



May 2, 2013

Senator Karen E. Spilka  
Representative Carolyn C. Dykema  
Representative Jeffrey N. Roy  
The General Court  
Commonwealth of Massachusetts  
State House  
Boston, MA 02133-1053

Dear Senator Spilka and Representatives Dykema and Roy:

I am in receipt of your letter of April 29, expressing concerns about the availability of technical resources for potential surrounding communities. Ombudsman Ziembra and I appreciated the opportunity that you provided to meet with representatives of Ashland, Holliston, Hopkinton, Medway, and Franklin, and as I have already reported to them and to you, we gained important information from that meeting which has caused us to rethink our process for providing funding to potential surrounding communities and the overall licensing schedule.

Apparently, however, we left a misimpression with you about the way the regional planning agency (RPA) process works. I understand that Ombudsman Ziembra has already reached out to clarify this misimpression which is included in your letter, but I want to ensure that this clarification is available to all those that received your letter. If a host community and developer choose to use the voluntary regional planning agency process that we have offered, communities that voluntarily choose to participate in the RPA process may do so. Such potential surrounding communities do not need to be designated by the developer as a surrounding community in order to receive the technical assistance resources from an RPA in order to evaluate impacts. Such technical assistance will help communities understand potential impacts and will help prepare communities to engage in more informed negotiations with a developer, if such developer chooses to negotiate a surrounding community agreement with such community. If the developer chooses not to negotiate a surrounding community agreement with a particular community, the RPA process may also provide information that will be useful to communities to decide whether or not they should petition the Commission to be designated as a surrounding community.

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Massachusetts Gaming Commission

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In addition to the option to utilize the technical assistance resources of the RPAs, we also noted in our meeting that there are other options to communities to utilize technical assistance resources. As noted in a recent blog posted on the Commission's Web site (<http://massgaming.com/blog-post/an-important-message-to-potential-surrounding-communities-about-licensing-timelines-and-technical-assistance/>):

"[t]he Commission has worked to develop several methods to enable potential surrounding communities to get access to technical resources to evaluate impacts from gaming facilities and to reach a surrounding community agreement.

[In addition to the technical assistance resources offered through RPAs, another potential method to receive technical assistance] is one in which gaming applicants and potential surrounding communities discuss the needs of the communities and reach agreement on the technical assistance funding to be provided. In such cases, the potential surrounding communities and gaming applicants can sign and send a Letter of Authorization to the Commission. After processing, the Commission will provide the requested funds to the potential surrounding community after such funds have been sent by the gaming applicant to the Commission. Gaming applicants can also send funds directly to potential surrounding communities provided that such communities can utilize such funding in conformity with municipal finance law.

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In the event that potential surrounding communities are not able to or choose not to use these methods to request and utilize technical assistance funding, the Commission's draft phase 2 regulation provides a third method. Under the current proposed regulation, potential surrounding communities may petition the Commission to require applicants to provide technical assistance funding (so-called involuntary disbursements)."

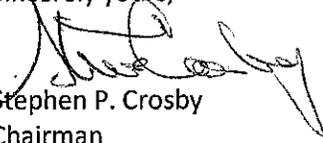
It is this "involuntary disbursement" process that we are reconsidering, since our meeting with you suggested that it may not provide enough time as a practical matter for potential surrounding communities. For example, as noted in the above mentioned recent blog, the Commission is proposing new deadlines to enable communities to petition the Commission for technical assistance resources sooner, if the developer does not voluntarily provide such resources.

But I do want to reiterate the critical point that the Commission has worked to develop at least two different mechanisms (RPA technical resources and involuntary disbursements) by which surrounding communities can access the resources to analyze the impacts from the proposed facility and plan for mitigation-- separate and distinct from the method whereby a developer would need to agree to provide assistance to a community.

We very much appreciate the leadership role that you have taken in working with your communities and constituents as they consider the possibility of an expanded gaming facility nearby.

Thank you for your continuing attention to these important matters.

Sincerely yours,



Stephen P. Crosby  
Chairman

CC: Massachusetts Gaming Commissioners  
Rick Day, Director  
John Ziemba, Ombudsman  
Joseph Marsden, Jr. Chair, Holliston Board of Selectmen  
Paul LeBeau, Holliston Town Administrator  
Benjamin Palleiko, Chair, Hopkinton Board of Selectmen  
Norman Khumalo, Hopkintown Town Manager  
Steven Mitchell, Chair, Ashland Board of Selectmen  
Anthony Schiavi, Ashland Town Manager  
Robert Vallee, Chair, Franklin Town Council  
Jeffrey Nutting, Franklin Town Administrator  
Andrew Espinosa, Chair, Medway Board of Selectmen  
Suzanne Kennedy, Medway Town Administrator