

THE COMMONWEALTH OF MASSACHUSETTS

MASSACHUSETTS GAMING COMMISSION

PUBLIC MEETING #123

Volume I (a.m. session)

CHAIRMAN

Stephen P. Crosby

COMMISSIONERS

Gayle Cameron

James F. McHugh

Bruce W. Stebbins

Enrique Zuniga

June 10, 2014 10:00 a.m.

MASSMUTUAL CENTER

1277 Main Street, Ballroom A

Springfield, Massachusetts

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

2
3 CHAIRMAN CROSBY: It's my pleasure

4 to call to order the 123rd meeting of the
5 Massachusetts Gaming Commission on June 10 at
6 10:00 at the MassMutual Center in Springfield,
7 Massachusetts. I want to make a few
8 introductory remarks before we get started.

9 And I think some of the other Commissioners may
10 also have some remarks.

11 This is one of the penultimate weeks
12 of the process that we've been involved in. We
13 set out at the beginning, almost from the very
14 first month, to commit ourselves to a process
15 of licensing expanded gaming facilities in
16 Massachusetts in a manner that would be
17 perceived by the public as having been
18 participatory, transparent and fair.

19 To that end, we've held 123 public
20 meetings. That comes to something like 750
21 hours of public meetings streamed live on the
22 web and available to the public both live and
23 in our archives. That comes to almost more
24 than four months of public meetings in the last

1 two and half years, four months of public
2 meetings in the last two and half years.

3 We've held many other public
4 meetings and made presentations to groups in
5 all parts of the Commonwealth. We've had
6 eight, I believe, educational forums. We've
7 had dozens probably by now hundreds of media
8 appearances. We've received thousands of
9 letters and emails from concerned citizens all
10 of which have been parsed and read by all of
11 us.

12 The culmination of all of this
13 process for Western Mass. has been a Category 1
14 application process that began with five
15 applicants and has now been winnowed down to
16 one. Mayor Sarno and the city of Springfield
17 did an impressive job in holding their own
18 competitive process, finally selecting MGM as
19 its finalist.

20 Other communities like Holyoke, West
21 Springfield and Palmer exercised their right to
22 deny applicants access to their communities.
23 So, now there is one.

24 The final MGM application was broken

1 into five different categories of evaluation,
2 finance, mitigation, site and building design,
3 economic development and the general overview
4 section. Each of the five Commissioners has
5 taken on one of those five evaluation
6 categories. Each of the Commissioners put
7 together teams of consultants and advisors to
8 work with them over fully six months to
9 evaluate the thousands of pages of the
10 application and ultimately to rate the
11 application.

12 We knew when we started this process
13 that there would be winners and losers, not
14 just among gaming companies but also among
15 communities. Some pro-gambling, some anti.
16 Some will win because there is a license
17 awarded nearby. Some will win because there is
18 not a license awarded nearby.

19 Overall, I would like to comment,
20 and I'm pretty sure I can speak for the other
21 Commissioners that this has been a remarkable
22 opportunity for us to meet with quality people
23 from across the Commonwealth. The applicants
24 and their multitude of lawyers, the host and

1 surrounding communities and their public
2 officials and a vast number of interested
3 citizens, each and every one doing their job as
4 they saw fit in the advance of making the best
5 of this important law.

6 Commissioner Stebbins makes a point
7 often when he speaks about how uniquely we
8 treat this industry. If any other industry
9 came to Massachusetts such as the Western
10 Massachusetts applicant, and said we want to
11 invest a minimum of \$500 million. We want to
12 create something like 2500 permanent jobs. And
13 we want to create associated economic
14 development throughout the region, we would be
15 on our hands and knees passing out tax breaks
16 and applauding.

17 This industry we put through an
18 incredibly rigorous process of poking and
19 prodding, background checking, skepticism and
20 referendum. All appropriately so given the
21 nature of the business. But it does remind us
22 how differently we treat this industry than we
23 treat any other industry that we deal with.

24 It's the right way to do it because

1 of the nature of the industry and its history
2 and so forth. But I do think it's important to
3 appreciate just how different that is as
4 Commissioner Stebbins points out so often.

5 One other piece of background. The
6 Commissioners are aware that there has been
7 discussion by MGM Springfield that they may be
8 reluctant to give the Commonwealth an \$85
9 million non-refundable deposit with the
10 possibility of a repeal of the expanded gaming
11 law on the horizon. That discussion definitely
12 puts the cart before the horse.

13 The issue before us today is whether
14 to award the Category 1 license in Western
15 Mass. to MGM Springfield and if so with what
16 conditions attached. The Commission has never
17 discussed what we will do if a company refuses
18 to accept a license award. If that happens, we
19 will deal with it at the time.

20 We'll talk more about the process in
21 a few minutes. But I just want to say from the
22 Commission standpoint, as we go through this
23 evaluation process between now and hopefully
24 the end of the day on Friday, we will try to

1 reach a unanimous consensus on whether we can
2 make a license award, and if so with what
3 conditions.

4 But we may not be unanimous. And a
5 split vote in no way alters the dispositiveness
6 nor the importance nor the clarity of the
7 decision. If we have different opinions, then
8 the majority vote will determine the outcome.

9 We've said from the outcome that we
10 are committed to a participatory, transparent
11 and fair process. And I for one hope very much
12 that by the end of this week that the
13 participants in the bidding process, the
14 communities involved and the people of
15 Massachusetts will believe that we have met
16 that standard. So, let us begin.

17 Any other Commissioners have words
18 before we begin?

19 COMMISSIONER ZUNIGA: I don't have
20 prepared remarks, but something that you
21 alluded to, Mr. Chairman, a big thank you to
22 all of the people that work for us in our
23 staff, our consultants, the people who helped
24 us review these applications that are really

1 lengthy, nuanced, complex, intricate. So, it's
2 been a long process, but by leveraging all of
3 the skills and knowledge that we have at our
4 disposal, it's great that it's coming to
5 conclusion.

6 And similarly, in order to review a
7 big complex application, it takes a lot of
8 skill and time to prepare the application. And
9 that also goes with -- I also want to express
10 thanks to the applicant, the last one
11 remaining, I guess, but the one that endured
12 during this last two years which was a very
13 competitive process up until now.

14 So, thank you for that effort. It
15 costs a lot of money. We recognize it. It
16 costs a lot of time and skills. And the
17 Commission and the Commonwealth are better off
18 by those efforts. Thank you.

19 COMMISSIONER MCHUGH: I would just
20 like to say briefly, touch on one thing that
21 you also touched on, Mr. Chairman, and that is
22 the number of public meetings that we've held,
23 but more importantly the public input that
24 we've gotten. For me one of the most valuable

1 parts of this process is that public input.

2 Unfortunately, I was not able to
3 attend one of the meetings we held here in
4 Springfield, but I've watched the video of that
5 and I've participated in the others. There are
6 some who passionately support the idea of a
7 casino. There are some who passionately oppose
8 that idea. There are some who passionately
9 oppose us.

10 But everybody is energized around
11 this issue. And regardless of the side that
12 they ultimately take, the best of the comments
13 be they pro-casino or con have left me, and I
14 think I can speak for the other Commissioners,
15 with new ideas and new ways of thinking about
16 certain issues.

17 And thus regardless of whether we
18 come out the same way, the proponent of these
19 ideas comes out, they have helped shape our
20 thinking about how to proceed forward. I think
21 that's an invaluable part of this process.

22 The Legislature set it up so that
23 there would be that kind of public input. I
24 know we all take it very seriously and are the

1 beneficiaries of the energy and passion and
2 thoughtfulness that goes into the best of the
3 comments that we hear. So, I want to thank all
4 of the members of the public who took the time
5 either to write to us or to attend the public
6 meeting or in some other way to communicate
7 their views to us regardless of what those
8 views were.

9 CHAIRMAN CROSBY: Anybody else?

10 COMMISSIONER CAMERON: I think just
11 about everything has been said. I just want to
12 thank everybody as well. Interesting process,
13 a lot of work went into this, as I think you'll
14 see today. I feel like we are very well
15 prepared.

16 But I want to thank all of our staff
17 and consultants as well as the applicant and
18 all of the other folks who participated in the
19 process. It was good to hear from everybody
20 and we really did use all of that to form our
21 opinions and make our evaluations. So, thank
22 you.

23 COMMISSIONER STEBBINS: I also want
24 to thank our staff, our consultants. When I

1 walked into our Boston office a little over two
2 years ago there were five Commissioners and
3 three staff. So, happily the tables have kind
4 of turned and we brought in a lot of great
5 people to help us with this process.

6 This has been an exciting few
7 months. We're considering and weighing a
8 license application here in Western Mass.
9 We've already issued a license for our one
10 slots parlor. And shovels are in the ground
11 and people are starting to erect steel. That
12 is pretty exciting. That's what this
13 legislation was all about was about jobs and
14 recovering revenue that we knew went outside
15 the state.

16 And it was only two years ago that
17 all five of us were sworn in. To think of
18 where we've come, what the process that really
19 was driven heavily by a lot of local
20 involvement, voter participation, giving
21 communities a choice as to really whether they
22 wanted to have a casino developed in their
23 community. The statute has worked just the way
24 we thought it would.

1 I appreciate the work of my
2 colleagues. I appreciate all of our staff. I
3 am somewhat thankful this morning for the
4 shorter commute out of the five of us. But I'm
5 looking forward to the deliberations over the
6 next two days.

7 CHAIRMAN CROSBY: Thank you all.
8 Let me describe the process a little bit, what
9 we're going to go through this morning.

10 As I said earlier, there are the
11 five categories of the evaluation project.
12 Each Commissioner will present the category
13 that they have been responsible for with their
14 advisors and consultants. As they speak and as
15 they finish speaking, there will be an
16 opportunity for Q and A by other Commissioners
17 with the Commissioner who is presenting.

18 This morning, we will start with
19 site and building design with Commissioner
20 McHugh. And during the rest of the day we will
21 deal with finance with Commissioner Zuniga and
22 mitigation with Commissioner Cameron. That may
23 take up the better part of the day.

24 We expect -- This is a little bit

1 fluid, but we expect to start on Wednesday
2 morning with having the applicant have an
3 opportunity to point out anything that they
4 think are factual incorrections. This is not
5 an opportunity to alter the proposal or to
6 debate the points. But if the applicant feels
7 in good-faith that any of the speakers have
8 mischaracterized factual matters, the applicant
9 will have an opportunity correct the record.

10 We will then have the economic
11 development presentation from Commissioner
12 Stebbins and the overview presentation by
13 myself. Again, after that, the applicant will
14 have an opportunity to correct the record if
15 they think there were any factual errors.

16 Throughout these discussions, we
17 will be noting where if anywhere we think there
18 are conditions that should be applied to the
19 license within each of our five categories.
20 And staff will be helping us keep track of
21 potential conditions.

22 At the end of those five
23 presentations, which we think will be sometime
24 around noon tomorrow, we will then start the

1 deliberation process amongst the five of us.
2 We will probably start out, just kind of giving
3 a general indication of our frame of mind, sort
4 of predispositions where we will not be taking
5 a straw poll, but we will be just getting a
6 sense of where we stand on both the issue of
7 the award but also on the issue of significant
8 conditions.

9 We will then continue to discuss it.
10 And we hope that we will be able to come to an
11 initial award, go or no-go decision by the end
12 of the day tomorrow. And from that point on,
13 we will kind of play the schedule by ear.

14 As you know, Thursday we will return
15 to Boston for our regular meeting. There's
16 time set aside to have carryover of this
17 meeting if need be. We expect to be out here
18 Friday morning at 10:00 for what we hope will
19 be a final announcement. But we have plenty of
20 time for carryover discussions scheduled for
21 Friday. We even have time reserved in our
22 publicly posted meeting notes for time on
23 Monday if we should need that as well. But
24 hopefully that won't be necessary.

1 Anything else process wise anybody
2 wants to say? General Counsel Blue, do you
3 want to play out any legal parameters that we
4 need to pay attention to?

5 MS. BLUE: Thank you. Good morning,
6 Commissioners. Since no process would be
7 complete without a statement from legal
8 department, I am here this morning just to
9 deliver the brief overview of some legal things
10 to keep in mind.

11 You have before you a document
12 called a checklist for the issuance of a
13 Category 1 gaming license. It is in essence
14 the same checklist you used for the Category 2
15 license revised for Category 1 purposes.

16 The legal department put this
17 together for you to use as a means to determine
18 the findings that need to be made pursuant to
19 Chapter 23K and the regulations. You will note
20 that it has findings set up by section. And
21 the goal is that by the time we are through the
22 process, we will have made all of the required
23 findings.

24 I'd like to call your attention to

1 the first page, which talks about the general
2 requirements. The Commission may issue one
3 Category 1 license in each region. Today we
4 are considering the grant of a license in
5 Region B. If the Commission is not convinced
6 that an applicant has met the eligibility
7 criteria and provided convincing evidence, no
8 Category 1 license shall be awarded. The
9 Commission has full discretion as to whether or
10 not to issue a license.

11 Applicants have no legal right or
12 privilege to a license. The period of the
13 license is 15 years and begins when the
14 Commission approves the opening of the gaming
15 establishment for operation.

16 The Commission's proceedings which
17 began with the submission of the RFA-2
18 application are administrative and legislative
19 in nature. They are not adjudicatory. The
20 applicant has been required to present all of
21 the information required by the Commission.

22 The RFA-2 administrative proceedings
23 have involved public hearings. They have not
24 been adversarial in nature. They have involved

1 no specific charges, legal rights or
2 privileges. They have provided no opportunity
3 for cross-examination of witnesses under oath.

4 They've afforded the opportunity for
5 public comment including unsworn statements and
6 letters of support, opposition or concern by
7 persons advocating for or against the
8 application. This proceeding will involve a
9 final decision to grant or deny a gaming
10 license. And that rests at all times within
11 the discretion of the Commission.

12 The Commission will ultimately grant
13 or deny the application before it. In
14 determining whether an applicant receives a
15 gaming license, the Commission will evaluate
16 and issue a statement of findings as to how the
17 applicant proposes to advance the objectives in
18 Chapter 23K.

19 The form of the license will be a
20 decisional form similar to that used for the
21 issuance of the Category 2 license. I'm happy
22 to answer any questions that you may have.

23 CHAIRMAN CROSBY: Anybody?

24 COMMISSIONER MCHUGH: No, thank you

1 very much.

2 MS. BLUE: Thank you.

3 CHAIRMAN CROSBY: Thank you. And I
4 believe we are ready to start.

5 COMMISSIONER MCHUGH: Are we going
6 to do with Karen?

7 CHAIRMAN CROSBY: I'm sorry, yes.
8 We are not ready to start. We are ready to
9 call forward our Director of Investigations and
10 Enforcement Bureau for an update on the
11 suitability background of our applicant MGM
12 Springfield.

13 MS. WELLS: Good morning, Mr.
14 Chairman and members of the Commission. As a
15 preliminary matter as will be the normal course
16 when we have licensees, there will be
17 additional qualifiers that come in and out of
18 the license application and the granting of the
19 license.

20 And before you today you have two
21 additional qualifiers for your consideration.
22 The first is Michael Mathis who is here today
23 to my right. He is the President of MGM
24 Springfield. I believe he is a familiar face

1 to all of you.

2 In addition, the additional
3 qualifier is Sy Esfahani. He is the Chief
4 Information Officer and Senior Vice President
5 of MGM Resorts International. The IEB
6 conducted a suitability investigation of both
7 qualifiers, which included verification and
8 evaluation of employment history, criminal
9 record, education, professional gaming
10 licenses, directorships and stockholdings,
11 civil litigation records, bankruptcy, property
12 ownership as well as financial suitability.
13 That report for each of those qualifiers has
14 been provided to you for your consideration.

15 As you can see from the report, Mr.
16 Esfahani is the Chief Information Officer and
17 Senior Vice President, had previously worked as
18 Pfizer Inc., GES Exposition Services, ACI
19 Worldwide Distribution Management Systems Inc.,
20 and First Data Corporation.

21 Mr. Mathis before working in his
22 present position at MGM, had been VP and
23 General Counsel of Echelon Resorts, corporate
24 counsel at the Venetian and had also worked at

1 several law firms in New Jersey, Ohio and Las
2 Vegas.

3 For both Mr. Mathis and Mr.
4 Esfahani, the background check did not reveal
5 any derogatory information that would impact
6 licensure. And therefore, the IEB recommends a
7 positive finding of suitability for both Mr.
8 Mathis and Mr. Esfahani.

9 COMMISSIONER MCHUGH: Do you need a
10 vote on that, Director Wells?

11 MS. WELLS: Yes, Sir.

12 COMMISSIONER MCHUGH: I would --
13 unless you wanted to do something else.

14 CHAIRMAN CROSBY: Any questions?
15 We've all had the background checks and an
16 opportunity to review all of the material
17 provided by the IEB. Any other questions?
18 Okay, Commissioner.

19 COMMISSIONER MCHUGH: Then I would
20 move that we accept and approve and adopt the
21 report of Director Wells with respect to the
22 qualifications of both of the new qualifiers.

23 CHAIRMAN CROSBY: Second?

24 COMMISSIONER CAMERON: Second.

1 CHAIRMAN CROSBY: Any further
2 discussion? I certainly agreed with the IEB
3 characterization. All in favor of the motion
4 signify by saying aye. Aye.

5 COMMISSIONER MCHUGH: Aye.

6 COMMISSIONER CAMERON: Aye.

7 COMMISSIONER ZUNIGA: Aye.

8 COMMISSIONER STEBBINS: Aye.

9 CHAIRMAN CROSBY: All opposed? The
10 ayes have it unanimously. Congratulations,
11 welcome.

12 COMMISSIONER ZUNIGA: Director
13 Wells, these investigations were done in their
14 entirety by internal staff; is the correct?

15 MS. WELLS: That's correct. We're
16 moving away from using the consultants that we
17 were fortunate enough to have during the
18 suitability investigations and our in-house IEB
19 state police and civilian investigators
20 conducted these investigations and will be
21 doing that going forward.

22 COMMISSIONER ZUNIGA: I think that's
23 a great accomplishment.

24 MS. WELLS: Thank you. I also have

1 an update for the Commission as to the
2 suitability of the applicant. On December 9,
3 2013, the Commission conducted a suitability
4 hearing on the applicant Blue Tarp
5 Redevelopment, LLC. Blue Tarp is 99 percent
6 owned by MGM Resorts International.

7 After the full hearing, the
8 applicant was found suitable by the Commission.
9 Issues pertaining to individuals associated
10 with Rolling Hills Estates Realty Trust were
11 satisfied by the Commission by way of a \$5000
12 payment of costs by Mr. Callahan and the
13 resignation of Mr. Barletta, Mr. Gillis from
14 their positions as trustee and manager of the
15 realty trust.

16 Since the hearing, the IEB has
17 remained in contact with the applicant and
18 other jurisdictions regarding any potential
19 issues that may impact suitability. As was the
20 case during the Phase 1 suitability
21 investigation, the leadership at MGM remains
22 accessible, cooperative and forthcoming
23 regarding any issues raised by the IEB.

24 As with any potential licensee, as I

1 said earlier, the expectation is that there
2 will be personnel changes as time goes on, and
3 new qualifiers will be identified. For example
4 we were notified by MGM in Anton Nicodemus was
5 promoted to Chief Operating Officer of MGM
6 Resorts International Regional Operations.

7 Additionally, modifications in
8 policy and procedure will inevitably occur and
9 demonstrate the development of the company.
10 MGM has amended its compliance plan and now
11 requires that at least one member of the
12 compliance committee have regulatory experience
13 outside of Nevada. Tom Auriemma now satisfies
14 the requirement for MGM.

15 Regulatory issues since the
16 suitability hearing are generally consistent
17 with an operation of MGM's size and scope.
18 There are a couple of issues worth noting for
19 the Commission. In February of this year, the
20 Nevada Gaming Control Board filed a complaint
21 against MGM alleging denial of open access for
22 plainclothes gaming agents at the high-limit
23 rooms at Aria.

24 Notable there was a similar incident

1 in 2012 and some specific remedial steps had
2 failed to be implemented. MGM has had
3 discussions with the Nevada Gaming Control
4 Board regarding refinement of its protocols
5 regarding public's access to casinos. The
6 Nevada Gaming Control Board and MGM are
7 currently in process to attempt to work out a
8 fine settlement for the event.

9 An additional matter that got some
10 press attention involved an undercover at the
11 House of Blues Foundation room at the Mandalay
12 Bay Resort in Nevada. Employees of the
13 Foundation room were found to have distributed
14 illegal narcotics and provided prostitutes.

15 Notably the House of Blues is a
16 tenant of the MGM property. House of Blues
17 utilized a third-party marketing company that
18 acted as the nightclub host or promoters.
19 Employees of that marketing firm were
20 implicated as well as some lower-level House of
21 Blues' employees. As a result, managers
22 including the general manager of the House of
23 Blues were let go.

24 There was a settlement agreement

1 with the Nevada Gaming Control Board for a
2 \$500,000 fine against MGM, which was fully
3 indemnified by the House of Blues. I've
4 reviewed the transcript of the hearing and the
5 Nevada Gaming Control Board commented on the
6 following, which would be relevant for you
7 today. Number one, they did note that MGM was
8 a leader in the nightclub compliance policy
9 area and indicated they did have a good track
10 record. And that two, Mandalay Bay not only
11 took the issue seriously, but genuinely wanted
12 to make sure it didn't happen again. And
13 three, that MGM had implemented remedial
14 measures.

15 MGM remains in good standing in the
16 jurisdictions in which it is licensed.
17 Additionally, MGM is applying permit for re-
18 licensure in New Jersey and that suitability
19 investigation is ongoing. MGM has also filed
20 an application in Ontario.

21 If the Commissioners have any on the
22 ongoing suitability hearing Mike Mathis is here
23 as well.

24 CHAIRMAN CROSBY: Anybody else?

1 COMMISSIONER MCHUGH: No.

2 MS. WELLS: That's all I have, thank
3 you.

4 CHAIRMAN CROSBY: So, the net of
5 your judgment is even though with those issues
6 in Las Vegas that they don't amount to enough
7 to change your view of their status.

8 MS. WELLS: Correct.

9 CHAIRMAN CROSBY: Okay, thank you.
10 Now I think we are ready to begin with site and
11 building design and Commissioner Jim McHugh.

12 COMMISSIONER MCHUGH: Thank you, Mr.
13 Chairman. Thank you and good morning to you my
14 colleagues. Good morning to members of the
15 audience. I am going to present the first of
16 our five categories, discuss the first of our
17 five categories, the site and building design
18 component.

19 If I could have the next slide
20 please. There are, as you've mentioned, Mr.
21 Chairman, five components. I'm not going to
22 pause over this. You've already outlined them.
23 And I have the first of the five.

24 If you go to the next slide, the

1 building and site design section of the
2 application contain 79 questions that each
3 applicant was required to answer. And those 79
4 questions are grouped into seven general
5 categories. Each of which dealt with a
6 criterion that the Commission believed was
7 important to analyze in determining the license
8 questions that the Commission faced.

9 Each of those deals with a different
10 aspect of the building and site design. Some
11 with the physical appearance of it, some like
12 category four with sustainability, the green
13 methodology, if you will, that the applicant
14 uses to approach the operation of the building.
15 Category five, security, and we'll touch on
16 each of those as we proceed.

17 The principal sources that we used
18 -- that I used in conjunction with the
19 consultants to whom I'll turn in just a second
20 for introductions, the principal sources were
21 the contents of the application itself, site
22 visits, virtual in the case of Detroit, which
23 the applicant relied on to some extent, public
24 comments including comments facilitated by

1 architects enlisted by the local chapters of
2 the American Association of Architects, public
3 input meetings and other public comments that
4 we received via mail or in some other fashion.
5 All of which are available on the web.

6 If we can have the next slide,
7 please. I think there was one before that was
8 there not, Melissa? Did we go back one? There
9 wasn't one before that. All right. Let's
10 proceed to that one then. Sorry. Heavily, I
11 relied on the advisory team that was
12 instrumental in helping to analyze these
13 materials. I individually don't have the
14 background to do it by myself, none of us does.

15 So, we put together a terrific team
16 of advisors who were very helpful in supplying
17 advice. They're here today. Stan Elkerton who
18 is there on the phone. I don't know who's on
19 the other end of the phone, but obviously he
20 just got some good news. He's here. There's
21 Stan. He was the leader of the group. And
22 he's with City Point Partners. Ray Portfillio
23 who is here is from Epstein Joslin Architects.
24 He is an architect who provided invaluable

1 advice on the architectural aspects of this.

2 Rick Moore who is here provided
3 invaluable advice on many of the engineering
4 issues. Frank Tramontozzi aided by Wing Wong
5 are both here, who are expert traffic engineers
6 and provided us with very thoughtful advice
7 dealing with traffic issues as they came up.

8 Ann Marie Lubeneau is not here
9 today. She couldn't be here, but she is an
10 architect who has been through this kind of a
11 process and this kind of an undertaking in
12 Pittsburgh, is a highly qualified architect and
13 was able to draw on some of her Pittsburgh
14 experiences to help us see through things as
15 well.

16 And finally Chip Pinkham, Arthur
17 Pinkham from Epstein Joslin Architects also
18 aided Ray Portfillio. And Chip is not here
19 today either. Nancy Stack who is over here to
20 my right and Melissa Martinez who is operating
21 the computer this morning coordinated all of
22 this and helped invaluablely in pulling it all
23 together to present to you this morning.

24 Now Melissa, the next slide, thank

1 you. As a result of all of the inputs, we took
2 each of those seven categories -- And you'll
3 see this is a common thread, but since I go
4 first I'm simply outlining it -- compiled them
5 ratings using four different criteria.

6 Insufficient which meant that the
7 response failed to present a clear plan to
8 address the topic essentially. Sufficient, the
9 response provided sufficient information and
10 substantively was sufficient to satisfy our
11 concerns. Very good, the response was
12 comprehensive and demonstrated credible
13 experience and plans. And outstanding or
14 excellent, the response was of uniformly high
15 quality and in many cases exceeded our
16 expectations.

17 We rated each of the questions that
18 way. Then we rolled up the ratings for each of
19 the criteria. And then finally we reached an
20 overall evaluation which we will get to at the
21 end.

22 We compiled all of that, put it into
23 a report now that's publicly available. Our
24 report has a series of appendices that I highly

1 commend to you because they are the narrative
2 responses by each of the expert groups to the
3 topics that they were assigned to think about.

4 And I'll come back to this in a
5 second, but that first one, the basis for
6 evaluation of architectural design quality was
7 something into which the architects put a great
8 deal of effort. And it's, I think, an
9 excellent product in helping us take some of
10 the subjectivity out of evaluation of
11 architectural design.

12 Obviously, you can't take it all
13 out, but they have created some principles that
14 I'll detail in a minute that helped take some
15 of the subjectivity out of it, and are
16 applicable to numerous different kinds of
17 situations.

18 Next slide, please, Melissa. We
19 were able to take site visits to MGM Las Vegas.
20 One member of the team was part of that site
21 visit to Las Vegas. And as I said, we took a
22 virtual site visit to MGM Detroit, relied on
23 what we saw on both of those.

24 So, with that as background let's

1 dive in. And I first want to just take a
2 general look at the setting in which all of
3 this is occurring. This is a setting which the
4 blue outlines here indicate proposed gaming
5 facilities. The red indicates those that
6 exist. None of this comes as a surprise, but I
7 think at the outset it is helpful to take a
8 look at this and remember the setting in which
9 we occur because it provides a backdrop for a
10 number of the comments that all of us will make
11 as we move forward.

12 We have the Springfield area, of
13 course, is what we are talking about today.
14 The Boston area which we'll turn to next. We
15 have the Connecticut casinos that are in
16 existence. We have the Rhode Island casinos
17 that are in existence. We have a proposed
18 casino in the area of Taunton. And a proposed
19 possible Region C casino in this area. And a
20 proposed casino that's been talked about at
21 least on Martha's Vineyard. So, that's the
22 setting in which all of this occurs.

23 And in that setting we'll turn now
24 to the first of the criteria. And this is a

1 criterion which focuses on creativity and
2 design and overall concept excellence. We took
3 all of the questions, the nine questions that
4 fill that area and grouped them in order of
5 importance. That group, the first four,
6 overall theme, the relationship with
7 surroundings, the color renderings, the
8 schematic design and proposed landscaping were
9 at the heart of the proposal as I viewed it and
10 as I was assisted by the consultants in viewing
11 it. So, it's those on which I am primarily
12 going to concentrate as we move forward.

13 The next slide, please. This is a
14 slide that many of you have seen before, but it
15 is a good place to start because it presents
16 most of the four major elements of the MGM
17 Springfield proposal. The first element of
18 that proposal is in this area beginning over
19 here and sweeping around to this side. We have
20 in the back, of course, the hotel which has got
21 two different components. This one sort of
22 greenish/blue in color. This one a bluer
23 color. A 250-room hotel with about 50 percent
24 planned to be reserved for casino guests.

1 There are 55 residential units along
2 Main Street planned for the facility and
3 turning the corner at Howard Street. Beneath
4 them will be retail areas. And in back of
5 them, although this is a little hard to
6 understand from this view, is a second story
7 outdoor plaza with a variety of different
8 amenities located along the various components
9 of that. We'll talk about that in more detail
10 as we get deeper into this.

11 This is Howard Street. This is an
12 entrance to the casino down here. This is a
13 sports bar right here. This is another
14 entrance to the casino up here on the corner of
15 State and Howard. And Howard really ends as a
16 street in this area, which is a big open-air
17 plaza.

18 The additional components of this
19 first element are the banquet facilities which
20 are up here. This square outlines the main
21 banquet facility. That's as we'll see a
22 smaller sort of pre-banquet facility. Then
23 there's another very small facility over in
24 that direction. So, that's the first element,

1 the first basic element of this proposal.

2 The second element I've begun to
3 touch on already and that's a pedestrian plaza
4 that runs through here. We'll see in some
5 other views many of the prominent features of
6 it, but there's a farmers market, an ice-
7 skating rink over in this area. There is a
8 revitalization of da Vinci Park in this area.
9 And that forms basically the second element of
10 this proposal.

11 The third element is an
12 entertainment complex, which isn't available in
13 this view. We'll see it in another one. It's
14 on the other side of this building and consists
15 of an upscale cinema and then some restaurants
16 and a bowling facility below that.

17 And finally, the fourth element of
18 the proposal is a large parking garage on this
19 side next to West Columbus Avenue, and the
20 central plant that will supply the heating,
21 refrigeration and other things that are needed
22 to make the facility operate. So, that's the
23 overview. We'll deal with each of the
24 components of that overview in more detail as

1 we proceed over the next few minutes.

2 First though, let's look at the
3 setting in which this occurs. Of course, we
4 don't really need to know too much up on a
5 screen about the setting. The setting is right
6 in back of us. We walked by it on the way in.
7 But it helps to understand and remember that
8 the setting is just south of a major
9 intersection of two arteries, one running north
10 and south and one east and west. And we'll
11 talk about that throughout the day in a variety
12 of different context.

13 Next slide, please. More closely,
14 it is in the middle of the city. It is in an
15 area that was devastated by the 2011 hurricane
16 which swept across the river basically in that
17 direction, taking down a number of buildings in
18 this area as it went.

19 In fact, the name of the development
20 company, Blue Tarp Development, stems from the
21 fact that when they first arrived on the scene
22 many of the buildings in this area were
23 recovering from that tornado and were draped
24 with blue tarps visible from the taller

1 buildings in the vicinity.

2 The courthouse, some of the
3 important buildings in the immediate vicinity
4 are the Basketball Hall of Fame., which is
5 right down here, the Superior, Probate,
6 District and Housing Court are in this building
7 right across the street. The Juvenile Court is
8 right here. This label says the Housing Court
9 is there. And that's where the court system
10 says it is, but I've got to place a call this
11 afternoon.

12 The MassMutual Center with which
13 there are operating agreements is right here,
14 right across the street. The museums are in
15 this area. Symphony Hall and City Hall are
16 right across the park. And there is a
17 pedestrian walkway that connects this area back
18 to that beautiful park just to the other side
19 of this facility.

20 Next slide, please. This is a
21 closer look. Here again is the courthouse.
22 Here's the Juvenile Court. Here is Court
23 Square, Symphony Hall, City Hall, MassMutual
24 Center and the various components of the

1 facility. We'll also talk about these areas
2 right here. These two buildings are not
3 included in the proposed development. These
4 two buildings down here are not proposed. And
5 this building up here is not proposed. We'll
6 talk about each of those in just a second.

7 Next, please. We're beginning now
8 to take a tour around the perimeter of the
9 facility. And the rest of the focus on this
10 section is going to be that tour around the
11 perimeter. This is where we start. This is on
12 Main Street looking toward State Street at
13 Howard Street. Howard Street is right here.
14 This building is the Red Rose Pizzeria, which
15 is an existing building.

16 We look down toward State Street.
17 This is the MassMutual office building, which
18 is on the corner of State and Main Street. Did
19 I say we look down State? I meant we look down
20 Main to State. State is on this area here.
21 And that building is on the corner of State and
22 Main. That's the way it looks now.

23 The next slide will show us what's
24 proposed. From approximately the same view,

1 this is how the concept is that it will look.
2 Here again is the Red Rose Pizzeria. It
3 remains. Here is the apartment buildings that
4 I pointed out to you in that other view.
5 Here's the retail on the first floor. Here's
6 an entrance to the casino as you turn the
7 corner into Howard Street. Here's more
8 residential living spaces. Here of course is
9 the hotel in the background. As you go down
10 Howard Street you come into the pedestrian
11 plaza that we saw from the aerial view a minute
12 ago.

13 This trolley is more than just a
14 feature of this drawing to liven it up. This
15 trolley, as we'll talk about in a second and
16 others we'll talk about as well, presents an
17 element of the proposal that is designed to
18 facilitate the connection between the proposal
19 and other spots in the area, other attractions
20 in the area. And that is part of the proposal
21 to fund and get that off the ground and
22 maintain that trolley. So, it's more than just
23 a decoration in this rendering.

24 It's important to understand as we

1 do this that these are renderings. They're not
2 plans. While this is the concept that's been
3 with us since the beginning and it's a concept
4 that will form the heart of our evaluation as
5 we proceed, inevitably there are elements of
6 this that will change somewhat as we proceed.
7 So, it's important to understand what this is
8 and what it is not. And that goes for the
9 other renderings that we'll be looking at as we
10 proceed.

11 The next slide shows a look again
12 down Main Street. But this time from the
13 vicinity of Bliss Street. Bliss Street is
14 right on the other side of this building. This
15 is the Union Hotel about which we heard a great
16 deal, properly heard a great deal and about
17 which I will have more to say in a minute.
18 Bliss Street goes in there. Once again there
19 is the building on the corner of Main Street
20 and State Street. That's the way this area
21 looks now or looked a few months ago. The snow
22 has melted.

23 This is the proposal. And Bliss
24 Street disappears. Bliss Street was about

1 right here. Bliss Street under the proposal
2 would be blocked off. The residential units
3 would be up here. This office building remains
4 and the retail remains along Main Street here.

5 Next, please. Now we've turned the
6 corner from Main Street. We were standing on
7 Main Street during those last two views. In
8 back of us on both of those views was Union
9 Street. Now we've gone back to Union Street.
10 We've come down Union Street toward the river
11 and we are looking from Union Street back
12 across in the same direction as we were looking
13 a minute ago. That is parallel to Main Street.

14 And this is the Armory building.
15 This is the outline of a portion of the Armory
16 building that was destroyed during the tornado.
17 This is a large rectangular building that is
18 part of the Armory that is right in back of
19 this part that was destroyed by the tornado.

20 And then in back of this, this
21 turreted building is another component of the
22 Armory. It has two large turrets that you can
23 see here, very hard to see in this picture, but
24 existing nonetheless are too smaller turrets

1 that are here and on the other side.

2 The proposal there, if we look at
3 the next slide, is to take off that large
4 rectangular piece of the building. Take that
5 down and leave in place the two smaller turrets
6 that being the wall closest to Union Street and
7 the two large turrets there. Turn that into a
8 restaurant.

9 And then have adjacent to it, have a
10 farmers market area in the summertime, an ice-
11 skating rink in the wintertime. Then here
12 closer to Union Street have a retail area in a
13 building that retains the shape of the former
14 portion of the Armory that was destroyed by the
15 hurricane -- by the tornado. This is retail
16 area here, retail here and then in here in the
17 summer is a farmers market and in the winter an
18 ice-skating rink.

19 This is the refurbished and restored
20 the da Vinci Park. And in the back of this
21 here you can see on the second level where the
22 cinema is proposed to be. On the Union Street
23 end of that cinema facility is a retail area
24 that is about that deep. And then the cinema

1 begins there and then moves forward or moves
2 back. And on the first floor of that are a
3 series of restaurants plus the proposed bowling
4 facility.

5 On the next slide, we look at
6 another view of the same area, this time in the
7 winter. And you can now see that the farmers
8 market has turned into an ice-skating rink.
9 This is da Vinci Park. This is the refurbished
10 Armory building that now is a restaurant. This
11 is the plaza that's right at the end of what
12 used to be Howard Street. This is the retail
13 facility that fronts on this side on Howard
14 Street.

15 All right. The next slide, please.
16 So, that's a look at the components. These are
17 elevations from various directions that help us
18 see what the facility will look like as you
19 walk along the streets, actually as you stand
20 back and look at the streets in sort of with a
21 wide-vision lens. Let's just walk around the
22 four corners of this facility and take a look
23 at what we see.

24 We start with Main Street. This is

1 the corner of Main and State. Here is the
2 hotel building in the back. This is the
3 MassMutual office building, which will be
4 refurbished and maintained as an office
5 building. This is the retail area down to
6 here, the retail area on the first floor.
7 These areas here are the apartment units, the
8 55 apartment units that will be on top of the
9 retail area.

10 This is Howard Street. This is the
11 entrance to that facility that pedestrian walk
12 around. This is now not part of the project.
13 Right next to this would be the Red Rose
14 Pizzeria would begin there and run along this
15 area. There'd be retail down on this area
16 here.

17 We turn the corner and go down Union
18 Street. This is where we turn the corner. And
19 here we have a retail area here. It's sort of
20 a low-lying retail area. We're looking all of
21 the way back to Howard Street right here. This
22 is the apartment units. We're looking over the
23 top of those buildings.

24 Next to the retail area, we have an

1 open parking lot, open parking facility that
2 stretches from here down to here. This is the
3 retail facility that's at Union Street shaped
4 like the old part of the Armory. And in the
5 back of it is the Armory that has now been
6 turned into a restaurant. Here's the retail
7 area behind which is the cinema. And on the
8 first floor are the restaurants and bowling
9 facility.

10 And here is the parking garage that
11 stretches down the rest of Union Street to East
12 Columbus Avenue. Actually, I think currently
13 this last piece is not proposed to be there.
14 But this was an earlier rendering. And I think
15 this is gone from that plan. But in any event,
16 most of the rest of the street is taken up by
17 the garage.

18 A building that is not part of the
19 development is right in here. It's not shown
20 in this rendering. But it would block if it
21 remained a part of this view, but as I say, I
22 think this piece is gone. So, it would really
23 look right through to the central plant, which
24 would be right where about that dot is there.

1 The next slide, we'll turn the
2 corner and walk down East Columbus Avenue now.
3 Here is the corner that we were just pointing
4 to. We walk all of the way down here. This is
5 all of the garage. The central heating and
6 cooling facility is in this area.

7 We're looking now through the other
8 existing buildings. The existing buildings
9 aren't here to the entrance to the facility, to
10 the hotels is the porte cochere, the place
11 where the visitors are dropped off. And then
12 the entrances to the garage are right here.
13 The hotel towers are here on State Street.

14 And then we turn the corner at State
15 and Columbus and this is the view of the garage
16 that we get. It extends about halfway up State
17 Street. Here's the hotel. Here's the entrance
18 to the hotel from State Street. It is a
19 preserved façade of the building that now
20 exists at 73 State Street. So, that façade is
21 going to be preserved.

22 These are office buildings that will
23 be preserved. There's a building here that'll
24 be demolished. But as we'll discuss in a

1 minute, a portion of the first three floors, I
2 believe, are going to be preserved here. And
3 then here's the MassMutual office building that
4 will be preserved and used as offices for the
5 facility.

6 The next slide, please. So, those
7 are the major elements and major views of this
8 project. As I said, we grouped these first
9 five questions together and assigned to them
10 the most importance in our analysis.

11 And of those, the design criteria
12 that I mentioned at the beginning played an
13 important role. Those criteria were these:
14 that good design results from a program that is
15 consistently of high-quality; that reflects the
16 quality of the region; that has public space
17 and amenities; that serves and improves the
18 immediate environment; that is compatible with
19 planning visions for the area; that strengthens
20 the connections with existing and future
21 networks; and that captures and extends the
22 qualities of the building type. The building
23 type being a type that is supposed to be an
24 office building, an entertainment building and

1 the like.

2 So, those are the criteria on which I
3 placed, with the help of the consultants, the
4 primary emphasis.

5 The next slide, please, shows that
6 when matched against those criteria, this was a
7 proposal that I rated as very good in that
8 first and most important category.

9 The next slide, please. And very
10 good overall in this first criterion of
11 creativity in design and overall concept
12 excellence. I'm not going to read all of that.
13 I'm not going to read all of these as we move
14 forward, but I just wanted to emphasize a
15 couple of components of that.

16 One it's commendable that the
17 proposed site respects the existing street
18 edges, provides multiple entries for the
19 casino. -- More about that in a minute. --
20 fronts restaurants and shops on the main
21 commercial spine and includes public outdoor
22 amenities.

23 And then at the end of this analysis
24 I say that additionally the project

1 incorporates some of the on-site historic
2 building fabric but also disturbs much of this
3 historic fabric for which further investigation
4 is required. That investigation is in fact
5 ongoing. And we have an update that we
6 received Friday and yesterday that will be part
7 of the discussion as we move forward.

8 So, that's the end of criterion one.

9 Is there anything that I should be adding to
10 that piece? All right, thank you.

11 Let's go then to criterion two,
12 which builds on criterion one and focuses on a
13 gaming establishment of high caliber with
14 quality amenities in partnership with local
15 facilities. And again, in this category there
16 were a number questions but we grouped them in
17 order of importance.

18 And the most important, in my view,
19 were the gaming communities, the non-gaming
20 amenities, the entertainment venues, the public
21 spaces, the description of the hotel and the
22 quality of the amenities. And it's those
23 things that I would like to talk about
24 primarily in this section.

1 This again is that rendering with
2 which we started. We looked around the edges
3 of that for the last few minutes. Now we're
4 going to take the top off of it. And we're
5 going to look down from a bird's eye view with
6 the top off of all of this to see what's
7 underneath.

8 So, let's take a look at the first
9 slide. I want to spend a few minutes on this
10 slide because there's a lot here and a lot to
11 talk about. I'm going to go around the
12 periphery. We begin here on the corner Main
13 and State. And we saw from the outside what
14 this looked like. This is the preserved
15 MassMutual building. On this floor, it's the
16 ground floor of that. And this floor, there is
17 going to be cable TV and MGM offices. MGM
18 offices here, proposed cable TV offices in
19 here.

20 This area is the casino. It's
21 proposed to be 125,000 square feet, 100 table
22 games, 25 poker tables, about 3000 slots with
23 about 3700 total gaming positions. This is the
24 high-limit area in that gaming facility of that

1 casino. And that occupies the entirety of this
2 section of the ground floor.

3 Proceeding along Main Street, we
4 have in this area we have restaurant and retail
5 areas here and entrances to the apartment
6 buildings upstairs on the second-floor,
7 beginning on the second floor here and here. A
8 casino entrance is right here at the corner of
9 what is now Main and Howard.

10 And as we come around the corner, we
11 have a retail area here. We have a coffee shop
12 here. And then another entrance to the casino
13 off of this pedestrian plaza right here. There
14 is not entirely visible in this view because
15 it's partially in here a sports bar there. And
16 then other facilities that we'll come back to
17 in a second.

18 Proceeding along Main Street, this
19 is the Red Rose Pizzeria. This is the parking
20 area behind the Red Rose. This is da Vinci
21 Park, the restored da Vinci Park. And this is
22 not part of the proposal, as you will recall.
23 And then we have some retail here which is.

24 As we come down Union Street, we

1 have an open parking area here. Then we have
2 the retail area that fronts on Union Street,
3 behind which is a radio and TV area. And then
4 the open farmers market/ice-skating rink is
5 right here. And that is adjacent to the
6 restored Armory restaurant that is right here.

7 Proceeding down Union Street, we
8 again have retail here. And on this floor we
9 have food and beverage and retail all through
10 here. Then we have the bowling area in here.
11 And then other amenities back in that area
12 adjacent to the casino.

13 This then is the garage. It's eight
14 stories high. We're looking at the second
15 story. There's one basement story one story
16 below this for buses and trucks deliveries, but
17 we're looking at the first floor here. These
18 two buildings are not part of the development
19 there on the corner of Columbus and Union.

20 This is the main plant for the
21 refrigeration, heating and other services
22 provided to the facility. And this is open
23 area right here now.

24 There was some talk and I think it

1 was only talk because I've been unable to find
2 it in any document putting a gas station in
3 here. But that has been abandoned, as I
4 understand it. And never, I think never found
5 its way into any print. In any event, it's not
6 part of a proposal. And we'd have to look at
7 that carefully if it became one, but I think
8 that's academic. These two buildings over
9 here, as I say, are not part of the proposal
10 either.

11 If we turn the corner and come up
12 State Street, we come first to a small
13 restaurant area here. If you drive in here,
14 you come to the porte cochere. And this is
15 the entrance to the hotel. Valet parking is
16 right here. Entrances to garage then are right
17 off of here. This the hotel lobby. This is
18 the façade of current 73 State Street that'll
19 be preserved. Then here are food and beverage
20 areas, mainly food and beverage areas and some
21 other things. So, that's a basic view of
22 what's planned to be on the first floor of this
23 facility.

24 Now I said that we had listened to

1 and received comments from a great number of
2 individuals. And among those were the owners
3 of the Red Rose, the Colvest Group that owns
4 these buildings down here, the Courthouse Park
5 Associates who own this building down here. We
6 did not hear anything from the folks who are
7 here.

8 And we received comments within the
9 last three or four weeks talking about specific
10 issues that they had. Each of those, I think
11 it's enormously helpful to say, each of those
12 letters said that they were engaged in good
13 discussions with MGM and thought that those
14 matters were proceeding but wanted to let us
15 know what their issues were.

16 Air quality, noise, dust control,
17 water supply and storm water management were a
18 common thread for all three. All of those are
19 dealt with regulations. There are regulations
20 for all of that. And I have no doubt that
21 those regulations will be followed.

22 There was concern from the Red Rose
23 folks about the main entrance and the vehicular
24 traffic to the main entrance, what they

1 described as the main entrance to the casino
2 here. The public transportation piece that I
3 want to spend a minute on as we go further
4 ought to moderate that. They had some other
5 concerns with deliveries and the like that I am
6 sure that they will take up with and are taking
7 up and are talking to MGM about.

8 The Colvest and Pride in this area
9 joined by Pride, which is the gas station right
10 across the street -- And we've heard from them.
11 -- had some concerns about accessibility to
12 Main Street via what used to be Howard Street.
13 That's right at the heart of this proposal.
14 There's simply no way to preserve that.

15 But they also had some concerns
16 about the entrance to the Riverfront Park down
17 here. And I do want to talk about that in a
18 minute. And I know that Commissioner Cameron
19 has some thoughts about that when she gets to
20 her mitigation piece as well. So, we'll talk
21 about that in a second.

22 The owners of the Courthouse Park
23 Associates were concerned about a number of
24 things including traffic through their property

1 from this garage to the courthouse, which is
2 right here. And this parking is going to be
3 made available free of charge to anyone who
4 wants to use it. They're concerned that
5 courthouse traffic would come through their
6 property. That can be dealt with it seems to
7 me by wayfinding and other kinds of things.

8 But it's also important to remember
9 that there are a lot of moving pieces here and
10 a lot of things are going on. And one of the
11 things that's going on is a bill that Senator
12 Candaras introduced in the Senate. That's
13 where senators introduce bills. And has now
14 been reported favorably out of the Senate and
15 sent to the House -- is pending in the Ways and
16 Means Committee.

17 And that calls for a group composed
18 of DCAM, the Division of Capital Asset
19 Management, the Chief Justice of the Trial
20 Court, the Court Administrator, the Secretary
21 of Transportation, the Secretary of A&F, and
22 state senators and representatives from
23 Springfield to get together, use advisors,
24 create a report about the Hampden County

1 Courthouse complex, about this courthouse
2 building.

3 And talk about in the report such
4 things as the impact of reconstruction of
5 Interstate 91 on the complex, the fair-market
6 value of the complex, the feasibility of
7 constructing a courthouse elsewhere and a
8 variety of other things. And to do so by
9 August 15 of this year.

10 So, I mention that simply to say
11 that I think that things are fluid in this
12 area, will remain fluid in this area. And
13 undoubtedly will be affected one way or another
14 by the construction that goes on in ways that
15 we can't exactly foretell right now. And some
16 of these problems no doubt will disappear as or
17 be modulated as a consequence. So, that's the
18 first floor.

19 Let's turn to the next slide now for
20 the second floor, which won't occupy quite as
21 much time because there's not as much there,
22 but what is there is interesting and worthy of
23 note. This building will provide -- This is
24 the building on the corner of State Street and

1 Main Street. It remains, provides office
2 space, some of which will be used by MGM.

3 These are the apartments that are
4 above the retail area. This whole area now is
5 that second-floor plaza that's outside the
6 apartments and that's outside the banquet
7 facilities. This is the main banquet facility.
8 This is the pre-banquet facility. This is the
9 smaller banquet facility, really a meeting
10 room, I guess, that I mentioned to you.

11 CHAIRMAN CROSBY: Commissioner, how
12 do you access that from the old Howard Street
13 or do you?

14 COMMISSIONER MCHUGH: You'd have to
15 go into the casino and go up or go into the
16 hotel and go up. There's no exterior entrance,
17 I think, to that plaza.

18 COMMISSIONER ZUNIGA: Or from the
19 parking structure.

20 COMMISSIONER MCHUGH: Or from the
21 parking structure that's right. But there's
22 now way you can get directly from here to here.
23 You have to go into the building and then out
24 again.

1 So, that is not the kind of easy
2 pedestrian access that's here but it is one
3 that services all of the banquet facilities,
4 the apartments and as well the spa. This is a
5 spa area, workout area here. This is the pool
6 area here. I suspect there won't be many
7 people in the pool in the winter, but it is
8 available in the summer. And it's associated
9 with the spa and workout area here. Then the
10 garage is here, and then the cinema. This is
11 the second-floor above the restaurants and the
12 bowling area. This is the cinema area here.

13 All right, the next slide, please.
14 These are renderings again of the interior.
15 This is part of the lobby. This is part of the
16 casino. This is another part of the casino.
17 This is an area where the food and beverage
18 here. These are highly stylized, I think it's
19 fair to say, renderings of the kinds of
20 amenities and the kinds of look and feel that
21 the interior is proposed to have.

22 Again, these are renderings.
23 They're not plans. And I think are designed to
24 convey what is proposed in terms of mood rather

1 than actual diagrams of what will exist.

2 Next slide, please. These are more
3 closely attached to what is proposed to exist.
4 This is the sports bar that is at one corner of
5 the pedestrian walkway, the pedestrian plaza
6 and the entrance to the casino, just on the
7 river side of the entrance to the casino. This
8 is a sports bar that's proposed, or the type of
9 the sports bar that's proposed.

10 This is a restaurant that's
11 proposed. It exists here in Springfield now as
12 well as in East Longmeadow, a very popular
13 restaurant. And if you go to the website
14 you'll get hungry. They propose to incorporate
15 that in the complex.

16 This is a food market, emporium
17 market area, which according to the proposals
18 in the application, will invite a number of
19 different food vendors in with various
20 different food offerings, and will be a place
21 where locals can come and others come and set
22 up shop.

23 And this is a high-end Italian
24 steakhouse that's proposed with a celebrity

1 chef and is one of a number of restaurants, but
2 one of the high-end restaurants that the
3 proposal will include. So, that's what's
4 proposed on the interior of those buildings we
5 looked at from the exterior.

6 I want to turn now back to the
7 exterior and take a look at the historic
8 buildings and the status of the historic
9 buildings, because this is an area in the
10 downtown that does contain a number of historic
11 buildings. And there has been a great deal of
12 attention properly devoted to how they fit
13 into or don't fit into this proposal.

14 I want to spend just a minute on
15 this map outlining where they are. This number
16 one is the United Electric building, the façade
17 of which -- 73 State Street, the façade of
18 which is going to be preserved. This is the
19 MassMutual office building that's going to be
20 preserved and turned into an office building --
21 maintained as an office building. This is the
22 Estonia Theater block, which has a façade and
23 interior of historic significance.

24 This is the Union Hotel about which

1 there has been a great deal of concern voiced.
2 This is the YWCA building that is there now and
3 has a façade that is modeled on a 17th century
4 building in Surrey, England. It was built by
5 one of the region's most famous architects, a
6 man by the name of Eugene Gardner in 1907 and
7 has attracted a great deal of attention.

8 The Union Hotel, which is right here
9 on the corner of Bliss and Main Street is the
10 fourth oldest building in Springfield and one
11 of the few Italianate buildings in the region.
12 President Polk and his secretary of state,
13 James Buchanan, stayed there. And that was
14 built, I believe, in the 1840s and as I say
15 attracted a significant amount of attention and
16 concern.

17 This is the Howard Street School.
18 That was devastated by the tornado. You can
19 drive by it now and it's still covered with
20 blue tarp. I believe it's been condemned.

21 This is the French Congregational
22 Church. This number four is the WCA
23 boardinghouse. This is the Armory building.
24 So, that's the location of the buildings that

1 are in one way or another registered either in
2 the national register, the state register or
3 the Inventory of Historic and architectural --
4 Archaeological Assets of the Commonwealth.

5 Let's turn to the next slide
6 briefly. That's a picture of the façades of
7 each of those buildings. This is the 73 State
8 Street building. This is the Armory building.
9 Next to it is the French church. And to the
10 right of that is the WCA building. Below that
11 is the building on the corner of Main and
12 State.

13 To the right of that is the Estonia
14 Theater block. There's the YWCA with this
15 richly ornate façade. Below that is the Howard
16 Street School. And there is the Union Hotel.

17 Next slide, please. Now from the
18 outset, as matters stood last Thursday and
19 certainly at the time this presentation was
20 initially prepared, there had been agreement on
21 -- an undertaking, I should say, to do several
22 things. One is to relocate the French church
23 from about right here. That's where it exists
24 today. And move it across the street so it's

1 on the corner, on that corner of Union and Main
2 and turn it into the daycare center for the
3 facility. There's some other interesting
4 things about that that I'll come back to in a
5 second.

6 The other agreement was to maintain
7 and rehab that portion of the Armory and to
8 maintain and rehab the office building on the
9 corner of State and Main. And then to preserve
10 the façade on the front of 73 State Street and
11 use it as the entrance to the hotel from State
12 Street. So, that's the way we understood
13 matters to stand until very recently.

14 The next slide please, this is in
15 your book. And this is the best I can do with
16 this. This is an update. MGM met with the
17 Mass. Historical -- with the historic folks on
18 Friday and presented a revised plan to them.
19 Then on yesterday afternoon -- It's the
20 Springfield Historic Commission, I should say -
21 - responded to the proposal. And this will
22 update where matters stand at the moment.

23 There is an agreement, as I
24 understand it, although there are still some

1 details to be worked out, there's some
2 agreement that the MassMutual building will
3 remain and be rehabilitated. There's agreement
4 that the United Electric building, the 73 State
5 Street building will be demolished but that the
6 façade will be preserved and the dome, there's
7 a beautiful dome just inside the entrance of
8 that, will either be preserved and used
9 somewhere in the rest of the building or it
10 will be replicated and the lobby features will
11 be replicated elsewhere in the facility.

12 There is an agreement that this
13 building, which is just to the Main Street side
14 of the State Street -- of the United Electric
15 building will be demolished. It's this one
16 right here. And that its features will be
17 preserved in whatever replaces it.

18 The next building up is an office
19 building at 95 State Street. And there's an
20 agreement that it will be demolished but that
21 the first three stories will be maintained.
22 That's a high-rise building with three stories
23 in the front of it and the high-rise part is in
24 the back.

1 The MassMutual building, as I said,
2 there's always been an agreement that that
3 would stay. Insofar as the WCA boardinghouse
4 is concerned that's this building down here,
5 there's an agreement that that will be
6 demolished. There's an agreement with respect
7 to the Estonia Theater block right here that it
8 will be demolished but that there will be
9 facing, some of the facing elements will be
10 preserved along Main Street even though the
11 building is demolished. The look and feel of
12 the current building will be preserved by
13 whatever replaces it.

14 The French Congregational Church, of
15 course we touched on that will be moved across
16 the street. The apartment building at Howard
17 Street right here, there's an agreement that
18 that will be demolished or maybe it's been
19 demolished already. In any event, there's no
20 problem with its disappearance. And the Howard
21 Street School will be demolished as well.

22 That leaves in play the Union Hotel,
23 the YWCA and the state Armory. Insofar as the
24 Union Hotel is concerned, the Springfield

1 Historic Commission would like more of the
2 façade along Bliss Street to be preserved, and
3 would like a little indentation along here to
4 indicate where Bliss Street was. So, that is
5 still a work in progress.

6 Insofar as the YWCA is concerned,
7 it's right here. And they would like it to be
8 preserved in its -- the façade to be preserved
9 in its current location. And if not then to be
10 moved back against the proposed entrance wall
11 for the casino.

12 And finally with respect to the
13 state Armory, they would like that rectangular
14 building in back of the turreted portion to be
15 preserved, which would have the effect of
16 shrinking the area available for either the
17 farmers market or the ice-skating rink.

18 Those are works in progress. That's
19 where they are now. There's been a significant
20 amount of progress since this discussion
21 started. And it looks like that discussion is
22 moving in the right direction.

23 The process is for the draft EIR to
24 identify the historic resources. That's been

1 done. For the Historic Commission to require
2 consultation feasibility studies, consultation
3 with the local and state commissions. And then
4 ultimately the process works its way through.
5 It's well underway.

6 We did not, the consultants did not
7 and I agree with the consultants think that a
8 condition by us superimposed on this highly
9 developed interactive process would be helpful
10 to the outcome. So, we do not have a condition
11 to recommend there, and are content with and
12 encouraged by the progress that's been made and
13 think that it will continue to proceed.

14 Next slide please. So, there again
15 you can read that. I'm not going to stop and
16 look at those aggregations of various
17 conditions -- various questions. Let's proceed
18 to the next slide. I rated this proposal as
19 well very good in almost all of the categories
20 and sufficient to very good in the one other
21 one.

22 I think it's worthwhile noting that
23 as the next slide says, the proposal is of an
24 urban casino with quality, levels of service,

1 amenities and design that are modeled in some
2 cases after those at the MGM Detroit but in any
3 event are overall very good for the reasons
4 that I hope are evident from the display that
5 was just presented.

6 CHAIRMAN CROSBY: Commissioner, I
7 thought we'd take a quick break before your
8 next criteria.

9 COMMISSIONER MCHUGH: Okay. Let me
10 first of all ask if there is anything that I
11 should add to what I've just said? All right,
12 good. So, we'll take a break.

13 CHAIRMAN CROSBY: Just a five-minute
14 break and we'll be back. Thank you.

15

16 (A recess was taken)

17

18 CHAIRMAN CROSBY: We're ready to
19 reconvene. Commissioner McHugh on building
20 and site design.

21 COMMISSIONER MCHUGH: Thank you, Mr.
22 Chairman. I would like to move now from a
23 focus on the buildings and the amenities and
24 their interconnection with the environment to

1 the overall structure and facilities
2 integration with the immediate environment.
3 And I'd like in that regard to focus on four
4 separate issues, traffic and parking, an
5 important construction issue, pedestrian access
6 to the casino and the river, and public
7 transportation.

8 I'm going to go fairly quickly
9 through this section because this is an area
10 where building and site design considerations
11 overlap significantly with mitigation. And I
12 know Commissioner Cameron's got some
13 thoughtful, as always, things to say about
14 that. So, I'm going to focus on just the
15 things that are in the immediate surroundings.
16 And I know that Commissioner Cameron will
17 amplify the broader picture.

18 That again is simply a look at where
19 we're located, obviously, near two main routes
20 one north/south, one east/west. The next slide
21 please. That means that I-91 moves north and
22 south right by the project site. And as that
23 slide indicates, exit 6B northbound and exit 6B
24 southbound offer quick and easy access to the

1 site. So, from an interstate carriage
2 standpoint, the facility is well sited.

3 Next slide, please. Internally, the
4 access to and egress from the parking garage is
5 quite easy. Off of State Street one comes into
6 the parking garage at either of these two
7 locations, and one exits from the parking
8 garage in the same places. There's enough
9 width there to go both in and out. And it will
10 I'm sure be signalized so that people can do
11 it.

12 The same is true on Union Street,
13 although the entrance is on the Main Street
14 side of the facility. And the exit is down
15 here. So, you don't have in and out in the
16 same place over there the way you do on the
17 State Street side.

18 Then down Union Street and onto the
19 North, down Union Street and onto the South.
20 The same is true for the northbound side on the
21 State Street side as well.

22 Next slide, please. We talked about
23 this before. This is a close-up of it. This
24 is the State Street side. Here's the hotels.

1 Here's the porte cochere. People who want to
2 drop off and get valet parking service, come
3 up, turn into the porte cochere area. Drop off
4 the car or drop off passengers and drive into
5 the garage right here or turn it over to the
6 valet who will drive it into the garage.

7 This is one entrance to the garage.
8 This is the other entrance to the garage. As I
9 said, this piece if you looked at it from
10 another view is no longer part of the proposal.
11 So, the garage ends right there. And this
12 entrance/exit is not a part of what is planned
13 now.

14 Next slide please. Patron and
15 employee automobile access. This is a busy
16 diagram, but it basically indicates the flow
17 from I-91 South and into the facility either
18 via State Street or via -- Well, this would not
19 be from I-91. This would be from West Columbus
20 Avenue up Main Street. This would be from I-91
21 up Union Street. And then when you come out
22 either going southbound or going northbound up
23 there, easy access.

24 And then from that end coming down

1 State Street into the porte cochere and the
2 garage. So, the overall point of that slide is
3 that the access and egress is well-suited to
4 the facilities. And the traffic studies that
5 have been done and analyzed by our consultants
6 indicate that this area can handle the traffic
7 flow. I know Commissioner Cameron will have
8 more to say about that.

9 Next slide, please. This simply
10 illustrates the delivery and bus traffic.
11 Deliveries come in here. You'll recall when we
12 looked at this ground-floor area I said there
13 was an area below. There is an area below for
14 buses, for deliveries. So, that doesn't mix
15 with the normal patron traffic on the first
16 floor. And the buses and other delivery
17 vehicles go in and go down. And then come back
18 out and either go north and south the same way
19 others do.

20 The next slide, please. This shows
21 the existing parking in the area. Some of this
22 is going to be compromised temporarily with the
23 I-91 Viaduct Reconstruction Project. Others
24 will be compromised by the construction

1 process. And others will remain during that
2 period.

3 But the point of this is that this
4 is the existing parking now. When this project
5 is finished, there will be far more parking
6 right in here and some of this parking at least
7 will be restored.

8 Next slide, please. The parking
9 issue has been examined. The existing demand
10 in the immediate area is about 800 spaces, 785.
11 MGM's demand is 2707. So, there are 3800
12 parking spaces in that garage proposed. And I
13 think the plan is -- I don't think. The plan
14 is to build the garage first so that there will
15 be parking restored as soon as possible to
16 alleviate the disruption.

17 It's important to understand that
18 this number, although one can criticize -- one
19 can think about whether that's really going to
20 satisfy the demand if there's free parking in
21 the garage for everybody plus the casino demand
22 whether this number is adequate. That number
23 is the reflection of an agreement between the
24 city and MGM that's embodied in the host

1 community agreement. They settled on a number.
2 That's in the host community agreement. And
3 this is approximately what that number is. So,
4 that number is something that was negotiated
5 between the city and MGM. And that's in part
6 at least where it came from.

7 Next slide, please. Next, thanks.

8 I am going to slide right by this because I
9 know Commissioner Cameron is going to talk
10 about it. This is the I-91 Viaduct
11 Reconstruction area. And it's going to be
12 going on simultaneously with the construction
13 on this site that has to be attended to.

14 Next slide, please. Pedestrian
15 traffic is something that significant attention
16 has been devoted to. There is going to be some
17 signal improvements here. There are going to
18 be signal improvements elsewhere. There is a
19 real effort to make this a pedestrian-friendly
20 place as is important for some facility that's
21 in the heart of an urban area. Commissioner
22 Cameron will go into more detail perhaps about
23 that.

24 But I think this slide illustrates

1 one very important facet of this proposal. And
2 that is each of these stars represents an
3 entrance to the casino. And there are nine of
4 those stars. And this is a place where you can
5 get in or get out of the casino.

6 In addition to those nine
7 entrance/exits, there are another eight
8 entrances to dining or retail facilities from
9 the street that will allow you to move into the
10 casino but don't require you to. So, you don't
11 have to go into the casino to get to those
12 dining and retail facilities.

13 So, that makes a total of 17
14 entrances or exits to the casino, and eight of
15 which allow people to come in from the outside
16 and not visit the casino itself. And then
17 there are two more entrances up here to the
18 apartment buildings, which then allow you to
19 get onto this second-floor promenade and down
20 into the casino. So, those are two more ways
21 to get into the casino but two more entrances
22 that don't require you to go into the casino.
23 So, there's a total of 19 entrances and exits
24 to the casino and to retail facilities. And a

1 number of them don't require you to deal with
2 the casino at all.

3 That is, I think, unique to this
4 facility. I am not sure there are any others
5 that we have seen or studied that have that
6 many ways to get in and out. The old paradigm
7 was to have one or two that allowed you into
8 the casino. Then you went from inside to the
9 retail and the dining and everything else. But
10 this is designed to allow integration with the
11 community and the surrounding areas.

12 Next slide, please. This is a slide
13 that depicts the relationship between the
14 casino facility, the MGM facility and the
15 waterfront. MGM has committed \$1 million to
16 upgrade the waterfront Park. I think there's
17 another \$1.3 million that the city and the
18 state have committed to the northern part of
19 the waterfront park although maybe that
20 overlaps. In any event, a significant amount
21 of money and energy is being spent on upgrading
22 this park with MGM's participation.

23 It is difficult though as presently
24 constructed to get to the park. If you come

1 down State Street you can go through here. And
2 there is a station right here. Then you can go
3 through there to get to the park. There are no
4 signals there. This is a view of it coming
5 down State Street and going through. There are
6 no signals here. And there are gates that can
7 be closed, but if the gates are closed, they
8 form a barrier that pedestrians can't open.

9 CHAIRMAN CROSBY: How do you get
10 across the highway or is it underneath Union
11 Street?

12 COMMISSIONER MCHUGH: No, you go
13 across the highways. There's signals -- I'm
14 sorry. You go underneath I-91.

15 CHAIRMAN CROSBY: Same as Union
16 Street.

17 COMMISSIONER MCHUGH: Same as Union
18 Street, right. You go underneath but once you
19 get underneath, this is what you're facing
20 right here, which is an unobstructed pathway
21 through. In fact, that may even be a roadway
22 but there are no signals here for the
23 pedestrians. And there are gates that can be
24 open or closed but it's not -- but once the

1 gates are closed, they're closed. You can't
2 get through.

3 Down on this side you come down
4 Howard Street underneath I-91 again. And on
5 the other side of Howard Street, the LA Sports
6 facility is right here and there is a crossover
7 down here.

8 CHAIRMAN CROSBY: It's Union Street
9 you're talking about.

10 COMMISSIONER MCHUGH: What did I
11 say?

12 CHAIRMAN CROSBY: Howard.

13 COMMISSIONER MCHUGH: I'm sorry,
14 Union, yes. You come down Union underneath the
15 I-91. And then LA Sports Fitness is down here.
16 And then there's a crossover down here. But it
17 is really hard to figure out once you're under
18 here how you get to that crossover. There's no
19 wayfinding down here now. And you have to
20 actually get there before you can figure out
21 how to get across it. And this intersection is
22 a busy intersection. So, there are some
23 proposed upgrades there.

24 CHAIRMAN CROSBY: Excuse me,

1 Commissioner. I just want to understand this.
2 So, if you are using the Union Street access to
3 the river, you have to walk across the West
4 Columbus and East Columbus. Then you're
5 underneath I-91. Then you're walking again
6 across West Columbus; is that right?

7 COMMISSIONER MCHUGH: Yes. You walk
8 across East Columbus. Then you walk across
9 West Columbus. Then you're on a little road
10 that's right here. Then you come down this
11 road, but there's no real path down this road
12 now. And then you get to this thing and you
13 either climb up, there's an elevator there
14 where you climb up or you take the elevator up
15 and come over and come down.

16 CHAIRMAN CROSBY: Got it, thank you.

17 COMMISSIONER MCHUGH: So, there are
18 some improvements suggested for here.
19 Commissioner Cameron has some detail about
20 those. But my point is simply that this is an
21 area that we're going to back to with some
22 recommendations, because it is highly likely
23 that with all of the energy being put into
24 refurbishing, upgrading the park there's going

1 to be an interest in movement back and forth.
2 So, that's something that needs some attention.
3 More about that in a second.

4 Next slide now, please. This is a
5 bus map. Again, it's a busy bus map. It's not
6 intended to do anything other than show that
7 the site is well situated to take advantage of
8 public transportation. And I'm sure we'll be
9 encouraging public transportation. We do have
10 a recommendation in that regard.

11 But we spent a lot of time and a lot
12 of energy in various groups as we analyze this
13 thinking about vehicular traffic and how to
14 handle that. But it's in the middle of an
15 urban environment and public transportation is
16 something that is ideally utilized to get to
17 and from this facility and ought to be
18 encouraged.

19 Next slide, please. And MGM is
20 proposing to do some of that. This is the bus
21 route. I've pointed out that trolley in one of
22 the earlier renderings. Here's the trolley
23 again. It may be the same trolley. But the
24 trolley route is depicted on this slide. And

1 it connects the various attractions Union
2 Station, the Basketball Hall of Fame, and
3 various other attractions in the area, and is
4 designed to connect the project with those
5 facilities. It's a for pay system. And MGM
6 has committed to fund it and to operate it and
7 to use it to connect these various other
8 facilities.

9 To some extent that will alleviate
10 the problems with the pedestrian traffic, for
11 example, down to the Basketball Hall of Fame
12 and other places that have to go through these
13 intersections. But the issues for the
14 intersections, the pedestrian issues for the
15 intersections remain.

16 Next slide, please. So, in summary
17 the mitigation measures that have been
18 discussed are listed here. Commissioner
19 Cameron will talk some more about them. Some
20 are in progress. Some are proposed. Some have
21 not yet gotten to the planning stages. All are
22 necessary in some degree in my view to deal
23 with the traffic issues in the immediate
24 vicinity of the casino.

1 Next slide, please. Based on where
2 they have gotten thus far in the planning,
3 however, the criteria are all in at least
4 satisfactory and if not better shape.

5 And as the next slide will show, my
6 overall rating is sufficient to very good for
7 all of these compatibility issues. They've
8 made a substantial effort to deal with the
9 traffic flow. They've made substantial effort
10 to deal with parking. And overall, the rating
11 is very good.

12 I should point out one thing that
13 MGM has committed to and that this to run
14 shuttles between off-site parking lots and the
15 downtown area during the courthouse and I-91
16 construction period.

17 And that will be of enormous help,
18 but it needs some careful attention to make
19 sure that particularly with courthouse traffic
20 the right people are on the right buses and one
21 doesn't have a toxic mix of, for example,
22 defendants and witnesses on the same bus for
23 what could be an uncomfortable ride. But I'm
24 sure that that kind of planning will ensue as

1 we go forward.

2 I will stop there because I'm going
3 to come back to that theme that they have
4 addressed very well in just a minute. So,
5 that's the overall rating for that area. Is
6 there anything I should add to that?

7 Let's go on then to the next one,
8 which is sustainable development. We shift now
9 from things that touch the patrons of the
10 casino to things that keep the facility
11 operating. And some of this is a little
12 technical. But let's try and deconstruct it.

13 The environmental piece really
14 focuses on something called LEED certification
15 and certifiability. LEED is an acronym for
16 Leadership in Energy and Environmental Design.
17 And it is a standard that's applied to all new
18 buildings. It's a standard that's designed and
19 created to allow developers flexibility in
20 achieving a green environment, an energy
21 conservation environment, and at the same time
22 encouraging them to use as many energy-saving
23 devices as are possible.

24 Let's go to the next slide and we'll

1 take a close look at it. To spur that
2 creativity and flexibility, there are seven
3 categories of design characteristics that the
4 LEED standard is intended to measure. This is
5 a nationwide standard. You find it in all
6 buildings and all areas across the country.

7 There are four levels of LEED
8 certification. Certifiable silver, Gold and
9 platinum. Our statute specifies that you
10 should be certifiable at the Gold level. And
11 to be certified at any one of those levels, you
12 have to get a number of points in these various
13 categories: sustainable sites, water
14 efficiency, energy and atmosphere, materials
15 and resources, indoor environmental quality and
16 innovation and design. They all are
17 essentially self- defining.

18 Sustainable sites means such things
19 as access to public transit, storm water
20 management, maintaining open spaces. Materials
21 and resources includes re-used and recycled
22 materials. Indoor environmental quality means
23 reducing the amount of volatile organic
24 compounds that you're using. Things that out

1 gas toxic fluids -- toxic gases and the like.

2 So, there's a number of points in
3 this schedule that are assigned and available
4 to each category. And then an applicant looks
5 at its construction approach, figures out how
6 many of these points, all of which are detailed
7 in schedules, it can achieve and will achieve.
8 How many it is likely to achieve or possible to
9 achieve and adds up its total score.

10 And MGM has stated that it's likely
11 to achieve 63 of these points. There are
12 another 25 that are possible. So, it is bound
13 and committed to meet the LEED Gold standard in
14 the fashion described in the materials.

15 CHAIRMAN CROSBY: Where is the
16 cutoff for the platinum?

17 COMMISSIONER MCHUGH: The cutoff for
18 platinum is 80, 80 to 100 is platinum. And 80
19 to 100 is platinum.

20 Next slide, please. And this is how
21 they propose to do it. These are the seven
22 categories. Sustainability, they propose to
23 achieve eighteen out of a possible 26. This is
24 what the LEED category says is the maximum you

1 can get in this category. They propose to
2 achieve 18. They are committed to doing that.
3 They think another six are possible. So, it's
4 possible that they'll get 24 in that category.

5 And one should understand that if
6 they got 24, they picked up another six in this
7 category then they could lose another six over
8 here someplace and still maintain the LEED Gold
9 because this is an overall score and there are
10 various routes to get it. That's the beauty of
11 this system. It allow flexibility.

12 It also allows people to take
13 advantage of changes that happen as the design
14 is going forward. Inevitably things crop up
15 that mean that you can't go down a path you
16 chose. That's okay as long as you take another
17 path to pick up the points that you lost when
18 you ran into some kind of a wall.

19 CHAIRMAN CROSBY: Commissioner, just
20 out of curiosity. It's interesting that energy
21 and atmosphere their committed points is way
22 lower. Just off the top of your head, do you
23 know why is that? What would be the big chunks
24 in energy and atmosphere that they're not

1 aspiring?

2 COMMISSIONER MCHUGH: I think
3 renewables is probably the area there. I don't
4 know.

5 COMMISSIONER ZUNIGA: I'm going to
6 make an educated guess that being a 24-hour
7 operation, it's the most challenging. Many
8 other buildings actually operate on something
9 different. And they're able to attain
10 something a lot more along the lines of the
11 points here.

12 COMMISSIONER MCHUGH: I think there
13 is also no commitment to using the lowest
14 energy consuming slot machines and other
15 devices. So, that may play a role in it as
16 well. But overall they've got the points that
17 they need to qualify.

18 The next slide, please. Now in
19 addition to the LEED certification, there is a
20 process known as commissioning. And they have
21 undertaken to do commissioning in a variety of
22 areas, the building envelope, the building
23 system and commissioning of ongoing operations.

24 And that is a process that involves

1 having outside or hiring people to come in and
2 actually look at things like the building
3 envelope the things that's around the building
4 to make sure that it's tight that you're not
5 losing energy. You're not picking up energy
6 through leaks. That you're not losing heat.
7 And it is a rigorous process that does actual
8 measurements of how the building is put
9 together and how it's working. This is a
10 process that's not required by our statute.

11 It's a process that is designed to
12 allow you not only to theoretically achieve
13 certain goals, but to test and determine
14 whether you actually have achieved those goals.
15 And on an ongoing basis to check and see if you
16 are maintaining those goals over the building's
17 operation.

18 And this is a very important piece
19 of energy efficiency. It's not required by the
20 statute. It's something that you can do or not
21 do. It has a potential for a high return on
22 investment. But it is not something that
23 they're required to do but they are doing and
24 it's entirely apart from the LEED process.

1 Next slide, please. There are a
2 number of statutory -- the statute mentions a
3 number of different criteria that we have to
4 consider in looking at the overall energy
5 efficiency. This is how I've rated each of
6 these criteria. I'm not going to go through
7 all of them.

8 This one, water conservation, is
9 rated insufficient not because the goals are
10 insufficient. The goals are perfectly
11 sufficient. In fact, they claim to be able to
12 achieve four points, which is the maximum in
13 the water conservation area in the LEED side.
14 But there is nothing in the application that
15 details how they're going to do it. So, there
16 is a documentation shortfall there that has led
17 to that grade, not that the certainty that
18 their measures will be insufficient.

19 But otherwise, everything is
20 satisfactory. And overall the LEED
21 certification is very good because the rest of
22 the documentation shows that they can do what
23 they say in their LEED claims they intend to
24 do. And I am confident with the advice of the

1 consultants that they can in fact do it.

2 Next slide, please. That again is a
3 listing of why we've grouped the various things
4 the way we have.

5 The next slide will show the overall
6 rating for the various groups. It's
7 satisfactory to very good. Finally, the next
8 slide shows the overall rating for that
9 category.

10 One thing that's interesting here,
11 although it's a small part of the overall
12 project, is that they are willing to explore a
13 Net-Zero Building for the relocated church,
14 which means that they are willing to look at
15 measures that will create an environment in
16 which the energy locally produced will offset
17 and meet all of the energy needs so that
18 they'll not need to have any external source of
19 energy to run the building. It's a very small
20 part of the overall project, I think .3
21 percent, but it's an interesting facet of the
22 approach, and a very interesting building.

23 Next slide, please. Did I leave
24 anything out? Next slide, please. Now we move

1 onto security and monitoring. And for the last
2 three criteria, I'm going to go very quickly
3 and just in summary form. Basically, they have
4 met at least sufficient -- their scores in each
5 of these were at least sufficient.

6 In the security area, the blacked-
7 out area deals with some specific plans that
8 they have for security issues. And those would
9 not be helpful for everybody to know about.
10 One point to this that I want to make, it's all
11 as you can see either very good or sufficient
12 or sufficient to very good. They will have a
13 state-of-the-art security system in the central
14 garage involving surveillance, involving
15 patrols, involving a variety of different
16 alarms and sensors. And that is again an
17 important consideration given the multiple
18 constituents they're going to have for using
19 that garage. And it meets some concerns that
20 have been raised about that multiple
21 constituency in a number of quarters.

22 Next slide, please. So, that's the
23 overall rating. Again, you can read that for
24 yourselves. It's sufficient to very good for

1 security overall.

2 Next slide is one that deals with
3 permitting. The permitting process is ongoing.
4 The experts in permitting, the experts on our
5 team in permitting say that they are well
6 advanced in the process.

7 In the next slide we have summarized
8 that. They've documented their efforts to
9 comply with the Massachusetts Environmental
10 Policy Act requirements, which are extensive.
11 The historic buildings are on a good track
12 although there is some watching that needs to
13 be done to make sure that it progresses and
14 continues to progress smoothly.

15 One very positive aspect of this is
16 that the city has created a casino overlay
17 district that allows a casino to be
18 accommodated as of right. So, unlike most
19 environments where once you get past the MEPA,
20 the Mass. Environmental Policy Act process, you
21 are faced with zoning considerations, planning
22 board considerations and the like. That's all
23 been essentially taken care of by the overlay
24 district. There's still controls, but it's a

1 lot easier than it is in some other
2 environments. And that adds to the sufficient
3 to very good designation.

4 Next and the last criterion is
5 other. That basically deals with control over
6 the site, description of the site and the like.
7 Suffice it to say that the control over the
8 site is adequate. And the description of the
9 site is sufficient.

10 If you put all of those together as
11 we have here, and this is simply a slide that
12 shows the overall scores, the overall ratings
13 in each of the criteria along with the
14 narrative that accompanied that rating, you
15 ultimately arrive at an overall rating for the
16 project, which I rank with the assistance and
17 thought and input of the consultants as very
18 good.

19 And this one I think I will read
20 because it is the culmination of our efforts.
21 And this narrative explains how we got there
22 and how I got there and why.

23 MGM Springfield makes a concerted
24 and largely successful effort to integrate into

1 the downtown through its programming, site
2 planning and exterior architectural design.
3 The proposal will redevelop multiple city
4 blocks damaged due to the 2011 tornado that
5 ripped through the city.

6 The proposed site is mostly
7 characterized by underused buildings and open
8 parking lots. The development will present a
9 visually attractive venue of favorable
10 proportion including amenities that will draw
11 individuals and families to enjoy a variety of
12 non-gaming activities, provide lively and
13 inviting open space and create a project that
14 works well with the Springfield city core

15 Further it will preserve elements of
16 some historical buildings on the site including
17 the 19th-century Armory and former
18 Massachusetts Mutual Life Insurance building.
19 In addition, it will relocate, preserve and
20 reuse the old French Congregational Church.
21 All of this is accomplished within a commitment
22 by the applicant to obtain LEED Gold
23 certification. Key to the applicants approach
24 is a commitment to energy efficiency.

1 The project is well into the
2 Massachusetts Environmental Protection Act
3 process, and no significant obstacles stand in
4 the way of an opening in late 2016. If granted
5 a license, the MGM Springfield Casino is
6 anticipated to revitalize the urban core,
7 energize adjacent businesses, add to the
8 housing inventory, serve public wants and needs
9 and spawn new urban development that will
10 continue to amplify the positive impacts of the
11 project.

12 All of this is accomplished with few
13 detriments. Highway access is greatly
14 facilitated by its proximity to the I-91
15 interchange thus minimizing traffic impacts on
16 downtown roadways. Reasonable measures funded
17 by the applicant are proposed to mitigate
18 traffic impacts, promote public transportation
19 and facilitate bicycle and pedestrian access.

20 Demands on other public
21 infrastructure, water, sewer, storm water fit
22 well within existing capacity. (The
23 consultants took a look at calculations that
24 the applicant that MGM did provide for those

1 issues, measured them against known capacity of
2 the systems here in Springfield and they all
3 fit well within those systems. There is
4 capacity there now and in place.)

5 Back to the text. The project
6 utilizes and in fact relies on local amenities
7 including the MassMutual Center for
8 entertainment and conference, proximate hotels
9 and restaurants and nearby visitor attractions
10 to support its offerings. There are concerns
11 that demand continued attention through the
12 subsequent review and permitting processes,
13 however.

14 The disposition of a number of
15 historical properties now slated for
16 demolition, -- We've been through that.
17 There's progress being made. -- treatment of
18 the eight-story parking garage which presents
19 an imposing utilitarian façade on some
20 exposures, security and neighborliness
21 especially with respect to the adjacent
22 courthouse, shadows cast by the hotel tower and
23 the construction impact on surrounding
24 community and adjacent properties. The

1 applicant must be encouraged to address and
2 resolve these issues to the extent practical.

3 This proposal is given a rating of
4 very good for criterion four for its urban
5 design excellence and its transformative
6 potential. As detailed in Appendix A, the
7 execution of this ambitious concept will
8 require careful attention during future phases
9 of design and development.

10 So, that's our bottom line -- my
11 bottom line with respect to this. There are
12 some conditions that I could briefly detail now
13 or, Mr. Chairman, at your pleasure.

14 CHAIRMAN CROSBY: Are there any
15 questions, comments before we get to the
16 conditions?

17 COMMISSIONER CAMERON: Just that it
18 was very well done, easy to follow, can really
19 visualize what this project will look like and
20 feel like.

21 CHAIRMAN CROSBY: I was going to say
22 it's a good thing you have a background in city
23 planning rather than something like the law
24 because you really did this well.

1 COMMISSIONER MCHUGH: I had the
2 benefit of some truly terrific consultants.
3 And I'm a good mouthpiece, I guess.

4 CHAIRMAN CROSBY: Did you have a --

5 COMMISSIONER ZUNIGA: No, go ahead.

6 CHAIRMAN CROSBY: If you could cut
7 me off if these relate to conditions. I forget
8 now whether -- On the access to the water, do
9 you have a condition?

10 COMMISSIONER MCHUGH: We do.

11 CHAIRMAN CROSBY: Okay. So, I'll
12 wait until we get to that one. On the historic
13 preservation stuff, I just think that the
14 applicant deserves a lot of credit for really
15 taking that. They took it seriously from the
16 beginning, I thought that and I've said this
17 before that they started out by either
18 repurposing or saving all or some of four
19 buildings right from the very get-go. And have
20 now been, I think, quite responsive. And I
21 think that is really unusual in the world of
22 development to be as responsive as they've been
23 on this is notable.

24 For what it's worth the idea of

1 saving the backend of the Armory and shrinking
2 the outdoor public space looks to me like a
3 trade-off, but from what little I know about it
4 would not be appealing. The only thing here,
5 and I think this is probably unnecessary, but I
6 don't think you said you're not going to have
7 any conditions on historic preservation, right?

8 COMMISSIONER MCHUGH: Right.

9 CHAIRMAN CROSBY: Maybe this is
10 inherent, but I don't think we'd want to go
11 backwards. We wouldn't want to see slippage
12 backwards from the commitments that have
13 already been made, whether that's a condition
14 or not, I'm not quite sure how that would work.

15 COMMISSIONER MCHUGH: I think after
16 consultation with our consultants, to a person
17 they're content with letting this play out.
18 The backsliding is up to the Historic District
19 Commission. They have to get through this
20 process with the Springfield Commission and the
21 state commission. And they have demonstrated a
22 commitment to doing this.

23 CHAIRMAN CROSBY: Okay. So, I'm
24 getting nods. We got a letter at the end of

1 May from a gathering of design professionals
2 who live in the area making some comments. Are
3 you going to comment on those at all
4 particularly -- Actually, could I pick a few
5 out that I was interested in?

6 COMMISSIONER MCHUGH: Sure. You
7 could pick a few out and you'll see -- I was
8 not going to comment on those.

9 CHAIRMAN CROSBY: Okay. Under
10 general comments it talks about the phasing
11 issue and the possibility that -- it's
12 unlikely, it says, the entire project was built
13 at once the tail end of the phasing schedule
14 may never be built.

15 That is really within our control,
16 right?

17 COMMISSIONER MCHUGH: It is.

18 CHAIRMAN CROSBY: We have not at
19 this point talked about permitting any phasing.
20 We're talking about opening all at one time.
21 But I guess in any event that is within our
22 control.

23 COMMISSIONER MCHUGH: It is within
24 our control and that I am sure is one of the

1 things that will be worked out with Pinck who
2 is our overseer. And I saw that and it seemed
3 to me that we certainly have sufficient control
4 over that to deal with it.

5 CHAIRMAN CROSBY: It's more of an
6 interesting challenge in this case because it's
7 such a multidimensional project. It's not just
8 a standard hotel, restaurant, retail and
9 casino.

10 COMMISSIONER MCHUGH: The concern
11 articulated there was if there isn't some
12 commitment up front or some condition then some
13 pieces of this will never be built. They'll
14 build the casino and they won't build anything
15 else.

16 I really think that -- First of all,
17 our general condition says you've got to do
18 what you said you were going to do. Second,
19 there is a bond. And third there is the
20 oversight of Pinck. And fourth there is the
21 city. I'm not sure that's the right order for
22 all of those things.

23 CHAIRMAN CROSBY: Right. And fifth
24 I think it's in their self-interest to do it.

1 This is designed to be a coherent, mixed-use
2 urban development. So, I agree with that.
3 What about the issue of less closing of the
4 streets, did you all consider that at all?

5 COMMISSIONER MCHUGH: We did not.
6 The two streets were Bliss and Howard Street.
7 And we did not consider that because it seemed
8 to me and to us that that is right at the heart
9 of the proposal. It seems very difficult to
10 figure out how you would do -- the casino
11 itself goes across Bliss Street.

12 One thing that helps understand and
13 really helped me understand some of this was to
14 take that map that is part of slide, I think
15 it's 33 that has the historic building
16 superimposed on the plan. See if we can get
17 that Melissa. That's probably what I did.

18 CHAIRMAN CROSBY: The little tiny
19 one.

20 COMMISSIONER MCHUGH: It was tiny.
21 This was a slide that I made all by myself.
22 And this always happens when I make a slide.

23 COMMISSIONER CAMERON: It
24 disappears?

1 COMMISSIONER MCHUGH: Right, it
2 disappears. No, it's high secrecy, I guess.

3 All right. We looked at it before.
4 And it's the slide in which the historic
5 buildings are superimposed over the diagram of
6 the first floor. And walk around outside with
7 that and see where these buildings and roads
8 are, and see how the road stack up --

9 CHAIRMAN CROSBY: For the record, I
10 totally agree with that. It didn't make sense
11 to extend Bliss or Howard. It'd be a massive
12 change. But what was interesting was this sort
13 of a generic observation about how well-
14 intended big public open spaces frequently
15 don't work.

16 Look at Copley Square in Boston
17 that's been redone five times trying to figure
18 out how to make people use it. And Boston City
19 Hall is another example. It's interesting.

20 I don't know how to do it, but I
21 think it's an interesting issue, and having
22 there be some attention to the risk. It's a
23 great concept but frequently these spaces don't
24 get used. And whatever variables there are to

1 enhance the likelihood, whatever the critical
2 variables are that make foot traffic happen,
3 anyway, it just seemed to me something worth
4 thinking about, particularly because of the
5 sensitivity to how sometimes these spaces fail.

6 COMMISSIONER MCHUGH: And I'm sure
7 that they will think about that. And the only
8 other thing that I can say about that and I
9 don't know if any of the team wants to comment
10 on that is that the open spaces that are
11 planned here are all surrounded by retail and
12 by food and beverage places. So, you have
13 promenades but you have places where there's
14 stuff to do.

15 CHAIRMAN CROSBY: Right. It's true
16 of Copley Square too. But anyway, so it's a
17 good point. The last thing was and I think you
18 do have a condition on this at least in part,
19 they talked about four-season weather
20 protection for a number of the pedestrian
21 places, bus stops.

22 Again, as a Boston resident, I don't
23 know how far you're going to go on your
24 condition, but I think it's really worth

1 thinking about. You can have sponsored
2 walkways. You can get sponsors to put ads on
3 walkways. You could probably keep the cost
4 relatively modest. But it would make a huge
5 difference if inclement weather were really
6 mitigated in this impact on the usability of
7 these facilities.

8 COMMISSIONER MCHUGH: One of the
9 conditions does deal with the bus stops and
10 we'll get to that in just a second.

11 CHAIRMAN CROSBY: I just throw that
12 out sort of as a gratuitous thought.

13 Any other thoughts? Do you want to
14 go to conditions then?

15 COMMISSIONER MCHUGH: Commissioner
16 Zuniga.

17 COMMISSIONER ZUNIGA: Actually, you
18 started to get some of this through the
19 cumulative nature of your questions, Mr.
20 Chairman. But I am going to save some of the
21 comments until I'm done with the finance
22 presentation because some of the points about
23 finance actually overlap from the opposite
24 angle to some of the building and site design.

1 But I will only mention that some of
2 the benefits that get accrued here represent a
3 cost and a risk that we all know about. If
4 there's a lot more integration and preservation
5 that means there's more materials and more
6 coordination. So, I am coming from the
7 perspective of there's a lot more cost, if you
8 will, in the way that this is being developed.
9 And the benefits get accrued into the building
10 and the overall environment.

11 But I am going to save that for
12 later today or even tomorrow as we really begin
13 the deliberations.

14 CHAIRMAN CROSBY: Okay.

15 COMMISSIONER STEBBINS: I just had a
16 couple of questions. Just picking up again on
17 the comments that AIA sent us in their two
18 questions about --

19 CHAIRMAN CROSBY: They would make a
20 point of saying it was not AIA. It was
21 independent architects.

22 COMMISSIONER STEBBINS: Independent
23 architects, right, a gathering of design
24 professionals.

1 COMMISSIONER MCHUGH: That is an
2 important distinction because they do have a
3 process that will result in an AIA thing. And
4 actually, they couldn't put that together. So,
5 it's independent architects.

6 COMMISSIONER STEBBINS: There are
7 two references to the parking garage, which I
8 believe if I recall, where MGM projects most of
9 the traffic is coming from. The garage is
10 going to be primarily one of the first things
11 you see probably in addition to the hotel
12 tower. They talk about a false façade. They
13 even talk about a Disney effect. I'm sure
14 their definition of Disney effect is different
15 than mine. But I'm sure it all has to do with
16 the outward appearance of the garage is kind of
17 the first thing you see as you approach.

18 Is there any concern out of the
19 comments that this group of design
20 professionals raised with respect to the garage
21 that concerned you or the team?

22 COMMISSIONER MCHUGH: Yes, and one
23 of the conditions does deal with that.

24 COMMISSIONER STEBBINS: Okay.

1 COMMISSIONER MCHUGH: So, I'm not
2 sure it answers it fully, but we're going to
3 propose a condition.

4 COMMISSIONER STEBBINS: Okay. The
5 other quick question, and I too am also
6 encouraged by the fact that the Historic
7 Commission and MGM continue to work together on
8 the issues around some of the historically
9 significant properties on the footprint.
10 Process wise, and maybe somebody on the
11 consulting team would know this, if the local
12 historic commission is pleased with the results
13 or pleased with the mitigation plans, is there
14 any role, any opportunity or scenario where the
15 state can come in and kind of voice an opinion
16 different than what the local historic
17 commission has come up with?

18 CHAIRMAN CROSBY: You're talking
19 about more than voicing an opinion. You're
20 talking about overriding it, right?

21 COMMISSIONER MCHUGH: Rick?

22 MR. MOORE: Yes, that's possible but
23 unlikely. The locals would generally have
24 priority over their portion of the situation.

1 COMMISSIONER STEBBINS: Does it
2 usually also involve a question of whether
3 federal or state resources are being used that
4 give somebody a predominant hand?

5 MR. MOORE: It is.

6 COMMISSIONER STEBBINS: All right.
7 Thank you.

8 COMMISISONER MCHUGH: The answer for
9 those watching, the answer to the question, I'm
10 not sure they were able to hear you is yes, the
11 state does have the power but it's unlikely.
12 They usually defer to the locals and it may
13 turn on whether there's federal money involved.

14 CHAIRMAN CROSBY: Anything else?

15 COMMISSIONER MCHUGH: Okay. The
16 conditions now, and these are very brief, this
17 won't take us much time. The first condition
18 does have to do with bus shelters. And we
19 would recommend a condition that -- Let me
20 begin.

21 MGM is committed to upgrade the bus
22 shelters along Main Street. And Commissioner
23 Cameron is also going to talk about that. And
24 we would recommend that the upgrades that they

1 have committed to undertake be completed in a
2 manner that the city and PVTA, Pioneer Valley
3 Transit Authority, determine are consistent
4 with the surroundings and quality of the
5 proposed development.

6 At first blush, this may look like
7 something that's too trivial to bother with.
8 The next condition is going to be what kind of
9 doorknobs do they want on the hotel. But this
10 really is a talisman for a commitment to public
11 transportation and encouragement for public
12 transportation. This is one of the things that
13 the applicant has control over.

14 So, an aluminum bench and a vinyl,
15 Plexiglas roof is not something that energizes
16 or helps to energize or helps to demonstrate a
17 commitment to public transportation. And we
18 think that it would be very helpful both
19 symbolically and actually if these upgraded bus
20 terminals, bus stations had the look and feel
21 of the energy that this project otherwise is
22 going to present. That may be unnecessary to
23 say and unnecessary to impose as a condition.
24 But we thought that that would be helpful to

1 add.

2 The second condition has to do with
3 the garage, Commission Stebbins. To carry out
4 MGM's plan for mitigating garage masking,
5 ensure that the completed garage is masonry
6 clad and that the Union Street expression is of
7 the kind, quality and articulation shown for
8 the Bliss Street façade at page 14 of
9 attachment 40501 to your application.

10 Basically, this is the Bliss Street
11 façade. This is what you see when you're
12 standing on State Street. You're looking
13 through buildings that aren't depicted there.
14 You're standing on State. You're looking
15 toward Union. And that's what you see. Again,
16 there are some buildings blocking that view,
17 but that's what's there.

18 And the thought was that on Union
19 Street, which is here that ought to be the same
20 kind, quality and articulation. Maybe it is.
21 There is a document in the application with the
22 elevations that has the various materials on
23 it, but it's very hard to determine from that
24 document what the lower end of Union Street

1 actually is going to look like.

2 So, we thought this would be a
3 condition that would be helpful to impose. It
4 may be something that they are already planning
5 to do.

6 CHAIRMAN CROSBY: Commissioner,
7 could I just ask for clarification on that?

8 COMMISSIONER MCHUGH: Yes.

9 CHAIRMAN CROSBY: I thought my
10 memory of the Union Street side were these huge
11 maybe electronic murals or something whereas
12 the Bliss side is artificial façades of
13 buildings?

14 COMMISSIONER MCHUGH: No. The big
15 huge murals are on the East Columbus Street
16 side.

17 CHAIRMAN CROSBY: I'm sorry that's
18 what I meant. You're right. Got it.

19 COMMISSIONER MCHUGH: Okay.

20 CHAIRMAN CROSBY: I'm with you.
21 Sorry.

22 COMMISSIONER MCHUGH: So, this is
23 Union Street should mirror State Street --
24 Bliss Street. The third is has to do with

1 construction. This is also something that they
2 have suggested -- MGM has suggested it plans to
3 do in a broad sense. But this a little bit
4 more particularized.

5 The third condition is to coordinate
6 with the Massachusetts Department of
7 Transportation, the Trial Court of the
8 Commonwealth and other interested parties in
9 plans designed to minimize noise and dust and
10 disruption to parking and business operations
11 during construction of MGM Springfield and the
12 planned I-91 Viaduct project.

13 This is really important and I think
14 that all of the parties realize it. It's
15 particularly important because of the potential
16 noise impact on the courthouse operations. It
17 goes without saying that important sometimes
18 life-changing things are going on in that
19 courthouse. And it's important for people to
20 understand and hear what's going on in the
21 courtroom as they make their decisions.

22 And at the same time there is a
23 residential environment in the vicinity. And
24 there is the Viaduct project overlapping with

1 this project for some considerable length. And
2 some real hard thought is going to have to be
3 given as to how to coordinate all of these to
4 minimize the impact on the courthouse, on the
5 residential neighborhood and also on the
6 surrounding businesses. So, I'm sure that
7 thought is being given but we think it ought to
8 be a condition that it is.

9 And finally condition four has to do
10 with the crossing. This one is a little bit
11 more difficult because it's not clear to me
12 what role MGM ought to have in this. But the
13 condition says MGM should work with Amtrak and
14 the city to determine the level of improvements
15 necessary at the State Street railroad crossing
16 to safely control pedestrian and bike access
17 across the street to Riverfront Park. That's
18 on the State Street end.

19 And it should work with MassDOT and
20 the city to ensure the pedestrian and bike
21 improvements are made to the I-91 underpasses
22 at the end of State and Union Street before the
23 casino is open. The improvements should be
24 acceptable to all parties and enhance safe,

1 convenient and pleasant access to Riverfront
2 Park.

3 MGM has made a \$1 million commitment
4 to the upgrade of Riverfront Park. It may be
5 that the right way is to use part of that money
6 to do these things. But it's the participation
7 at some level in seeing to the fact that a
8 planning process is undertaken that we are
9 proposing. We can talk about whether that
10 makes sense or not, but that's what we're
11 proposing. And I can't be more precise than
12 that as to what role collectively we think MGM
13 should play in it.

14 CHAIRMAN CROSBY: Did you brainstorm
15 about ways to put meat on those bones? Were
16 there ideas that were kicked around?

17 COMMISSIONER MCHUGH: Yes, and the
18 ideas led to an inconclusive result. It's not
19 an easy thing to do. MGM doesn't own these
20 facilities. It doesn't own the streets. MGM
21 is committed to some traffic upgrades. What
22 more would be realistic to require them to do
23 with respect to more than physical
24 improvements, I'm not sure.

1 But they are a major player in the
2 development of that area. And it might be
3 worthwhile to see if they can leverage on the
4 power that they have as a consequence of that
5 to bring other people together or to ask other
6 people to get together. It may be that that's
7 going to happen organically.

8 But it struck us as important for
9 them to have a seat at the table and to act at
10 least as a catalyst for getting discussions
11 going. Because the whole Riverfront exercise,
12 Riverfront improvement exercise doesn't go very
13 far, it seems to us, unless the access points
14 are dealt within some sensible fashion. And
15 they're not very sensible at the moment. They
16 don't seem to us to be very sensible.

17 CHAIRMAN CROSBY: For a mere \$14
18 billion they could depress I-91 and the
19 railroad track.

20 COMMISSIONER MCHUGH: Right, right.
21 I don't think that's a condition we had in
22 mind.

23 CHAIRMAN CROSBY: I agree. And I
24 agree that it's complicated. As we know from

1 Boston, the cost-benefit ratio of creating
2 access to the water is a huge quality of life
3 and economic and everything else benefit. How
4 you do it, I don't know, but I certainly agree
5 with that with the encouragement. So, I agree.

6 COMMISSIONER MCHUGH: There's that.
7 There's the fact that they've already committed
8 \$1 million to the upgrade is part of that.
9 There is the question does it make sense to
10 impose a condition that's precatory.

11 CHAIRMAN CROSBY: They will be
12 having the trolley bus --

13 COMMISSIONER MCHUGH: They will be
14 having the trolley.

15 CHAIRMAN CROSBY: -- on some kind of
16 a routine basis.

17 COMMISSIONER ZUNIGA: Much shorter
18 than the Big Dig, and you have looked at this,
19 Commissioner, I can think of a number of
20 examples from my previous work in schools and
21 looking at design where the design could be
22 really will intended but people might not end
23 up using it, which is where this is rather
24 tricky.

1 And I can think of pedestrian
2 bridges. They could sound great in theory,
3 well the access is just by going over the
4 rails. But a vast majority of people just
5 don't use them. Track up the steps and then
6 down steps even if the purpose is to walk
7 around near the river.

8 So, what you suggest is continue to
9 be thinking about is I think is about as much
10 as we can expect.

11 CHAIRMAN CROSBY: I agree with that.

12 COMMISSIONER STEBBINS: I would
13 think if MGM is making a contribution to the
14 city, they want to make sure that their
15 contribution to the project is well spent. I
16 would think they are going to have some level
17 of involvement or engagement or want to be at
18 the table regardless. Whether that's a
19 condition or not. But to Commissioner Zuniga's
20 point, the tower that they showed is rarely
21 used. So, finding a solution I certainly think
22 would benefit from their involvement at the
23 table.

24 COMMISSIONER MCHUGH: I can

1 understand why the tower is rarely used because
2 I'm sure it's rarely found.

3 CHAIRMAN CROSBY: All right. Any
4 other questions or conversation topics at this
5 point?

6 COMMISSIONER STEBBINS: I just had
7 one. Under criterion four where you talk about
8 sustainable development in the first paragraph
9 on your narrative under scoring, slide 64. I
10 think the statute has language about the 10
11 percent of their energy requirements coming
12 from renewable energy. However, in the
13 application there weren't specific plans
14 related to the renewables being developed on-
15 site.

16 I just didn't know if that was an
17 issue of I guess continued due diligence that
18 you would have our applicant do or you're your
19 thoughts were on that question?

20 COMMISSIONER MCHUGH: I am not sure
21 where you're reading from Commissioner. Oh, I
22 see.

23 COMMISSIONER STEBBINS: The last
24 part of the first paragraph.

1 COMMISSIONER MCHUGH: Yes. MGM has
2 committed to reach that goal through a
3 combination of photovoltaics and renewable
4 energy credits. The photovoltaics have not
5 been described in detail. And there is an
6 estimate of the amount of energy, which I
7 believe is half of that 10 percent from the
8 photovoltaics, but not much detail backup for
9 that.

10 The remainder is through purchase of
11 renewable energy credits. These are these
12 credits that are sold by entities that are
13 producing more power than they need, renewable
14 power. And they can sell them off.

15 So, one way or another they are
16 committed to getting the 10 percent. They have
17 to be committed to getting that. And that is
18 one of our standard statutory conditions. How
19 the balance between the photovoltaics and the
20 credits is going to be worked out isn't
21 specified in the plans. That's what that was
22 designed to talk about.

23 CHAIRMAN CROSBY: This was a great
24 job, Commissioner. Thank you very much.

1 COMMISSIONER MCHUGH: Thank you and
2 thanks to these consultants who have really
3 been working very, very hard since the
4 beginning and diligently.

5 CHAIRMAN CROSBY: Really well done.
6 All right. It is almost 12:45. I suggest we
7 take a one hour break and come back at 1:45.
8 And we will pick up with finance. We'll be
9 back of quarter of two.

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11 (A recess was taken)

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1 ATTACHMENTS:

- 2 1. Massachusetts Gaming Commission
3 June 10-13, 2014 Notice of Meeting and
4 Agenda

5

6 GUEST SPEAKERS:

7 Richard Moore, City Point Partners

8

9 MASSACHUSETTS GAMING COMMISSION STAFF:

10 Catherine Blue, General Counsel
11 Karen Wells, Director of Investigations and
12 Enforcement Bureau

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C E R T I F I C A T E

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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 11th day of June, 2014.

LAURIE J. JORDAN My Commission expires:
Notary Public May 11, 2018