

1 COMMONWEALTH OF MASSACHUSETTS  
2 MASSACHUSETTS GAMING COMMISSION  
3  
4 SUFFOLK RACING APPLICATION HEARING

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6 HEARING OFFICER  
7 Gayle Cameron

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15 MASSACHUSETTS GAMING COMMISSION  
16 101 Federal Street  
17 Boston, Massachusetts  
18 Monday, October 22, 2018  
19 10:00 A.M.

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24 KARASCH & ASSOCIATES  
25 800-621-5689

1           GAYLE CAMERON: Good morning. Today is Monday  
2           October 22nd, 2018. This is a public hearing before  
3           the Massachusetts Gaming Commission. I am  
4           Commissioner Gayle Cameron, uh, representing the  
5           commission today. Also present is- present is  
6           Commissioner Bruce Stebbins and Commissioner Enrique  
7           Zuniga. This hearing is being convened pursuant to  
8           Massachusetts General Law Chapter 128A Section 3.  
9           We are here today to accept public comment on the  
10          racing license applications submitted by Sterling  
11          Suffolk Racecourse for horse racing to be held at  
12          Suffolk Downs. Before we begin, the commission  
13          would like to thank all of you for being here today.  
14          This is a public hearing and it's critically  
15          important that you the public be part of the process  
16          to ensure that the commission achieves the best  
17          possible results. The purpose of this public  
18          hearing is to offer any interested person or group  
19          an opportunity to comment on the racing license  
20          application. This is not a question and answer  
21          period or a debate. Once we begin, we will take  
22          comments in order- in the order of the sign-up  
23          sheet. When your name is called, you may proceed to  
24          the podium and offer your comment. No podium just a  
25          microphone for your comments. And the Commission

1 requests that all speakers identify themselves prior  
2 to commenting and please be sure to keep your voices  
3 up as this hearing is being recorded. With that we  
4 will now open up to the floor for comments. I don't  
5 know that we have anyone signed up to speak. Should  
6 we check? Thank you. Okay. So, just members of  
7 Suffolk Downs. So, why don't we hear from, Mr.  
8 Tuttle first.

9       CHIP TUTTLE: Commissioners, Commissioner  
10 Cameron thank you very much. Just here to answer  
11 any questions you may have today on our application  
12 for dates in 2019. I think the last time, we had a  
13 hearing like this we, we anticipated 2018 would be  
14 the last year of live racing at Suffolk Downs but,  
15 due to circumstances of the plan development there  
16 we're able to continue, for at least one more year  
17 and have a plan to do so. It is addressed in our  
18 application including the maintenance of the  
19 facility and the barn area, requisite number of, of  
20 stalls required for us to conduct two weekends of  
21 racing in the first half of 2019. And we appreciate  
22 your time and consideration and are happy to answer  
23 any questions.

24       ENRIQUE ZUNIGA: Yeah, I have a number of  
25 questions. I read with interest the lease amendment

1 that's part of the application and the lease  
2 provides for the permitted use. After July 1st  
3 there, there is not to be anymore horse racing. Is  
4 that correct?

5 CHIP TUTTLE: Yes. The, the lease allows for the  
6 use of the barn area and the live racing use up  
7 until July 1st.

8 ENRIQUE ZUNIGA: So, it's fair to say that there  
9 will be no more horse racing after July 1st?

10 CHIP TUTTLE: That's our expectation although  
11 it, you know, it, it has- it has changed several  
12 times over the last- the past two years so but  
13 that's our expectation right now. Yes.

14 ENRIQUE ZUNIGA: Yes Mr. Barnett.

15 BRUCE BARNETT: I'm just gonna add, we- picking  
16 up on that last comment. We, we had a lease through  
17 2017, we weren't sure it was gonna be extended, we  
18 were able to extend through 2018. We weren't sure  
19 whether it was gonna be extended, we were able to it  
20 extend through- the lease goes through 2019. The  
21 horse racing you said- you said it goes through the,  
22 the middle of the year. It's conceivable that we  
23 get next spring, the development schedule such that  
24 there might be racing up to that but.

25 ENRIQUE ZUNIGA: Okay. So, say another lease

1 amendment that's the best you can represent.

2 There's also a number of things that are- that can  
3 happen or are supposed to happen in the next coming  
4 months. I'm particularly interested in a permit  
5 from the UACPA that talks about some modification  
6 conditions that seems to be a provision on what may  
7 happen depending on that permit. Can you explain  
8 that for everybody?

9 CHIP TUTTLE: The permit is a NDPES permit, N-D-  
10 P-E-S granted by the EPA to assure that the  
11 properties are in compliance with the Clean Water  
12 Act. We, when, when Sterling Suffolk Racecourse  
13 owned the property, it was our responsibility to  
14 maintain that permit which we have for the last  
15 several years. We've worked together with the, the  
16 owner of the property. Now it's the, the property  
17 owner's responsibility to maintain the NDPES permit  
18 and we have our environmental consultants working  
19 with their environmental consultants to assure that  
20 we that both- that the owner remains in compliance  
21 with the permit given the live racing use is going  
22 to continue for one more year. And the owner will  
23 be making modifications to the production area of  
24 the concentrated animal feed operation that, that is  
25 the status of, of that property. So, we expect that

1 that will get done. We're already well along the,  
2 the planning. We included in our application, we  
3 included for your review the, the plans to reduce  
4 the production area and the- what the new production  
5 area is going to look like and, and it's, it's a  
6 relatively simple fix to make sure that, that we're  
7 in compliance, that the property is in compliance  
8 and the EPA is treating it as a minor modification  
9 not requiring public comment. So we're, we're  
10 working on it already and anticipate it'll get done  
11 in plenty of time.

12 ENRIQUE ZUNIGA: Thank you for that. And so but,  
13 but it is at least possible that the modifications  
14 that, that the EPA comes back with some conditions,  
15 some modification conditions. Is that the term on  
16 the lease that- if I'm not mistaken?

17 CHIP TUTTLE: It's, it's possible.

18 ENRIQUE ZUNIGA: At which point you or the  
19 owner may decide to let, to race, not at all. Is  
20 that- is that correct?

21 CHIP TUTTLE: Uh, yes.

22 ENRIQUE ZUNIGA: Help me understand those, the  
23 likelihood of that or the circumstances around that  
24 because that potentially, however little  
25 probability, that could mean no live racing in the

1 first half of the year. Is that correct?

2 CHIP TUTTLE: Hypothetically, I can't argue of-  
3 with your Commissioner that it- that is correct,  
4 that the EPA could find some issue or- or have some  
5 problem with compliance with the NPDES permit. And  
6 that was also a possibility that- that over the last  
7 several years as well that- that- that we or the  
8 property owner would not be in compliance with the  
9 NPDES permit.

10 ENRIQUE ZUNIGA: Yeah, but this is- this is  
11 gonna be a very different year, when you really  
12 start bringing down some barns, to which I wanna get  
13 to later.

14 CHIP TUTTLE: Yeah.

15 ENRIQUE ZUNIGA: And doing some excavation,  
16 it's gonna be a lot of piling up soil in some of the  
17 parking area, which again, I also wanna ask you  
18 about it later. Is it at least possible that given  
19 that work that is anticipated or, or let me ask- let  
20 me ask the question given that work that's now  
21 anticipated, that's different from other years is it  
22 possible that the US EPA come back and say, "Well,  
23 this requires a new look at the permit or you need  
24 to modify in certain way," that might then trigger  
25 these provisions in the lease that says no more

1 racing?

2 CHIP TUTTLE: There's been no indication that  
3 that's the case. In fact, the permit relates almost  
4 entirely to the storm water runoff in the CAFO, in  
5 the concentrated animal feed operation because of  
6 the concern that equine waste end up in- in- in  
7 Boston Harbor basically through this- through the  
8 Sales Creek tributary. And we- back in 2013 or so  
9 put in a new drainage system and storm water capture  
10 system in the barn area at a cost of about \$3.5  
11 million to assure compliance with- with that permit.  
12 We're actually reducing the- the production area  
13 significantly. And so, I mean, we're not  
14 anticipating that there are gonna be EPA issues and-  
15 and the landlord, you know, that that provision is  
16 included in the lease to protect the landlord in the  
17 case that there are significant issues, but, the  
18 landlord is highly motivated to allow us to race in  
19 the first half of the year and extend our lease for  
20 another year. It's- it's worked well for both  
21 parties for the last- the last year and a half or  
22 so.

23 ENRIQUE ZUNIGA: Okay. Fair enough. So, just  
24 walk us through a little bit of an i- it's gonna be  
25 hard without a site plan but, there's- you're gonna



1 take down some barns. If you can describe mainly in  
2 the back away from it -

3 CHIP TUTTLE: Sure.

4 ENRIQUE ZUNIGA: And can we understand that  
5 time-frame as well?

6 CHIP TUTTLE: If you think about the Revere  
7 side of the property the barn area in particular the  
8 plan is- and and this is the the property owner's  
9 plan, not- not our plan- and they don't have all  
10 their- their permitting yet for this but they're  
11 anticipating expedited per- permitting on the  
12 demolition from the city of Revere. And the  
13 property owner's plan is to start the development of  
14 the property on the Revere side and so the  
15 demolition of the barn area, particularly in the  
16 area closest to the MBTA Beachmont Station that  
17 corner, the- the Northeast corner of the property,  
18 is where they'd like the development to start. So,  
19 the initial plan is for them to take down about  
20 three quarters of the barn area, what would remain  
21 are barns 2, 4, 8, 10, 12, and 14, which are the  
22 barns closest to the entrance of the racetrack, the  
23 shoot there- the, the shoot that, you know, leads  
24 from the barn area into the track. So that would  
25 leave us 240, 250 stalls which is more than enough.

1 It'll leave us safe access to and from the race  
2 track for the horses. They are- the landlord and-  
3 and the construction, its construction. Then  
4 there's our planning to fence off the area around  
5 the demolition so that there's adequate protection  
6 for horses and humans that are in the remaining part  
7 of the barn area. And we're also planning to do  
8 some burming and some other things to comply with  
9 the NPDES permit to make sure that the runoff for  
10 the production area stays in the production area and  
11 that work is- is planned for part of this as well.  
12 The- the property owner has indicated that he would  
13 like to start the demo as soon as January, although  
14 again, I would have to check on the status of the  
15 permits for that since I don't know specifically  
16 that they've gotten all the permits they need to do  
17 that. Yeah we should ask Commissioner that given  
18 that we're- we've applied for two weekends of racing  
19 and the barn area would be open for three days, each  
20 of those including weekends, they've indicated to us  
21 that they have significant flexibility on- on work  
22 and the type of heavy demo work that they would do  
23 or not do during the time that horses are present on  
24 the property.

25 ENRIQUE ZUNIGA: Okay. There's a term that I

1 need to understand better. It's called a stable  
2 demo area work and the lease provides for- that by  
3 December 31st, Suffolk Downs is required to complete  
4 certain work which is different from what you just  
5 said. It appears that the landlord is gonna do all  
6 these demolition work, help me understand the  
7 difference.

8 CHIP TUTTLE: I believe that is in reference to  
9 just the work we have to do in the barn area to make  
10 sure it's ready for them to come down, which is-

11 ENRIQUE ZUNIGA: Okay.

12 [OVERLAPPING]

13 CHIP TUTTLE: It's just clean out. We have to  
14 get- we have to rem- remove any manure bins that  
15 haven't been removed already. We have to make sure  
16 that the barns are broom clean and that there's no  
17 material. We have to- we may have to disconnect the  
18 panel, the main panel for the fire alarm system in  
19 the barn is in one of the barns that is being- is  
20 scheduled for demo. So, our crew with some  
21 electricians in the- in the alarm company are moving  
22 that panel over to one of the barns that is gonna  
23 stay standing so that- I believe that's the work  
24 that you're referring to.

25 ENRIQUE ZUNIGA: Yeah. Okay. Um, there's also

1 another element or another section of the lease that  
2 speaks to- the landlord is gonna do some excavation  
3 and pile some of the soil. However, whether it's  
4 classified or not into the- into the parking lot.  
5 Help me understand how that's gonna work with  
6 clientele during race day or simulcasting days.

7 CHIP TUTTLE: It's a, um, yeah they're- the  
8 landlord wants to store some excess soil and it's  
9 actually not from excavation on- on our site, on  
10 the- on the Suffolk Downs' site. I believe it's  
11 material being excavated at another site that the  
12 landlord controls. And they're looking to store it  
13 at some of the highest points on the property which  
14 happen to be the- the parking lot area between the  
15 grandstand entrance- the entrance to the grandstand,  
16 where Commission staff come in and- and our security  
17 team, and- and we don't really use the grandstand  
18 entrance as an entrance for patrons. The patrons  
19 come in almost exclusively through the clubhouse  
20 entrance, and the clubhouse entrance has entrances  
21 to both the clubhouse and the grandstand area at  
22 that- that corner of the property. So, yes we, you  
23 know, the- the area that the landlord would like to  
24 begin storing so- soil is in our demised premises.  
25 It's in the section that we lease. So, we'd be

1 giving the landlord permission to use it for- for  
2 storing the soil and that may- that may be starting  
3 very soon. But we, we do have more than adequate  
4 parking to get around that. We have safe entrances  
5 in and out of the facility. We anticipate that  
6 we'll continue to meet all the city of Boston  
7 standards for access and egress, emergency vehicles  
8 and things like that even with the section of the  
9 parking lot that- that they're looking to store soil  
10 on. And for the live racing events in 2019 we have  
11 access to the parking lot across the street. What  
12 we referred to as the Cirque parking lot because  
13 that's where the Cirque du Soleil tents have setup  
14 for the last several years. So we've- we feel like  
15 we have more than, than adequate parking for- for  
16 simulcasting and live racing.

17 ENRIQUE ZUNIGA: Okay. Then, you also asked- I  
18 was- this- this again- just thinking of the site-  
19 of- of the site plan. Dr. Lightbown was just  
20 explaining that what you just said- which barns  
21 we're going to be preserved for- for racing, et  
22 cetera, but there's also a test barn area that's  
23 north of that, as well as the racing office. Can  
24 you just briefly speak about how that's gonna-.

25 CHIP TUTTLE: Sure. The te- the te- the test

1 barn and the racing secretary's office are both  
2 remaining. They're not scheduled for demo so that  
3 commission staff will have access to the test barn  
4 in the same way they do now. Parking in front of  
5 the test barn in the same way they do now. Access  
6 to the restroom facilities in the racing secretary's  
7 office and access to the racing secretary's office  
8 for, you know, anything that they might need that  
9 they- they couldn't necessarily get quickly at the-  
10 at the commission zone offices in the- in the  
11 grandstand. We also are looking at there's a-  
12 there's a trailer in that area of the barn area that  
13 the eighth pole. The organization, there for years,  
14 helped some of the back stretch population with  
15 health and- and with basically with health issues  
16 and health care. That trailers there and so we've  
17 got access to the trailer for- as office space in  
18 the barn area as well.

19 ENRIQUE ZUNIGA: But some- some of the regular  
20 bathrooms will be demolished, that would- that some  
21 of the bathrooms that horsemen typically use-

22 CHIP TUTTLE: Correct.

23 ENRIQUE ZUNIGA: Were gonna be demolished.

24 CHIP TUTTLE: Where- where, um, the largest set  
25 of bathrooms near- in the barn area will be

1 demolished as will the dormitories. And so, we are  
2 gonna have to provide portable sanitation facilities  
3 for- for people back there, but we have the ability  
4 to open up the jock's room- the jockeys quarters in  
5 the basement of the building for showers and for  
6 sleeping arrangements, and- and things like that.  
7 So again, we've got- we've got alternatives that we  
8 think can work.

9 ENRIQUE ZUNIGA: But these would be the first  
10 time you'd be doing these? You've not- you have not  
11 done that in the past?

12 CHIP TUTTLE: Oh, we- we have- we have, um, we  
13 have opened up- yeah, we have opened up the jockeys  
14 room in the past on an emergency basis, and I can't  
15 recall why. But it- it may have been just due to,  
16 this was years ago, due- due to conditions in the  
17 barn area. But yes, we- we do have the ability to  
18 do that.

19 ENRIQUE ZUNIGA: So then you plan to simulcast  
20 until December 31st, or that's what your current  
21 lease extension provides for?

22 CHIP TUTTLE: The leases, uh, the lease extends  
23 Dece- December 31st and, however as- as the  
24 Commission may be painfully aware as anyone else,  
25 the- the law only extends till July 31st, right?

1 COMMISSIONERS: Yeah.

2 CHIP TUTTLE: Um, but yes, we- we- we plan to  
3 and hope to simulcast in the building through the  
4 end of the year.

5 ENRIQUE ZUNIGA: Yes. And I guess my- the  
6 reason I was asking is, all these conditions, soil  
7 in the parking lot, demolition of all these other  
8 areas, will not necessarily affect your ability to  
9 simulcast if the-

10 CHIP TUTTLE: Yeah.

11 ENRIQUE ZUNIGA: If the law was either extended  
12 or modified in whatever way.

13 CHIP TUTTLE: It should not affect our ability  
14 to simulcast at all through- through the end of this  
15 year- through the end of next year.

16 ENRIQUE ZUNIGA: Yeah. And to the extent that  
17 you can, can you comment on the landlord's plans for  
18 progress after July 1st? I mean, you mentioned some  
19 of the demolition, and that's fine in general, but  
20 what- what else might be happening on the site after  
21 July 1st?

22 CHIP TUTTLE: I would defer to- to the landlord  
23 because so much of it is dependent upon things that  
24 are out of- out of both our control and- and his  
25 control, including the ultimate decision on Amazon



1 headquarters which, you know, it hasn't been made  
2 official. But- but, you know, that- that- so far as  
3 I know, Boston is still one of the cities that it-  
4 that is in the running for that. As it- it appears  
5 we- we feel like that's nothing on that is imminent  
6 for Suffolk Downs, or else we wouldn't have been  
7 successful in negotiating an extension of our lease.  
8 Overall, the- the landlords development plans as I  
9 mentioned earlier, to start on the Revere side, and  
10 kind of work from Revere toward Boston. And it's  
11 our understanding from conversations with him that  
12 knocking down the actual grandstanding clubhouse  
13 building at Suffolk Downs is- is several years off  
14 and that, you know, they- they basically plan to  
15 start on the Revere side, closest to the Revere T-  
16 Station, and come that way. And then on- if and  
17 when they're- they're able to start and to have  
18 their permitting from the BPDA, start close to the  
19 Suffolk Downs T-Station and- and sort of move that  
20 way. So we're hopeful that the building remains  
21 available to us for- for several years, and we could  
22 work to segregate the clubhouse side of the building  
23 from the grandstand, and potentially continue to use  
24 the clubhouse side into the future, but that's to be  
25 determined.

1 ENRIQUE ZUNIGA: For simulcasting only?

2 CHIP TUTTLE: Correct.

3 ENRIQUE ZUNIGA: Not- not live races?

4 CHIP TUTTLE: Yes. Yeah.

5 ENRIQUE ZUNIGA: Um, okay. Just for reference.

6 Going out towards Wonderland on the blue line, which

7 one is first? Suffolk Downs or Beachmont?

8 CHIP TUTTLE: Suffolk Downs, Beachmont, Revere

9 Beach, Wonderland.

10 ENRIQUE ZUNIGA: Okay. Okay. Just to get an

11 orientation. Okay, well, those are the questions

12 that I had in general.

13 GAYLE CAMERON: Commissioner Stebbins?

14 BRUCE STEBBINS: Yeah. Uh, just a couple of

15 quick questions based on the application. In the

16 beginning of the application, you talked about the

17 ability to provide, I guess, a successful 2019 meet

18 based on purse money at a level consistent with that

19 provided in recent years. Obviously, you're going

20 from three festival weekends down to two. I'm

21 assuming you're not meeting the same money allocated

22 for three festival weekends would be applied to two

23 festival weekends.

24 CHIP TUTTLE: Actually, just I- I- I should

25 have clarified and- on a- on a per day or per

1 weekend basis is- is what we think is gonna be  
2 required. We don't- we're not looking for a 50  
3 percent increase on a daily basis.

4 BRUCE STEBBINS: Okay. Um, was there any  
5 thought or conversation or discussion about trying  
6 to add a festival weekend in April? Plainridge Park  
7 opens in April. I just didn't know if that was an  
8 option that you considered with the Horseman based  
9 on availability or tracker, what had the tracker, or  
10 what have you.

11 CHIP TUTTLE: There- there was and there  
12 continues to be. We're meeting with the- some  
13 representatives of the HBPA later this week to talk  
14 about the- the actual weekends, and whether or not  
15 there's the ability to card more races or to add  
16 more days. We haven't finalized our Purse Agreement  
17 for 2019 yet, and I anticipate that we may be- as we  
18 have been in the past, we may be back to you to  
19 supplement our request. But for now the two  
20 weekends, one in May and one in June, is- is what  
21 we've got worked out to date.

22 BRUCE STEBBINS: Okay. Um, any update or  
23 progress report you can give us with respect to your  
24 conversations with folks in Great Barrington, and  
25 what your plans are?

1           CHIP TUTTLE: Yes. We, um, we remain excited  
2 about that plan. We renewed, or extended our  
3 agreement with the property owners of the Great  
4 Barrington Fairgrounds for another year so that we  
5 could continue to pursue that- that option. I've  
6 been out to the facility four, five, or six times,  
7 you know, this year and have met with the- the town  
8 officials there, who- who continue to be supportive  
9 of the project and- and have had discussions with  
10 legislative representatives from the area as well to  
11 try to- to earn their support for the project.  
12 We've also had our construction supervisor and a  
13 couple of our facilities people go out and take a  
14 look at the property, and we've had Gallant  
15 Construction, a track consultant that has helped us  
16 with the racetrack surface at Suffolk Downs in the  
17 past and built the new racing surface at Aqueduct,  
18 go to the property and survey the property and- and  
19 give us a preliminary plan on expanding the racing  
20 surface from a half-mile to five and a half  
21 furlongs, which we think would be- make it more  
22 competitive to- to get horses and- and probably a  
23 better racing product than a half-mile- than a half-  
24 mile oval and potentially safer surface than a half-  
25 mile oval as well. So, we've- we've got all that

1 happening and, you know, our- that's part of our  
2 ongoing conversations with- with the New England  
3 HBPA and the Massachusetts Thoroughbred Breeders  
4 Association. They- they supported the Great  
5 Barrington plan last year and we hope they'll  
6 support it again, but they are always in the market  
7 for something- for something else as well. So, you  
8 know, hopefully, we'll- we'll continue to earn their  
9 support.

10 BRUCE STEBBINS: Um, in those conversations  
11 that you have both with the horsemen and local  
12 stakeholders are you conveying a continued kind of  
13 festival operation plan? Are you looking to add  
14 race dates if you were able to race out at Great  
15 Barrington?

16 CHIP TUTTLE: A mix of both. I- I think we-  
17 we might have to start with something like the  
18 festival concept, maybe on an extended basis to see  
19 how it works out, but the goal would be to add more  
20 race days and have it be more of an extended meet,  
21 whether that's 24 days, 30 days, 36, 40, 45, would  
22 remain to be seen based on the time of the year, the  
23 available horse population, and then how many days,  
24 you know, the horse population would- would  
25 necessitate how many days per week you could- you

1 could race, right? So, if- if you can do a four  
2 days a week or, you know, a three days a week, then-  
3 then you could compact that to a- a shorter time  
4 frame. It is- and, you know, to have the- the  
5 facility opened as a training center during that  
6 time, and things like that. So, yeah, but that-  
7 that's the goal. The goal is to have it be a  
8 regional race meet that would extend for several  
9 weeks, right? Not just- not just the festival  
10 concept, which- which is somewhat inefficient given  
11 that we've only done it one weekend per month, and-  
12 and, you know, you ramp up for that one weekend and  
13 then everyone disappears for four weeks, and it  
14 comes back four weeks later. It'd be better to  
15 have- have it all happen, uh, closer together.

16 ENRIQUE ZUNIGA: Okay. But that plan- let me  
17 just, sorry to interrupt. That plan is all  
18 predicated on the notion that the legislature would  
19 agree to allow you to do some off-track betting,  
20 isn't that the case?

21 CHIP TUTTLE: Um, yeah, that plan, when we  
22 initially put it forth in the spring of this year  
23 was predicated on- on the idea that we could  
24 continue to process wagering off-track betting,  
25 simulcast at Suffolk Downs, in and around the Boston

1 area while running the races at- at Great  
2 Barrington. It would not be- there's not enough of  
3 a population base or- or- to justify wagering at  
4 Great Barrington nor is the town interested in that.  
5 When- when the prior- 20 years ago, there were-  
6 there were races at Great Barrington in 1997 and  
7 1998 and- and the prior owner sought the ability to  
8 simulcast year round there and was denied and- and  
9 the town officials that I talked to let us know that  
10 they were- they were okay if there was wagering  
11 while there was racing, but they- they weren't  
12 interested in, sort of, year-round simulcasting at  
13 the facility. Um, so, yeah. We- we are looking for  
14 some, sort of, bifurcation of our license, so that  
15 we could simulcast in one place and race in another  
16 or the ability to hold two licenses, which is  
17 consistent with the bill that the commission filed  
18 in the house last year, which would give the  
19 commission the ability to grant different types of  
20 licenses. You could grant us a racing license in  
21 Barrington and a simulcast only license in Boston  
22 based on- on the way that bill was- was crafted.  
23 So, I, I feel as if our- our desire to continue to  
24 process wagering in the Boston area and continue to  
25 preserve racing in Massachusetts is not too

1 different from the legislative goals that the  
2 commission promoted when it- when it filed that bill  
3 and- and we would look forward to working with the  
4 commission in the first half of this year to see if  
5 there's a way that we could all come up with  
6 something that the legislature would go along with.

7 ENRIQUE ZUNIGA: Thank you.

8 BRUCE STEBBINS: Um, this is- this is more a  
9 comment but with a question at the end of it. I've  
10 never been a big fan of our application if we get  
11 asked for a bunch of stuff that just doesn't pertain  
12 to anything anymore, like, you know, the population  
13 within 50 miles. How you deal with touts. I didn't  
14 even know what a tout was. I had to go Google it.

15 Um, there's some other just information I know  
16 that's been cut and paste over the years because  
17 some doesn't align with some historic- what I'm  
18 assuming is more historical information about  
19 employment, and what you guys currently have is  
20 employment, but, one of the comments there talks  
21 about you'd continue to invest in the facility. I'm  
22 assuming that's, kind of, an outdated comment  
23 because the property is no longer yours. You might  
24 be racing for the last year. I can't see that you'd  
25 put a lot of money into the property at this point.



1           CHIP TUTTLE: Uh, we- we don't but we do- we do  
2 put some in. We- we will be, for instance we'll be  
3 doing- all through the winter, we'll be doing  
4 repairs and patching the roofs of the barns that  
5 we're going to need to- to use next year and make  
6 sure that those are safe and habitable for- for  
7 everybody. We continue to do- we're responsible for  
8 the maintenance and upkeep of the property. It's  
9 one of the reasons that the landlord likes us there.  
10 So, we- we do a lot of work on- with the grounds and  
11 the building. Um, you know, certainly if- if there  
12 are significant multi-million dollar projects  
13 required it's- be hard for us to justify doing that,  
14 but so far we've been able to make sure that we keep  
15 the property up at the level that it continues to be  
16 attractive for patrons and- and for horsemen and  
17 horse women to come and visit.

18           BRUCE STEBBINS: Okay. Thank you.

19           ENRIQUE ZUNIGA: You know, on that note remind  
20 me of- do we do a safety audit every year, and when  
21 does that take place?

22           [SPEAKER OFF MICROPHONE]

23           ENRIQUE ZUNIGA: Mm-hmm.

24           GAYLE CAMERON: For both tracks.

25           ENRIQUE ZUNIGA: In both tracks. Okay.

1 GAYLE CAMERON: Mm-hmm.

2 ENRIQUE ZUNIGA: Okay.

3 [SPEAKER OFF MICROPHONE]

4 ENRIQUE ZUNIGA: Okay. Thank you.

5 GAYLE CAMERON: I've a question Mr. Tuttle, um,  
6 you have been strategic in the past in- in race  
7 states because of the horse population, will the  
8 earlier schedule have an impact on- on getting  
9 enough horses to cover the races?

10 CHIP TUTTLE: Yeah. We think we'll- we'll do  
11 about the same as- a- as well or maybe even a little  
12 better. The, ah, as- as word spread among the  
13 horsemen up and down the East Coast over the last  
14 year and a half or so, you know, about the  
15 opportunity. We didn't really have any- any issue  
16 filling races in fact. We- we had to turn some  
17 horsemen away over the last several weekends. You  
18 know, we- we could have carded additional races,  
19 but, uh, but didn't in part because of, you know,  
20 we're trying to be fair to the employees and the  
21 commission of employees and everybody else and not  
22 ask people to- to work 15 race cards, but we- we  
23 carded, I believe 11- each of the 11 races in the  
24 September weekend or the October weekend. The- the-  
25 the last weekend, we had- whenever we had it, and 11

1 each day and we could have carded 12, or 13, or 14  
2 on each of those days.

3 GAYLE CAMERON: Even without the Mamouth  
4 horses?

5 CHIP TUTTLE: Yeah. That hadn't been an issue  
6 and- and unfortunately for- for them that- that  
7 affects the, you know, limits the- their horsemen  
8 the opportunity to- to earn money.

9 GAYLE CAMERON: Mm-hmm. Okay. Great. Thank you.

10 ENRIQUE ZUNIGA: I was reminded of another- I  
11 remember from- from awhile ago knowing that there  
12 are certain elements of the whole property that are-  
13 that have some historical perspective. Is that- or  
14 historical nature that has to be addressed somehow  
15 with Mass Historical Commission, or-

16 CHIP TUTTLE: What- what you- you may be  
17 referring to is during the time of the Mohegan Sun  
18 Casino proposal for the barn area, there was some  
19 question as to whether or not the barns had some  
20 historical relevance. And I think that has been  
21 determined that they don't.

22 ENRIQUE ZUNIGA: Okay.

23 CHIP TUTTLE: So, but again, that may be the  
24 landlord-

25 ENRIQUE ZUNIGA: That's what- that's what I was

1 trying to recollect. Okay. Thank you for that.

2 GAYLE CAMERON: Anything else? All right. I  
3 see no speakers from the public. So, it is now  
4 10:37, and we will close the hearing. Thank you.

5 ENRIQUE ZUNIGA: Thank you.

6 CHIP TUTTLE: Thank you commissioners.

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C E R T I F I C A T E

I, Denise Winn, do hereby certify that the foregoing  
is a true and accurate transcription to the best of my knowledge  
and ability on the 22nd of October, 2018.

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Denise Winn

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