our mitigation compared to other  
12 recent projects, we're quite proud of what  
13 we've done. The first slide shows that if you  
14 look, we're at about three million square feet  
15 and we're at \$265 million in private funds and  
16 zero in public funds which dwarfs anything even  
17 remotely close to us.

18 So, again, we're not pointing  
19 fingers at them, but we're saying we think  
20 we're quite proud of what we've done. And  
21 that's a big number.

22 It's in graphical form, the next  
23 slide. If you look, we are many times higher  
24 in the blue bar than any other private money

1 that's out there. Again, we are getting zero  
2 public money. So, we're doing this all with  
3 our own funds.

4 COMMISSIONER ZUNIGA: Chris, can I  
5 mention something? Your three million square  
6 feet include the garage, right?

7 MR. GORDON: Correct, it's half and  
8 half.

9 COMMISSIONER ZUNIGA: 1.4 million  
10 square feet of actual --

11 MR. GORDON: Correct.

12 COMMISSIONER ZUNIGA: Do you know if  
13 the other properties include parking?

14 MR. GORDON: I believe they do, but  
15 we can check that. Things like Assembly Row  
16 has significant parking garages there. Station  
17 Landing does. But we can absolutely double-  
18 check to make sure they're apples to apples  
19 with parking.

20 COMMISSIONER ZUNIGA: Just curious.

21 MR. GORDON: Yes. Site remediation,  
22 briefly, as I said, one of the things we're  
23 very proud of is the remediation.

24 This was talked about for 30 years

1 and now we're almost done with phase 1, which  
2 is the worst of it. If you remember our  
3 remediation has three phases. Phase 1 is  
4 getting rid of the very worse material. This  
5 is primarily the arsenic, the lead, the copper,  
6 the heavy metals that were migrating around the  
7 site. Also repairing the low pH area, which  
8 was deteriorating the heavy metals and allowing  
9 them to move toward the river.

10 So, that phase 1 was put out to bid  
11 last year. Charter Contracting who is a Boston  
12 company, actually a Boston minority-owned  
13 company won that bid. They've been out there.  
14 They've done an extremely good job. Our LSP  
15 GZA has kept an eye on them. And we're almost  
16 done. We're within probably two or three weeks  
17 at having the site closed up from the  
18 remediation point of view. So, phase 1 is  
19 almost done.

20 Now we have phase 2 and phase 3.  
21 Phase 2 is part of the excavation, removing all  
22 of that material. That is not proceeding until  
23 we get our approvals to proceed with our  
24 building. And then, of course, phase 3 is out

1 in the harbor, removing the sediments in the  
2 harbor, which won't proceed again until we get  
3 all of our permits. But those three phases,  
4 the worst of which is done.

5 We also became a PIP site, which a  
6 petition for public involvement. This is when  
7 tax payers can petition to have more  
8 information about the remediation. They did  
9 that for our site, which worked fine.

10 We had a number of public hearings.  
11 We did weekly reports for them. We  
12 communicated with them. At least from our  
13 vantage point, that seemed to go quite well.  
14 Especially the public meetings, there were a  
15 lot people who showed up, a lot of good  
16 questions. They were constructive. They were  
17 good questions about trucks and dirt and noise  
18 and dust, the things you'd expect them to ask.  
19 From our point of view, the PIP process was  
20 fine.

21 There's a handful of photos. If you  
22 look at the first one, this is a sort of  
23 midstream in the remediation. You can see  
24 there's a dewatering basin to the upper left.

1 It looks like a big hockey rink. That's where  
2 you put water and you dewater the site by  
3 pumping water into there.

4 Below that you'll see there's some  
5 large piles of dirt that are beginning to be  
6 processed. In the upper right there are some  
7 cells. You can see how there are partitioned  
8 off areas. That's different kinds of  
9 containment. One of those might be lead. One  
10 might be arsenic. One might be PCBs.

11 They're all tested. They're all  
12 treated on-site. And then they're eventually  
13 put on trucks and taken to landfills. We went  
14 as far away as Michigan. We've actually gone  
15 to Quebec. We've gone to New Hampshire. We've  
16 trucked this stuff all over the place.

17 About 300 trucks of dirt have left  
18 the site. We've probably got 10 trucks left.  
19 We are very happy with how it went. We've had  
20 no reported incidents at all. The dust  
21 monitoring has been -- nothing has been  
22 reported. We've got very detailed  
23 documentation on where everything went.

24 Next photo is just an example of

1 some of the excavation. We went down quite  
2 deep to get the contaminants. What we found is  
3 that anything that was ever left behind, we've  
4 got, railroad ties, foundations, tires, blocks,  
5 bricks. The site has 100 years of stuff. So,  
6 every scoopful of dirt, none of it's bad. We  
7 only found one oil tank, but generally it's all  
8 innocent stuff. The site has just got a little  
9 bit of everything.

10 So, you get down through the eight  
11 feet from Deer Island, then you get about eight  
12 or 10 feet of debris and dirt and everything  
13 else. And then you get the clean dirt below  
14 that. Nothing unexpected but we found what we  
15 thought.

16 Another shot of excavation is just  
17 supportive excavation to make sure the hole was  
18 fine. Another shot showing how -- The intent  
19 of these pictures is not just to show you  
20 sheathing, but the level of effort you have to  
21 go through to get down to the dirty dirt was  
22 extensive.

23 We had to put this metal sheathing  
24 all around it. We had to dewater it. We had

1 to dig down 15 or 20 feet to find, in some  
2 cases, very small pockets of contamination,  
3 remove that and then put all the dirt back in  
4 again. So, to get to these pockets of  
5 contamination was an extensive effort.

6           You'll see in this picture it looks  
7 like a crime scene almost. In the lower middle  
8 of the picture, you'll see there's a hole  
9 there. That is where the PCBs were. That is  
10 by far the worst contamination we had on the  
11 site. Those have all left now. They've gone  
12 to Michigan. So, that little tiny orange  
13 fenced area was what made the site untouchable  
14 for a lot of developers for many years. It's  
15 completely gone. So, we're happy to say that  
16 that's left the site.

17           Next is just an aerial photo from a  
18 drone showing how the site was being  
19 remediated. Next two slides are more on the --  
20 Do you want to do these or do you want me to do  
21 these?

22           MR. DESALVIO: I'll take them. On  
23 the water transportation program, we've been  
24 spending a lot of time thinking about this. As



1 most of you know, from our previous meetings,  
2 our goal is to connect ourselves with the rest  
3 of the Inner Boston Harbor. So, we want to do  
4 that through Long Wharf or over by World Trade  
5 Center or Pier 4. There's some options down  
6 there.

7           On the next slide, on 59, we've had  
8 some discussions with Boston Harbor Cruises.  
9 As a matter of fact, this is a proposed boat  
10 design. We've been using Gladding Hearn, a  
11 Massachusetts company to look at this. This is  
12 a 49-passenger vessel that is only about 9 foot  
13 6 to 10 feet in height. So, it will go  
14 underneath the Alford Street bridge with the  
15 bridge closed.

16           One of the main concerns was that we  
17 did not want to cause any additional traffic  
18 problems with our water transportation. So,  
19 this design was custom done for us for our  
20 project. It shows a really neat configuration.  
21 We've got the setup where we'd be able to have  
22 great ADA access at our dock height.

23           We can have about 49 passengers in a  
24 very nice environment, climate control, heated

1 in the winter, air-conditioned in the summer.  
2 Some exterior space where you can go outside.  
3 We think this would create a very pleasant ride  
4 from Boston Harbor right up through to where we  
5 are at the mouth of the Mystic.

6 Then on page 60, this is a proposed  
7 schedule. So, some discussions back and forth  
8 with Boston Harbor Cruises. We were thinking  
9 that there would probably be a peak season,  
10 off-peak season schedule. Obviously, less  
11 traffic on the water in the winter. It also  
12 gives you time to do maintenance, pull the  
13 boats out of the water, do the required things  
14 that are necessary.

15 So, while none of this is set in  
16 stone yet, it's just to show you that we've had  
17 very active and ongoing discussions with  
18 operators for this potential water  
19 transportation system.

20 And the net result is it's extremely  
21 doable. We think it'll be a very unique way to  
22 get folks to and from, and it obviously takes  
23 cars off the road. So, we are really, really  
24 excited about the possibility of the water

1 transportation program.

2 COMMISSIONER CAMERON: Quick  
3 question. I know your original projection was  
4 six percent, I believe.

5 MR. DESALVIO: That's correct, and  
6 still is.

7 COMMISSIONER CAMERON: And still is.

8 MR. DESALVIO: Yes, thank you.

9 COMMISSIONER ZUNIGA: Bob, you also  
10 mentioned earlier that there was a nine feet  
11 swing in the high water, low water. Does that  
12 affect any of this?

13 MR. DESALVIO: We have actually the  
14 dock system that will float up and down with  
15 the tide. So, taking into consideration  
16 navigational dredging that's required that  
17 Chris had mentioned, the cleanup.

18 Right now, there's old barges, all  
19 of that has to be removed in a later phase of  
20 remediation. But once we do the navigational  
21 dredging and we install our new bulkhead and  
22 docking system, we'll be able to accommodate  
23 that eight-, nine-foot tidal swing and still  
24 have great ADA access on the dock system.

1                   It's all about ratios and distance  
2 of ramp systems and the docks to make sure that  
3 it all works.

4                   MR. GORDON: And the bridge at high  
5 tide on a normal day has 12 feet of clearance.  
6 So, a nine-foot boat can easily make it under  
7 it. On a stormy day, obviously you have to  
8 factor that in. But on a normal day, almost  
9 every day of the year, it's 12 feet of  
10 clearance at high tide.

11                  MR. DESALVIO: We literally, as part  
12 of this process, went out on the water, went  
13 and did the trip. It took about 20 minutes, 20  
14 to 22 minutes to get from our site to downtown  
15 area. We looked at the watermarks.  
16 Originally, we were thinking maybe we could  
17 have a little higher vessel, but to play it  
18 safe we want to go with no more than about 9'6"  
19 so that we can make sure we're not having that  
20 bridge crank up.

21                  Again, we've done quite a bit of  
22 investigation work. We're still in the  
23 process. This is nowhere near set yet, but we  
24 wanted to the Commission to understand that we

1 are thinking long and hard about this and want  
2 to make sure that it works quite well. And  
3 that it's a really fun kind of ride to get  
4 folks to and from.

5           With that mind, if you wouldn't just  
6 turning this to the summary page on 61. I  
7 think what you've heard today is quite a  
8 comprehensive story. When you think about us,  
9 always was and now it continues to be the  
10 largest private development project in the  
11 Commonwealth. The 4000 jobs, union jobs to  
12 build it, the 4000 permanent jobs, \$660 million  
13 a year in the taxes, fees, wages and  
14 operational costs.

15           A \$2 billion price tag for this  
16 particular project, \$840 million in community  
17 and mitigation payments over a 15-year period,  
18 including \$574 million to our host and  
19 surrounding communities. And another \$266  
20 million in road infrastructure and traffic  
21 demand management program. Another \$58 million  
22 in roadway improvements. And really a  
23 holistic, multimodal sustainable transportation  
24 strategy that really tries to use public

1 transportation, water transportation, any  
2 shuttle systems, any means possible to get cars  
3 off the road and into the facility.

4 And on top of that about \$30 million  
5 site remediation. All of it 100 percent  
6 privately funded. When you think about the  
7 commitment on behalf of Wynn Resorts for a  
8 project of this nature, it really is nothing  
9 short of incredible.

10 We feel like we have done the most  
11 in-depth, due diligence, environmental filings  
12 that any project has ever gone through that  
13 we've ever heard of, including five trips  
14 through MEPA.

15 So, for anyone that has any  
16 questions at all about our mitigation package  
17 and the effort that we put out, I think today's  
18 presentation puts those arguments to bed.  
19 Thank you very much for giving us some time  
20 today.

21 COMMISSIONER ZUNIGA: Thank you.  
22 Any questions from the Commission members?  
23 What would be the next part? Do we have Rick  
24 Moore and company?

1                   MR. BEDROSIAN: We would. I would  
2 just suggest, I don't know if the Commission  
3 wants a break or not, but we would transition  
4 to our consultants at this point.

5                   COMMISSIONER ZUNIGA: Yes. Let's  
6 take a five-minute break please. We'll be  
7 right back.

8

9                   (A recess was taken)

10

11                   COMMISSIONER ZUNIGA: We are back.  
12 I believe we have next presentation by our  
13 consultants.

14                   MS. BLUE: That's right. We have  
15 Rick Moore here with the Commission consultants  
16 to summarize the report that's in your packet.

17                   MR. MOORE: Thank you,  
18 Commissioners. And first, thank you for the  
19 break. We all needed one. I am Rick Moore  
20 with City Point Partners. With me is Jason  
21 Sobel from Green international Jason Lawson  
22 from PMA.

23                   Particularly, Jason and I have been  
24 involved in this process from the very, very

1 beginning when the application was first  
2 submitted. I would just like to talk for a few  
3 minutes about process and then some of the  
4 mitigation issues. I'll try to be brief  
5 because you had a very comprehensive  
6 presentation.

7           The Section 61 Finding process is  
8 typically a fairly routine process for  
9 projects. Here it's slightly different.  
10 Normally, what happens is through the MEPA  
11 process, the notification form, the draft and  
12 final EIRs, in this case there were  
13 supplemental EIRs, a mitigation package is  
14 formulated and is built through consensus. The  
15 project is described. The impacts are defined,  
16 the mitigation is defined. The public agencies  
17 all have a chance to comment multiple times in  
18 this case. That brings together a package of  
19 mitigation.

20           And then the agencies, like yourself  
21 and the other agencies who are required to have  
22 what they call subject jurisdiction. In other  
23 words, they're issuing a state permit. They  
24 take the MEPA process, which they participated



1 in, and they basically ratify it in the Section  
2 61 Finding.

3           So, typically there is nothing new.  
4 And think that's why what you've seen here,  
5 you've seen essentially all before. There's  
6 really nothing new here.

7           But the Secretary of Environmental  
8 Affairs required as was explained earlier, a  
9 more elaborate Section 61 Finding for this  
10 project where there will be a public hearing,  
11 you'll get comments. Essentially, it is a  
12 second or another chance for comment and  
13 evaluation even though there have been six or  
14 seven up to this point.

15           In order to have that process to be  
16 a little bit more robust, what you do see  
17 differently here, and I think it's your  
18 intention, is to bring all of the various  
19 mitigation packages together in one place.  
20 Because unlike most projects where you just  
21 have the MEPA mitigation, here now you have  
22 other agency's Section 61 Findings, which are  
23 in most cases identical to the MEPA. Those are  
24 the ones from DOT, MWRA, etc.

1                   And you also have, unlike almost any  
2 other project in the Commonwealth, the host and  
3 the surrounding community agreements, which  
4 have their own set of mitigation. So, all of  
5 this is brought together in one place in the  
6 draft Section 61 Findings that you are  
7 deliberating on now. And that provides the  
8 public and anyone else now an opportunity for  
9 again another round of comments. So, it's a  
10 fairly robust process.

11                   Let me talk a minute about the  
12 mitigation and just summarize it as we see it  
13 in advising you. Generally, we see mitigation  
14 in two pieces. First you have the mitigation  
15 essentially on-site. And those were the  
16 mitigation, the cleanup, all of the LEED Gold  
17 processes, the energy efficiency, the water  
18 efficiency, all of those types of issues using  
19 the materials and recycling them. All of those  
20 package up to give you a mitigation package for  
21 the site.

22                   Now you can argue that a lot of that  
23 mitigation is required. The remediation is  
24 required. The LEED Gold is required by your

1 regulations. But most of the regulations and  
2 most of the requirements in Massachusetts have  
3 a very high bar. These bars have been met or  
4 exceeded on-site.

5           Essentially, and again you can argue  
6 whether it's required or not, essentially what  
7 you and the Commonwealth are getting is a clean  
8 site, a sustainable facility, Gold certifiable,  
9 and a facility that has significantly more  
10 access by the public to the waterfront than  
11 before.

12           So, it's our judgment that in terms  
13 of the responsibility that you have and that  
14 the other regulatory agencies have, the  
15 mitigation package on-site, if you will,  
16 identifies all of the impacts, mitigates them  
17 or avoids them and either meets or exceeds the  
18 requirements of the regulations. We are  
19 comfortable with that package.

20           If you go off-site, it's almost  
21 exclusively a discussion about transportation.  
22 And if you look at the transportation package,  
23 which again is robust and you've heard it in  
24 some detail, it has roadway. It has rail

1 transit. It's got water. It's got pedestrian;  
2 it's got bicycle. It's a very robust package.

3           And in almost every one of those  
4 categories, it rises above the minimum  
5 requirements and actually adds benefit. I'll  
6 talk about one or two of those in a minute.  
7 But certainly one of them, I believe and we  
8 believe, is the water transportation, and the  
9 robust to divert. And the whole purpose of the  
10 transit and the water transportation is divert  
11 people out of their cars into alternative modes  
12 of transportation. So, we think it's a robust,  
13 adequate and it meets the requirements of  
14 mitigating the impacts of the project.

15           Now I'd like to spend just a minute  
16 on one particular aspect of that and that's  
17 Sullivan Square, which gets the majority of the  
18 comments.

19           Sullivan Square essentially has a  
20 two-step process going on. The first step is  
21 what you might call the minimum MEPA  
22 requirements. It's to minimize or avoid  
23 impacts from the casino in Sullivan Square. In  
24 the mitigation that accomplishes threshold is

1 that \$10 or \$11 million of roadway improvements  
2 that you saw the diagram of along Cambridge  
3 Street and Maffa Way and the signal and the  
4 interaction with the bus terminal. That does  
5 what MEPA requires. It mitigates the impacts  
6 from the casino.

7           Through the MEPA process, this  
8 concept of a long-term plan was developed in  
9 some level. It's a result actually of the MEPA  
10 process. But as the Secretary of Environmental  
11 Affairs and as the Secretary of Transportation  
12 said, this long-term process, which is the  
13 second track which goes on parallel, if you  
14 will, is separate from the MEPA process and  
15 over above, if you will, the MEPA process.

16           And that track actually has two of  
17 its own sub tracks, if you will. The first of  
18 those is being done right now by the city of  
19 Boston, which is to re-examine through their  
20 ongoing 25 percent design contract the  
21 alternatives for Sullivan Square. They own  
22 Sullivan Square. They are responsible for  
23 Sullivan Square. They will come up with the  
24 recommended plan for Sullivan Square. And that

1 is ongoing right now.

2           Once they come up with their  
3 preferred plan, that will be dovetailed into  
4 the long-term DOT working group that was  
5 originally called the Sullivan Square Working  
6 Group, is now called the Lower Mystic River  
7 Working Group. That looks at a more regional  
8 transportation issue. But it takes the  
9 specific recommendations for Sullivan Square,  
10 puts it in a long-term context and sees what  
11 the long-term or regional impact of that is.

12           That's all good for the  
13 Commonwealth. The Wynn folks are partly  
14 funding as you saw the actual study which will  
15 take about 18 months. They're also putting the  
16 \$25 million in for the long-term plan. But  
17 that is over and above, as we determined in the  
18 regulations, the MEPA process and is on a  
19 separate track.

20           And when you take the minimum, if  
21 you will, MEPA requirements, when you take a  
22 long-term approach, when you add that into the  
23 sustainability and the on-site package, we  
24 think the mitigation package that has been

1 proposed here that combines all of the  
2 different pieces satisfies and in some respects  
3 goes above the requirements.

4 I think a telling proof of that at  
5 some level is the slide that showed the amount  
6 of private funding going into the, in the  
7 particular case there, the off-site roadway  
8 improvements based on what is typical and what  
9 we see as typical for these type of projects in  
10 the Commonwealth.

11 There's two other points I would  
12 like to make. The first one has to do with  
13 what I sometimes call the look-back provision.  
14 That's the monitoring plans. So, that we are  
15 not done once the Section 61 Findings are  
16 issued.

17 There will be a monitoring plan. It  
18 was talked about collecting traffic data. Both  
19 the city of Boston, DOT and the Commission  
20 itself has very significant ability to open up  
21 the package, the mitigation package, open up  
22 the Section 61 Findings, if you will, if the  
23 actual traffic does not track what has been  
24 estimated to actually occur in the future.

1                   And if there needs to be more  
2 mitigation or different mitigation or a  
3 different package that's within your purview  
4 and you reserve the right in the Section 61  
5 Finding to do that. It's in your regulations.  
6 It's very well-established. And it's a very  
7 powerful tool.

8                   And I think it's consistent with the  
9 Commission's overall responsibility to keep  
10 track of these facilities. It's not just to  
11 permit them. It's to keep track through  
12 construction and through operation that they  
13 continually mitigate and propose all feasible  
14 mitigation to avoid and mitigate impacts.

15                   So, I think you have the existing  
16 package and then you have the ability to check  
17 that existing package and see whether it works.  
18 That's a good combination.

19                   The last thing I'd like to mention  
20 is that although I said in the beginning there  
21 were no surprises, there are two small things  
22 that we're recommending that will be additions  
23 in your Section 61 Findings that you didn't see  
24 necessarily in the MEPA process. These come



1 out as a result of the many comments that have  
2 occurred from DOT's Section 61 Finnding  
3 process, and the other agencies have their  
4 processes and have gotten comments.

5 And you will get a series of  
6 comments through your Section 61 Finding. We  
7 are anticipating some of those questions will  
8 be the same. And we've looked at those  
9 questions. For the large majority, we don't  
10 see the issues or the questions that have been  
11 raised since the end of the MEPA process  
12 warrant changing the mitigation with two small  
13 exceptions.

14 In the case of the city of  
15 Somerville, there's a host community agreement  
16 with the city of Somerville. During the  
17 process of reaching that -- a surrounding  
18 community agreement, excuse me. During the  
19 process of reaching that, Somerville contended  
20 that there were some additional traffic  
21 mitigation that was warranted in Somerville.

22 We saw no technical basis for that  
23 charge or that request. We think that the way  
24 the surrounding community agreement was finally

1 approved makes sense.

2           However, there is one intersection  
3 that we are proposing in Somerville be added to  
4 the monitoring plan. And that intersection is  
5 on Broadway. And it's just upstream from  
6 Sullivan Square. And the reason we are  
7 recommending that that be added to the  
8 monitoring program is not because of the amount  
9 of traffic that the casino will divert through  
10 that intersection but more specifically because  
11 if for some reason the traffic in Sullivan  
12 Square in the future does not mimic what has  
13 been projected and there's backup through it,  
14 it would be Maffa Way back into Broadway, it  
15 could impact the first intersection in  
16 Somerville, which is the intersection of  
17 Lomister Way (PHONETIC) and Broadway.

18           We are recommending that that  
19 intersection be added to the monitoring plan.  
20 So, that in the future if it is impacted, we'll  
21 have some data that can inform a future  
22 mitigation.

23           And then the second change comes  
24 from some comments from the city of

1 Charlestown. The has to do with the lighting.  
2 So, we are recommending in the Section 61  
3 Finding, and you'll see it in there, is a  
4 requirement that Wynn provide a lighting plans  
5 so that the folks in Charlestown can get a  
6 better understanding of how the lighting plan  
7 could affect their environment in Charlestown.

8 But other than that what you are  
9 seeing is a result directly of the MEPA  
10 process, the surrounding community and host  
11 community agreements and the other agency  
12 Section 61 Findings.

13 COMMISSIONER CAMERON: Rick, I had  
14 question just to go back to Sullivan Square for  
15 a moment since you rightly pointed out those  
16 are the majority of the comments that we  
17 received pertaining to that long-term plan.

18 You talked about the two phases, the  
19 city of Boston and then that gets incorporated  
20 into the larger plan. In your dealings, are  
21 all the right stakeholders there to identify  
22 federal, state, local monies? Are all those  
23 things happening? I just wanted a little more  
24 detail if I could on that plan itself. It's

1 working?

2 MR. MOORE: Yes. I would say it's  
3 working. It took a bit to get off the ground.  
4 There was a little discussion about what the  
5 shape of the table should be, as you might  
6 imagine because there are a number of  
7 constituents. But the right communities, the  
8 right state agencies and the right interested  
9 parties I think are at the table.

10 You have CTPS and the Metropolitan  
11 Area Planning Council doing the actual  
12 technical work. They have an enormous amount  
13 of data already that they constantly update.  
14 So, they're the best people to look at a  
15 regional plan.

16 And the city of Boston importantly  
17 is at the table. And they are very sensitive  
18 to how the interaction of their workings in  
19 Sullivan Square are put into the regional plan.  
20 And I think actually if you think about it,  
21 this is how the process is supposed to work.  
22 The MEPA process, if you will, hatched this  
23 kind of a concept as far as I can tell. That's  
24 the way it's supposed to happen.

1                   Normally, MEPA would stop at your  
2                   minimum impacts from the facility. But in this  
3                   case the secretary, both secretaries found it  
4                   useful to go beyond that and use the MEPA  
5                   process to develop this concept. Now it's  
6                   actually working.

7                   And there is no indication why it  
8                   shouldn't develop a plan that has quite frankly  
9                   taken some time in the development process.  
10                  Hopefully, everyone will be on board and  
11                  finally solve the long-term plan for Sullivan  
12                  Square with a considerable contribution from  
13                  the Wynn folks.

14                  COMMISSIONER ZUNIGA: Can you just  
15                  point to me where that additional intersection  
16                  to be studied is in the draft? Do we have it  
17                  here?

18                  MR. MOORE: The additional  
19                  intersection?

20                  COMMISSIONER ZUNIGA: Yes, the one  
21                  in Somerville that you're recommending should  
22                  be added to the monitoring program. My  
23                  question is more simple is it already reflected  
24                  in the draft?

1 MS. BLUE: It is reflected in the  
2 draft as well the lighting plan request.

3 COMMISSIONER ZUNIGA: That was going  
4 to the second question.

5 MS. BLUE: They are both in the  
6 draft that you have in your packet.

7 MR. MOORE: The intersection is on  
8 page 30 and the lighting plan would probably be  
9 under Boston's.

10 COMMISSIONER ZUNIGA: Just taking  
11 one at a time, the intersection is one of how  
12 many intersections are going to be studied just  
13 roughly, Rick?

14 MR. MOORE: There are dozen or more  
15 intersections. It's a very comprehensive.

16 COMMISSIONER ZUNIGA: That one seems  
17 reasonable. The page for the lighting plan?

18 MS. BLUE: It is on page 43.

19 MR. MOORE: There have been  
20 renderings of the new hotel. In fact, you  
21 probably saw one at nighttime. But this will  
22 go somewhat beyond that with some more  
23 technical information.

24 COMMISSIONER ZUNIGA: You said 43?

1 MS. BLUE: It should be on page 43  
2 the second section. And it will say something  
3 along the lines of Wynn will provide a lighting  
4 plan to the Commission.

5 MR. MOORE: This is also something  
6 that the city of Everett is interested in.

7 COMMISSIONER ZUNIGA: Okay. I see  
8 it. It's during construction and post  
9 occupancy because that applies to all the  
10 mitigation improvement measures in this table,  
11 right?

12 MR. MOORE: That's right.

13 COMMISSIONER ZUNIGA: That's fair  
14 enough. Other questions for Mr. Moore?

15 COMMISSIONER STEBBINS: Rick, I just  
16 had a question picking up on what Commissioner  
17 Cameron asked. We repeatedly hear that there  
18 is significant federal transportation dollars  
19 kind of in the balance with respect to it being  
20 utilized for Sullivan Square improvements or  
21 kind of surrounding area transportation issues.

22 Does somebody from the feds, even  
23 though it's not a federal highway, but it's  
24 federal money, is somebody from the appropriate

1 federal agency participating in the working  
2 group?

3 MR. MOORE: No, but generally the  
4 federal folks delegate that to the state  
5 Department of Transportation. So, they are the  
6 ones that have the control over managing the  
7 monies that come to the state of Massachusetts  
8 from the federal government. Then Congressman  
9 Capuano is very much involved in the process  
10 and interested in the whole process and the  
11 outcome.

12 COMMISSIONER MACDONALD: Rick, I'm  
13 abstaining from any vote here, but I'm curious  
14 about this lighting plan. I saw the reference  
15 to it in the draft, but it just says lighting  
16 plan. What is a lighting plan?

17 MR. MOORE: To some degree, to  
18 lighting folks it's a term of art. The city of  
19 Everett has also requested, in my  
20 understanding, a lighting plan. It's  
21 photometric plan primarily to show that  
22 lighting on site does not spill over into the  
23 adjacent properties and might cause disruption  
24 or inconvenience to a direct abutter.



1                   But this lighting plan also informs  
2 how you might see the site from alternative  
3 locations. But there is no question that the  
4 facility will be lit at night. Up until this  
5 point, there have been discussions with the  
6 folks in Charlestown about this. The lighting  
7 is not directed outside the property. The  
8 lighting is directed primarily to illuminate  
9 the actual tower itself and the lower rise  
10 buildings.

11                   So, the primary issue is not so much  
12 lighting directed off the property as it is  
13 reflective light or glare if you will. That  
14 can be shown by technical drawings.

15                   COMMISSIONER MACDONALD: With the  
16 idea being that if the lighting, reflective  
17 lighting was at a certain level that would seem  
18 to interfere with the aesthetic judgments of  
19 the people that were experiencing it then we  
20 would have a lever to address that?

21                   MR. MOORE: This is another one of  
22 those issues that can be re-examined. There is  
23 some flexibility in how Wynn develops their  
24 lighting plan which is underdeveloped now.

1 They're sensitive to this issue. And they're  
2 talking to the folks of Charlestown. So, I  
3 think that this issue can be resolved.

4 COMMISSIONER ZUNIGA: Rick, you also  
5 made a quick reference to the other projects  
6 that were presented before by the licensee, and  
7 the level of mitigation that came mostly from  
8 public sources.

9 I am curious, an alternative project  
10 on this site would have probably done --  
11 perhaps had more impacts on the environment in  
12 terms of traffic for example. If there were to  
13 have been condos on that site you would have  
14 two peak hours as opposed to one. Do you want  
15 to comment on that a little bit?

16 MR. MOORE: Actually, that's not  
17 completely hypothetical, because in the  
18 municipal harbor plan that was Everett's  
19 municipal harbor plan that was approved by DEP  
20 they had two alternatives. One was the casino  
21 and the other was a residential development.

22 You are quite right. Whether it's  
23 residential or office, you have a morning and  
24 peak hour. The casino although there is some

1 traffic in the morning, it's nominal compared  
2 to what you would get with the kind of  
3 development that say an office or residential  
4 development.

5           The size of one of those  
6 developments on that site to support the  
7 cleanup and the variety of other things you'd  
8 have to do would be substantial. And you would  
9 have a traffic peak that you wouldn't have from  
10 the casino.

11           So, to some degree the casino is a  
12 beneficial traffic generator, if you will,  
13 because of that minimal a.m. peak hour.

14           Nevertheless, the city of Boston and  
15 MassDOT required Wynn to look at the a.m. peak  
16 hour to make sure that their proposed traffic  
17 signal system would operate properly in the  
18 a.m. despite the fact that there weren't many  
19 casino generated trips in the a.m. So, it was  
20 looked at both in the a.m. and the p.m. but  
21 more from an operational standpoint.

22           COMMISSIONER ZUNIGA: Other  
23 questions for Mr. Moore? Anything else  
24 Counsel?

1 MS. BLUE: No. If the Commission  
2 has no suggested changes to the draft that's in  
3 front of you, staff will post this. And we  
4 will make a request for comments. Then we will  
5 work towards our public meeting on the 29th.

6 This is obviously not the last  
7 opportunity for the Commission to make comments  
8 or changes. So, as the Commission sits through  
9 the public hearing and as you review comments  
10 as they come in, if you decide you want changes  
11 to this draft, we can certainly do that. We  
12 will move forward, post this and ask for  
13 comments.

14 COMMISSIONER ZUNIGA: Yes. I just  
15 want to mention something that was already  
16 mentioned and just emphasize that there is  
17 always -- this is a one point in time phase  
18 here that we have, the MEPA process. And we  
19 have the ability to come back and that look-  
20 back provision, if you will, in the process to  
21 come back and do this, re-look at the  
22 assumptions, confirm some of the traffic as it  
23 shows up or not.

24 And I would add that there is a

1 Community Mitigation Fund that's another tool  
2 that the Legislature gave us for this very  
3 purposes that come right after that in my  
4 estimation. We continue to fine-tune that  
5 program. And we'll get requests from  
6 surrounding communities, host communities,  
7 others. And all of these will be seen  
8 holistically as we continue that evaluation.

9 Let me mention that there's a lot of  
10 work that happened here of course by the  
11 applicant, by our consultants, Anderson and  
12 Kreiger as well and Counsel Blue and Ombudsman  
13 Ziembra. And there's a lot of great detail that  
14 we will post on our website for public comment.

15 And we look forward to all of those  
16 comments that I know we will get. They are  
17 usually very thoughtful and studious. And we  
18 will go forward towards scheduling or posting  
19 notice of our public hearing, if I'm correct?

20 MS. BLUE: We have the notice in  
21 draft. If we haven't posted it today, we'll  
22 post it tomorrow.

23 COMMISSIONER ZUNIGA: We'll post  
24 that notice. And that public hearing is for

1 next Tuesday.

2 MS. BLUE: It's March 29. It starts  
3 at 5:00 p.m. and it's at the Boston Convention  
4 Center.

5 COMMISSIONER ZUNIGA: The public  
6 will have had an opportunity to have seen this  
7 draft for a few days now, obviously for the  
8 following week. And we'll be accepting  
9 comments until April --

10 MS. BLUE: 11.

11 COMMISSIONER ZUNIGA: 11, at least  
12 that is the current schedule and the current  
13 thinking. Any other comments? Thank you very  
14 much, Rick and company, Jason and Jason.

15 COMMISSIONER CAMERON: Thank you.

16 COMMISSIONER ZUNIGA: Did we need to  
17 vote on this?

18 MS. BLUE: No. We determined this  
19 is the process going forward. You won't vote  
20 until April 14. So, you just need a motion to  
21 adjourn and a second.

22 COMMISSIONER ZUNIGA: So I will  
23 entertain a motion to adjourn.

24 COMMISSIONER CAMERON: Move to

1 adjourn.

2 CHAIRMAN CROSBY: Second.

3 COMMISSIONER ZUNIGA: All in favor,  
4 aye.

5 CHAIRMAN CROSBY: Aye.

6 COMMISSIONER MACDONALD: Aye.

7 COMMISSIONER CAMERON: Aye.

8 COMMISSIONER STEBBINS: Aye.

9 COMMISSIONER ZUNIGA: Thank you.

10

11 (Meeting adjourned at 2:42 p.m.)

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1 ATTACHMENTS:

- 2 1. Massachusetts Gaming Commission March  
3 22, 2016 Notice of Meeting and Agenda  
4 2. Wynn Boston Harbor Section 61 Presentation  
5

6 GUEST SPEAKERS:

7 Robert DeSalvio, Wynn Resorts

8 Chris Gordon, Wynn Resorts

9 Jacqui Krum, Wynn Resorts  
10

10

11 Rick Moore, City Point Partners  
12

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13 MASSACHUSETTS GAMING COMMISSION STAFF:

14 Catherine Blue, General Counsel  
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C E R T I F I C A T E

I, Laurie J. Jordan, an Approved Court Reporter, do hereby certify that the foregoing is a true and accurate transcript from the record of the proceedings.

I, Laurie J. Jordan, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Laurie J. Jordan, further certify I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken and further that I am not financially nor otherwise interested in the outcome of this action.

Proceedings recorded by Verbatim means, and transcript produced from computer.

WITNESS MY HAND this 23rd day of March, 2016.



LAURIE J. JORDAN  
Notary Public

My Commission expires:  
May 11, 2018