
Draft Foxwoods Casino Impact Assessment

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Chapter 1: Executive Summary

1.1 Introduction and Overview

This report is the culmination of a concentrated effort to evaluate the potential impacts of the development and operations of a resort casino in the Town of Milford, Massachusetts by Crossroads Massachusetts, LLC (Foxwoods Resort Casino). The process involved evaluating information issued by the applicant, conducting other research, and performing independent analyses. This Executive Summary summarizes the project background and the process employed by the Regional Planning Agencies (RPAs), outlines the conclusions and recommendations, and provides a contact for more information. For a complete introduction and overview of the project, please see Chapter 2.

1.2 Process

The RPAs entered into a contract with the Massachusetts Gaming Commission (MGC) to provide services to communities that might reasonably be deemed Surrounding Communities within the definitions of the enabling legislation for expanded gaming in the Commonwealth, MGL_____. Our job was to assess potential impacts from the development and to recommend ways to minimize or mitigate negative impacts, and to do so within the framework established by the enabling legislation and regulations issued pursuant thereto. The contract included a Scope of Services that outlined the criteria the RPAs would use to assess impacts and a process that included the following tasks:

1.3.1 Hold a public information session for local officials.

1.3.2 Review and develop recommendations on the following topics:

- Transportation
- Housing¹
- Fiscal and Economic Impacts²
- Water Resources
- Zoning and Regulatory Issues
- Open Space
- Development Impacts
- Social Impacts
- Public Safety Impacts³

1.3.3 Facilitate three (3) Work Group meetings with local officials where each of the topics was

¹ Via consulting contract with Communities Opportunities Group, Inc.

² Via consulting contract with Larry Koff & Associates, Community Opportunities Group, Inc. and Jeffrey Donahoe and Associates.

³ Peer review of staff analysis and recommendations by Municipal Resources, Inc.

discussed.

- 1.3.4 Distribute comments from staff and communities to the applicant team for response.
- 1.3.5 Meet or otherwise communicate with communities to determine full scope of concerns and issues,
- 1.3.6 Develop a draft report circulated to communities and applicant for comments.
- 1.3.7 Develop a final report with recommendations and a formal presentation of findings.

For a complete discussion of the process followed for the project, please see Chapter 3

1.3 Recommendations and Mitigation Summary

This section provides a brief conclusion and a list of the recommendations and potential mitigation for each topic area. It is not intended to provide a full discussion of the analysis and a complete narrative of conclusions. For this level of detail, please refer to the specific technical review chapter for that topic in chapters 4-13.

1.4.1 Transportation Impacts (Chapter 4)

The RPAs have analyzed the applicant's proposed site design and traffic improvements, trip generation and distribution modeling, and related transportation assumptions. We have specifically identified four primary areas of concern: 1) I-495 future build capacity, 2) the need for a separate employee trip analysis, 3) modeling assumptions whereby an additional comparable facility needs to be added, and 4) further mitigation and evaluation for local roadway impacts where the potential for diversions and cut-through traffic are highest. If the applicant addresses these concerns and a mitigation program is developed for the surrounding communities, the potential impacts of the facility may be reduced, particularly the concern of congestion on the local roadway network. Specific recommendations are as follows:

1.4.1.1 Capacity Analysis of I-495

The construction of the I-495 C-D road and new Route 16 interchange is expected to carry upwards of 90% of patron trips to the casino site, likely limiting traffic impacts on local roads. However, a capacity analysis of I-495 is warranted to determine if future development and the resulting traffic growth will increase highway congestion and divert trips to local roads.

1.4.1.2 Employee Trip Analysis

The applicant should provide an analysis to identify how employee trips will impact local roads. Employee trips could coincide with peak commute times and create impacts at already congested intersections on local roads. Employee trips should be modeled and analyzed separately to determine their impacts on locally-maintained roads, particularly those with existing

traffic/safety concerns. Based on the results, the applicant should develop a shift plan that minimizes impacts during peak traffic times.

1.4.1.2 Modeling Assumptions

The RPAs anticipate that additional trips will occur on local roadways beyond what the applicant has identified. While the degree of impact created by this difference is unknown, the RPAs note that trips on Routes 16 and 109 and perhaps other local roads are likely underestimated by the applicant's traffic model because it did not take into consideration the unique characteristics of employee trips and the full extent of trip diversions. The RPAs recommend that additional analysis be conducted and that a monitoring program be established to determine if there are impacts and if additional improvements are warranted in the future.

The applicant should refine its trip generation analysis by incorporating a third comparable casino that is similar in size and that has surrounding land uses analogous to the proposed Milford site in order to achieve a more accurate picture of the trips created by the project.

1.4.1.3 Monitoring Program

Include additional intersections and other locations for monitoring in addition to those identified in the Host Community Agreement or HCA (D-1, Traffic Improvements, Section 14; pp.D1-3 to D1-5). The RPAs recommend that monitoring take place along I-495 as well as Routes 16, 85, 109, 126, and 140. The intersections identified in the Transportation Chapter, specifically sections 4.2.4 and 4.2.5 (see Figure 4.1) identify specific locations for conducting traffic and turning movement counts. These intersections should be monitored and identified in the Surrounding Community Agreements (SCAs).

Monitoring of traffic should establish a baseline prior to construction commencing and three years prior to operations commencing. Annual monitoring of traffic should begin six months after operations commence and extend for a minimum period of five years.

1.4.1.4 Intersections on Route 16 in Holliston

The applicant's own analysis has identified three impacted intersections on Route 16 in Holliston but has not directly offered mitigation, such as signalization, the inclusion of turning lanes, or increasing capacity for those intersections. That mitigation should either be addressed in an SCA with Holliston, or ordered through arbitration when the issue goes before the Massachusetts Gaming Commission. The Town of Hopedale should also be included in any future mitigation discussions regarding the intersection of Routes 16 and 140 in Milford due to the intersections' proximity to the Hopedale town line.

1.4.1.5 TDM Plan and Shuttle Service

MAPC and CMRPC acknowledge the proposed TDM program and the applicant's commitment to fund a variety of shuttle services. More detail on the specifics of the TDM plan and shuttle

service must be provided to determine the effectiveness that these strategies will have on replacing both patron and employee single occupant vehicle trips with other modes of transportation.

1.4.1.6 MWRTA Service

The applicant should work with the MWRTA and the Town of Milford to identify a transit service plan that provides service to not only the casino site but to other locations in Milford. The applicant should also consult with the MWRTA and the Town to identify an appropriate contribution to cover the Town's assessment to the MWRTA on an annual basis. MAPC believes that the previously identified amount of \$100,000 annually to the MWRTA may not be sufficient to provide an adequate level of transit service.

1.4.1.7 Surrounding Community Agreements

Transportation impacts are not likely to be comprehensively identified or confirmed prior to Surrounding Community Agreements (SCAs) being executed. Therefore, we recommend that the applicant consider all communities invited to participate in the RPA review process as Surrounding Communities at least for the purpose of traffic and transportation impacts. We encourage the applicant to negotiate SCAs with these communities and, at a minimum, the transportation element of any SCA should consider the inclusion of the provisions outlined in 13.2.7.2, Important Elements of a Surrounding Community Agreement.

Housing Impacts (Chapter 5)

[Please note that this chapter on housing impacts is still being developed and refined due to the delay in receipt of an independent housing market impact analysis. The RPAs will release the housing chapter by November 15, 2013 and it will be distributed for comments at that time.]

1.4.2 Economic and Fiscal Impacts (Chapter 6)

The impact analysis and interview results indicate that the nearby towns of Bellingham and Medway will likely experience the most negative impacts (Group A). Holliston, Hopkinton, and Hopedale (Group B) (see Table 6.7) will experience negative impacts, as well, although fewer than Group A. Due to the presence of existing commercial activity and proximity to I-495, Franklin is also likely to experience impacts related to infrastructure and economic growth (Group C).

1.4.3.1 Fiscal Impacts and Recommendations

As indicated in Table 6.7, the impacts of a casino will vary over time by community. Those communities that will be most affected, Group A and Group B, will likely experience a variety of fiscal

impacts. It is essential that there be sufficient funding in those towns for the addition of a broad range of services — in public safety, education, planning, public health, and permitting — to address casino impacts. It will also be essential that funding be sufficient to prevent a diversion of spending and staff resources away from current needs.

It is recommended that the likely-impacted adjacent and nearby communities together review various mutual aid agreements covering police, fire and EMS services in their towns and along I-495. Modifications of these agreements and additional funding to provide sufficient staff, training and equipment will need to be identified. Furthermore, sufficient flexibility must be built into the process to ensure that as the communities adjust to the impacts, Surrounding Community Agreements can be modified and updated.

Traffic Congestion and Police: This includes the cost of public safety services for traffic and police, personnel, equipment, training, and facilities. These public safety services will likely be most needed in towns with exit ramps on Route 495 or in towns that are bisected by Routes 16, 85, 109, 126 and 140 within 20 minutes of the casino site. Hopkinton, Bellingham, Franklin, and Wrentham all have exits off I-495. All towns that abut Milford within a 10 to 20-minute drive of the casino site are bisected by the aforementioned roads (i.e., Hopkinton, Holliston, Medway, Bellingham, and Hopedale). Towns closest to the casino will have the most impacts. Bellingham, Holliston, Hopedale, Hopkinton, and Medway officials all expressed concerns about traffic impacts in our interviews. Officials from Wrentham were not available to be interviewed. Officials from Millis, Northbridge, and Upton also expressed concerns. However as those towns are not as close to the casino site, they are less likely to experience and impacts.

Fire and EMS Services: This includes costs for Fire and Emergency Medical Services. These impacts are most likely to be felt by towns with fire stations within 10 minutes of the casino and/or with an exit on I-495 in close proximity to the casino. These towns include Holliston, Hopedale, Hopkinton, Medway, and Bellingham. Hopedale, Medway, and Bellingham officials expressed concerns about impact on their Fire and EMS services. Holliston and Hopkinton did not mention concerns. Millis and Upton officials expressed concerns, but have no fire stations within 10 minutes of the casino.

Municipal Services: This includes costs to cover impacts on schools, planning, permitting and inspections of residential and commercial development, and roadway maintenance. None of the towns have social service capacity to address issues related to problem gambling. Impact on municipal service costs was determined only by the responses to the surveys and/or interviews with towns that expressed concern for the impact on their municipal services. These towns include Hopkinton, Medway, Holliston, Hopedale, Mendon, and Bellingham. The communities of Ashland, Grafton, , Sherborn and Wrentham were not interviewed.

Infrastructure: This includes the maintenance and improvement costs to water supply, sewers, and roads. Public works impacts are most likely to be felt in communities with sewers, public water, exit ramps off I-495; and in the towns within a 10-minute drive of the casino that are also bisected by Routes 16, 85, 109, 126, or 140. These communities are most likely to experience some development pressures and need road and/or intersection improvements. These towns include Franklin, Bellingham, Hopedale, Hopkinton, Holliston, Medway, and Wrentham. Officials from these

towns echoed these concerns, with the exception of Wrentham, whose officials were not interviewed on this topic. Towns of Millis, Northbridge, and Upton also expressed concerns, but do not have the same spatial relationship as the aforementioned towns.

1.4.3.2 Economic Impacts and Recommendations

Various towns and their residents might experience positive economic benefits, which may cover some of the impact costs. For example, regional tourism generated by the casino might increase revenue from hotel and meal taxes by those towns that have adopted those local option taxes. Personal and business income may also have positive impacts. This initial ranking and analysis may assist communities to refine their self-evaluation of potential impacts, clarifying and highlighting the information that is needed for the applicant and towns to resolve how best to mitigate the key impacts.

Economic impacts include local and state tax revenue, the labor market, and local businesses. employee and tourist expenditures are most likely to be experienced by towns that already generate revenue from hotel, restaurant, and retail activity, and that are located adjacent to or near an exit on I-495 or are on a state road with a commercial center within a 10 minute drive of the casino. Towns most likely to be impacted from new restaurant, retail, and hotel development include Franklin, Bellingham, Medway, and Wrentham. Franklin is the only nearby town that currently has a local option hotel tax (as of FY2012 data). Officials in these towns (with the exception of Wrentham officials, who were not interviewed) expressed concerns about the project stimulating spillover development impacts (i.e. hotel, restaurant, and retail activity) that could not be effectively managed. Officials in the towns of Holliston, Hopedale, Hopkinton, and Upton also expressed concerns, but neither economic indicators nor location indicate the likelihood of significant negative impacts in those communities.

It is recommended that the RPAs work with the applicant and the adjacent towns on strategies to support new development, small business development, tourism, and infrastructure funding, as long as the new development and infrastructure are consistent with smart growth. Communities should also be helped to adopt, where appropriate, local meals and hotel taxes. The Report to the Warren Casino Study Committee noted the importance “for communities to articulate in advance their preferred future vision, revise local regulations to advocate for that vision, and employ a variety of engineering, design and financial experts to evaluate the impacts of all significant land use proposals.”⁴ MAPC has already been working with Medway, for example, on an economic development strategy which would support a new hotel. These efforts will require ongoing funding and support.

1.4.3.3 Summary Recommendations

The impacts of a casino will vary over time by community. The applicant, Crossroads Massachusetts, LLC, should address the range of questions in this report to ensure that necessary transportation

⁴ Central Massachusetts Regional Planning commission, A Report to the Warren Casino Study committee, November, 2010, p. 31.

and infrastructure improvements are identified and undertaken, and that mutual aid agreements are provided and funded in something comparable to a Host Community Agreement. Furthermore, it is essential that there be sufficient coverage for a broad range of needed services, including public safety, education, planning, public health and permitting services, without diverting spending and staff resources in the various localities away from current needs. On the other hand, various towns and their residents might experience positive economic benefits, which might cover some of the impact costs. Regional tourism generated by the casino might increase revenue from hotel and meal taxes in the towns that have adopted these charges. Personal and business income might also have positive impacts. Following are more specific recommendations:

Preparation of Community Self-Assessments

It is anticipated that adjacent and nearby communities can utilize the analysis in this section to inform themselves regarding potential economic and fiscal impacts. Further information is needed from nearby communities for a clearer understanding of the proposed casino's likely effects on these towns and of the most appropriate mitigation actions, as noted below.

Fiscal Impacts

Crossroads Massachusetts, LLC, should work with nearby towns identified in this report to clarify how best to address the projected Fiscal Impacts. These impacts can be divided into three categories: Public Safety, Municipal Services, and Infrastructure.

- *Public Safety:*

A combination of mutual aid agreements, shared use of equipment, and funding for additional staff, equipment, and training will be needed. The guidelines in this analysis should be three-fold:

- The applicant should begin immediately to work with the communities of Bellingham, Medway, Hopkinton, and Holliston, whose public safety impacts will likely need to be addressed.
- Nearby communities should be assisted by the applicant where any level of service degrades due to the casino (i.e., staffing and resources should provide municipal services that are comparable to current conditions in each community).
- The Level of Service (LOS) should be monitored so that the initial community agreements can be modified in response to changes in demand.

- *Municipal Services:*

- The applicant should discuss with the towns of Hopkinton, Medway, Holliston, Hopedale, and Bellingham how the proposed casino might impact schools, planning,

permitting and inspections of residential and commercial development, and roadway maintenance.

- It is possible that a shared services agreement might be developed to address issues of permitting and Board of Health inspections, for example.
- *Infrastructure:*
 - The applicant should discuss with the towns of Franklin, Bellingham, Hopedale, Hopkinton, Holliston, Mendon, and Medway the mitigation of possible impacts to water supply, sewers, and roads. The towns of Millis, Northbridge, and Upton also expressed concerns with these issues, but do not have the same spatial relationship as the aforementioned towns.
 - The applicant should agree to hold harmless the cost of infrastructure improvements needed to address casino impacts upon traffic and road conditions and water and sewer systems.

Economic Impacts

Economic Impacts include local and state tax revenue, the labor market, and growth of local businesses in nearby towns. Towns most likely to be impacted from new restaurant, retail, and hotel development include Franklin, Bellingham, and Medway. Officials in the towns of Holliston, Hopedale, Hopkinton, and Upton are also concerned with economic impacts. The extent to which economic impacts are positive and are captured by the private and/or public sector will vary over time and be dependent upon a variety of factors. The Proponent can assist local governments and the private sector in providing resources to leverage small business development and investment in infrastructure as well as in supporting staff to support necessary building, zoning, conservation, and Board of Health permitting activities. Local governments, furthermore, may need some support in considering the benefits of adding local tax measures such as a hotel and meals tax.

- *Leveraging Local Economic Development:*
 - The applicant should work with the RPAs and local towns to identify what form and level of assistance is needed to plan for infrastructure, commercial, and housing development. Possible developments that should be considered are:
 - Hotel development, possibly in Hopkinton, Medway, Franklin;
 - Restaurant development in nearby towns yet to be identified; and
 - Housing development in nearby towns yet to be identified.
- *Tax Policy to Capture Additional Revenue:*

The applicant should consider undertaking a consultant study with the impacted towns to

consider how the adoption of a hotel and meals tax might positively affect the municipal balance sheet, and to consider other zoning and regulatory tools such as TIF and DIF to facilitate economic growth.

- *Small Business Development:*

A new casino might be the opportunity for the expansion of various small businesses both in the construction and in support of increased tourism. The applicant should consider how it might foster this economic growth.

- *Development of Affordable Housing:*

In order to meet the housing demands of new employees for a variety of housing, the RPAs should work with the applicant and towns on funding a joint study to explore a variety of regulatory and funding tools which could leverage the development of affordable housing.

1.4.3 Water Resources (Chapter 7)

An underlying theme for this section of the report is the current degree of uncertainty regarding the project's impacts and their appropriate mitigation. This is due to the preliminary and conceptual nature of the applicant's plans for water supply, wastewater, and stormwater at this time. There will be more certainty should the project advance to the design and permitting stage, but that is not planned until later in the process, well after Surrounding Community Agreements (SCAs) will be executed. However, given the information that has been provided by the applicant and various peer reviews, the RPAs have several findings and recommendations that provide a general direction for adjacent and surrounding communities to address potential impacts.

1.4.4.1 Water Supply

The proposed project will place significant demands on the Milford Water Company that can only be accommodated with significant upgrades to the water system. The applicant has proposed such a package of water system upgrades, which if fully implemented, will, it appears, provide capacity to meet Milford's current average daily water demand plus the addition of the project's demand. However, at this stage, most of these upgrades are still at a preliminary or conceptual design phase. There is also some uncertainty about meeting maximum daily water demand, as well as future demand beyond 2020, assuming that additional development will take place in the area. Specific issues for which the RPAs provide findings and recommendations include:

- *Water Demand estimates for the casino project:*

The RPAs concur with the analysis conducted by the applicant and reviewed by the Tighe and Bond peer review. The water use estimate is a reasonable basis for planning the water supply demand of the proposed Milford project.

- *Potential change in Echo Lake Firm Yield:*

The RPAs recommend that the applicant investigate this issue more thoroughly, as it could have an impact on the water available for the project and the town in general, and/or the balance of groundwater and surface water sources available to the Milford Water Company. If the status of a potential change in Firm Yield cannot be determined at this time, then the applicant should provide a contingency plan for how this would be accommodated as part of the mitigation measures.

- *Adequacy of Milford Water Company to supply the project:*

Given current water demand and sources available to the Milford Water Company (MWC), significant upgrades will be required to provide for the project's water demand, not to mention additional demands upon the system in the future. The applicant has committed to upgrades that would offset 135 percent of the project's average daily water demand. The Tighe and Bond peer review finds that if the improvements are implemented there "appears to be sufficient water to meet the demands of the proposed development."

The applicant's report, however, primarily assesses the ability of the MWC to meet current average daily demand, leaving both maximum daily demand and future demand projections unaddressed. Clearly these key issues must be addressed in order to ensure that the Milford Water Company will have adequate capacity to serve its existing customers and the project, as well as reserve capacity for projected growth and emergencies.

The RPAs recommend that the applicant provide a thorough analysis of peak season demand and future (2020-2030) demand on the Milford Water Company with the addition of the project's water demand. Mitigation measures to address any impacts identified should be included in the analysis.

- *Potential impacts on Hopedale and Mendon:*

The Town of Hopedale has historically relied on the Milford Water Company for part of its water supply, and in turn, the Town of Mendon relies on Hopedale for 100 percent of its water supply. Both towns are concerned about the ability of the Milford Water Company to supply water after the additional demand of the proposed project comes online.

Both communities are considering steps that could be taken to decrease or eliminate their reliance on outside water sources, and have suggested these as potential mitigation measures. These include a two million gallon storage tank and well rehabilitation and cleaning in Hopedale, and the development of a new water source in Mendon. The RPAs recommend that the towns and the applicant explore the options for these mitigation measures as part of the surrounding community process.

As definitive information about water supply impacts will not be available until the project advances to design, permitting, and operation, the RPAs recommend that communities consider contingency measures in any Surrounding Community Agreements that would be triggered if and when the project's proposed water system upgrades are not fully implemented and impacts to the communities are therefore not mitigated.

1.4.4.2 Wastewater

The proposed project would rely on the Milford Wastewater Treatment Facility, which discharges treated effluent to the Charles River near its headwaters. A potential impact on nearby communities could arise if there were to be any wastewater overflows to the Charles River in the event that the WWTF capacity is exceeded. The applicant has proposed a set of sewer system upgrades that are intended to reduce flows by establishing an aggressive program of Infiltration/Inflow removal. If successfully implemented in a timely manner, this potential impact would be avoided. As more definitive information about potential impacts and mitigation measures will not be available until after the project advances to design, permitting, and operation, the potentially affected nearby communities should consider contingency mitigation measures that would be triggered if and when the proposed system upgrades are not fully implemented. Specific issues that the RPAs reviewed include:

- *Estimated project wastewater flow:*

The RPAs concur with the analysis conducted by the applicant and reviewed by the Tata and Howard peer review. The wastewater flow estimate based on Title 5 with the addition of an "extended use factor" is a reasonable basis for planning the wastewater flow of the proposed Milford project.

- *Milford Wastewater Treatment capacity and Inflow/Infiltration (I/I) Removal:*

Given current wastewater flows and existing average daily capacity of the Milford Wastewater Treatment Facility (WWTF), providing treatment for the project's wastewater flows will require a significant number of upgrades. The Town of Milford's peer reviewer itemized a number of upgrades needed to the Milford WWTF, but also stated that these upgrades could be reevaluated if a significant amount of I/I can be removed from the wastewater collection system.

As required by the town of Milford, the applicant has committed to I/I removal at a 5:1 ratio to new flow. The RPAs note that the current estimated I/I in the Milford system is 2.0 mgd, of which 0.9 mgd has been identified by the Town. Based on the single-phase project's wastewater flow with the Route 16 sewer extension, the I/I reduction target would be about 1.5 mgd. With the project's flow alone, the I/I removal target would be about 1.28 mgd. These estimates represent about two-thirds to three-quarters of the existing I/I in the system. This is a large proportion, and typically the options for I/I removal become more difficult and/or expensive after I/I that represents the "lower hanging fruit" is removed. As with water supply, this is currently a conceptual plan, and while 5:1 removal of I/I is a laudable goal, in this case it is also quite an aggressive goal given the large volume of I/I removal and the high proportion of existing I/I this represents.

The RPAs recommend that improvements to the WWTF should be considered a contingency mitigation measure in the event that the goals for I/I reduction are not fully implemented in a timely manner for whatever reason (technical, regulatory, financial, etc).

1.4.4.3 Stormwater

Stormwater from the site would be discharged to tributaries that flow through Holliston and Medway to the main stem of the Charles River. The potential for impacts on these surrounding communities would arise should there be any discharge of stormwater that exceeds standards for either quality or volume of flow.

The applicant's approach to stormwater management incorporates Low Impact Development techniques such as reduced impervious surface with structured parking, green roofs, water reuse, and stormwater infiltration features. The applicant has set performance standards for recharge and for removal of Total Suspended Solids and phosphorus that exceed existing regulatory requirements.

As with water supply and wastewater, the applicant's stormwater plans are currently at a preliminary and conceptual stage. If they are fully implemented, it appears that the project's stormwater impacts would be properly mitigated. The details of implementing the plans will only be known later in the project development process, when on-site soil and hydrologic investigations are conducted and the project advances to design, permitting, and operation. This will not be until after the Surrounding Community Agreement process has been concluded.

The RPAs recommend that the potentially affected nearby communities consider contingency mitigation measures that would be triggered only in the event that the proposed stormwater mitigation measures are not successfully implemented in a timely manner.

MAPC's findings and recommendations for stormwater include the following:

- The RPAs recommend that the final stormwater analysis consider the Northeast Regional Climate Center rainfall projections as an alternative analysis, and that the final design accommodate the projected rainfall to the extent practicable.
- The RPAs recommend that the discharge velocities of any overflows from larger storms be carefully evaluated and the final design should ensure no downstream erosion or bank scouring.
- The applicant should explain how the site will handle storms in excess of the 25-year design storm. Will the emergency overflows be activated? Will temporary on-site storage volume be available? What will be the potential off-site and downstream impacts in terms of volume of discharge, flow velocities, and water quality?
- The RPAs concur with the Beals and Thomas conclusion that in accordance with the Milford Stormwater Management Bylaw all stormwater management facilities should be designed with an emergency overflow system, and incorporate measures to provide non-erosive flow.
- The final stormwater analysis should include a more comprehensive assessment of the downstream receiving waters in Holliston and Medway, including the location of any sensitive resources, such as drinking water sources, habitat, recreational resources, flood prone areas, and critical infrastructure.
- After the detailed soils data have been collected and assessed by the applicant, if there are any changes to the design or performance of the stormwater management plan, the RPAs and the communities should be notified and given an opportunity to review any modifications to the plan.
- The final stormwater management plan should quantify the expected reductions in phosphorus related to the proposed BMPs and should estimate the remaining phosphorus in the stormwater that will be discharged from the site into the Charles River watershed.
- A targeted stormwater monitoring program for Total Suspended Solids and phosphorus should be implemented during the construction phase and for the first three years of

operation of the facility to ensure that the predicted pollution removal efficiencies are being realized and that no unforeseen adverse impacts are occurring offsite and downstream in the Charles River watershed.

1.4.5 Zoning and Regulatory (Chapter 8)

While some municipalities in the study area are more likely to experience commercial or residential development or other impacts from the proposed casino development and its operations, there are several actions that communities can take to take more control of development and land use that may occur as a result of the casino, but that can also be beneficial to proactively address other growth pressures and changes as well. These steps include the following:

- *Proactive:* Towns should not take a reactive or passive stance related to zoning merely because specific properties are not zoned for uses they would wish to limit or preclude. One key example is the Comprehensive Permit process.
- *Long Range Planning:* The development and regular updating of a comprehensive or master plan is one important way the communities in the study area can take a proactive step to forge policies that anticipate and shape growth and development. Using build-out analyses and development-potential studies, communities can identify specific actions that can further local goals and objectives and address opportunities and threats.
- *Housing Production Plan:* In combination with affordable housing production to preclude the community being subject to so-called “unfriendly 40B” projects, a housing production plan may include such actions as setting aside Town-owned land for affordable housing development, passage of the Community Preservation Act (CPA) to provide funds for housing, or passage of an inclusionary housing bylaw.
- *Regulatory Audit:*

This is an important way that municipalities can assess how their land use and development regulations are working. A regulatory audit can address:

- Meeting local goals and objectives as may be expressed in long range plans.
- Dealing with opportunities and threats posed by the casino and spillover development projections.
- Other potential land use and development threats and opportunities.

Some communities may have outdated or inadequate zoning bylaws that may yield development not in keeping with community vision or goals. Therefore, it is recommended that adjacent and nearby communities conduct a comprehensive zoning audit that includes

a legal review to insure that adequate provisions are in place to address residential and commercial growth potential. Zoning changes should also be consistent with local comprehensive or master plan.

- *Capacity Study:*

Some municipalities in the study area may benefit from a Local Service Delivery Capacity Assessment, which is a review of municipal levels of service and resource and staffing capacities to determine if they meet current and future projected growth and customer demands. Such studies often include the following:

- Evaluate service needs on the basis of existing and anticipated growth patterns and population projections.
- Evaluate infrastructure needs and deficiencies in terms of capacity, condition of facility, service quality, and levels of service and its relationship to present and planned capacity.
- Identify operational efficiencies, such as staffing levels and technology deployment. This includes whether staffing levels are sufficient to address regulatory and administrative framework.

1.4.5.1 Residential Uses

The RPAs recommend that study-area municipalities review zoning bylaws including, but not limited to, sections on residential uses, dimensions, definitions, and nonconforming uses. Some specific housing-related issues in local bylaws that could be an issue as a result of the casino development could include the following:

- *Conversions:* In communities near the Connecticut casinos, the conversion of single-family to two-family or more and two-family to three-family or more homes occurred, creating issues related to parking and other issues related to an increase in density (CMRPC, 2010).
- *Accessory apartments:* The creation of accessory apartments to single-family homes and in other situations can be a feasible way to allow affordable units for casino labor, if done properly.
- *In-Law Apartments:* In-law units are also a means to provide affordable units for special populations, but restrictions should be considered to monitor tenant status.
- *Multi-Family Units:* The most significant housing impact could be the development of new multi-family apartments, although this is not a high probability as a direct result of the casino. Municipalities should ensure that a fair and equitable process exists for the facilitation of these developments, and that they can be accommodated within municipal service capacities. Municipalities should consider the development of an inclusionary

provision in local bylaws that can give a community both more control and a proactive mechanism to ensure that siting and production goals are met.

- *Boarding and Rooming Houses:* The Warren Report (2010) noted that rooming and boarding houses, both legal and illegal, are a potential residential option for low wage non-family workers of a casino and its component service uses. Municipalities that anticipate providing housing for employees of the casino complex should ensure that robust provisions are included in their local bylaws to allow such units in a reasonable manner, and that steps are taken to try to prevent illegal units from being created.
- *Dormitories:* Dormitories are also a potential means to house non-family workers of a facility like a casino. Local bylaws should ensure that if a provision for dormitories is in place or under consideration, that it facilitates a well-designed facility that provides a reasonable quality-of-life for residents and meets the provisions of *105 CMR 410, Minimum Standards of Fitness for Human Habitation*.
- *Bed and Breakfasts:* While not necessarily relevant for housing casino labor (other than possibly serving as temporary residences for corporate visitors and executives), municipalities may wish to allow bed and breakfast facilities if they are not already provided for in local bylaws to create a market for potential casino visitors.

1.4.5.2 Parking

- *Parking for Conversions/Residential Uses:* The conversion of residential units to higher densities may overtax the parking infrastructure of the site and area and create nuisances. Regulations should take this into consideration.
- *Location of Parking:* Parking shortages may lead to paving front, side, and rear yards. Bylaws should consider, at minimum, prohibiting parking/paving of front yards.
- *Residential Parking Restrictions:* Municipalities should consider restrictions on parking for some residential uses.

1.4.5.3 Use Variances

If the Zoning Board of Appeals (ZBA) in a given municipality can grant use variances, the municipality should decide if it wants to use this method to approve residential conversions.

1.4.5.4 Commercial Uses

Some study area communities, particularly Franklin, Bellingham, Medway, and Wrentham, may experience spillover commercial development as a result of the development of a casino. While this may provide additional revenues to municipalities due to commercial tax ratables, some development-related concerns could include:

- *Zoning Bylaws:* Potentially impacted adjacent and nearby communities should have adequate commercial zoning provisions to address anticipated growth and development influenced by the proposed project.
- *Processes and Procedures:* Municipalities should have robust site plan review criteria and special permit provisions that give the community a significant amount of control over development proposals.
- *Adult Entertainment and Other Noxious Commercial Uses:* Communities should ensure that any potential uses that may be considered noxious and undesirable, such as adult entertainment uses, be addressed adequately in local zoning bylaws.

1.4.5.5 Enforcement

The ability to enforce existing local development regulations is an important way that municipalities can address some potential negative externalities of casino induced development and land use.

- *Building Code Enforcement:* Potentially impacted communities might need additional resources to handle expected illegal conversions and other impacts of the development.
- *Zoning Enforcement:* There may be an increase in zoning complaints about violations of zoning. This may include complaints about illegal land uses, excessive density, parking violations, and nuisances such as noise,
- *Sanitary Code Enforcement:* Additional staff may be needed to perform this task locally.

1.4.5.6 Potential Mitigation

Mitigation for zoning and regulatory impacts should be largely focused on preventative measures. Such measures might include assisting communities to ensure that local land use and development capabilities will be able to address the impacts of development and operations, as well as the impact of potential spillover development that could occur as a result of the casino. Potential mitigation could include:

- Long Range Planning: The applicant could provide a source of funding for communities to revise master or comprehensive plans, housing production plans, and other appropriate plans to address growth and development challenges.
- Assistance for Regulatory Audits: The applicant could provide a source of funding for communities to conduct regulatory audits and revise bylaws.

- Assistance For Affordable Housing: The applicant could provide funds for local affordable housing planning and development. It could, for example, make payments to local housing trust funds, where applicable and other steps that are detailed in the Housing section above.
- Staffing Assistance: Some communities may need additional inspectional and/or administrative staff in building, planning, health and other relevant departments to respond to increased building activity, the potential for violations, and general increase in development due to the influence of the casino on the local market. An alternative could be the provision of funds for consultants to provide these services or for the RPAs to develop a shared services function that would allow communities to carry out these activities more efficiently. Communities identified in this report as likely to have either a housing or commercial development impact are the recommended candidates for such mitigation funding.

Mitigation for zoning and regulatory challenges is somewhat uncertain due to the nature of markets and the unique nature of each market area. However, the RPAs feel that it would not be unreasonable, nor significantly costly, to provide such assistance, at minimum, to the most likely impacted communities. Mitigation here could not logically be structured ex post facto based on development and operational experience since development-related impacts are difficult, if not impossible, to address after the fact.

1.4.6 Open Space Impacts (Chapter 9)

Conclusions and recommendations for this section are based solely on data collected by RPA staff and on generally accepted best practices for the protection of open space. No applicant data related to open space impacts in surrounding communities was available for peer review at the time of this report. However, five broad recommendations have been developed:

- Protect Abutting Conservation Land: Site design for the proposed casino should minimize any and all impacts on the existing Holliston Conservation land that abuts the northern boundary of the casino property. Siting structures away from this area, and minimizing all runoff and lighting from the site should be priority site considerations by the applicant.
- Protect Additional Trails and Conservation Land: There are many existing trails on the proposed casino site, and on nearby private property. The applicant should coordinate with the New England Mountain Bike Association (NEMBA) and other property owners to maintain trail connectivity. NEMBA raised \$200,000 to purchase its 47 acres, and is the first mountain bike organization to purchase property. As feasible, maintaining connectivity with existing trails would help to preserve the larger network of trails.
- Optimize Opportunities for Open Space Connectivity: The Upper Charles Trail could provide access to the casino for some employees (as does the Minuteman Bike Path from Bedford to Cambridge, which serves commuters as well as recreational riders). A direct link to the trail from the casino property should be made, if possible.

The applicant's project engineer suggested an east-west connection between existing portions of the Upper Charles Trail, likely using existing utility easements. This would allow for a shorter loop and a bypass of Milford Center. This possibility should be further evaluated and likely would enjoy strong support.

- Provide Additional Information: As development plans proceed, the applicant should provide information for the approximately 88% of the site that is to be left undeveloped. This information, which should be included as part of the site plan and special permit processes, should include answer to the following questions:
 - What are the plans for the open space?
 - How will it be maintained and managed?
 - Will there be a conservation easement or dedication of the open space on site?
 - Will all or part of the open space be publicly accessible?
 - Will there be connectivity to other conservation or open space lands?
 - Will future development plans or phases be considered that could reduce open space?

Specific information on habitat will be available as development plans are refined and are presented to the Milford Conservation Commission. Milford should invite the Holliston and Hopkinton Conservation Commissions to attend and participate in project reviews.

- Maximize Natural Habitat: With a significant amount of the site proposed to be undeveloped, the RPAs recommend that the applicant consider maximizing the amount of habitat area for native species by leaving it in a natural, undeveloped state and potentially protecting the land through a conservation restriction or donation as open space.

Overall, the RPAs believe that the best option would be for permanent protection by the applicant of the remainder of the site, either through conservation restriction or donation to the Town of Milford as open space, and that the property should be open to the public.

1.4.7 Development Impacts (Chapter 10)

As development impacts cannot be characterized with great specificity on the basis of conceptual plans, potential mitigation is more difficult to assess at this stage in the process. However, the RPAs offer the following guidance and approaches to reviewing more specific plans as they become available:

- The applicant should submit a comprehensive application packet that addresses all of the topics discussed below; and in particular, for the purpose of this analysis, that addresses how construction and operations may impact adjacent and nearby communities.

- The host community should consider each of the topics discussed below not only with regard to how they affect their own community, but how they may impact adjacent and surrounding communities.
- There is a range of development impact criteria that can and should be addressed during local development review. The analysis developed above provides good guidance for boards and commissions related to the kind of questions to ask, requirements to develop, and conditions to consider. Performance criteria may address issues such as noise, vibration, smoke and dust, light and glare, waste management, erosion, stormwater and wetlands.
- It is recommended that all communities that are eventually officially designated as surrounding communities be provided an elevated status during the local host community development review process. We believe that a more inclusionary process will make for a better and more comprehensive review and result in a better development plan.
- Monitoring and Re-Opener Clause: Due to the currently available conceptual site plans, no site-specific mitigation can be recommended related to development and site plan review other than the suggestion that development and operations minimize impacts to adjacent and nearby communities. As the degree of actual impacts may not be known until the full site design is reviewed, or in some cases until the development proceeds and goes into operation, Surrounding Community Agreements with the applicant should include re-opener clauses based on a specific monitoring program for development impacts that are tied to the criteria noted above.
- The MGC should consider granting any approved license with specific conditions to require that the project applicant interact with and address issues of surrounding and other nearby communities, regardless of whether any formal SC agreement has been executed.
- The applicant should look to the regional plan, MetroFuture, for regional goals that can be met by project siting, design, and operations. The RPAs believe that closer adherence to these goals will result in a better, more sustainable project that will be more competitive in the application process.

1.4.8 Social Impacts (Chapter 11)

Casinos can produce significant social impacts due to gambling addictions that have been observed to accompany their development. Moreover, the proximity of casinos to residences is associated with an increase in problem gamblers so the host community of proposed casino as well as surrounding cities and towns can be impacted. And these impacts can ripple throughout all the elements of a gambler's life – work, home, social – and result in the instability of their life and those who rely on them.

As a result, the following recommendations have been developed for the Applicant relative to the potential for social impacts of the proposed project.

- The applicant should address how problem gambling behaviors might be addressed for nearby communities in a manner similar to how it will be addressed for the host community. If it is expected that the facility will draw more than a nominal amount of patronage from these communities, the applicant should include as a component of any surrounding community agreement support for social services, programs and other resources that can assist those with problem gambling behaviors.
- As the behaviors of a problem gambler can impact their families, especially in relation to financial resources, it is recommended that the casino operator consider a local application of a system to track and prevent activities of gambling addicts and a loss limit strategy to restrict financial losses among gamblers within a 24-hour period. These programs can be used to reduce the financial impacts of a problem gambler and can be a conduit for connecting the gamblers to supportive services.
- The Spectrum Report identified that problem gamblers also tend to abuse alcohol, drugs, and tobacco more frequently than non-problem gamblers. Given the location of the proposed casino and the likelihood of limited available transit services, the RPAs recommend that the applicant consider providing a “safe ride” program for patrons and residents, in order to reduce DUIs and provide more transportation options.

The Commonwealth will be setting up a statewide program to address the treatment of pathological gambling, but at this time, there is no proposal for statewide program to address the co-morbidities that frequently accompany problem gambling. It is the RPAs' recommendation that a Public Health Trust Fund be established (MGL Chapter 23K, Section 58) to assist municipal social service and public health programs dedicated to addressing problems behaviors associated with problem gambling such as substance abuse, mental health and family health issues. The trust fund would serve the municipalities that are designated as surrounding communities.

1.4.9 Public Safety Impacts (Chapter 12)

Based on a thorough literature review, the RPAs developed four (4) areas of concern related to public safety including increasing call volumes, the functioning of mutual aid agreements, DUI incident increases, and the increase incidence of crime. Specific recommendations were developed regarding each of these public safety concerns including:

1.4.9.1 Call Volumes

Estimates for the anticipated increase in call volumes for adjacent and nearby communities are needed to effectively evaluate potential service and cost impacts. This should be based on estimates for Milford or another justified methodology. Any Surrounding Community Agreement (SCA) that includes a public safety component should be informed by this analysis. In addition, or as an alternative, an SCA could include data monitoring and a re-opener clause contingent upon documented adverse impacts.

1.4.9.2 Mutual Aid Agreements

The applicant should assemble mutual aid agreement data for Milford and adjacent/nearby communities as a precursor to any Surrounding Community Agreement to determine how the development and its traffic, incident, call volume and other related impacts may affect these agreements. Specific actions should include:

- Levels of service for each community, as per Section 2(a) above, should be documented. This shall establish a risk threshold.
- Applicant should work with Community Emergency Medical Services (CEMS) to determine how this company will change their service provision as a result of the casino development. Any resultant gaps in service should be addressed by the applicant.
- Each community, in consultation with the Massachusetts Office of Emergency Medical Services, should update its EMS Service Zone Plan on the basis of anticipated development impacts
- Each community needs to determine its own resource “depth” and determine potential gaps that could result if the casino is developed. One means of addressing gaps could be the creation of a regional pool of backup resources, such as a unit staffed by recall personnel. This should be funded by the project applicant.
- Using forecasts of incident volumes and locations, Geographic Information Systems (GIS) should be used to map optimal points of resource deployment. This should inform current deployment strategies. The applicant should fund this initiative for regional utilization.
- A Mass Casualty Capability needs to be developed on a regional basis through the coordination and cooperation of Massachusetts Fire District 14, the Massachusetts Fire Mobilization Committee, the Massachusetts Office of Emergency Medical Services, and the Central Massachusetts EMS (Region III), with the participation of large venues that involve potential Mass Casualty generators (e.g. buses, large gatherings), such as Foxwoods, Gillette Stadium, and Wrentham Premium Outlets.
- Milford and surrounding communities must be trained and equipped to function in a high-rise building environment. The services of a fire protection engineer should be made available to assist in the development of tactics and preplanning in this effort. Training, equipment, and personnel to meet this recommendation should be funded by the applicant.
- Mutual aid response will be critical to a structure fire at the casino facility. Host and Surrounding Community Agreements should include a clear and consistent mutual aid provision which, at minimum, should include the applicant reimbursing all mutual aid responses by a surrounding community.

- Mutual aid reciprocity should be evaluated to make sure that one community is not disproportionately making requests versus providing assistance. Mutual Aid Agreements should address imbalances with a compensation or reserve fund.
- The applicant and communities should consider the area Law Enforcement Councils (METROLEC and CMLEC) as resources to assist in the implementation of regional solutions to public safety impacts.
- The Milford Police Department should create a geographical code (geocode) specifically for the casino property.
- The role of the Massachusetts State Police at the proposed facility needs to be determined. This may inform how the public safety provisions of Surrounding Community Agreements are developed. The applicant and the Town of Milford should seek this information and provide it as public information as soon as possible.

1.4.9.3 Drunk Driving

- The only way to effectively evaluate DUI impacts is to provide a time-series data set of DUI statistics for the host and surrounding communities of recent casino development in similar areas (rural to suburban). This could include both the Foxwoods and Mohegan Sun facilities for at least five (5) years prior to the openings and ten years after. This is an important data set that needs to be included in the development of a comprehensive SCA.
- Surrounding communities will need to be trained and equipped to respond to more traffic accidents, many of a more serious nature. The applicant should, at minimum, fund the establishment of a regional cache of applicable supplies and equipment for these incidents. Additional actions may include providing funding for personnel and equipment directly to the communities most likely to respond to casino generated incidents.
- Due to expected increase in EMS calls and patient transports, Milford should work with EMS providers to increase the depth of its primary and secondary response units.
- Due to expected issues related to emergency room capacity as a result of a projected increase in patient transports, Milford and the Milford Hospital should work together to review and update the hospital disaster plan and the community emergency management plan to include the new development.
- Communities in which drunk drivers are expected to travel will likely experience an increase in DUI-related incidents such as stops and accidents. These communities should be compensated by the applicant for the call response increase.

1.4.9.4 Crime

The applicant should consider, at minimum, what could be done post-opening if the conditions are different than what was estimated. Perhaps an impact escrow account could be established or a re-opener clause made a part of any SCA. This potential impact is a good candidate for monitoring and tying potential mitigation to actual post-opening data. This data should be based on the first five (5) years, and there should be a re-opener through year 10 if significant changes occur based on a threshold percentage increase beyond a revised baseline.

1.4.9.5 MRI's Additional Key Public Safety Recommendations

In addition, consultant MRI identified three (3) key public safety concerns, each in the law enforcement and fire/EMS domains, plus several general concerns.

- **Law Enforcement Recommendations**
 - Great care should be utilized when drafting the jurisdictional memorandum of agreement, as it will impact Milford Police responsibilities well into the future and a number of the true impacts cannot yet be quantified.
 - The Milford Police Department should anticipate modifying its capacity to undertake an increase in long-term criminal investigations.
 - MRI has concluded that significant attention should be given to the regional impact of the casino on public safety for surrounding communities in terms of increased calls for service, traffic related issues, and crimes.
- **Fire and EMS Concerns**
 - It is critical that the end result of any mitigation efforts focus on maintaining the same level of service (response times, availability of units, etc.) within Milford and adjacent communities that exists today.
 - A response matrix that matches the target hazard should be developed. This should include the use of automatic aid to provide for the operational needs of the incident and firefighter safety.
 - The resource depth, equipment, and training for surge incident response (Mass Casualty incidents) should be developed. This includes coordination with multiple state and regional agencies.
- **General Public Safety Concerns Recommendations**
 - Capacity and LOS Evaluation: Critical to any impact determination regarding public safety is an evaluation of current resources and levels of service. It is recommended that each potential surrounding community be assessed in regard to these metrics.

- Monitoring: Actual impacts on public safety functions should be conducted through a comprehensive incident and call volume monitoring program on a per community basis.
 - Agreements: Surrounding Community Agreements, whether or not they initially identify any specific public safety mitigation payment, should include a reference to monitoring and maintaining an acceptable LOS and resource base. Any statistically significant degradation in either metric should result in a re-opener clause that permits specific remuneration or a negotiation process for same.
-

1.4 For More Information

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Chapter 2: Introduction and Background

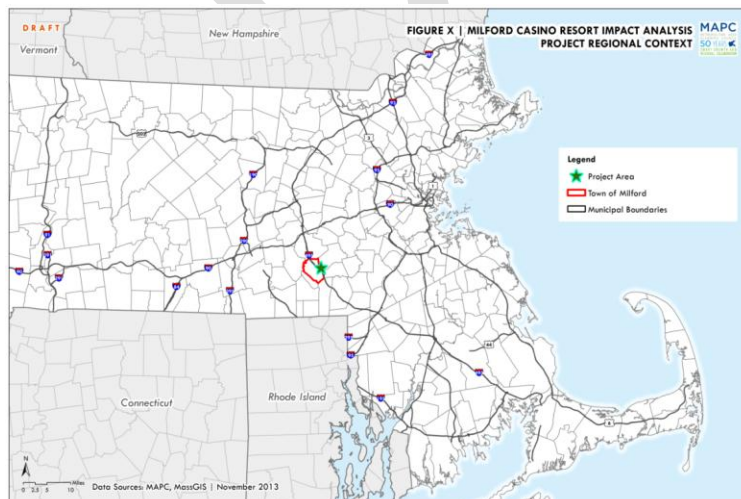
2.1 Introduction

The purpose of the Expanded Gaming Act (Chapter 914 of the Acts of 2011) was to provide “significant benefits to the Commonwealth by advancing job creation and economic development.” The Legislature and the Governor, however, cognizant of the potential impacts casinos could have on both host and nearby communities, crafted a law informed by prior examples of casino gaming impacts in other jurisdictions. The result was legislation unique in the United States in its consideration of the potential effects of the construction and operation of the casino on adjacent and nearby communities. The legislation was followed by the development of a set of detailed and exacting regulations entitled *205 CMR: Massachusetts Gaming Commission*, which further details the responsibilities, authorities, and licensing processes of the newly created MGC. It is important to note that the legislation and regulations clearly define host and surrounding communities:

- **Host Community:** The municipality in which the casino or slots-facility will be located.
- **Surrounding Community:** A municipality that is in proximity to a host community and that the Commission determines is likely to be affected by the development or operation of a gaming establishment. Note that no community shall be termed a “surrounding community” until the Massachusetts Gaming Commission officially designates it as such. Until that time, we shall refer to potential surrounding communities as adjacent or nearby communities.

MAPC did not take a position on casino gambling per se, but advocated for the rights and consideration of nearby communities in the legislative process. MAPC assisted the MGC by providing substantive comment on the development of the guiding regulations and the licensing criteria. Many of these suggestions have been incorporated in both the regulations and the application form for licensing. MAPC has been closely monitoring the initiative and process, developing core knowledge

and competence related to the legislation, regulations, and process, and has made itself available to provide consulting services to any single municipality or groups of municipalities in regard to potential community impacts from a casino development. MAPC has been active in providing regulatory and process information to communities in the vicinity of all three currently proposed resort casino projects in Region A, including the Wynn Everett project,



the Suffolk Downs project, and the Foxwoods project in Milford, MA.

On July 15, 2013, MAPC and CMRPC entered into a contract with the Massachusetts Gaming Commission (MGC) to provide a range of services to communities near the gaming facility proposed by Crossroads Massachusetts, LLC (Foxwoods) to be located in the Town of Milford (see Figure 1 above). The purpose of this project was to assist nearby communities in four specific ways:

- To evaluate the veracity and completeness of the impact and mitigation proposals filed by the applicant in relation to the potential surrounding communities.
- To make recommendations about whether additional and possibly independent studies are needed to reach as complete an understanding of impacts and mitigation of the facility as possible.
- To assist individual municipalities (or municipalities working together) to negotiate surrounding community agreements (SCAs) that will fully minimize and/or mitigate anticipated impacts on the residents of those towns.
- To encourage the proponent to amend the proposal or to expand mitigation commitments in ways beneficial to adjacent and nearby communities.

Neither MAPC nor CMRPC entered into this project with any pre-conceived position on the Milford gaming facility proposal or expanded gaming in general, and continue neither to support nor oppose the location of a casino in Milford. Furthermore, the RPAs do not feel that any municipality's participation in this process should be construed as indicating support for the proposal unless explicitly stated. We emphasize that participation is simply an effort to understand the potential development impacts as completely as possible, and to assist in the development of surrounding community agreements that will protect communities in the event a casino is sited in Milford.

2.2 Identifying Participants

The identification of participants in this process who were considered potential candidates for surrounding community status was conducted on the basis of geographical proximity to the subject site and access via the local and regional road network. Therefore, the initial invitation to a June 18th informational meeting went out to the following communities.

- Millis
- Bellingham
- Franklin
- Hopkinton
- Holliston
- Ashland
- Medway

Communities who attended this meeting were considered self-selecting and thus were included in a distribution list as a participant. The complete list of participants as of July 2013 included:

- Millis
- Bellingham
- Franklin
- Hopkinton
- Holliston
- Ashland
- Medway
- Mendon
- Hopedale
- Upton

In a letter dated August 5, 2013, the applicant sent a letter to town officials in 14 communities in the vicinity of the proposed casino site. The purpose of the letter was to invite these communities to participate in the RPA process to assess potential impacts. On the basis of this invitation, the RPAs added the following additional communities to the list of participants:

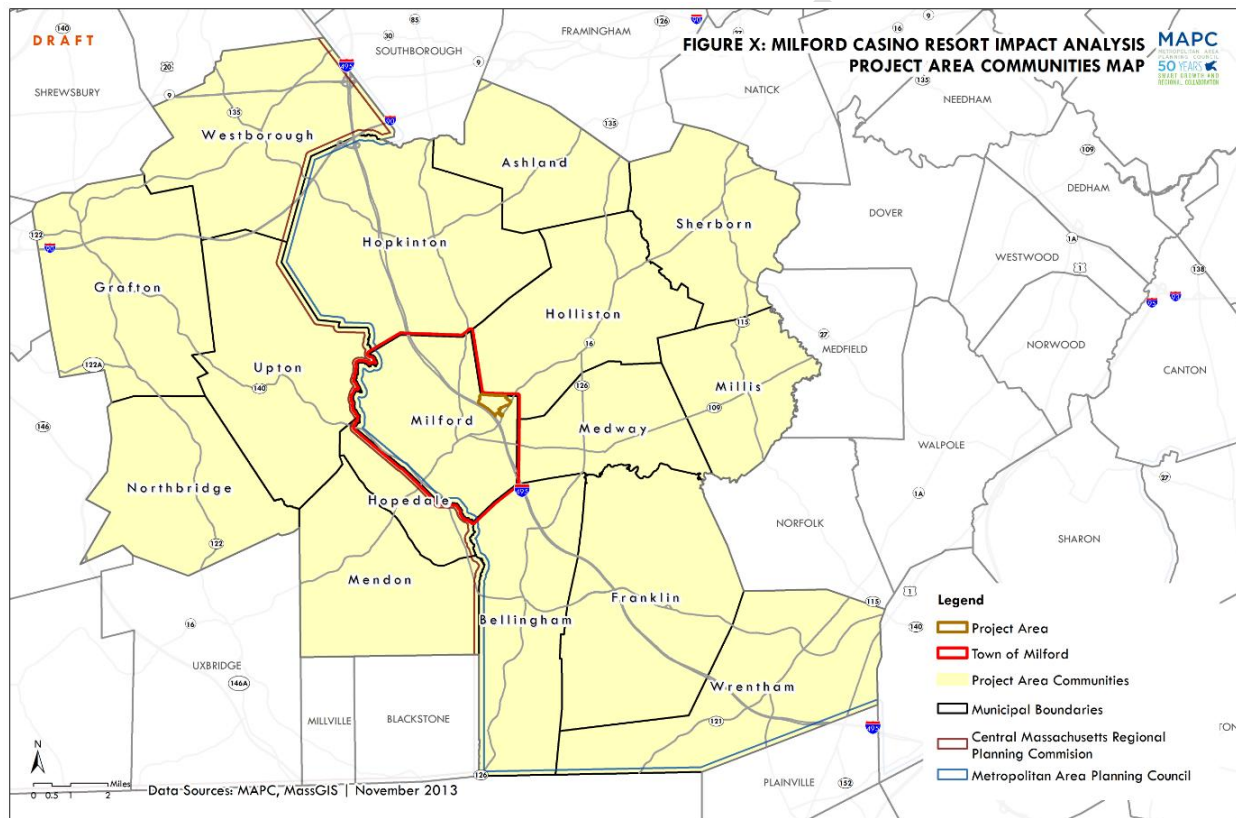
- Sherborn
- Grafton
- Northbridge
- Wrentham

Figure 2 below is map of the project communities. Table 1 provides basic population and housing data for each community.

Table 1 - Community Participant Population and Housing Profile

Community	2010 Population	% Study Area	2010 Housing Units	% Study Area	RPA
Ashland	16,593	10.2%	6,609	10.7%	MAPC
Bellingham	4,854	3.0%	1,989	3.2%	MAPC
Upton	3,013	1.9%	1,261	2.1%	CMRPC
Hopedale	3,753	2.3%	1,543	2.5%	CMRPC
Holliston	13,547	8.3%	5,087	8.3%	MAPC
Hopkinton	14,925	9.1%	5,128	8.3%	MAPC
Medway	12,752	7.8%	4,613	7.5%	MAPC
Mendon	5,839	3.6%	2,091	3.4%	CMRPC
Millis	7,891	4.8%	3,158	5.1%	MAPC

Northbridge	15,707	9.6%	6,172	10.0%	CMRPC
Grafton	17,765	10.9%	7,177	11.7%	CMRPC
Franklin	31,635	19.4%	11,394	18.5%	MAPC
Wrentham	10,955	6.7%	3,869	6.3%	MAPC
Sherborn	4,119	2.5%	1,495	2.4%	MAPC
	163,348	100.0%	61,586		



2.3 Structure of Report

This report consists of 13 chapters plus appendices. Chapters 4 – 12 comprise the technical reviews covering the topics directed by the Scope of Services.

1. Executive Summary
2. Introduction

3. Process Summary
 4. Transportation Impacts
 5. Housing Impacts
 6. Fiscal and Economic Impacts
 7. Water Resources Impacts: Water Supply and Wastewater
 8. Zoning Impacts
 9. Open Space
 10. Development Impacts: Construction and Operations
 11. Social Impacts
 12. Public Safety Impacts
 13. Conclusions and recommendations, including suggestions for potential mitigation for any impacts of development identified.
- Appendices

2.4 Reader Assistance

Please note the following:

- Appendix H is a glossary containing an explanation of certain technical terms and acronyms used in this report.

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Chapter 3: Process and Synopsis of Scope of Services

3.1 Process

The MAPC and CMRPC sought to develop and execute a process that would efficiently identify the potential effects of the proposed project on adjacent and nearby communities. The resulting process bore many similarities to the process followed for the review of any large-scale development or development of regional impact. The key differences:

- Legislation and regulations established a specific framework for the process, as well as a necessity to assess impacts in time for the negotiation of Surrounding Community Agreements (SCAs) prior to the December 31, 2013 deadline for filing a Phase II application.
- That casino developments are expected to have both positive and negative impacts, some of which are unique to gaming facilities, meant that the process had to include close scrutiny.

The approach was to hold one or more initial informational sessions to explain the process for licensing and to explain host and surrounding community roles. Next, the RPAs would facilitate several technical workshops that would allow communities to express concerns and make comments. The RPAs would collect the data, perform analyses, and if necessary, arrange for additional studies to be performed. The RPAs would conclude by developing a final report recommending ways to minimize and/or mitigate potential negative impacts. The findings were to be presented at a final meeting with communities.

Over three months, the plan was implemented in the following steps:

- On June 10, 2013, a regional meeting of public officials was held in Milford to discuss the process and regulations.
- The RPAs contracted with a team led by planning consultant Larry Koff & Associates to undertake the economic impact and fiscal impact elements of the analysis.
- Three technical work group meetings were held to discuss specific potential impacts:
 - August 12, 2013, Bellingham: discussion of impacts on transportation, water supply, wastewater, and other infrastructure.
 - August 22, 2013, Hopedale: discussion of impacts on housing, economic, fiscal, public safety, and social impacts.

- September 5, 2013, Bellingham: discussion of development and site impacts, zoning, open space, and environmental impacts.

The agenda for each technical review work group meeting included reports from the RPAs on potential impacts. These reports were gleaned from the applicant's initial technical reports, reports commissioned by the Town of Milford (funded by the applicant), and from technical and policy reports on casino impacts in other markets (see attached bibliography). The applicant team also made presentations on potential surrounding community impacts. Finally and most important, community representatives were given an opportunity to ask questions of both the applicant team and RPA staff and to note their own community-specific concerns.

After each technical review work session, the RPA compiled its concerns and those of the community. A draft of the compilation was submitted to each community so it could confirm completeness and accuracy. The final set of combined comments was submitted to the applicant team with a requested deadline for addressing each comment. Each of these sets of comments is included herein as Appendix A.

- The applicant team responded to comments within the prescribed timeframe. These responses are included as Appendix B.
- The RPAs contracted with Municipal Resources, Inc. for an internal peer review specifically of potential public safety impacts identified by RPA staff.
- On September 6, 2013, the RPAs invited participating communities to meet individually to discuss in more detail their specific concerns. The communities that accepted this offer were Millis, Upton, Hopedale, Mendon, Franklin, Holliston, Northbridge, and Medway. Notes from these meetings are included in this report as Appendix E.
- The RPAs sought to clarify their role by sending a survey to participating communities on September 13, 2013. The survey asked which specific in-scope services the community wished to receive. The responses to this survey are included in this report as Appendix D.
- On October 7, 2013, the RPAs sent a letter to the applicant team (see Appendix L) describing remaining data gaps, and noting that the requested data were necessary for the most robust possible review and identification of potential impacts. A deadline of November 8, 2013 was set for responses from the applicant team.
- The RPAs received a response to their letter on October 11, 2013, (Appendix L) and met with the applicant team and the MGC Ombudsman at the MGC offices on October 22, 2013. RPA staff agreed to refine the list of requested information in deference to what could be realistically expected from the applicant team during the remaining project time.
- On October 22, 2013, the RPAs contracted with Community Opportunities Group, Inc. for an independent labor market analysis that could serve as a basis for a housing market analysis

(and be used for other purposes, as well). On October 25, 2013, the RPAs contracted, again with Community Opportunities Group, for an independent analysis that would explore potential housing market impacts of the proposed casino development.

- A first draft of the final report was completed on November 1, 2013 and was distributed to participating communities, the applicant team, and the MGC. Comments were requested by November 15, 2013.
- *A final report was released to the MGC on Friday, November 22, and copies were provided to communities and the applicant team.*
- *A final meeting with participating communities was held in Bellingham on Friday, November 22. During the meeting, the RPAs summarized the draft report.*

3.2 Synopsis of Scope of Services

MAPC, with CMRPC as a subcontractor to MAPC, executed an agreement with the project applicant (Crossroads Massachusetts, LLC) and the Host Community (The Town of Milford, MA) and received a grant from the MGC to provide services to convene and facilitate, provide technical review and analysis, and offer recommendations to interested communities identified as Surrounding Communities as per the definition provided by M.G.L. Chapter 23K, Section 2. The Scope describes the specific services to be offered to a group of communities as applicable and as desired by the communities. The specific tasks and subtasks identified as part of the Scope are summarized as follows:

- Task 1 – Act as Convener: The RPAs would act as conveners of all involved parties and would provide an open forum for communication among applicants¹, host community, and adjacent and nearby communities. The RPAs would also bring objective technical expertise to the community meetings and present peer review findings. The key tasks performed by RPAs would be scheduling and facilitating work group meetings during which specific community-impact criteria developed by the applicant could be addressed.
- Task 2 – Technical Analysis: The RPAs would conduct a peer review of the applicant's project proposal and impact reports and form specific conclusions related to impacts, assuming sufficient relevant information were available to review. The RPAs also would have the ability to conduct or contract for limited independent analyses in critical areas, assuming available funds. If funds were not available, the RPAs could petition for additional funds. The specific topics subject to review under the technical analysis would include: traffic and transportation, housing, economic impacts, fiscal impacts, water supply, wastewater, stormwater, zoning, open space, development impacts, and public safety impacts.
- Task 3 – Inter-municipal Agreements: The RPAs budgeted to provide assistance as requested

¹ The term "applicant" shall refer to the entity that files the formal Phase 1 (RFA-1) and Phase 2 (RFA-2) applications but also may be referred to as the "project proponent," "gaming facility developer," or similar.

in the preparation of individual or regional surrounding community agreements (SCAs). The available assistance included identifying potential mitigation of specific impacts and ensuring that said mitigation was included in SCAs. As SCA facilitators, the RPAs would convene parties to regional agreement meetings and work sessions and would serve as facilitators of agreement negotiations, draft a model regional agreement for consideration, and/or work directly with each Surrounding Community individually to provide such services based on needs and preferences.

The complete Scope of Services between the Massachusetts Gaming Commission and the RPAs (MAPC and CMRPC) is listed in the appendices as Appendix K.

Chapter 4: Transportation Impacts

4.1 Introduction

Casinos are significant and unique traffic generators. Unlike most other uses, casinos generate traffic 24 hours a day, 7 days a week, 365 days a year. More than half of weekly gaming activity for this project is expected to occur on Friday, Saturday and Sunday combined. The busiest times will be Friday and Saturday when the number of daily trips the project is forecast to generate will be 27,135 and 33,620 respectively. Of these daily trips, almost 2,000 will be generated during the Friday afternoon peak hour and will increase to over 2,500 during the Saturday evening hour.

This chapter outlines the transportation analyses that MAPC and CMRPC conducted of the adjacent and nearby communities included in this report and the review of the applicant's traffic impact analysis. The RPAs' main focus falls into the following areas:

- Potential impacts to I-495;
- Timing of employee trips;
- Local roadway impacts; and
- The need for a robust transportation demand management (TDM) plan to reduce single-occupancy vehicles traveling on the highway and local roadway network.

4.2 Analysis

4.2.1 I-495 Future Build Capacity

According to the applicant's analysis, 91 percent of all trips will access the site via I-495. To accommodate the increase in traffic, the applicant proposes to build a new collector-distributor¹ (C-D) road system that will extend from Exit 19 on I-495 at Route 109 to Exit 20 at Route 85. The purpose of this C-D road is to provide a direct connection to the casino site for vehicles traveling on I-495. This roadway will help funnel traffic off I-495 and help mitigate traffic impacts from the casino on local roadways. The applicant further proposes to construct a new interchange at the intersection of I-495 and Route 16, in between existing Exits 19 and 20. The C-D road system will form a continuous roadway link along all three exits on I-495, efficiently routing casino traffic from the main highway to the new C-D roadways. With a large majority of the anticipated casino trips coming from I-495, the C-D roadway network will enhance the connection between I-495 and the casino site, and help ease traffic impacts on local roadways.

¹ A collector-distributor roadway collects vehicular traffic from nearby local and regional roadways and distributes the vehicles to their end destination, in this case the casino.

MAPC and CMRPC do not dispute the applicant's analysis that a significant majority of the patron trips will access the site using the new C-D road or that this may limit traffic impacts on local roads. However, the possible increase in congestion on I-495 generally, and especially at the interchange with I-90, is a concern. These interstates are critical to both commuters and the local business community. Both are controlled by MassDOT and will be reviewed during the MEPA process, but the RPAs request that the applicant work with MassDOT to complete a capacity analysis of I-495 from the I-90 interchange at Exit 22 to the proposed location of the C-D road (and preferably to the I-495/I-95S interchange). It is important that the capacity analysis not only include the proposed casino development, but also traffic projections that account for additional development that may support the casino (hotels, retail, restaurants, etc.) as well as traffic projections for new development in communities along I-495. This capacity analysis should determine what the current capacity of I-495 is, how future development and projected traffic growth will impact this regional roadway, and what mitigation is needed to improve conditions and properly accommodate future growth.

It is the opinion of the RPAs that while the addition of the C-D road may address many traffic concerns, there is still the potential that congestion along I-495 and at the I-90/I-495 interchange could cause trips to be diverted to local roads. Even though the number of these diversions could be relatively small, it is important to assess this potential via a capacity analysis that the applicant should fund, given that many of the local roads are currently at or near capacity during morning and evening peak travel periods when many local and regional commuters are using the interstate system. If drivers find the level of congestion on the interstate to no longer be tolerable, some drivers may seek alternate travel routes which may include using local roadways to bypass interstate congestion.

While the Host Community Agreement with the Town of Milford indicates that the applicant has committed to a traffic monitoring program that will include portions of I-495, the C-D road, and ramps, the specific monitoring locations need to be clearly identified and not be limited to where the existing MassDOT count stations and/or video detection cameras are located. In particular, monitoring must take place in locations where roadways and intersections have already reached their capacity. For example, the I-495 southbound off-ramp onto Route 85 is currently operating at capacity during Friday morning and afternoon peak hours, as the applicant has already determined. This roadway location, and others like it, must be monitored to ensure that impacts from future development do not create traffic conditions that adversely affect surrounding communities. While the applicant has identified traffic mitigation measures, monitoring helps to track any unforeseen issues that may arise over time as a result of the casino development or future development in the area that may be completed over time. The RPAs recommend that the monitoring also include the I-495 and I-90 interchange, the Route 126 interchange at Exit 18, and the I-95/I-495 interchange.

The Host Community Agreement with the Town of Milford outlines a commitment to a monitoring program which will take place starting six months after casino operations commence, with annual updates for a minimum of five years. If the results of the traffic monitoring program indicate that there is an impact attributed to casino traffic above and beyond what the traffic impact analysis indicates and exceed the capacity of what the proposed transportation mitigation measures are anticipated to improve, then the applicant should work with MassDOT, MAPC, and the affected municipalities to identify an appropriate set of improvements to be funded by the applicant.

4.2.2 Employee Trip Analysis

The RPAs believe that because the applicant's transportation analysis combined patron and employee trips, the unique characteristics associated with employee trips have not been adequately analyzed. Employee trips could have a significant impact on both MassDOT and town-maintained local roadways, because such trips tend to be characterized by short commuting distances and by specific times of travel due to workers arriving and departing from the casino in shifts. In addition, they can have the greatest impact if they coincide with the normal peak commuting hours, when existing traffic is already stressing certain roadways in the Milford area.

In the applicant's existing model analysis, the trip generation process is based simply on the total number of trips per gaming station. Consequently, all trips (employees and patrons) have the same distribution characteristics.

When employee and patron trips are combined in the complete analysis of transportation trips to and from the casino site, employee trips tend to become diluted by the much larger volume of patron trips, thus failing to provide an accurate picture of the differences between employee and patron trips. Hotel, kitchen, housekeeping, and other support personnel would likely come from different areas than patrons. It is anticipated that many employee trips will originate from communities closer to the casino location when compared to patron trips and are more likely to use the local roadway network, not I-495. The applicant has indicated that casino patrons are estimated to travel an average of 60 minutes, while daily employee trips would average 20 minutes. A separate analysis of employee trips that accounts for the projected timing of employee shifts and their expected paths of travel would help to determine the potential traffic impacts, and the mitigation that may be necessary to ensure that congestion already experienced on the local roadway network does not worsen with the casino employee traffic.

The applicant has indicated their intention to schedule shift changes so as not to coincide with existing weekday morning and evening peak hours. The applicant notes that the facility is a service-based business and typically staggers shift changes to avoid large staff transitions. As an example, they cite "dealers and other gaming personnel change shift in relatively small numbers (maximum of 50 at a time) for both service and security purposes." While the RPAs consider this proposal by the applicant to be both positive and helpful, we still believe that employee trips will differ sufficiently from patron trips in ways other than just timing (e.g., distance, point of origin, likelihood to use local roads) and that a separate analysis is necessary.

While the applicant has expressed that this separate employee modeling analysis will likely be performed under the MEPA process, that timeline does not allow the surrounding communities to fairly determine the impact prior to negotiating a mitigation agreement.

The need to have a detailed analysis of where and when these trips will occur, as well as how they will impact key corridors and intersections prior to the surrounding communities signing off on any agreements is vitally important to the overall MGC permitting process. Therefore, we encourage the applicant to estimate the percentage of employee trips that will occur for each hour of the day

(Friday and Saturday), as well as the routes most likely to be traveled. With this information, the applicant, the RPAs, and local communities should be able to assess if this traffic is likely to impact locally-maintained roads, particularly those already vulnerable due to traffic/safety concerns.

Also note that with the exception of I-495, most roads in the area are a mix of state-maintained and locally-maintained roadways. In fact, as shown on Figure 4.1², , most of the numbered roadways and intersections in the surrounding communities are under local jurisdiction. Many of these local roadways are typically the communities' "main streets" and serve a critical function for both local travel and local business. Transportation impacts on these roadways are no less important than those on state-maintained roadways.

4.2.3 Modeling Assumptions

MAPC and CMRPC find that the applicant has used sound traffic engineering practices in their modeling to determine potential impacts. The RPAs also observe that the traffic analysis was conservative with the assumptions that none of the trips would use public transit or be from outside a 60 minute catchment area. The analysis also assumed a projected traffic growth rate of 1 percent compounded annually, which when compared to traffic growth over the past few years is higher than what we have actually seen occur.

CMRPC believes that more trips will originate from Mendon, and therefore recommends that Mendon be assigned a higher rating as a ring community due to its close proximity to Milford (one mile) and due to the location of Mendon along a major arterial road (Route 16) that leads to the project site.

The RPAs recommend that the applicant incorporate into the trip generation analysis³ an additional comparable casino. The trip generation was based on two comparable casinos, Foxwoods Casino in Connecticut and Twin River Casino in Rhode Island. The applicant should refine their trip generation analysis by using a third comparable casino that is similar in size and that has surrounding land uses analogous to the proposed Milford site in order to achieve a more accurate picture of the trips created by the project. In addition, the applicant should model the employee trips separately as noted above.

4.2.4 Local Roadway Impacts Identified by the Applicant

4.2.4.1 Holliston

The applicant has stated that the East Main Street (Route 16) neighborhood in Milford, located between I-495 and the Holliston town line, is expected to see the most traffic impacts directly related

² Figure 4.1 also represents intersection locations that have been identified by both RPAs and Surrounding Communities as those that should receive consideration for mitigation, monitoring, and/or additional study to determine traffic impacts.

³ Trip generation analysis is a method to estimate the total number of trips entering and leaving a development site. The trip estimates are based on the type of development and size of development. Comparable developments are often used to create standards for the estimated number of trips a development may generate.

to the casino project. Accordingly, a series of traffic improvements have been outlined in the Host Community Agreement to address these impacts.

There are three additional intersections along Route 16 that extend beyond the Milford town line into Holliston that have also been identified in the applicant's *Traffic Impact and Access Study* as experiencing degraded traffic conditions. The applicant needs to work with MassDOT and the Town of Holliston to identify the appropriate level of mitigation to address these impacts, which may include signal retiming, improved signage, pavement markings, signaling un-signalized intersections, or even geometric changes to the intersection.

Identified in Figure 4.1, in the legend entitled 'Intersections Recommended for Mitigation' (red symbol), the three intersections along Route 16 are:

- Route 16/Route 126 (Summer Street) is an un-signalized intersection forecast to operate over capacity due to the additional project-generated traffic. Specifically, the Friday afternoon peak hour traffic for the northbound right turn from Summer Street is expected to degrade from Level of Service (LOS) E to LOS F.
- Route 16/Highland Street is a signalized intersection that is forecast to exceed capacity Friday morning and afternoon.
- Route 16/South Street/Courtland Street is an un-signalized intersection with turning movements forecast to exceed capacity Friday morning and afternoon and Saturday afternoon.

Additionally, a monitoring program should be developed for these intersections.. At a minimum, the monitoring should begin six months after casino operations commence and be updated annually for a minimum of five years. If the results of the traffic monitoring program indicate that there is an impact attributed to casino traffic above and beyond what the traffic impact analysis indicates and exceeds the capacity of what the proposed transportation mitigation measures are anticipated to improve, then the applicant should work with MassDOT, the RPAs, and the Surrounding Communities to identify an appropriate set of improvements to be funded by the applicant.

4.2.4.2 Route 16 and Route 140 Intersection

In addition, while the applicant has determined that Route 16/Route 140 in Milford will not be negatively impacted by the project, they have committed to design improvements. As this intersection borders Hopedale, CMRPC recommends that Hopedale officials be included in planning for the design changes.

4.2.5 Local Roadway Impacts that Need Additional Analysis

MAPC and CMRPC generally concur with the applicant's analysis that the majority of trips will access the site via I-495 if the C-D road and new interchange are built.

While the modeling process used sound engineering principles, models can underestimate the use of cut-through routes and trips being diverted onto local roads during peak travel periods as a result of congestion on regional roadways. The RPAs feel that more trips will occur on local roads than the applicant has identified. While this difference may be relatively low, the concern is that even a minor increase in traffic during the peak travel periods could result in already congested intersections becoming worse which in turn may warrant mitigation. The RPAs have identified the following roadways and intersections that should be analyzed for potential impacts. At a minimum, these intersections should be monitored in a manner consistent to those which are outlined in the Host Community Agreement. These intersections are identified in Figure 4.1, in the legend entitled 'Intersections Requiring Further Analysis/Potential Mitigation' (blue symbol) and are described in detail in sections 4.2.5.1 and 4.2.5.2.

It should be noted that the RPAs conducted a thorough review of existing traffic studies of the Surrounding Communities. These studies S and specific corridors and/or intersections which have the potential to be further impacted by the project are summarized in Appendix G. . While these studies are provided as background information, many of the intersections identified in these studies align with the RPA's intersections identified in Figure 4.1..

4.2.5.1 MAPC Communities

MAPC believes that Routes 16 and 109 will carry more trips than the applicant has currently identified. Specifically, a larger percentage of drivers from Westwood, and some percentage of drivers from Dedham and Boston will likely use Route 109. Additionally, a greater percentage of drivers coming from Natick and Framingham will likely use Route 16, as well as some percentage of drivers from Boston, Brookline, Newton, Wayland, and Weston.

We recommend that the applicant reevaluate how vehicular trips were distributed to these roadways and the assumptions behind the route assignments for Routes 16 and 109 and determine how the following 11 intersections in Holliston, Medway, and Millis may be impacted:

- Exchange Street at Washington Street (Route 16) in Holliston
- Central Street at Washington Street (Route 16) in Holliston
- Concord Street (Route 126) at Washington Street (Route 16) in Holliston
- Summer Street (Route 126) and Milford Street (Route 109) in Medway
- Main Street (Route 109) at Milford Street (Route 109) and Franklin Street in Medway
- Highland Street at Milford Street (Route 109) in Medway
- Main Street (Route 109) at Winthrop Street in Medway
- Main Street (Route 109) at Holliston Street in Medway
- Main Street (Route 109) at Plain Street (Route 115) in Millis
- Main Street (Route 109) at Exchange Street in Millis
- Main Street (Route 109) at Spring Street and Auburn Road in Millis

The applicant should analyze these additional intersections after reevaluating the regional trip assignments for these two corridors, and identify potential mitigation if warranted.

4.2.5.2 CMRPC Communities

West of the project site, Route 16 through the towns of Mendon and Hopedale already experiences heavy traffic flows for east-west travel. Also Hopkinton Road and Route 140 through Upton experience heavy traffic for accessing I-495 and for east-west trips. Given the relatively greater affordability of housing in the Blackstone Valley, CMRPC anticipates that a significant number of employee trips will originate in the towns west of Milford, and that most of the employee trips traveling east/west will occur on local town-maintained roadways. Therefore, it is recommended that the applicant reevaluate the trip assignment and trip distribution assumptions for Route 16, Hopkinton Road and Route 140 in Upton, Hopedale, and Mendon.

The following are the roadway intersections and segments that have recognized traffic issues today during peak hours and that could potentially degrade further due to possible increase in traffic generated by the casino. The information below is synthesized from CMRPC's annual traffic count, turning movement count, and travel time studies in the past five years. The crash data is obtained from MassDOT for the period 2007-2009.

- Route 16/Main Street/North Avenue in Mendon is a signalized intersection with no turning lanes. The intersection is documented as a high crash location and the current peak hour LOS E.
- Route 140/Hartford Avenue in Upton is a signalized intersection with no turning lanes. The current peak hour LOS is F.
- High Street/Hopkinton Street/Westboro Street/School Street in Upton is an un-signalized intersection with no turning lanes. The intersection is documented as a high crash location and the current peak hour LOS F.
- The current observed travel speeds during peak periods on Hopkinton Road from Upton town center to the I-495 interchange is between 9-19 mph.
- The current observed travel speeds during peak periods on Route 16 from Mendon/Hopedale town line to Hopedale town center is between 9-19 mph.
- Quaker St Extension is a chokepoint in the flow of east to west traffic to I-495 in the morning peak and the reverse in the afternoon peak. As the project applicant undertakes the analysis of employee trips, this location in Northbridge should be assessed for possible impacts, along with the Route 122 corridor leading to it.

The applicant should commit to monitoring all of the above identified intersections by MAPC and CMRPC to determine if increased traffic volumes attributed to the casino during the Friday morning,

Friday afternoon, and Saturday peak periods warrant mitigation. This should be monitored beginning six (6) months after casino operations commence and be updated annually for a minimum of five (5) years. If the results of the traffic monitoring program indicate that there is an impact above and beyond what the traffic impact analysis indicates and exceeds the capacity of what the proposed transportation mitigation measures are anticipated to improve, then the applicant should work with MassDOT, the RPAs, and the towns to identify an appropriate set of improvements for the identified locations.

4.2.6 Transportation Demand Management (TDM)

MAPC and CMRPC support the applicant's commitments to provide transit and TDM opportunities. A well operated and funded TDM program can reduce single occupancy vehicle trips, especially for employees. In order for the surrounding communities to assess the effectiveness of these TDM strategies, the RPAs recommend that more detail be presented that addresses the operations and potential of these measures to reduce single occupancy vehicle trips. The expansion of MWRTA's Route 6 service and the proposed shuttle services to area commuter rail stations and the Boston metro area should be described in greater detail by the applicant. For reference, existing commuter rail lines, bus routes, and bicycle facilities are depicted in Map 4.2..

4.2.6.1 MetroWest Regional Transit Authority

The applicant has indicated that the project will have a direct impact on MetroWest Regional Transit Authority (MWRTA) ridership. As the only public transit system serving the project site, the MWRTA will likely experience a significant increase in demand from riders within Milford and surrounding communities. The applicant plans to work with the MWRTA to expand the existing Route 6 service to better serve the project site, as well as downtown Milford. Expansion of the Route 6 will establish a connection between the casino and the Framingham Commuter Rail Station where riders can take the Framingham/Worcester Line to travel to and from Boston and Worcester and stops in between.

Currently, the Town of Milford is not charged an annual assessment by any Regional Transit Authority in the Commonwealth. In order to fully join the MWRTA, or any other Regional Transit Authority, the Town would have to pay an annual assessment to receive additional transit services. Through the Host Community Agreement with the Town of Milford, the applicant has committed to pay \$100,000 annually to defray costs of the Town's MWRTA assessment. A baseline rough cost estimate provided to MAPC by the MWRTA simply for expanded Route 6 service in Milford could cost upwards of \$250,000 annually. This would cover costs for one bus running 13 hours a day, five days a week, for 50 weeks a year. We recommend that the applicant work closely with the MWRTA to identify a more appropriate contribution to help offset the costs of providing a critical public transportation link not only to the casino site, but to other parts of Milford and surrounding communities. Such a link is expected to be an important element in reducing the project's dependence on the private car and will remove vehicles from the road system serving the casino site and surrounding communities. It is important to note that CTPS' *Route 126 Corridor Transportation Improvement Study* (2011), which examined transportation-related issues in the corridor from Bellingham to Framingham, found that MWRTA buses have difficulty meeting on-time performance standards due to traffic congestion. The MWRTA Route 6, which operates on Route 126 from Framingham, through Ashland, and

Holliston, is one of the impacted routes. As additional analyses of intersections and travel routes are undertaken by the applicant, it should take into account the issues described in the CTPS study and determine how appropriate mitigation on impacted intersections can assist in improving on-time performance of this MWRTA route..

Shuttle Services

While the applicant proposes operating a shuttle which will provide regular service to commuter rail stations on the MBTA's Worcester and Franklin lines, the details of this operation (i.e., projected ridership, frequency, number of shuttles, fee structure) must be identified. MAPC recommends that the applicant examine the potential to provide shuttle service to and from the stations closest to the casino site - Franklin Forge Park Commuter Rail Station and the Southborough Commuter Rail Station. The applicant should also explore the feasibility of other stations that could serve as shuttle pick-up/drop-off points, such as Framingham Station.

The applicant also intends to establish a non-stop and limited-stop shuttle connecting the site directly to South Station and Back Bay Station. The non-stop shuttle will offer service to the casino every 2-3 hours and the limited-stop shuttle will serve additional stops in Cambridge and Boston. The limited-stop shuttle is anticipated to run every 3-4 hours. The details of this operation (i.e., ridership, number of trips, frequency, fee structure) also must be identified.

Bicycle Access

The project site is located between two sections of the Upper Charles River Rail Trail that connects Milford, Ashland, Holliston, Hopkinton, and Sherborn. As the applicant has acknowledged, the location offers a unique opportunity to provide safe and convenient bicycle access from Milford and surrounding communities. The applicant should further evaluate bicycle access to the project site, including a connection from the site to the nearby Upper Charles River Bike Trail.

4.3 Summary and Conclusions

The RPAs have analyzed the applicant's proposed site design and traffic improvements, trip generation and distribution modeling, and related transportation assumptions. We have specifically identified four primary areas of concern: 1) I-495 future build capacity, 2) the need for a separate employee trip analysis, 3) modeling assumptions whereby an additional comparable facility needs to be added, and 4) further mitigation and evaluation for local roadway impacts where the potential for diversions and cut-through traffic are highest. If the applicant addresses these concerns and a mitigation program is developed for the surrounding communities, the potential impacts of the facility may be reduced, particularly the concern of congestion on the local roadway network. Specific recommendations are as follows:

- Capacity Analysis of I-495

The construction of the I-495 C-D road and new Route 16 interchange is expected to carry upwards of 90% of patron trips to the casino site, likely limiting traffic impacts on local roads.

However, a capacity analysis of I-495 is warranted to determine if future development and the resulting traffic growth will increase highway congestion and divert trips to local roads.

- Employee Trip Analysis

The applicant should provide an analysis to identify how employee trips will impact local roads. Employee trips could coincide with peak commute times and create impacts at already congested intersections on local roads. Employee trips should be modeled and analyzed separately to determine their impacts on locally-maintained roads, particularly those with existing traffic/safety concerns. Based on the results, the applicant should develop a shift plan that minimizes impacts during peak traffic times.

- Third Comparable Casino

The applicant should refine its trip generation analysis by incorporating a third comparable casino that is similar in size and that has surrounding land uses analogous to the proposed Milford site in order to achieve a more accurate picture of the trips created by the project.

- Modeling Analysis

The RPAs anticipate that additional trips will occur on local roadways beyond what the applicant has identified. While the degree of impact created by this difference is unknown, the RPAs note that trips on Routes 16 and 109 and perhaps other local roads are likely underestimated by the applicant's traffic model because it did not take into consideration the unique characteristics of employee trips and the full extent of trip diversions. The RPAs recommend that additional analysis be conducted and that a monitoring program be established to determine if there are impacts and if additional improvements are warranted in the future.

- Monitoring Program

Include additional intersections and other locations for monitoring beyond those identified in the Host Community Agreement (D-1, Traffic Improvements, Section 14; pp.D1-3 to D1-5). Monitoring should take place along I-495 and Routes 16, 85, 109, 126, and 140. The RPAs recommend that specific locations for conducting counts be identified in Surrounding Community Agreements (SCAs):

- Monitoring the intersections identified in sections 4.2.4 and 4.2.5. Each of these intersections (see Figure 4.1) requires monitoring by conducting traffic and turning movement counts.
- Monitoring other relevant count and turning movement locations corresponding to the recommendations in this section.
- Monitoring of traffic should establish a baseline prior to construction commencing and three years prior to operations commencing. Annual monitoring of traffic should begin six months after operations commence and extend for a minimum period of five years.

- Intersections on Route 16 in Holliston

The applicant's own analysis has identified three impacted intersections on Route 16 in Holliston but has not directly offered mitigation, such as signalization, the inclusion of turning lanes, or increasing capacity for those intersections. That mitigation should either be addressed in an SCA with Holliston, or ordered through arbitration when the issue goes before the Massachusetts Gaming Commission. The Town of Hopedale should also be included in any future mitigation discussions regarding the intersection of Routes 16 and 140 in Milford due to the intersections' proximity to the Hopedale town line.

- TDM Plan and Shuttle Service

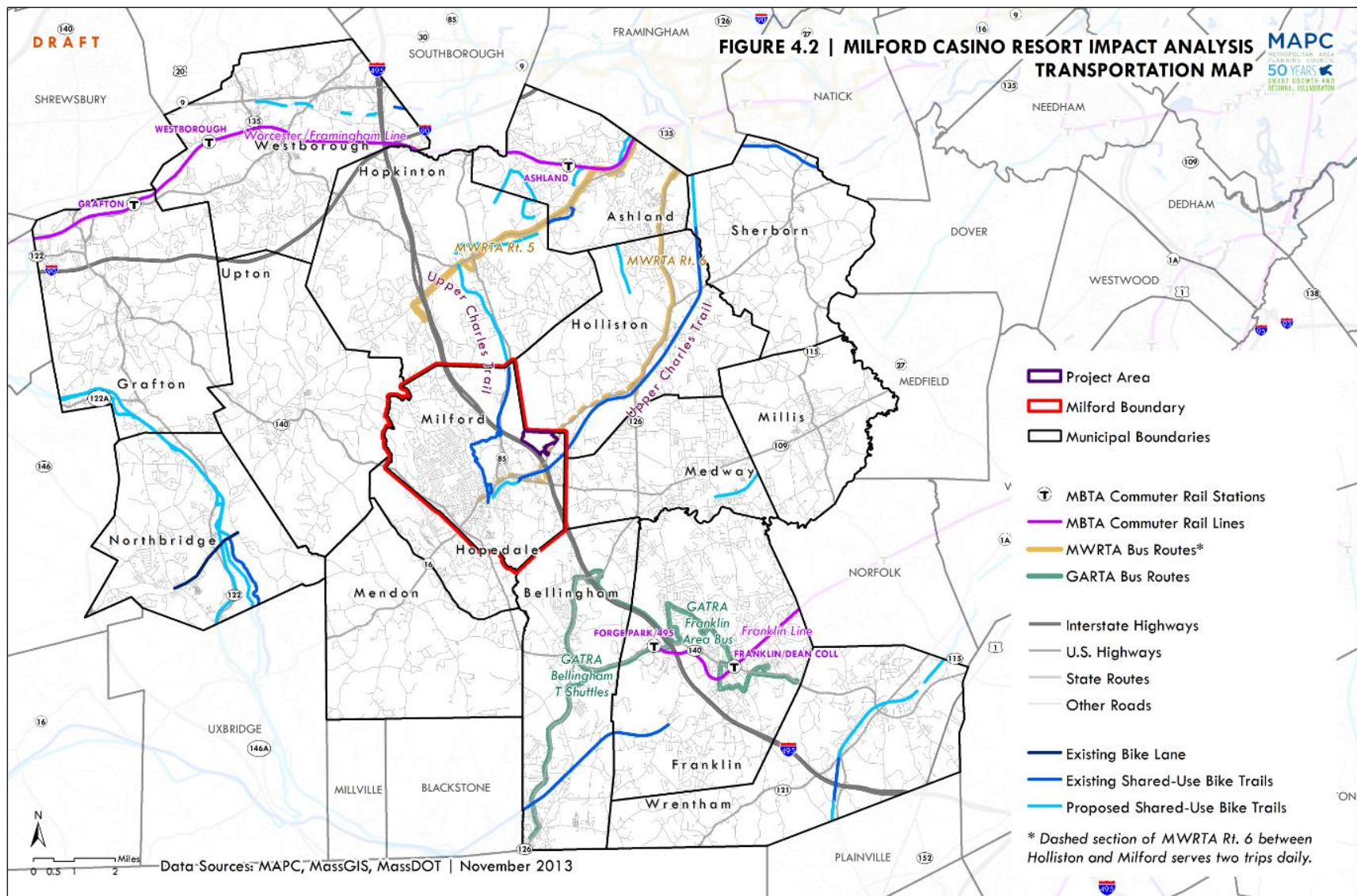
MAPC and CMRPC acknowledge the proposed TDM program and the applicant's commitment to fund a variety of shuttle services. More detail on the specifics of the TDM plan and shuttle service must be provided to determine the effectiveness that these strategies will have on replacing both patron and employee single occupant vehicle trips with other modes of transportation.

- MWRTA Service

The applicant should work with the MWRTA and the Town of Milford to identify a transit service plan that provides service to not only the casino site but to other locations in Milford. The applicant should also consult with the MWRTA and the Town to identify an appropriate contribution to cover the Town's assessment to the MWRTA on an annual basis. MAPC believes that the previously identified amount of \$100,000 annually to the MWRTA may not be sufficient to provide an adequate level of transit service.

- Surrounding Community Agreements

Transportation impacts are not likely to be comprehensively identified or confirmed prior to Surrounding Community Agreements (SCAs) being executed. Therefore, we recommend that the applicant consider *all* communities invited to participate in the RPA review process as Surrounding Communities at least for the purpose of traffic and transportation impacts. We encourage the applicant to negotiate SCAs with these communities and, at a minimum, the transportation element of any SCA should consider the inclusion of the provisions outlined in chapter 13 of this report, section 13.2.7.2, Important Elements of a Surrounding Community Agreement.



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Chapter 5: Housing Impacts

[Please note that this chapter on housing impacts is still being developed and refined due to the delay in receipt of an independent housing market impact analysis. The RPAs will release the housing chapter by November 15, 2013 and it will be distributed for comments at that time.]

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Chapter 6: Fiscal and Economic Impacts

6.1 Introduction and Relevance of Topic

A consulting team led by Larry Koff & Associates was retained by the RPAs to conduct a peer review analysis of economic and fiscal impacts of the proposed Foxwoods Casino in Milford, Massachusetts on 14 nearby towns as identified by our client, the Metropolitan Area Planning Council (MAPC). Assisting in this effort are two firms with substantial experience in this topic, Community Opportunity Group, Inc. (COG) and Jeffrey Donohoe Associates (JDA).

The proposed development of a Foxwoods Casino in Milford, Massachusetts would generate substantial employment and investment in the local economy as noted in the GMA report¹. The applicant has suggested a total capital investment of \$1 billion. The proposed development is expected to employ 3,567 individuals² with an annual payroll approaching \$150 million. Foxwoods estimates its future workforce will be primarily located within a 30 minute commute time but could extend beyond that range including into large portions of Rhode Island and Connecticut. According to Foxwoods, the casino could attract 20 million customers annually with peak visitation rates at full build-out of approximately 37,000 customers on typical Saturdays.

The proposed project will generate fiscal and economic development impacts on the Town of Milford and may also impact nearby towns. Local and State tax revenue, the labor market, local businesses, and the housing market will respond in varying degrees to this new investment and demand. Likewise, government services will need to adjust to the new demands upon public safety: police, fire, and emergency medical services (EMS), and other services including education, public health, public works, and development services. Fourteen (14) nearby towns are concerned with these possible impacts: Ashland, Bellingham, Franklin, Grafton, Holliston, Hopedale, Hopkinton, Medway, Mendon, Millis, Northbridge, Sherborn and Wrentham. A peer review impact assessment process established by the Massachusetts Gaming Commission has resulted in MGC engaging the RPAs (MAPC and CMRPC) to perform this analysis in regard to the proposed Milford project. This analysis is being developed as a resource that can be utilized by the nearby towns in negotiating Surrounding Community Agreements with the applicant consistent with 205 CMR 125.01 Section 4.

6.2 Data Collection and Data Sufficiency

6.2.1 Data Collection

¹ Gaming Market Advisors, GMA Response to Surrounding Communities, September 2013.

² 2,437 hourly full-time employees, 641 hourly part-time employees, and 489 salaried staff employees.

The consultants' conclusions and recommendations are based upon a survey of impacts on communities by comparable casinos (case studies), a spatial analysis of various indicators for each town (e.g. commute distance, proximity of fire stations, etc.), research into relevant fiscal and economic indicators and finally, interviews with staff from the neighboring towns concerning possible impacts.

- Case Studies: Representatives of COG and JDA visited three casinos in Northeast Pennsylvania: Mohegan Sun at Pocono Downs (Plains Township), Mt. Airy Casino (Paradise Township), and Sands Casino (City of Bethlehem). Meeting with officials in these communities allowed the consultant team to obtain a better understanding of the impacts, both negative and positive, that had been realized in each community. None of the communities visited are intended to replicate the qualities of Milford, MA, and none of the casinos visited are directly comparable to the Foxwoods Massachusetts proposal.
- Spatial Analysis and Ranking: Utilizing GIS mapping, the team assessed nearby communities by a number of variables, including commuting distance to the casino site, access to ramps from I-495, nearby fire stations and the presence of commercial areas and sewers.
- Researched Relevant Fiscal and Economic Indicators: These include revenue sources of the neighboring towns, such as state aid, tax base and tax rates.
- Analyzed the report prepared by the applicant's consultant, Gaming Market Advisors, on the fiscal and economic impacts to the surrounding communities.³
- Interviews: Interview results were gathered either in person or through an emailed questionnaire. The consultant team met or discussed with staff from 9 out of the 14 nearby communities, as well as Milford. These included Bellingham, Franklin, Holliston, Hopedale, Hopkinton, Medway, Millis, Northbridge/Whitinsville, and Upton. No staff was available from Ashland, Grafton, Mendon, Sherborn, or Wrentham. With assistance from MAPC, a questionnaire was circulated to the nearby communities raising questions about possible fiscal and economic impacts that may arise as a result of the proposed casino project. ⁴ Responses were received from the Towns of Bellingham, Medway, and Upton.

Interview responses are summarized in five topic areas: traffic congestion and police services, fire and EMS services, municipal services, infrastructure, and economic impacts. Under each topic, a brief summary of the town's response is given, however towns with no comments on a given topic were excluded. For full details on interview and questionnaire responses, please see Appendix C.

6.2.2 Data Sufficiency

³ Gaming Market Advisors, GMA Response to Surrounding Communities, September 2013.

⁴ Questions for Communities Regarding Casino Impacts-August, 2013.

The purpose of the following analysis is to provide the neighboring communities a preliminary framework for both evaluating possible impacts and for seeking any additional information from the applicant. A peer review consultant is charged with evaluating the work of the applicant's consultants in performing their impact analysis. As consultants assigned to review fiscal and economic impacts, we were initially concerned with the question, *"Did the applicant's technical team utilize generally accepted assumptions and were their findings consistent with the analysis?"*

The applicant, Crossroads Massachusetts, LLC, did not undertake an analysis specifically of the fiscal and economic impacts of a casino on either the town of Milford or the surrounding communities. However, the applicant commissioned a number of studies including:

- Traffic Impact and Access Study
- Projected Labor & Labor Market Analysis.
- Real Estate Impact
- Water and Sewer System Impacts and Impact Mitigation Summaries
- Stormwater Impacts and Management Plan

The applicant also relied on a fiscal impact study commissioned by the Town of Milford and prepared by the real estate and economic development consulting firm HR&A.⁵

In order to ensure that the applicant addressed key issues, a series of questions were drafted and forwarded requesting more specific information on a range of topics, including fiscal and economic impacts on the nearby communities. The report, "Group B Preliminary Comments, Thursday, August 20, 2013," was followed by a report "Group B Preliminary Comments with Community Comments Topics: Housing, Social/Health, Public Safety, Fiscal Impacts, Economic Impacts, and August 30, 2013." In response to these questions, the applicant provided in the report ([GMA Response to Surrounding Communities](#)) a generalized reply to the questions raised by the consultants and nearby communities. These comments and responses can be found in Appendix A and B, respectively.

In short, information available for peer review related to economic and fiscal impacts was less comprehensive than anticipated and this created a challenge for our analysis. We have, therefore, adjusted our method and focus. Thus we have not attempted to quantify the fiscal and economic impacts in detail, but rather have established a preliminary ranking of the neighboring communities most likely to be impacted on the following five (5) factors:

- Traffic congestion and police services
- Fire and emergency medical services (EMS)
- Municipal services (e.g. schools, permitting, department of public works)
- Infrastructure (e.g. sewers, roads) and
- Economic Impacts (e.g. local businesses, tax revenues).

⁵ HR&A, [Mitigation Study for Project Crossroads Massachusetts, LLC \(d/b/a Foxwoods Massachusetts\) on the Town of Milford](#). July 23, 2013.

The consultant team also drafted the following questions that are desirable to be answered by the applicant in order to identify actions to moderate these impacts.

6.2.3 Further Comments and Questions

The task of clarifying and suggesting mitigation strategies for the fiscal and economic impacts of the proposed casino on nearby towns will require more specific data. Given the limited time period allowed for this review, the consultants have identified a short list of topics and questions which need to be addressed, including Public Safety, Municipal Services, Infrastructure, and Economic Impacts. The consultant team has identified the key questions and comments and their importance in identifying mitigation strategies to be considered by nearby towns when they are negotiating Surrounding Community Agreements with the applicant.⁶

6.2.3.1 Economic Impacts and Labor Market Analysis Study Areas

The 10-, 20-, and 30-minute drive times, which were prepared for the housing and per-capita income analyses, would be also useful to evaluate the labor impacts and job creation forecasts. An independent analysis of potential impacts on the labor market will further inform this issue.

6.2.3.2 Average Wages

The applicant indicates that employee benefits will range from 37% to more than 60% of the average wages for its employees at the three lowest average compensation levels. This is considered an unrealistically high level of benefits that overstates the income and implied purchasing power of the lowest paid worker. We pose the questions, “**Why is the cost of benefits the same for all three of the lowest paid employment categories?**” and “**How will these lowest paid workers afford housing?**”

6.2.3.3 Hotel Feasibility Study

The GMA report references an updated hotel feasibility study that should be able to project how the hotel market in nearby towns will be impacted and that could inform what mitigation steps should be undertaken, if any. More specifically, assuming a 550 room hotel, additional data would be needed to:

- Identify how the average daily rate and average occupancy rate for competing hotels, as compared to the proposed Foxwoods hotel, will create a demand or over-supply for average daily room nights in the hotel market in nearby towns.
- How an estimated surplus or deficit might impact the demand for hotel room nights in adjacent and nearby communities.
- Determine which nearby towns (e.g., Franklin, Wrentham, Medway, Holliston or Medway) are likely to be most impacted positively or negatively, and which towns might experience the demand for new hotel rooms.

6.2.3.4 Restaurant Impacts

⁶ Gaming Market Advisors (GMA), GMA Response to Surrounding Communities, September, 2013.

Restaurant impacts were conservatively assumed by GMA to represent 0.5% of visitors annually or an additional 100,000 visits to surrounding communities.⁷ Our experience indicates that this figure could be as high as 2.5% of total visitation or 500,000 visits. A projected distribution of restaurant visits by employees and casino visitors for each participating community would facilitate analyses to estimate impacts on traffic, zoning, permitting, commercial development, and increased local revenue. **Question: “What is the likely split of visits to area restaurants by casino employees vs. casino visitors?”**

6.2.3.5 Schools

While the proponent’s assumption that a large majority of casino development jobs will be filled by the local labor market is plausible, it seems unlikely that only 168 people, primarily in skilled positions, will be relocating to the region. A broader range of potential new employees moving to the commuting area should have been used in this analysis. This would have been more representative of potential impact of labor on criteria such as housing and services. An independent analysis of potential impacts on the housing market has further informed this issue.

6.2.3.6 Public Works

Section 4.1, Transportation Impacts (above), identified the roadway/intersections that needed improvement (State Routes 16, 109, 126, 85 and 140) as well as various TDM measures that needed to be addressed. The proponent should acknowledge the need to address these concerns in a subsequent phase of analysis.

6.2.3.7 Development Services

(e.g. Planning, Engineering, Conservation, Health and Fire Safety Inspections, Building, Code Enforcement, and Permitting Services)

If adequate housing for new casino resort employees does not exist or is not adequate to absorb all of the new employees moving to the area, adjacent and nearby municipalities within the commute-shed may experience pressure to build new housing and may experience an increase in requests from property owners to convert existing housing to rooming houses or higher capacity multi-family housing. The municipalities near Milford may not have adequate zoning and building code provisions to prevent or address such pressures and trends, or the staff to enforce existing regulations.

Section 4.5, Zoning and Regulatory Impacts (below), identified a number of nearby towns which would likely be impacted (Medway, Holliston, Hopkinton, Hopedale, Bellingham, Franklin, Wrentham). The RPAs feel that it would not be unreasonable nor significantly costly to provide such assistance, at minimum, to the most likely impacted communities and that such impacts should be considered in advance rather than after the impacts are having to be funded by the local communities. The applicant should respond to how and when it might address these concerns.

⁷ GMA, GMA Response to Surrounding Communities, September 2013, p. 5.

6.2.3.8 Board of Health Services

More inspections of food service and hospitality establishments will need to be conducted as a result of additional development activity. More permitting and building inspections will be required in response to an increase in building and development activity and in the number of facilities and services. The need to increase code enforcement capacity (e.g., building, zoning, sanitary) may become an issue in some of the nearby communities.

Question: Using data from an updated Hotel Feasibility Study and in regard to restaurant impacts, the applicant team should be able to confirm that the nearby communities most likely to be impacted and need these enhanced services include:

- Medway
- Holliston
- Hopkinton
- Hopedale
- Bellingham
- Franklin
- Upton

6.2.3.9 Public Safety Issues

From the law enforcement, fire and EMS service perspective, considerable work needs to be undertaken by the proponent with nearby communities to ensure that mutual aid agreements and resources including equipment, training, and personnel are at a comparable level of service (LOS) to Milford with the Host Community Agreement (HCA) mitigation factored in. It should also be comparable to the LOS that adjacent communities experience today (in regard to response times, availability of units, etc.). This LOS should be assured and monitored to account for changes in demand.⁸ On the basis of the fiscal impact analysis which follows, the communities of Bellingham, Medway, Hopkinton, Holliston, and Hopedale are the most likely adjacent and nearby towns whose public safety impacts will likely need to be addressed by the Proponent. **Question: The applicant should identify which towns may need public safety mitigation.**

6.3 Analysis

6.3.1 Fiscal Impact Analysis

⁸ Municipal Resources Inc., (MRIP, Public Safety Internal Review and comment, October 2013, p. 11).

The large scale development of a casino and hotel will likely have significant impacts upon the fiscal conditions of some adjacent and nearby towns fiscal conditions, land use, and economic base. As peer review consultants, we did not receive any information detailing the estimates of revenue to be generated in the various towns, or the costs of municipal services resulting from addressing its impacts. However, , the analysis of spatial factors, fiscal indicators, and interviews of key municipal officials have given us the basis to identify municipal services in specific adjacent and nearby communities that might be most likely to be impacted by the presence of a casino in Milford.

Much of the literature on the impact of casino development has reached a similar conclusion: it is unlikely the benefits of the casino will be as great as the developer touts and it is unlikely the negative impacts of the casino will be as dire as the casino opponents predict. This does not mean negative impacts should not be expected.

6.3.1.2 Public Safety Impacts

On the basis of the fiscal impact analysis of the proposed casino development on nearby towns, we have concluded that the most significant fiscal impacts caused by a casino development will be related to public safety services (police, fire and EMS services). The applicant has identified and estimated these impacts for the Town of Milford, but has not analyzed how the projected increased demand in the form of service calls and other indicators might impact neighboring communities that provide mutual aid on a regular basis and may experience direct impacts themselves.

The project can expect to create an increase in calls for EMS services. This increase is a result of the larger covered population in the area due to the casino visitors — peak visitation rates at full build-out of approximately 37,000 customers on Saturdays are estimated — and the demographics of the casino visitors. The projected number of daily visitors to the proposed casino represents a significant increase in the number of people to be covered by the local EMS services. It should be quantified by the applicant in terms of the percentage increase in population for the region and more specifically for the nearby towns. The casino visitors are also expected to skew towards an older demographic that can be expected to require more EMS service than the population at large. Milford and some neighboring communities use a private ambulance service, Community Emergency Medical Services (CEMS), to provide EMS service. The applicant has estimated that the CEMS operation in Milford has the capacity to handle the increased demand for the region. No estimate has been made on the projected increase in EMS calls on nearby towns, and it has not been established that the CEMS operation in Milford or some of the nearby towns that utilize this service, has the capacity to handle the increased demand for the region.

The Spectrum Report⁹, prepared to analyze the economic and social impacts Indian gaming has had on the state of Connecticut, found the incidence of driving under the influence (DUI) increased significantly in communities surrounding the casino at a time when DUI arrests were declining statewide (p. 193-194). This particular public safety impact is one often found beyond the borders of the host community. The potential need for additional patrols in the communities bordering Milford should be considered.

⁹ "Gambling in Connecticut: Analyzing the Economic and Social Impacts", Spectrum Gaming Group, June 22, 2009.

6.3.1.3 Code Enforcement Impacts

The Spectrum Report also found an increase in housing code violations related to the development of the casinos. In Montville and Norwich, CT, communities that are adjacent to the casinos, the incidence of illegal rooming house conversion increased dramatically after the casinos were developed. As a response, the City of Norwich hired an additional inspector (The Blight Officer) so it can respond to these complaints without requiring its other inspectors to work overtime. The illegal rooming houses result from an influx of low wage workers, a limited supply of affordable housing, cultural differences, and the greed of unscrupulous landlords. Current Connecticut law does not allow a building inspector to enter a property unless he has direct knowledge of a violation or receives a complaint from the public.

The number of employees relocating to the Milford region is expected to be smaller than the influx of population Southeast Connecticut experienced as a result of the creation of Foxwoods and Mohegan Sun. The Connecticut casinos were developed in a rural section of the state that did not have a local labor force capable of filling all the new casino jobs. Each of the Connecticut casinos is larger than the proposed Milford project. When combined, they represent a project 4 to 5 times larger than the Foxwoods Crossroads project and employ roughly 20,000 individuals. The laborshed for the Milford project has more than 26,000 unemployed individuals. Foxwoods projects it will fill up to 90% of the jobs created by the project with individuals from this labor pool. A more conservative estimate that Foxwoods will fill only 80% of the new jobs from the local labor pool results in an estimated 585 to 725 individuals relocating to the region (Community Opportunities Group, 2013). Nonetheless, local enforcement officials should be aware of these potential impacts.

6.3.1.4 Public School Impacts

The Spectrum Report found that Norwich, CT experienced a strain on its public school system due to an influx of non-English speaking workers to the region when the jobs at the casinos could not be filled by the local labor market. In the ten year period from 1999 to 2008, the Norwich English for Speakers of Other Languages (ESOL) program grew from 40 students to 380 students who speak a total of 26 languages. The City of Norwich school district currently spends nearly \$2 million annually on its ESOL program. The demographic changes experienced by the communities near the Connecticut casinos are more dramatic than the changes projected in the Milford region but these potential impacts should be noted.

6.3.2 Spatial Analysis

There are a number of factors that may increase the chance that the proposed casino will impact the need for additional municipal public safety services as well as development within nearby community. These factors were analyzed through research and a spatial analysis (e.g. ArcGIS), by Larry Koff and Associates, as illustrated in Figures 1 and 2.

6.3.2.1 Commuting Distance and Access to Rt. 495

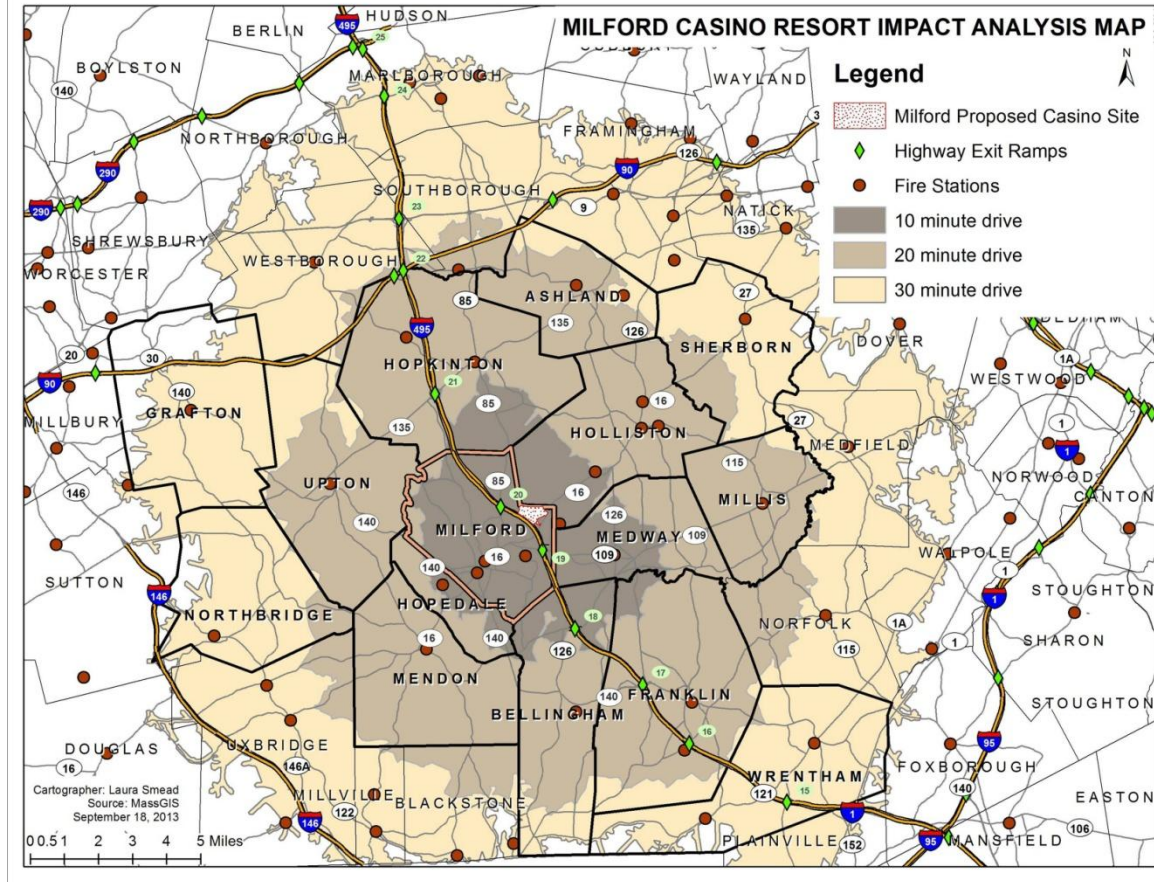
Figure 6.1. Towns with Exits on I-495



6.3.2.2 Fire Station Within a 10-minute Drive

Towns with fire stations within a 10-minute drive of the casino are considered to be more likely to be impacted by the need for reciprocal EMS services due to their proximity and access to the proposed casino. As illustrated in Figure 2, these towns include Hopedale, Holliston and Medway. Additional analysis will be needed to confirm whether sufficient EMS services will be able to be provided.

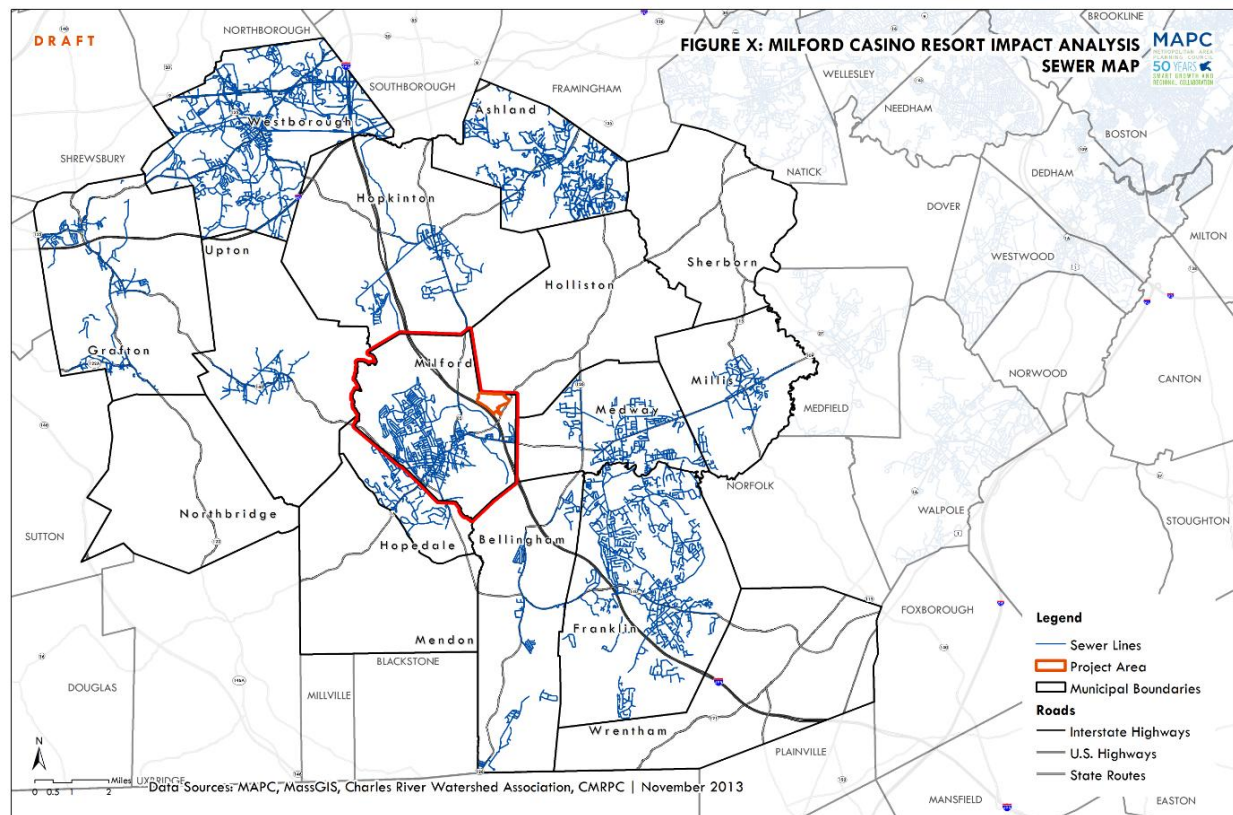
Figure 6.2. Towns with Fire Stations Within 10-minutes of Proposed Casino



6.3.2.3 Presence of Sewers

The municipalities abutting Milford that have sewers may be impacted if additional development (as a result of the casino) requires more sewer capacity for hotel and commercial development. Seven towns surround Milford, four of which have sewer systems, which would be able to support related commercial development. These towns include Bellingham, Franklin, Hopkinton and Medway.

Figure 6.3. Milford Casino Resort Impact Analysis Sewer Map



6.3.2.4 Number of Police Officers per 1,000 Residents

From the limited data that was readily available on population and police staffing levels from the town's police websites, it is apparent that the staffing levels current and proposed are substantially higher in Milford than in the neighboring towns (see Table 2). The inclusion of part time staff might account for the high ratio in Hopedale, Mendon, and Sherborn. The HR&A Report commissioned by the Town of Milford indicated that a 27% rise in police service calls due to daily casino visitation was projected requiring a 25% increase in police services for a total future need of 58 officers.¹⁰

¹⁰ HR&A, Mitigation Study for Project Crossroads, Massachusetts, July 23, 2013, p. 25.

Table 6.2. Ratio of Police staff per 1,000 residents

Town	Population 2010	Police Dept Staff	Staff/1000 Residents
Milford	27,999	45(current); 58 (future)	1.6 (current); 2.0 (future)
Franklin	31,852	39	1.2
Wrentham	10,955	31	2.8
Bellingham	16,332	25	1.5
Ashland	16,593	25	1.5
Northbridge	15,707	22	1.4
Holliston	13,547	21	1.6
Mendon	5,839	20	3.4
Hopkinton	14,925	20	1.3
Hopedale	3,753	18	4.7
Grafton	17,765	18	1.0
Sherborn	4,119	14	3.4
Upton	7,542	12	1.6
Medway	12,752	Unknown	n/a
Millis	7,891	Unknown	n/a

Police Staff includes full-time and part-time police officers (e.g. patrol, safety, detectives), but excludes those in communications or administrative roles (e.g. dispatchers, clerks).

6.3.2.5 Spatial Analysis Ranking

Towns receive ranking points for all drive time buffers they cross. For example, the town of Medway falls within both the 10-min and 20-min proximity buffer; however, the town of Northbridge only falls within the 20-min buffer. Towns within a 10-min drive time were given 2 points, whereas 20-minute or 30-minute drive times were given 1 point. Towns are given one point for every I-495 exit ramp within their boundary. Likewise, they are given one point for every fire station within a 10-min drive of the proposed casino site. Public Sewer impacts were only assessed for towns that immediately abut the proposed casino site (1 point).

Table 6.3. Ranking of Potential Impacts on Surrounding Towns

Town	10-min	20-min	30-min	I-495 exit ramp	Fire Station within 10 min	Public Sewers	Total
Medway	2	1			1	1	5
Bellingham	2	1		1		1	5
Hopkinton	2	1		1		1	5
Holliston	2	1			1-2	No	4-5
Franklin		1		2		1	4
Hopedale	2	1			1	No	4
Northbridge		1	1			Not assessed	2
Wrentham			1	1		Not assessed	2

Ashland		1				Not assessed	1
Grafton			1			Not assessed	1
Mendon		1				Not assessed	1
Millis		1				Not assessed	1
Sherborn		1				Not assessed	1
Upton		1				No	1

*Note: Ten minute drive times were scored with 2 points

The communities most likely to be affected by the proposed casino due to their proximity and access include **Medway, Bellingham, and Hopkinton** (see Table 3). These communities are within a 10-minute drive of the proposed casino site, but they also either have an exit ramp off I-495 or have a fire station nearby. They also all have sewers, which may be affected by further development. A second tier of communities could include **Holliston, Franklin and Hopedale**. While Franklin is 20 minutes away, it has (after Milford) the most proximate commercial area that could accommodate existing and projected hotel and restaurant customers. Hopedale and Holliston are both located within 10 minutes on major state roads and have fire stations within a 10-minute drive time. However, neither have exit ramps from Rt. 495 nor sewer systems.

6.3.3 Analysis of GMA Impact Report

GMA prepared an impact analysis of the fiscal and economic issues raised by the surrounding communities regarding the proposed Foxwoods casino development project.¹¹ This report considered six impacts; labor market, economic, housing, social and health, public safety and fiscal. The consultant team conducted the following review of this report. In summary, the report is quite general and provides no specific analysis of the impacts on a town-by-town basis or even on surrounding communities collectively. Therefore our analysis of the GMA Impact Report is limited to the very general information provided by the applicant.

6.3.3.1 Economic Impacts Inconsistent

There appears to be substantial inconsistencies amongst the size of the catchment areas in the various reports. This has implications on the labor market analysis and the estimate of economic impacts. For example:

- The Crossroads GMA labor analysis indicated a total adult population within 25 miles of Milford of approximately 2.2 million¹¹.
- The GMA Response to Surrounding Communities report indicated an adult population in 2012 within a 30-minute drive time of approximately 480,000 persons.¹²
- The traffic study referred to a 30-60 minute zone with a population of 4,425,000¹³.

¹¹ Gaming Market Advisors, Projected Labor and Labor Market analysis, July 2013, p. 11.

¹² Market Advisors, GMA Response to Surrounding Communities, September, 2013, p. 3.

¹³ TetraTech Traffic Study, p. 30.

GMA's approach to evaluating economic impacts is inconsistent with the approach provided to evaluate residential housing impacts (Section IV, p; 7) and their analysis of per capita income (Page 3), which uses drive time analysis to evaluate impacts. GMA's discussion of economic impacts focuses on the Town of Milford, the remainder of Worcester County and the remainder of the state. This approach is believed to dramatically overstate the impacts on the Town of Milford and minimize them elsewhere. The analysis does not adequately evaluate impacts to the east and south of the project, given Milford's location on the eastern edge of Worcester County, its proximity to both Middlesex and Norfolk counties, and its proximity to the borders with both Connecticut and Rhode Island. We had recommended that GMA and HR&A prepare estimates of economic impacts using the 10-, 20- and 30-minute drive times used for the housing and per capita income analyses, which would have been a far more useful measure related to the surrounding communities.

6.3.3.2 The estimated projection of 3,388 employees in regard to the proposed facility appears reasonable but wages overstated¹⁴.

The applicant indicates benefits will range from 37% to more than 60% of average wages for its employees at the lowest average pay levels. This is considered an unrealistically high level of benefits, however specific information of how benefit costs were estimated for these employees, what benefits are included, and why the cost of the benefits are the same for all three employment categories, would be required to make that determination. For example, in Palmer, Mohegan Sun used a 50% allowance for employment overhead costs, including taxes, fringe benefits and other benefits (healthcare).

Table 6.4. Staffing Benefits

Staffing Category	Average Annual Benefits	Average Wage Including Tips	Benefits as a % of Wages
Hourly, Casino Tokens	\$18,013	\$48,498	37.1%
Hourly, Cash Tips	\$18,013	\$40,244	44.8%
Line Level & Admin	\$18,013	\$29,806	60.4%

6.3.3.3 Hotel Feasibility Study Lacking

The GMA report references an updated Hotel Feasibility Study as the source of information and impact estimates for the proposed hotel and potential positive benefits to other hotels in the surrounding communities. While a copy of this updated feasibility study, including all appendices, was sought by staff, it was not made available for review by the RPAS and the affected communities. Therefore, we could neither verify the hotel market assumptions nor corroborate the data. As a result, and potential claims of positive impact on the hotel market cannot be verified and potential negative impacts cannot be discounted.

6.3.3.4 Restaurant Impacts not Identified

¹⁴ GMA, GMA Response to Surrounding Communities, p. 2.

Restaurant impacts (page 5) are based on a theoretical estimate of 100,000 additional visits (1% of estimated annual visitors) to the surrounding community. No source or justification was provided for this estimate. Similarly, the report indicates that casino employees will “likely dine in the area” but offers no estimated impact of these meal purchases nor sources that corroborate these estimates with case study or historical data from other facilities. If the report quantified the expected number of visits that casino employees are expected to make and provided an estimate of the number of visits to surrounding communities expected by casino employees versus casino patrons, this would have been useful data to validate claims.

6.3.3.5 Impacts from Project Purchases of Locally Serviced Goods and Services Not Comprehensive

GMA’s discussion of “Impacts from Project Purchases of Locally Serviced Goods and Services” again provides estimates for the Town of Milford, the remainder of Worcester County, and the remainder of the state. This approach is believed to dramatically overstate the impacts on the Town of Milford. The analysis does not adequately evaluate impacts to the east and south of the project, including proximity to both Middlesex and Norfolk counties. We were seeking estimates of these impacts using the 10-, 20- and 30-minute drive times used for the housing and per capita income analyses. Further, we were seeking data that distinguished between purchases made by casino employees and purchases made by the casino directly for goods and services necessary to support operations.

6.3.3.6 Tax Revenues

The GMA Economic Impact Summary (p. 6) states that “[t]he reports reviewed do not provide any understanding of the anticipated revenues to the Commonwealth of Massachusetts as a result of the project.” However, Section 9 (a.) (13) requires that applications for gaming licenses include “the estimated municipal and state tax revenue to be generated by the gaming establishment.”¹⁵ The applicant must provide this information to the host community in order for the project to be adequately evaluated. Please see the section “Further Questions to Be Addressed.”

6.3.4 Interview Notes

6.3.4.1 Milford Context

A context for assessing public safety needs is derived from comparing the observations of the police and fire chiefs in Milford to the concerns of the public safety officers in adjacent and nearby towns. The potential impacts of the casino on public safety are further documented in the consultant report prepared by HR&A planners for the Town of Milford. It appears that the public safety needs have been met in Milford due to agreements with the applicant to fund police, fire and EMS services. By contrast, there have been no specific needs analysis and negotiations to address potential public safety issues in the neighboring towns. **The consultant for FCX Massachusetts LLC indicated that**

¹⁵ M.G.L. Chapter 23K as amended through Chapter 96 of the Acts of 2012

“the Host Community will have the staff available to handle any increase in call volume.”¹⁶ However, the comments of the public safety personnel in Milford conflict with the following comments of public safety personnel in neighboring towns, who all question the adequacy of their current staffing and equipment to handle any increase in call volume deriving from impacts of casino development.

6.3.4.2 Municipal Concerns Related to Fiscal Impacts

Specific concerns on the part of adjacent and nearby municipalities related to public safety due to casino development are as follows:

Traffic Congestion and Police Services¹⁷

Bellingham: Has concerns related to a lack of police staff, maintenance, and traffic flow along Rt. 126. Bellingham is a north-south oriented community that parallels I-495 so many roads are used locally as an I-495 alternative. Bellingham estimates that 10 additional officers will be needed due to anticipated development generally, and an additional five more officers specifically due to the casino.

Holliston: Traffic impacts are a significant concern. Routes 16 and 126 in Holliston center are currently heavily congested at peak hours (often a seven-mile backup). There are several intersections that currently need improvements and/or signalization. A traffic and conceptual design study that factors in projected casino traffic as currently understood is currently under way for the Washington Street corridor (core of downtown, from Town Hall to School Street). The preliminary recommendation is for three traffic signals and some traffic calming measures at an estimated cost of \$350,000. Police are currently understaffed: they need 1-2 additional officers.

Hopedale: Municipal officials believe that extra traffic generated by the casino will cause additional problems in the area that, at a minimum, will require a turn lane and other upgrades. People seeking to avoid casino traffic will re-route to other roadways. This should be considered in the model. The Chief of Police indicated that he believed that with a casino there would be additional problems with drugs and alcohol, traffic, and criminal activity. He believes that Hopedale will need additional police personnel, dispatch personnel, and vehicles.

Hopkinton: Hopkinton answers public service calls on I-495 at exit 20 and is concerned the additional casino traffic will result in an increase in these calls. Hopkinton fears traffic congestion will become a major issue when casino visitors seek alternate routes to the proposed facility. The police force is currently four officers short of its desired staffing level.

Medway: Chief Tingsley believes a casino in Milford will increase traffic through Medway into Milford. The chief believes this will result in an increase in motor vehicle accidents, traffic violations, and unsafe driving habits (e.g. DUI). Traffic along Route 109 is a key concern because it is currently severely congested at peak hours. Medway does not have confidence that the applicant's model of future traffic impacts, which only assigns 2% of casino generated traffic to Route 109 E/W, is an

¹⁶ Gaming Market Advisors, GMA Response to Surrounding Communities, September, 2013, p. 13.

¹⁷ MAPC, Interview Notes, See Appendix.

accurate representation of future impacts. Likewise, the police chief has concerns about an increase in criminal activity. Ideally, the town would like to add four more officers.

Millis: Traffic is the biggest concern for Millis. Town officials believe that the applicant's model does not assign sufficient additional traffic to local roads including Route 109. The police chief noted concern over potential crime impacts from a casino development. Millis would need approximately four to five additional police officers, and the vehicles and equipment for them, to adequately address what they anticipate the impacts from crime and other public safety matters will be (e.g., motor vehicle accidents, DUI, etc.) if a casino is developed.

Northbridge: Northbridge's concerns with casino impacts are primarily related to traffic. This includes the Route 146 corridor, Route 122 corridor, and the Quaker Street Extension to Upton and Hopkinton. The Central Turnpike to Sutton Street to Hartford Avenue combination is a key commuter corridor through town to I-495.

Upton: The Town of Upton is concerned with traffic flow and insufficient police staffing. Traffic is their primary concern. Upton feels that the traffic model developed by the applicant is not reflective of what they believe will occur relative to the town.

6.3.4.3 Fire and Emergency Medical Services

Bellingham: A key issue for Bellingham is emergency response to accidents on I-495. Increases in traffic will make it more difficult for fire response teams and EMS to reach victims on the interstate. Bellingham is also concerned about emergency response on Route 126, particularly at the I-495 interchange. The Fire Department will need enhancements to an I-495 station plus more firefighters.

Hopedale: Hopedale EMS provides ALS (Advanced Life Support) (versus Basic Life Support (BLS), which requires less training) to the Town of Milford as part of their mutual aid relationship. It was noted by Hopedale that Milford is currently stretched to the limit related to their fire department and EMS response capacity. Hopedale is seeking ALS status and with this designation, there will be more demand by surrounding towns. The Hopedale fire department and EMS will need additional capacity to be able to continue to adequately assist Milford if a casino is built.

Medway: The chief feels that a casino in Milford will increase the need for service, due to the commuters through Medway increasing motor vehicle accidents and incidental medical emergencies. The chief believes that staffing will need to increase soon, as they cannot staff all of their apparatus when calls come in and rely on mutual aid to fill the gap (current ratio of mutual aid responses is about three responses to assist other towns vs one assistance response from a neighboring community). Medway has a combination Career/Paid, on-call Fire Department in need of facility upgrades. EMS public service with ALS private service also may need staff in future.

Millis: Fire Chief Barrett said that due to the expectation that mutual aid obligations would be more significant, Millis would need three or four more firefighters and an ALS designation.

Upton: A significant concern for Upton is mutual aid. While they are in different fire districts and have different radio frequencies, Upton and Milford do have an established mutual aid agreement for fire and EMS. Upton has concerns about its ability to provide service to Milford given possible increased activity and Milford's future ability to provide adequate reciprocal mutual aid. If Upton upgrades from BLS (Basic Life Support) to ALS, the demand for town EMS services would likely be greater. With increased calls from Milford, Upton may need additional staffing to address these needs. There may also be an impact on Upton delivering patients to Milford Regional Hospital and their capacity to serve existing EMS needs within town.

6.3.4.4 Municipal Services

Bellingham: Bellingham is concerned about school capacity, the lack of building and zoning enforcement staff, and the absence of social services. As one of the lower-cost communities for housing in the study area, Bellingham is concerned that the town might become very attractive for housing for the lower paid casino employees. The Planning Board is so short on administrative and professional staff that added development activity would tax its capacity. Casino spinoff development will likely mean a full-time planner and planning administrator.

Hopedale: This year (2013) the school choice enrollment is almost at capacity. If employees of the casino move to Milford or Hopedale, it will strain the enrollment and building space capacity for the Hopedale school system. As few as 15–20 additional students locating in the area could require an additional teacher and classroom and cost as much as \$300,000. Milford schools own the buses, so an additional bus may also be required. The school district is also concerned about a potential rise in property values due to new development influenced by the casino, which could result in lower state funding for the schools. If new students require special education (SPED) or English as foreign language (EFL) assistance, this could be even more costly to Hopedale.

Medway:

- Housing: Town susceptible to comprehensive permit developments (MGL Chapter 40B), as planning, housing, and permitting staff is at capacity.
- Schools: Medway High School is at capacity, with limited English as a Second Language (ESL) capacity. Any increase in Pre-K–1 level would require redistricting and a reconfiguration of grades.
- It is expected that a casino will bring an influx of hospitality industry development into the area in the form of restaurants, hotels, etc. This would increase the workload of all the inspectional services, but most notably the Health Department. Medway has a part-time Health Inspector at this time, but with the addition of new restaurants and hotels, additional staff hours would likely be necessary to complete the required inspections and paperwork.
- Medway is understaffed to address the current demands for zoning, permitting, and planning. The Conservation Agent and Health Agents do not work a full week and have no administrative support; the Building Department and Finance Department are also

understaffed. The local roads are maintained by the towns, with limited funds for maintenance.

Millis: Building Commissioner Giampietro said that due to the likelihood of greater housing impacts from a casino, the Building Department would need a full-time administrator.

Northbridge: Housing is not seen as a big potential problem and schools are not either unless special education populations increase significantly.

Upton: Upton is not overly concerned about an impact on housing, since they do not possess significant water or sewer capacity. Upton's subsidized housing inventory (SHI) is currently at 6.3%, which could leave the town vulnerable to "unfriendly" 40B projects. The issue of "professional" gamblers moving closer to the casino arose as a potential impact.

6.3.4.5 Infrastructure

Bellingham: A number of intersections along Route 126 at I-495 and at Pearl Street and Hartford Avenue (Rte. 126) need upgrading. Spinoff casino development may strain existing water and wastewater systems.

Holliston: No water supply in Holliston is available for Milford. Approximately 90 miles of existing water pipes need to be replaced in Holliston to address the loss of water due to leaks.

Hopedale: Hopedale is concerned about Milford's ability to supply water to their town. Hopedale has historically purchased water from the Milford Water Company to supplement its local sources. There is also a concern that Hopedale's wells have been producing less water, underscoring the possible need to resume water purchases from Milford in the future. Further, the town's wastewater treatment plant is operating at or near capacity in the summer season.

Millis: Transportation improvements at various key intersections of Route 109 might be needed due to impacts of casino development.

Northbridge: Transportation improvements may be needed along Routes 146 and 122 as a result of impacts from development of a casino.

Medway: Water and sewer capacity is a substantial concern. Medway expressed a need to advocate for recharge of aquifers through use of septic systems rather than expanded sewer service.

Upton: Upton needs road and intersection improvements along Hopkinton Road/High Street/Hartford Avenue, which extends to I-495. The Upton DPW Director suggested that rural road sign reflectivity might reduce accidents if they assist impaired drivers in seeing the road and signage better. Upton does not possess significant water or sewer capacity.

6.3 Economic Impact Analysis

An Economic Impact analysis generally identifies changes in municipal and personnel income, employment, and development that result from a major project such as a casino. The following case study reviews, analysis of economic indicators, and interviews of key municipal officials have provided a basis to identify those municipalities that might experience the most economic impacts. At this stage there is insufficient data to indicate whether the impacts would be positive or negative. The majority of academic research on the economic impact of casino development has resulted in a finding that casinos have a moderately positive impact. There is much less agreement on the degree of the positive impacts.

6.3.1 Case Studies

The Transportation Study¹⁸ prepared by the applicant is a key document, as it identifies visitor and employee traffic. These assumptions have raised a long list of questions identified in the report Milford Casino Work Group Meeting No. 1, Transportation, Water Resources, Other Infrastructure Combined Comments (see Appendix A).

In this document, the applicant is suggesting that the catchment zone for customers is approximately 31-60 minutes, and that approximately 90.5% of the potential customers will live greater than 30 minutes away (p. 30). This projection is generally consistent with a survey of eight casinos undertaken by COG and Jeff Donohoe Associates in Pennsylvania as well as those in Connecticut.

A review of these casinos indicates that there was minimal development in both the host community as well as adjacent communities in proximity to the casino development. As a general rule, casinos work hard at providing all the amenities that their patrons will desire, including entertainment, food and beverages, shopping and lodging. Despite the significant direct employment and wages provided by resort casinos, there is little evidence of “spillover” development in areas outside the resort casino’s property. Spillover development is generally limited to hotel accommodations, gas stations, and limited local retail such as convenience stores. Given the limitations on estimated spin-off development, it is unlikely that when the number of employees are added to the calculation of indirect benefits, there will be much additional impact.¹⁹

Casinos generally provide significant direct employment opportunities. However, like most service sector jobs in the recreation and hospitality sectors, the multiplier effect for jobs and wages is low.

6.3.2 Fiscal and Economic Indicators Research

The consultant team collected and evaluated relevant municipal finance data to rank sensitivity of communities. These factors can help determine to what degree a town is experiencing financial stress or economic growth. For these purposes, indicators of financial stress include high tax rates,

¹⁸ Tetra Tech, “Traffic Impact and Access Study: Foxwoods Resort Casino – Milford, MA”, July 9, 2013.

¹⁹ Community Opportunities Group, Labor Market Analysis, November, 2013, p. 9

low bond ratings, and high State Aid. Towns with financial stress will be less able to handle impacts from neighboring development. Towns with economic growth tend to attract new growth, which may bring positive economic benefits to these areas. Indicators of economic growth for this analysis can be defined as a split tax rate and a percentage of revenue from commercial and industrial sectors at 18% or more. With the exception of Franklin and Hopedale, communities with a relatively high percentage of their economic base in commercial and industrial uses (i.e. 18% or greater), tend to have split tax rates and the financial capacity to leverage more economic development.

Table 5 below describes sources of municipal revenue from either taxes or State Aid. It includes the percentage of revenue from commercial and industrial properties (CIP), the municipality's tax rate and whether the tax rate is split between residential versus commercial or industrial properties. It also documents what percentage of the municipal revenue comes from State Aid. Finally, it states the total municipal expenditures and FY2012 bond ratings.

Table 6.5. Financial and Economic Indicators

Town	CIP (%)	Tax Rate		Revenue State Aid (%)	Total Expenditures	Bond Rating	
		Split? (Y/N)	Residential			Moody's	Standard & Poors
Ashland	9.09	N	16.57	11.23	\$44,120,094	Aa2	AA
Bellingham	31.30	Y	14.05	22.58	39,244,643	Aa2	AA
Franklin	20.76	N	13.73	28.66	92,032,670	Aa2	AA
Grafton	9.69	N	14.13	20.42	42,072,904	Aa2	AA
Holliston	12.37	N	18.32	19.16	47,004,724	Aa2	AA-
Hopedale	11.63	Y	14.86	35.70	18,744,201	Aa3	n/a
Hopkinton	16.59	N	17.05	13.30	73,211,412	Aa2	AA+
Medway	13.43	N	17.48	23.16	40,959,866	Aa3	AA
Mendon	10.74	N	14.42	2.57	13,038,811	Aa3	AA
Millis	10.41	N	15.49	20.26	22,687,870	Aa3	n/a
Northbridge	13.57	N	12.81	40.43	52,127,910	Aa3	A+
Sherborn	4.62	N	18.22	4.08	22,981,389	Aa1	AAA
Upton	5.82	N	15.03	2.75	16,683,512	Aa3	AA
Wrentham	18.73	Y	14.43	12.84	32,635,145	Aa2	AA+

The results of this analysis are as follows:

- Towns most dependent upon State Aid: Northbridge, Hopedale, Franklin, Medway, Bellingham
- Communities experiencing financial stress (e.g. high tax rates, AA bond rating, and/or state aid revenue below 20%): Ashland, Holliston, Hopkinton, Mendon, Medway (State aid at 23%), and Upton
- Communities with most economic growth (e.g. split tax rate, CIP above 18%): Bellingham, Wrentham, Franklin (no split tax rate but Franklin does levy a hotel and meals tax). These municipalities might experience the most new growth due to a casino development.

Table 6 describes towns which have adopted local tax options on eating and drinking establishments (e.g. “meals”) or hotels along with the given tax rates. Towns without this tax revenue have been excluded.

Table 6.6. Local Option Tax Revenue

Town	Meals	Meals Rate	Hotel	Hotel Rate	Total
Franklin	\$461,823	0.75%	503,091	6.0%	\$964,914
Mendon	27,411	.75%	n/a	n/a	27,411
Millis	84,441	.75%	n/a	n/a	84,441
Sherborn	23,013	.75%	n/a	n/a	23,013
Wrentham	242,725	.75%	n/a	n/a	242,725

Towns with these local options are more likely to benefit from new hotel and eating and drinking establishments. Results are as follows:

- Most likely to benefit from restaurants (Have local option meals tax): Franklin, Millis, Wrentham, Sherborn, and Mendon.
- Most likely to benefit from hotels (Have local option hotel tax): Franklin. We need to review the proponent’s hotel market study to have any confidence in positive or negative impacts upon hotels in Franklin or other nearby towns.

6.3.3 Analysis of the GMA Impact Report

The applicant did not prepare a separate economic impact analysis, choosing instead to rely upon the impact analysis prepared by HR&A on behalf of the Town of Milford. GMA’s Response to Surrounding Communities, September 2013 indicates:

“With the proposed development, GMA expects there to be a positive overall economic impact on the host and surrounding communities. During the construction phase, HR&A projects the project to trigger multiplier spending of \$170.9 million in the Town of Milford, \$70.4 million in the rest of Worcester County and \$50.2 million in Massachusetts outside of Worcester County. On an ongoing basis, HR&A estimates that the project will trigger economic spending of \$120.7 million in the Town of Milford, \$59.8 million in the rest of Worcester County and \$31.9 million in Massachusetts outside of Worcester County. GMA detailed the expected impact on surrounding community businesses in the following section.”

There is no specific data in support of these estimates of economic impact. As such, it is difficult to evaluate the direct, indirect, and induced impacts of the project’s construction and its stabilized operation. In fact, the impacts of the construction phase may be understated – the applicant has presented the project as a \$1 billion dollar development, yet the construction impacts summarized above total less than \$300 million.

In addition, the use of the Town of Milford, the rest of Worcester County and the remainder of the Commonwealth of Massachusetts as yardsticks for measuring these impacts may be inappropriate as a method of evaluating the impacts of the project. For example, given the location of Milford in

the southeastern corner of Worcester County, and its proximity to locations in both Connecticut and Rhode Island, it is desirable for the impact analysis to be presented in a manner more consistent with the labor market analysis, which utilizes 10-, 20- and 30-minute drive times as the basis. To the extent possible, the impact analysis should segregate direct, indirect, and induced impacts for each of these areas, as well as other areas in Massachusetts, Connecticut, and Rhode Island beyond the 30-minute drive time region.

6.3.3.1 Interview Notes

Bellingham: Bellingham is experiencing financial stress. They are concerned about the potential of retail and affordable housing development. Bellingham is currently anticipating 500,000 s.f. of retail development and 600,000 s.f. of office development located off Route 126, just west of I-495. Bellingham is very concerned that the moderate development pressures felt presently will be much more intense with the casino, particularly since it is so close to Bellingham.

Franklin: Franklin's chief concern is what impact the facility will have on the town's hotel/motel and meals tax revenues, either positive or negative. Franklin is the only town in the study area that has a hotel tax.

Holliston: Economic development in Holliston is severely limited due to a lack of public sewer, a limited number of large parcels that could accommodate hotels or other facilities, and the distance from I-495. Holliston views itself as location for biotech and high tech jobs. The town is not interested in attracting retail uses and a casino goes against their vision for economic growth.

Hopedale: Hopedale is concerned about spinoff development from the casino project, especially given their constraints on water supply. Hopedale believes that they do not have the capacity to absorb any large commercial uses that would have high demands for water.

Hopkinton: Might be impacted by potential hotel developments, as they have potential hotel sites of a few hundred acres near I-495 available and a zoning overlay district which could accommodate hotels this use. The town would prefer residential development to commercial development on this site, especially not commercial development associated with the casino (i.e., a hotel). Hopkinton could consider eliminating the hotel overlay district if it does not want to encourage hospitality development in this area.

Medway: Medway is experiencing financial stress. Potential increases and impacts upon the road system and the need for construction of transportation improvements pertaining to traffic calming and control features would be needed. Funding of water resource and sewer district improvements are also critical concerns. Medway could be impacted by potential hotel development, as they have a potential hotel site to market. The town's Oak Grove feasibility study, which identifies this site, is consistent with the MetroWest Compact Plan.

Upton: Upton is experiencing financial stress. Transportation improvements along several east-west corridors including Hopkinton Road and Sutton Avenue as well as mitigation improvements in connection with the proposed intermodal freight terminal at 25 Maple Avenue may need to be considered.

6.4 Conclusions and Recommendations

The impact analysis and interview results indicate that the nearby towns of Bellingham and Medway will likely experience the most negative impacts (Group A) followed by Holliston, Hopkinton, and Hopedale (Group B) (see Table 7). Due to the presence of existing commercial activity and proximity to I-495, Franklin is also likely to experience impacts related to infrastructure and economic growth (Group C).

Table 6.7. Overview of Casino Fiscal and Economic Impacts by Town

Town	Traffic/Police	Fire/EMS	Municipal Services	Infrastructure	Economic Impacts
Ashland			Unknown		
Bellingham (A)					
Franklin (C)					
Grafton			Unknown		
Holliston (B)					
Hopedale (B)					
Hopkinton (B)					
Medway (A)					
Mendon			Unknown		
Millis					
Northbridge					
Sherborn			Unknown		
Upton					
Wrentham (C)			Unknown		

Red = Likely to be Impacted Yellow = Possibly Impacted Green = Unlikely or minimal impacts

6.4.1 Fiscal Impacts and Recommendations

As indicated in Table 7, the impacts of a casino will vary over time by community. Those communities to be most affected, Group A and Group B, will likely experience a variety of fiscal impacts. It is essential that there be sufficient coverage in the local towns for a broad range of needed services including public safety, education, planning, public health, and permitting services without diverting spending and staff resources away from current needs in order to address casino impacts.

It is recommended that the likely impacted adjacent and nearby communities, as noted below, review together various mutual aid agreements covering police, fire and EMS services within their towns and along I-495. Modifications of these agreements and additional funding to provide sufficient staff, training and equipment will need to be identified. Furthermore, sufficient flexibility must be built into the process to ensure that as the communities adjust to the impacts, there is the opportunity to modify the Surrounding Community Agreements which the proponent negotiated with the nearby towns.

6.4.1.1 Traffic Congestion and Police

This includes the cost of public safety services for traffic and police, personnel, equipment, training, or facilities. These public safety services will likely be most needed in communities with exit ramps on Rt. 495 or bisected by Routes 16, 85, 109, 126 and 140 within 20 minutes of the casino site. Hopkinton, Bellingham, Franklin, and Wrentham all have exits off I-495. All abutting towns to Milford within a 10 to 20-min drive of the casino site are bisected by Routes 16, 85, 109, 126, or 140 (i.e. Hopkinton, Holliston, Medway, Bellingham, and Hopedale). Towns closest to the casino will have the most impacts. Bellingham, Holliston, Hopedale, Hopkinton, and Medway officials all expressed concerns about traffic impacts in our interviews. Officials from Wrentham were not available to be interviewed. Officials from Millis, Northbridge, and Upton also expressed concerns; however they are not as close to the casino site and impacts to these communities are less likely.

6.4.1.2 Fire and EMS Services

This includes costs for Fire and Emergency Medical Services. These impacts are most likely to be felt by towns with fire stations within 10 minutes of the casino and/or with an exit on I-495 in close proximity to the casino. These towns include Holliston, Hopedale, Hopkinton, Medway, and Bellingham. Hopedale, Medway, and Bellingham officials expressed concerns about impact on their Fire and EMS services. Holliston and Hopkinton did not mention concerns. Millis and Upton officials expressed concerns, but have no exits on Rt. 495 and no fire stations within 10 minutes of the casino.

6.4.1.3 Municipal Services

This includes costs to cover impacts on schools, planning, permitting and inspections of residential and commercial development, and roadway maintenance. None of the towns have social service capacity to address issues related to problem gambling. Impact on municipal service costs was determined only by the responses to the surveys and/or interviews with towns that expressed concern for the impact on their municipal services. These towns include Hopkinton, Medway, Holliston, Hopedale, Mendon, and Bellingham. The communities of Ashland, Grafton, Sherborn and Wrentham were not interviewed.

6.4.1.4 Infrastructure

This includes the maintenance and improvement costs to water supply, sewers, and roads. Public works impacts are most likely to be felt in communities with sewers, public water, exit ramps off I-495, and those towns within a 10-minute drive of the casino that are also bisected by Routes 16, 85, 109, 126, or 140. These communities are most likely to experience some development pressures and need road and/or intersection improvements. These towns include Franklin, Bellingham, Hopedale, Hopkinton, Holliston, Medway, and Wrentham. Officials from these towns echoed these concerns, with the exception of Wrentham, officials from which were not interviewed on this topic. Towns of Millis, Northbridge, and Upton also expressed concerns, but do not have the same spatial relationship as the aforementioned towns.

6.4.2 Economic Impacts and Recommendations

Various towns and their residents might experience positive economic benefits, which may cover some of the impact costs. For example, regional tourism generated by the casino might increase revenue from hotel and meal taxes by those towns that have adopted these charges. Personal and business income may also have positive impacts. This initial ranking and analysis may assist communities to refine their self-evaluation of potential impacts, clarifying and highlighting the information that is needed for the applicant and towns to resolve how best to mitigate the key impacts.

Economic impacts include local and state tax revenue, the labor market, and growth of local businesses. Economic impacts are most likely to be felt by towns that generate revenue from hotel, restaurant and retail activity, are located adjacent to an exit on I-495 or on a state road with a commercial center within a 10 minute drive of the casino in order to benefit from employee and tourist expenditures. Towns most likely to be impacted from new restaurant, retail, and hotel development include Franklin, Bellingham, Medway, and Wrentham. Franklin is the only surrounding town that currently has a local option hotel tax (as of FY2012 data). Officials in these towns echoed these concerns, with the exception of Wrentham who declined to be interviewed. Officials in the towns of Holliston, Hopedale, Hopkinton, and Upton also expressed concerns, but are not of primary concern via economic indicators or proximity.

It is recommended that the RPAs work with the proponent and the adjacent towns on strategies to support permitting of new development, small business development, tourism, infrastructure funding, and the adoption, where appropriate, of local meals and hotel taxes. The Report to the Warren Casino Study Committee noted the importance “for communities to articulate in advance their preferred future vision, revise local regulations to advocate for that vision, and employ a variety of engineering, design and financial experts to evaluate the impacts of all significant land use proposals.”²⁰ MAPC has already been working with Medway, for example, on an economic development strategy which would support a new hotel. These efforts will require on-going funding and support

6.4.3 Summary Recommendations

The impacts of a casino will vary over time by community. The applicant, Crossroads Massachusetts, LLC, needs to address the range of questions in this report to ensure that necessary transportation and infrastructure improvements are identified and undertaken and that mutual aid agreements are provided and funded in something comparable to a Host Community Agreement. Furthermore, it is essential that there is sufficient coverage for a broad range of needed services including public safety, education, planning, public health and permitting services without diverting spending and staff resources in the various localities away from current needs. On the other hand, various towns and their residents might experience positive economic benefits, which might cover some of the impact costs. Regional tourism generated by the casino might increase revenue from hotel and meal taxes by those towns that have adopted these charges. Personal and business income might also have positive impacts. Following are more specific recommendations:

²⁰ Central Massachusetts Regional Planning commission, A Report to the Warren Casino Study committee, November, 2010, p. 31.

6.4.3.1 Preparation of Community Self-assessments

Nearby communities need to utilize the analysis in this report to refine their self-evaluation of potential impacts. Further information is needed from surrounding communities for a clearer understanding of the proposed casino's likely effects on these towns and the most appropriate mitigation actions as noted below.

6.4.3.2 Fiscal Impacts

Crossroads Massachusetts, LLC, should work with nearby towns identified in this report to clarify how best to address the projected **Fiscal Impacts**. These impacts can be sub-divided into three categories: ***Public Safety, Municipal Services, and Infrastructure***.

Public Safety:

A combination of mutual aid agreements, shared use of equipment, and funding for additional staff, equipment, and training will be needed. The guidelines in this analysis should be three-fold:

- The proponent should begin immediately to work with the communities of Bellingham, Medway, Hopkinton, Holliston, whose public safety impacts will likely need to be addressed.
- Nearby communities should be assisted by the applicant where any level of service degrades due to the casino (i.e., staffing and resources should provide municipal services that are comparable to current conditions in each community).
- The Level of Service (LOS) should be monitored so that the initial community agreements can be modified in response to changes in demand.

Municipal Services:

- The proponent should discuss with the towns of Hopkinton, Medway, Holliston, Hopedale, and Bellingham how the proposed casino might impact schools, planning, permitting and inspections of residential and commercial development, and roadway maintenance.
- It is possible that a shared services agreement might be developed to address issues of permitting and Board of Health Inspections, for example.

Infrastructure:

- The proponent should discuss with the towns of Franklin, Bellingham, Hopedale, Hopkinton, Holliston, Mendon, and Medway the mitigation of possible impacts to water supply, sewers, and roads. The towns of Millis, Northbridge, and Upton also expressed concerns with these issues but do not have the same spatial relationship as the aforementioned towns.

- The proponent should agree to hold harmless the cost of infrastructure improvements needed to address casino impacts upon traffic and road conditions, water and sewer systems.

6.4.3.3 Economic Impacts

Economic Impacts include local and state tax revenue, the labor market, and growth of local businesses in nearby towns. Towns most likely to be impacted from new restaurant, retail, and hotel development include Franklin, Bellingham, and Medway. Officials in the towns of Holliston, Hopedale, Hopkinton, and Upton are also concerned with economic impacts.

Leveraging Local Economic Development:

The proponent should work with the RPAs and local towns on identifying what form and level of assistance is needed to plan for infrastructure, commercial, and housing development.

- Hotel development possibly in Hopkinton, Medway, Franklin
- Restaurant development in nearby towns to be identified
- Housing development possibly in nearby towns of Grafton, Bellingham, and Franklin²¹.

Tax Policy to Capture Additional Revenue:

The proponent should consider undertaking a consultant study with the impacted towns to consider how the adoption of a hotel and meals tax might positively affect the municipal balance sheet as well as the consideration of other zoning and regulatory tools such as TIF and DIF to facilitate economic growth.

Small Business Development:

A new casino might be the opportunity for the expansion of various small businesses both in the construction and in support of increased tourism. The proponent should consider how it might foster this economic growth.

Development of Affordable Housing:

In order to meet the housing demands of new employees for a variety of housing, the RPAs should work with the proponent and towns on funding a joint study to explore a variety of regulatory and funding tools which could leverage the development of affordable housing.

²¹ Community Opportunities Group, Regional Housing Impact Analysis, 11/13/13, p. 24.

Chapter 7 – Water Resources

7.1 Introduction and Relevance of Topic

As they are with any large development project, water supply, wastewater treatment, and stormwater management are some of the primary infrastructure needs for the proposed casino in Milford. The project will require significant capacity for water supply and wastewater, both of which are proposed to be provided by the existing systems in the Town of Milford. Stormwater will be managed on the site through site design features and on-site stormwater management infrastructure.

The provision of these infrastructure services for the casino project involves both design and engineering considerations and regulatory approvals at the local and state level. The site's location in the Charles River watershed will have a bearing on some of those decisions that have a watershed-specific context, such as the status of existing water quality and degree of flow stress.

7.2 Data Collection and Sufficiency

The analyses of these water resources topics conducted by the applicant and the Town of Milford's peer reviewers focused on impacts and mitigation within the Town of Milford proper. As the RPAs are focusing this analysis on potential impacts on nearby or surrounding communities, the data available has been used to the extent it is applicable to understanding any issues that potentially extend beyond the municipal borders of the Town of Milford. The sources available for review included the following:

- Water Supply: The project proponent prepared a report, "Preliminary Water Impact/Mitigation Summary," dated July 16, 2013. The Town of Milford commissioned a peer review conducted by Tighe and Bond, "Water Engineering Peer Review – Foxwoods Development Project," dated July 16, 2013. The proponent also provided additional water projection data in August 2013. The Town of Hopedale provided information regarding its purchase of water from the Milford Water Company, and the Town of Mendon provided information on its purchase of water from the Town of Hopedale. Finally, a peer review was published in late October by Kleinfelder, "Water Supply/Demand Assessment Peer Review, Foxwoods Development Project-Milford, MA," prepared for the Town of Holliston on behalf of the towns of Ashland, Holliston, Hopkinton, and Medway.
- Wastewater: The project proponent prepared a report, "Preliminary Wastewater Impact/Mitigation Summary," dated July 16, 2013. The Town of Milford commissioned a peer review, which was conducted by Tata and Howard, "Sewer Impact Assessment,"

dated July 16, 2013. Tata and Howard also submitted an Addendum to this report, dated August 15, 2013.

- Stormwater: The project proponent prepared a report, “Stormwater Impact Report, Foxwoods Resort Casino – Milford, MA,” dated July 29, 2013. The Town of Milford commissioned a peer review which was conducted by Beals and Thomas, “Wetlands, Stormwater & Site Design Review,” dated July 29, 2013. The proponent’s consultant Tetra Tech Rizzo also submitted a written response on the issue of the Town of Milford’s MS4 stormwater permit and phosphorus loading, dated July 30, 2013.
- Other Sources: Other sources of information came from sources such as meetings with town officials in Hopedale and Mendon, comments made by town officials at work group meetings, Department of Environmental Protection (DEP) data on water resources in the Charles River basin, the Milford Water Company's *Master Plan and Capital Improvements Plan* (2010), and the USGS Firm Yield Estimator, Version 2.

In most cases, the project proponent will need to develop more detailed site-specific and facility-specific data in subsequent phases of the design and permitting of the proposed project, including a Draft Environmental Impact Report under the Massachusetts Environmental Policy Act (MEPA), and wetlands permitting under the Milford Conservation Commission. When those more detailed data are available, there should be more certainty and specificity about the extent and degree of most potential impacts both within Milford and in adjacent and surrounding communities.

7.3 Analysis

7.3.1 Water Supply

Water Demand Estimate for the Proposed Casino

In estimating the project's water demands, the proponent based projections on actual water use at MGM Grand Resort Casino in Connecticut from August 2008 through March 2013, and validated this with similar data from other resort casinos. On the basis of these data, an annual water consumption factor was estimated at 93 gallons per year per square foot of gross floor area, excluding parking structures. Based on this water use factor, the Tetra Tech report estimated that the original two-phased proposed project would use an average of 271,356 gallons per day (gpd).

The peer review by Tighe and Bond compared the proponent’s water demand estimates with three other methods (Massachusetts Title 5, another comparable casino, and the Connecticut Public Health Code). The use of these water-use factors yielded estimates for the proposed Milford casino of 265,000 gpd, 316,000 gpd, and 263,000 gpd, respectively. Based on this comparison, Tighe and Bond concluded that the proponent’s estimate of 273,000 gpd is reasonable.

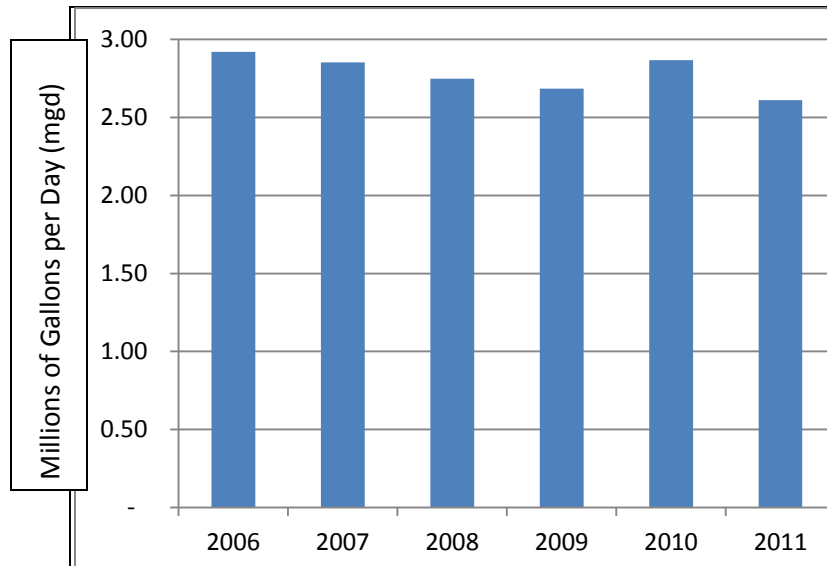
However, in September 2013 Foxwoods announced a revision to its development plan that proposes a single phase that is larger than the original Phase 1, and about 80,000 square feet smaller than the original two-phased total project. This revised plan results in a reduction of the estimated water demand for the facility to 250,000 gpd, or a reduction of about 23,000 gpd compared to the original two-phased proposal. This revised project water demand will be used in the analysis that follows.

Water Demand on the Milford Water Company

The proponent is planning to supply all of the project's water needs with water from the Milford Water Company. It should be noted that this water system is operated by a privately owned water company, not by the Town of Milford. Therefore the proponent will need to make arrangements regarding water supply directly with the Milford Water Company; the Town of Milford will not be a direct party to these arrangements.

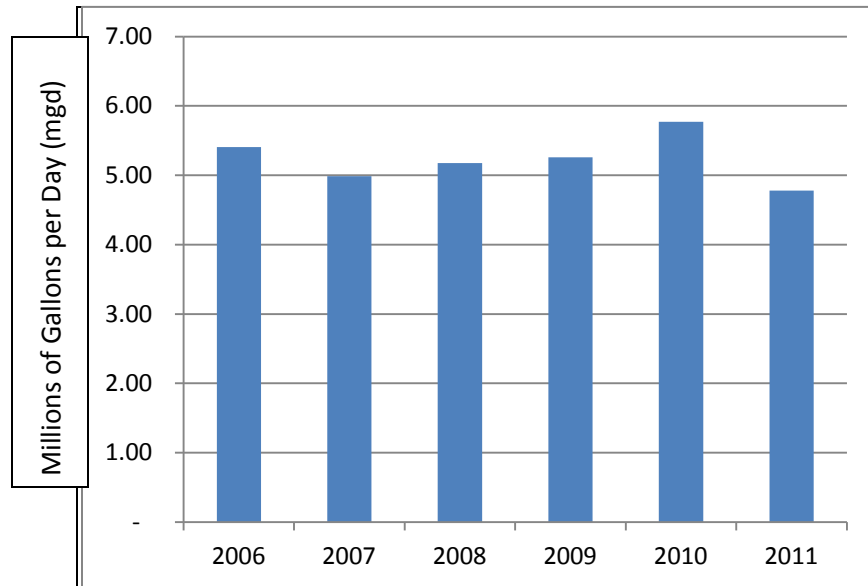
The average daily demand of the Milford Water Company (MWC) has been somewhat below 3.0 million gallons per day (mgd) since 2006 (see Figure 1), and the Tighe and Bond peer review used 2.73 mgd as the current average daily demand, based on the average for 2010 to 2012. Adding the proposed project's average daily demand of 0.25 mgd would increase total current MWC average daily demand to 2.98 mgd.

Figure 7.1 - Milford Water Company Average Day Demand (mgd)



Another important measure of water system performance is peak season demand, since the pattern of water use in all water systems exhibits a significant increase during the summer months. Maximum daily demand for the Milford Water Company has been about 5 mgd in most recent years (see Figure 2). The Milford Water Company's *Master Plan and Capital Improvements Plan* (2010) sets the current maximum day demand at 5.77 mgd.

Figure 7.2 - Milford Water Company Maximum Day Demand (mgd)



The issue of peak season demand was not addressed in the proponent's analysis; the Town of Milford's peer review addressed maximum daily demand in its hydraulic model of the distribution system, but not from the perspective of the adequacy of the MWC's sources to meet peak demand. However, an evaluation of maximum daily demand is included in the Kleinfelder peer review. That report used the estimated maximum month demand of the proposed casino from the Tetra Tech report, which is 0.338 mgd for the month of August, as a measure of the project's maximum day demand. Adding that demand to the current MWC system maximum day demand of 5.77 mgd results in a total of 6.11 with the project's demand on the system.

Future water demand on the Milford Water Company is another important issue that needs to be considered. This was not addressed in the proponent's report, and again, the Town of Milford's peer review considered year 2030 projected demand only from the standpoint of hydraulic modeling of the distribution system. An analysis of the project's impact on current MWC demand alone does not provide an adequate basis for understanding the mid-term to long-term implications for both water source capacity and potential regulatory issues related to increased water withdrawals by the Milford Water Company.

The Milford Water Company's *Master Plan and Capital Improvements Plan* (2010) includes water demand projections for the year 2020 and 2030. For average daily demand these are estimated at 3.17 mgd and 3.47 mgd respectively. For maximum daily demand the estimates are 6.09 mgd in 2020 and 6.65 mgd in 2030. Table 1 below summarizes the existing and projected future MWC demand without the addition of the proposed casino project's water demand. While these are the most recent projections available, it should be noted that they were done before the renewal of the Water Management Act (WMA) permit, and will likely change when that permit is issued. Given the MWC's somewhat lower demand in most very recent years, it's possible that future projections will eventually be revised downward.

**Table 7.1 Current and Projected Water Demand
on the Milford Water Company**

Period	Average Daily Demand (mgd)	Maximum Daily Demand (mgd)
Current (2010-12)	2.73	5.77
2020	3.17	6.09
2030	3.47	6.65

Adding the project's water demand to the current and projected future demand of the Milford Water Company results in the following average daily and maximum daily demands::

**Table 7.2 Current and Projected Water Demand
on the Milford Water Company with Proposed Casino**

Period	Average Daily Demand (mgd)	Maximum Daily Demand (mgd)
Current (2010-12)	2.98	6.11
2020	3.42	6.43
2030	3.72	6.99

These estimated future water demands are the basis for the analysis in this section. It is important to note, however, that if the Milford Water Company's 2030 water projections are revised in the future, it could affect the results and conclusions of this analysis.

MWC water supply sources and adequacy of supply for the project

The Milford Water Company's sources include surface water (Echo Lake and Charles River) and groundwater (Dilla Street, Clark Island, and Godfrey Brook wells). All are in the Charles River watershed, with Echo Lake at the headwaters of the Charles in Hopkinton (see Map 1).

The volume of water available to the Milford Water Company to withdraw from its sources and deliver to its customers is determined by both regulatory requirements and physical infrastructure capacity. The three most important factors are the authorized withdrawal for the water system, the safe yields and/or firm yields of individual sources, and water production and distribution capacity of the system.

Authorized Withdrawal

The authorized withdrawal for the water system as a whole is regulated by the Massachusetts Department of Environmental Protection under the Water Management Act (WMA). The Milford Water Company's current authorized withdrawal is 3.30 mgd. However, the most recent draft permit from the DEP (2010) would reduce authorized withdrawals for two of the permit's five-year periods:

- 2014-2019: 3.14 mgd
- 2019-2024: 3.21 mgd
- 2024-2029: 3.43 mgd (including 5% buffer)

Water Management Act permits are issued for a 20-year period, and new permits for all other water suppliers in the Charles River watershed were issued in 2009. The Milford Water Company's permit was delayed in that permit cycle, and is expected to be issued in 2014, when permitting will resume after a temporary delay during the development of the Sustainable Water Management Initiative (discussed below). At this time it is not known if the new WMA permit for the Milford Water Company will retain the same schedule of authorized withdrawals from the draft 2010 permit. For planning purposes these most recently authorized withdrawals are assumed in this analysis.

As shown above, the existing average daily demand of the Milford Water Company is 2.73 mgd. Adding the proposed project's average daily demand of 0.25 mgd would increase total MWC average daily demand to 2.98 mgd. This would be below the water company's authorized withdrawal, but not by a large margin if Milford's 2010 draft Water Management Act permit is implemented with an initial authorized withdrawal of 3.14 mgd. That would leave an available "regulatory reserve" of 0.16 mgd for all other new water demand in the 2014-19 period of the WMA permit.

Taking into account projected future demand on the Milford Water Company with the casino water demand added, its projected 2020 demand of 3.42 mgd would exceed the WMA 2019 authorized withdrawal of 3.21 mgd. The WMA authorized withdrawal will increase to 3.43 mgd in 2024, but by then MWC demand will be nearly at the midpoint between the projection for 2020 and 2030, or between 3.42 and 3.72 mgd.

While the above analysis is based on existing Water Management Act regulations, the Executive Office of Energy and Environmental Affairs (EOEEA) is developing a new framework for implementing the Water Management Act under its Sustainable Water Management Initiative (SWMI). The framework was published in December 2012, and implementing regulations that would amend the existing Water Management Act regulations are planned for 2014. When implemented, the new SWMI regulations will add additional requirements for authorized withdrawals that are above a "baseline" volume for each water supply system.

According to the SWMI framework, the baseline for the Milford Water Company is 3.48 mgd (calculated as the actual 2005 demand of 3.31 mgd plus 5%). Under SWMI, any request for a withdrawal above the baseline volume will trigger more stringent requirements for the Milford Water Company to implement water savings and to take actions to mitigate and offset the additional withdrawals.

If the project's water demand increases the Milford Water Company's current average daily demand to 2.98 mgd, it would be 0.5 mgd below the SWMI baseline of 3.48 mgd. It is therefore not expected that any SWMI mitigation provisions would be triggered for the Milford Water Company at current levels of water demand. The projected 2020 MWC demand with the casino of 3.42 mgd would also be below the SWMI baseline, by a smaller margin of 0.06 mgd. However, the 2030 projected demand of 3.72 mgd would exceed the SWMI baseline by 0.024 mgd.

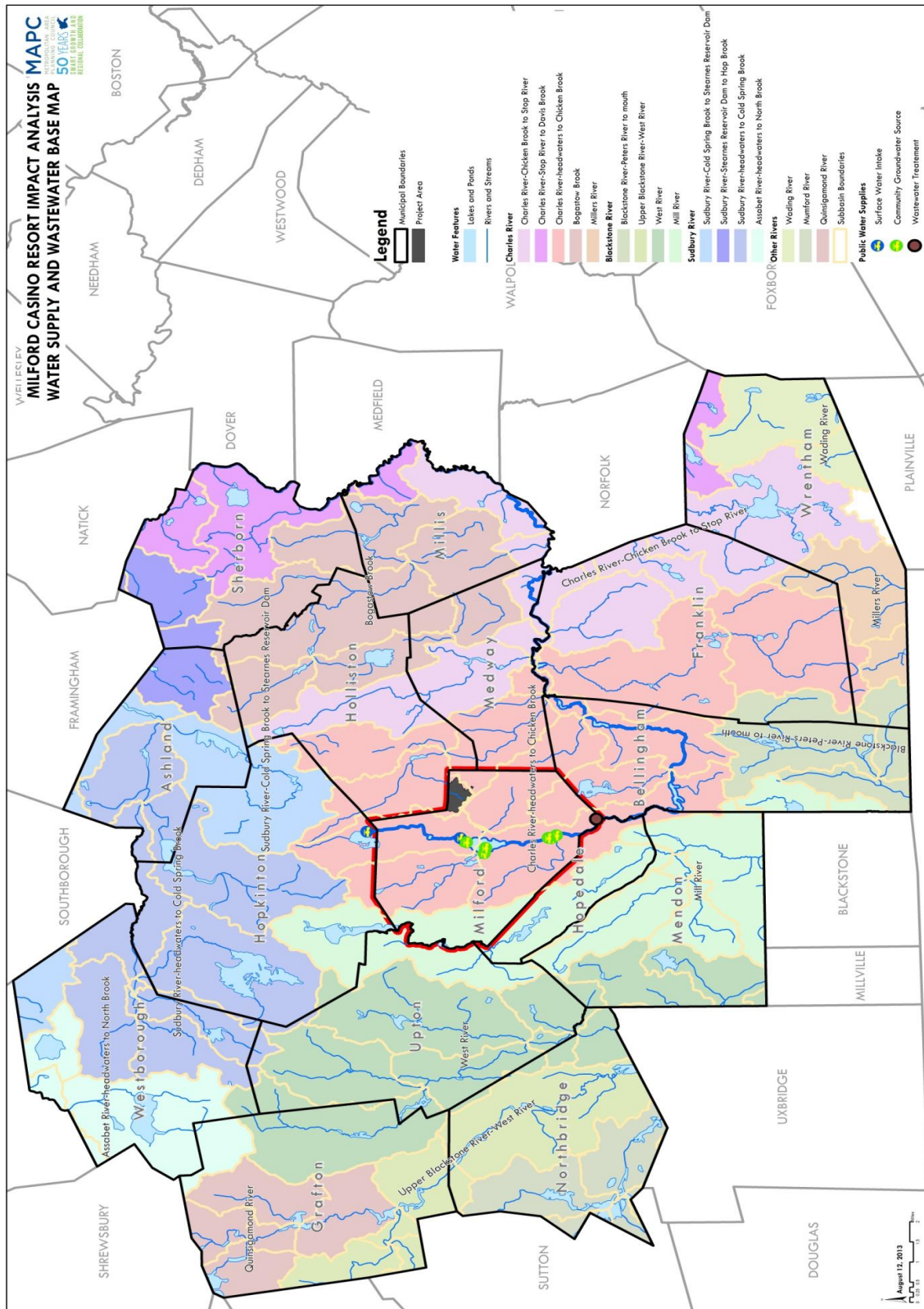


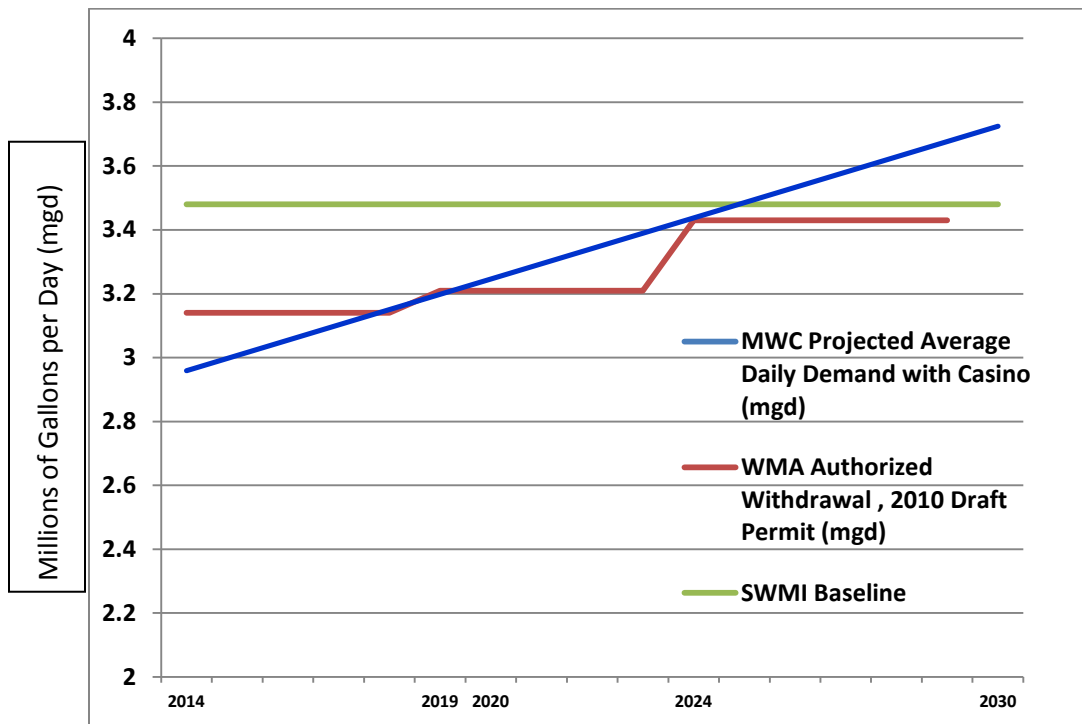
Figure 7-3 - Water Supply and Wastewater Base Map

The analysis of the relationship between MWC demand and the Water Management Act authorized withdrawals and SWMI baseline applies to different but overlapping time periods between 2014 and 2030. To help clarify this, these are summarized in Table 3 and displayed in Figure 3.

**Table 7.3 MWC Average Daily Demand
With the Casino VS. WMA and SWMI Withdrawals**

Year	MWC Average Daily Demand (mgd)	WMA Authorized Withdrawal (mgd)	SWMI Baseline (mgd)
2014	2.98	3.14	3.48
2019		3.21	3.48
2020	3.42		3.48
2024		3.43	3.48
2030	3.72		3.48

**Figure 7.4 - MWC Average Daily Demand
With the Casino vs. WMA and SWMI Withdrawals**



Safe Yield and Firm Yield of MWC Water Sources

Safe Yield and Firm Yield are measures of the volume of water available from each individual groundwater and surface water source, respectively. For the Milford Water Company these are:

Table 7.4 Safe Yield and Firm Yield of Milford Water Sources

Echo Lake/Charles River	Surface water	1.57 mgd	Firm Yield
Godfrey Brook Well	Groundwater	0.79 mgd	Safe Yield
Clarks Island well field	Groundwater	0.80 mgd	Safe Yield
Dilla Street Well	Groundwater	0.68 mgd	Safe Yield
TOTAL of All Sources		3.84 mgd	

Note that although the sum of these safe yields and firm yield for all sources is 3.84 mgd, the total authorized withdrawal for the water system as a whole is currently 3.30, as described above.

The Tighe and Bond peer review notes that, based on the 2011 USGS report "Refinement and Evaluation of the Massachusetts Firm-Yield Estimator Model Version 2.0," there is a potential that the Firm Yield of 1.57 mgd for the Echo Lake/Charles River sources will be reduced. The RPAs reviewed the USGS report and found that it revised previous Firm Yield estimates based on updated data, including daily streamflows and meteorological data, as well as a refined method for estimating groundwater flows. The Echo Lake withdrawal is more complicated than a typical single-reservoir system because it is supplemented by a diversion from the Charles River. The USGS study customized its methodology for these Echo Lake/Charles River sources as described in this excerpt from the report:

Echo Lake in Hopkinton, Massachusetts, currently augments the amount of available water in the reservoir by a diversion from the Charles River approximately 2.5 mi below the Echo Lake Dam. The maximum pumping rate for the diversion is 3 million gallons per day (Mgal/d), and pumping primarily occurs during March through May (Metcalf and Eddy, 1997). In order to simulate this unique situation, streamflow for the length of the Charles River from the diversion point up to the Echo Lake Dam was estimated using SYE [Safe Yield Estimator]. The FYE [Firm Yield Estimator] model was modified for this reservoir only, such that a maximum of 3 Mgal/d of streamflow from the Charles River and from Echo Lake spillage was added back into Echo Lake storage at the end of each simulation time step during the months of March through May. Including the Charles River diversion in the simulation of Echo Lake increased the firm yield by 35 percent, from 0.83 Mgal/d without the diversion to 1.12 Mgal/d including the diversion.

The USGS report states that "Changes to the Firm-Yield Estimator (FYE) model include simulation of the 44-year historical record by daily time steps; daily input data for streamflow, precipitation, and evaporation; [and] refinements to the groundwater simulation. Because of these refinements, estimates of firm yield based on previous versions of the FYE are no longer considered valid."

The USGS estimated the Firm Yield of the combined Echo Lake/Charles River diversion at 1.12 mgd. As shown in the table above, these sources are currently listed at 1.57 mgd in the MWC's Water Management Act permit. This difference of 0.45 mgd in Firm Yield underscores the issue that was noted in Tighe and Bond's peer review report. The USGS report also evaluated Firm Yield under several alternative scenarios of demand

management, failure criteria, and monthly flow releases, which resulted in a range of Firm Yield estimates from 0.72 to 1.42.

If the Firm Yield for Echo Lake and the Charles River diversion is reduced in the future, the chief implication would be that the Milford Water Company would have to rely more heavily on its groundwater sources to meet its demand. The Echo Lake/Charles River sources currently comprise the largest source in the Milford Water Company's system, at 40.8 percent of the total Safe Yield/Firm Yield of all sources, and 51 percent of its current available production capacity, as described below.

Water Production Capacity

In addition to the regulatory limits and constraints described above, the water system's ability to deliver water to customers is defined by the production capacity of its various water sources, as well as its distribution system including water lines, pumping, and storage.

The current total water production capacity of the Milford Water Company is 3.07 mgd, which is summarized by source in the table below, excerpted from the project proponent's report, "Preliminary Water Impact/Mitigation Summary" (Tetra Tech, July 16, 2013). This production capacity is approximately 0.77 mgd less than the combined Safe Yield/Firm Yield of all sources due to the limited capacity of some of the groundwater sources.

**Table 7.5 Authorized Withdrawals and Production Capacities
of Milford Water Sources**

Supply Source	Authorized Average Daily Withdrawal (mgd)	Production Capacity (mgd)	Net Available (mgd)
Godfrey Brook Well	0.79	0.50	0.29
Clarks Island	0.80	0.80*	0.2**
Dilla Street	0.68	0.20	0.48
Echo Lake/Chas. River	1.57	1.57	--
Total	3.84	3.07	0.97

*0.53 mgd when adjusted for typical reduced operating year

**Approximate amount available from increased operating year with improvements to well field

Production capacity is the most limiting factor, compared to authorized withdrawals and safe yield of sources. Comparing the Milford Water Company's current production capacity of 3.07 mgd to its total projected demand with Foxwoods of 2.98 mgd leaves a reserve of just 0.09 mgd (90,000 gallons per day), representing use of 97 percent of current average day production capacity.

The Milford Water Company is planning to install a new well at Clark's Island, which will increase its production by 0.20 mgd. The proponent estimates that up to 0.97 mgd additional production capacity could be gained by upgrading the Godfrey Brook well (0.29 mgd), Dilla Street well (0.48 mgd), and Clark's Island well (0.20 mgd). Upgrades to existing sources to offset 135 percent of the casino's water demand are a key part of the proposed mitigation measures (see below).

When considering projected future demand for 2020 and 2030, the lack of adequate production capacity becomes more significant. Projected MWC average daily demand including the casino at 3.42 mgd in 2020 would exceed current capacity by 0.35 mgd, and the projected 2030 demand of 3.72 mgd would exceed current capacity by 0.65 mgd. Further, the Kleinfelder peer review points out that it is not just a question of total system supply and demand, but the balance between the MWC's surface water and groundwater sources. With groundwater sources limited to a production capacity significantly less than their authorized withdrawals, unless the groundwater sources were restored, the MWC could have to rely more on surface water withdrawals to meet future demands; but these are limited by their Firm Yield. As proposed by the proponent, upgrades of MWC's groundwater sources could remedy this for meeting current average daily demand; however Kleinfelder concludes that "all three groundwater sources would need upgrades very close to their permitted safe yield to meet future average daily in the MWC system."

With respect to meeting maximum daily demand, another limiting factor is the capacity of the MWC's Water Treatment Facility (WTF). The WTF was recently renovated and currently has a capacity of 5.6 mgd. All surface water (Echo Lake and Charles River) and two of the three groundwater sources (Dilla Street and Clarks Island wells) must be treated at the WTF. Thus there is a limit of 5.6 mgd for the total aggregate water available from those sources. Only the Godfrey Brook well does not have to be treated, allowing its yield not to be limited by the WTF capacity. With the WTF capacity at 5.6 mgd, and the Godfrey Brook well's current capacity at 0.50 mgd, the total MWC system maximum day capacity is 6.10. This is slightly less than the estimated current maximum day demand of 6.11 mgd with the casino's water demand added to the MWC, and significantly less than the projected maximum day demand for 2020 (6.43 mgd) and for 2030 (6.99 mgd). In order to meet these future maximum day demands, the Kleinfelder report suggests that "the MWC would either need to identify and permit a new water supply source, increase the treatment capacity at the Dilla Street WTF, or draw additional water from neighboring communities." Issues relating to neighboring communities are described in the next section.

Surrounding Community Concerns

As discussed above, inadequate capacity to meet maximum day demand could lead the Milford Water Company to seek supplemental water from other towns. MWC has interconnections with the towns of Bellingham, Holliston, Hopedale, and Medway. The Kleinfelder report also notes that Holliston has supplied MWC with water during MWC temporary operational shut-downs in the recent past. MWC has also approached Medway to discuss purchase of water during the last year, but Medway does not have capacity to provide water to MWC.

The towns of Hopedale and Mendon have both expressed concerns about the impact of the project's additional demand on the Milford Water Company's water sources. MAPC and CMRPC met with water supply officials from both communities and reviewed materials they submitted regarding their water supply systems. The concerns raised by each of these communities are summarized below.

Hopedale Water Supply

Although Hopedale did not purchase water from the Milford Water Company in 2012, historically the Town has relied on purchased water from Milford to supply part of its water, in the range of 21 to 32 million gallons per year (mg/y) since 2008 (see Table 6 below). Hopedale operates gravel pack wells with an authorized withdrawal of 0.21 mgd, and in order to reduce its reliance on purchased water from the Milford Water Company, the town developed two new bedrock wells in 2010 with authorized withdrawals of 0.162 and 0.069 respectively. With these wells online, the town did not purchase any water from the Milford Water Company for the first time in 2012.

**Table 7.6 Hopedale Water Withdrawals and Purchases
from the Milford Water Company**

YEAR	Withdrawals from Hopedale Sources (mg/y)	Water Purchased from Milford Water Co (mg/y)
2008	139.5	32.5
2010	132.4	21.0
2011	133.5	21.4
2012	153.6	0

The production rates of the two bedrock wells, however, has fallen off over the last year. In 2011 they produced 103 gallons per minute (gpm) and 40 gpm, respectively, but in 2012 production fell to 49 gpm and 29 gpm, a total reduction of 65 gpm, or 45 percent. Hopedale's Water Manager, Tim Martin, states that, "If this trend continues, the need to purchase water in the future is highly probable."

Given the likelihood that Hopedale will need to continue to rely on Milford for part of its water supply, the town is concerned that the proposed casino project's water demand may compromise the ability of the Milford Water Company to honor the purchase agreement with Hopedale. The agreement is written in such a way that the supply to Hopedale is not guaranteed, and water demands within the Town of Milford take precedence. As the above analysis shows, the existing Milford Water Company system will require significant upgrades to meet the additional demands of the proposed project, and the Town of Hopedale is concerned that Milford retains adequate capacity to continue supplying Hopedale as needed.

There are several potential future improvements to Hopedale's water system that the town would like to pursue in order to reduce the need for water purchases from Milford. These include the installation of a two-million gallon storage tank, which would decrease the need for purchasing water in times of high demand and drought. It could also allow Hopedale to assist with emergency water needs in the area of the Milford Regional Medical Center through an existing interconnection. Another potential mitigation measure would be provision of additional resources for annual well rehabilitation and cleaning, which would help to maintain water production capacity. The Hopedale Water Department currently has available resources to maintain annually only one or two wells of the three sources and 37

wells in the system. The town estimates that an enhanced maintenance program would require about \$100,000 per year.

It should also be noted that in addition to supplying its own water needs, the Hopedale Water Department also provides all of the Town of Mendon's public water supply. This is described in more detail below.

Mendon Water Supply

The Town of Mendon has no water sources of its own and relies entirely on purchased water from the Town of Hopedale, which in turn has, prior to 2012, relied on the Milford Water Company as described above. Mendon's water system supplies about 150 customers in the southern portion of the town. Water purchased from Hopedale averages about 10 to 12 million gallons per year (see Table 7 below).

Like Hopedale, the town of Mendon also has concerns about the impact of the proposed casino on the ability of Milford to provide water to the Town of Hopedale, which could in turn affect Mendon. Mendon's purchase agreement with Hopedale does not guarantee that water will be available for purchase. If the proposed casino's water demands on the Milford Water Company constrain its ability to provide water to Hopedale, then Mendon could also be affected.

Table 7.7 Mendon Water Purchases from Hopedale (mg)

Year	Purchases (mg)
2002	12.08
2003	13.42
2004	14.55
2006	11.20
2007	11.84
2008	12.20
2009	10.62
2010	10.93
2011	10.40

The Town of Mendon would like to reduce its reliance on purchased water by developing its own water supply. There is a groundwater source formerly owned by the Miscoe Bottling Company that the town would like to acquire and reactivate. The drilled wells are in place and permitted, with a capacity of 200 gallons per minute. If the Town of Mendon acquires and operates this water source, it could more than meet its own current water needs, as well as provide water to Milford in the area of the Milford Regional Hospital through an existing interconnection. However, the acquisition cost is unknown and it is not assured, since the source property is in privately owned.

Bellingham, Holliston, and Medway

In addition to Hopedale, the Milford Water Company has interconnections with the neighboring towns of Bellingham, Holliston, and Medway. These are used for emergency connections. The town of Holliston has temporarily supplied water to Milford in the past. The Kleinfelder peer review report notes that "it is conceivable that the MWC may seek additional supply through interconnections with neighboring communities." The report cautions that this would most likely occur during the peak summer demand season, when demand would also be high in the neighboring communities and available capacity to respond to a request from Milford may be limited. A related issue identified in the Kleinfelder report is the potential impact on fire protection mutual aid agreements between Milford and the neighboring communities.

Water Supply Mitigation Proposed by the Applicant

The applicant is proposing to address water supply issues by implementing several mitigation measures:

- Upgrades/expansion at the Dilla Street and/or Godfrey Brook well sites to increase production necessary to offset 135% of project water demand.
- Public water supply will not be used for irrigation.
- Water-efficient fixtures and appliances will be installed.
- The project will use an off-site vendor for laundry services to reduce demand on-site.
- A water reuse strategy will use recycled gray water for irrigation and mechanical systems.
- The proponent will evaluate the potential to install water efficient fixtures in municipal buildings and in areas where measurable water savings can be achieved.
- Other measures include installing capacity for using tanker-delivered water as a backup, work with the Town and Milford Water Company on Water Management Act permitting if necessary, and investigating a return loop in the distribution system or providing an on-site water storage tank.

The Tighe and Bond peer review finds that if the recommended improvements are implemented there appears to be sufficient water to meet the demands of the proposed development. However this does not take into account the issues regarding maximum day demand and future year 2020-2030 demand described in the previous section. And it should also be noted that neither the proponent's report nor the Town of Milford's peer review report specifically take into consideration the concerns of the Towns of Hopedale and Mendon described above.

7.3.2 Wastewater

Wastewater Flow Estimate

The proponent's analysis estimates that total wastewater flow from the project will be 0.29 million gallons per day (mgd). This estimate is based on the methodology of Massachusetts Title 5 regulations, which contain wastewater flow rates for various land uses. Since the proposed casino project comprises several separate uses, such as the gaming positions, restaurants, hotel, and retail, the wastewater flows for each use were estimated using Title 5, then flow from all uses were totaled for the project.

Based on the peer review conducted for the Town of Milford by Tata and Howard, the proponent made an adjustment to the Title 5 flow rate, increasing it by an "extended use factor" of 1.5 to account for the fact that the project will be in operation 24 hours per day, seven days per week.

The proponent also proposes to extend a sewer line along Route 16 to the Holliston line in order to serve several Milford residences currently on septic systems. In its peer review report for the Town of Milford, Tata and Howard notes that there is an undeveloped parcel abutting Route 16 with potential for a large development when a sewer becomes available. The total additional wastewater flow from the additional residences and potential new development along Route 16 is estimated by Tata and Howard at 50,000 gpd. Adding this to the 290,000 gpd from the proposed project results in a total increase in wastewater flow of 340,000 gpd.

Wastewater Collection System and Treatment Facility

Wastewater Collection System

There is currently no wastewater collection system on or near the proposed site. The applicant proposes to install 1,000 feet of new sewer line along Route 16 to the site. This would connect to the existing Milford system in Fortune Boulevard. The applicant also proposes a new pump station to be located near the Route 16/Route 495 overpass, as the flow cannot be conveyed to the Milford system by gravity sewers.

The project's flow would be conveyed to the Milford Wastewater Treatment Facility (WWTF) via existing sewers that include the East Main Street Pumping Station. The pumping station is not adequate to handle the additional flows from the project, so the applicant proposes to upgrade the existing East Main Street Pumping Station to accommodate proposed flows.

The applicant also proposes to extend the new sewer along Route 16 to the Holliston line in order to serve several Milford residences currently on septic systems.

Wastewater Treatment

The Milford Wastewater Treatment Facility (WWTF) will treat the project's wastewater. The WWTF provides secondary treatment and discharges to the Charles River. The WWTF has an

average day capacity of 4.3 mgd and a hydraulic capacity (peak) of 12 mgd. Existing flow to the WWTF is 4.3 mgd, which includes 2.3 mgd sanitary flow and 1.8 mgd Inflow/Infiltration (I/I).

In its peer review report, Tata and Howard reports that the town's 2012 Comprehensive Wastewater Management Plan provides a projection of Milford's wastewater flow for the year 2030. That projection includes an increase of residential sanitary flow 0.4 mgd, which includes 0.2 mgd for residential and 0.2 mgd for commercial and industrial users. The plan also projects a decrease in inflow/infiltration of 0.3 mgd. The resulting total flow projection for 2030 is 4.4 mgd, a slight increase of 0.1 mgd over current average day flow (see Table 4). Given these current and projected wastewater flows to the Milford WWTF, there is currently no additional average day capacity available, and in 2030 there would be a net deficit of 0.1 mgd.

Table 7.8 Current and Projected Milford Wastewater Flows

Waster Flow and Capacity	2005-10 Average (mgd)	Projected 2030 (mgd)
Sanitary flow	2.3	2.7
Inflow/Infiltration	2.0	1.7
Total flow to WWTF	4.3	4.4
WWTP Avg. Day Capacity	4.3	4.3
Available Capacity	0	(-0.1)

Given the projected wastewater flow of the original two-phased project proposal of 290,000 gpd plus an additional 50,000 gpd from the proposed sewer extension along Route 16, Tata and Howard's peer review concluded that:

"Based on the existing infrastructure of the sewer collection system and the capacity of the Milford WWTF, it appears that there may be sufficient capacity for Foxwoods Massachusetts to connect to the system, if significant improvements are made to the East Main Street Pump Station and to pipelines that will carry the wastewater to the WWTF. However, the capacity of the existing sewer system infrastructure must be reviewed in detail; the capacity of the East Main Street Pump Station must be reevaluated; and the potential impact of the increased flow at the Milford WWTF must be reviewed in detail."

It should be noted that since Tata and Howard's peer review was published, the applicant has revised the proposed project to a single-phase proposal that is about 80,000 square feet smaller than the original two-phase project. The revised wastewater flow for the revised project is 257,000 gpd, or 33,000 gpd less than the original proposal reviewed by Tata and Howard.

In an addendum to the peer review report published on August 15, 2013, Tata and Howard provided further details on the collection system, pump station, and Milford WWTF. The addendum documents in more detail several units of the Milford WWTF that "do not have capacity to handle additional flows," including:

- Two influent screw pumps and three intermediate screw pumps, which were evaluated on their ability to handle the existing incoming flow with one screw pump out of service. If the pumps were to receive flows above their capacity, it could result in a sewer overflow to the Charles River. The Tata and Howard peer review concludes that "to receive future projected flows from the proposed development, the construction of an additional influent screw pump and the replacement of an intermediate screw pump would be required."
- The intermediate clarifiers are already operating at or near capacity. An additional intermediate clarifier would have to be installed to accommodate additional flows.
- The existing sand filters are already operating at or near capacity. An additional sand filter would have to be installed to accommodate additional flows.
- The existing ultraviolet disinfection system is already operating at or near capacity. One of the three units would have to be replaced to accommodate additional flows.

In addition to considering the capacity of the WWTF, Tata and Howard detailed the need for removal of Inflow and Infiltration (I/I) from the Milford sewer system at a ratio of five (5) gallons of I/I removal for each gallon of wastewater proposed to be discharged. Based on the total estimated wastewater flow of 340,000 gpd for the original two-phased project plus the Route 16 sewer extension, Tata and Howard estimated the required amount of I/I removal would be 1.7 million gallons per day (mgd). This represents 85 percent of the 2.0 mgd of existing I/I in the Milford system.

Reducing the project's estimated wastewater flow by 33,000 gpd to account for the revised single-phase project would result in 307,000 gpd (including the Route 16 sewer extension), which would require removal of about 1.5 mgd of I/I. Accounting for the project's wastewater only without the Route 16 sewer extension (257,000 gpd) would result in about 1.28 mgd of I/I removal. Even this lower estimate of I/I removal represents nearly two-thirds of the estimated 2.0 mgd of I/I that exists in the system.

If significant I/I reduction is achieved, it could alleviate some of the concerns about the capacity of the Milford WWTF, as most of the issues relate to peak flow operations, and as I/I reduction, particularly inflow reduction, can significantly reduce peak flows to the WWTF. For this reason, Tata and Howard noted in its August addendum that "the removal of a significant volume of I/I from the existing sewer collection system could result in a reevaluation of the recommended improvements at the WWTF."

Tata and Howard's overall peer review conclusion is that "a combination of improvements to the sewer system and an aggressive effort to remove I/I from the system can be made effective to allow the Town to accept the flow from the proposed casino."

It should be noted, however, that Tata and Howard's conclusion pertained to Phase 1 of the previous iteration of the project, which had an estimated wastewater flow of 185,000 gpd. Tata and Howard continued its conclusion, saying, "additional recommendations and

associated costs will be provided in Phase 2 to improve the sewer collection system, pump station, and the Milford WWTF." It should be noted that the project as currently proposed is larger than the former Phase 1 and slightly smaller than Phase 2. This underscores the need for a robust set of upgrades and mitigation measures to ensure that the Milford WWTF can accommodate the project's flows without causing negative impacts to system operations or the Charles River.

Wastewater Mitigation Measures

The proponent has put forward the following proposed mitigation measures:

- The project will construct new sewer collection infrastructure required to convey project wastewater to the existing Town sewer collection system in Fortune Boulevard. This work is expected to include approximately 1,000 feet of new gravity sewer and a new pump station and associated force main.
- The applicant is prepared to install new collection system infrastructure in East Main Street to provide the opportunity for residents to connect to public sewer. This work is expected to include approximately 3,000 feet of new gravity sewer and an additional pump station. The feasibility and limits of the improvements will be determined in cooperation with the Sewer Department.
- The applicant will, prior to opening the facility, demonstrate the removal of 5 gallons of inflow and infiltration (I/I) for every gallon of new sanitary flow from the resort casino, as estimated per Title 5. This mitigation will result in a net decrease in demand on sewer collection infrastructure and treatment plant.
- The applicant will install flow meters at six (6) locations within the collection system to document current flows that will serve as the basis for identifying required system improvements and opportunities for I/I removal.
- Following construction and operation of the facility, a flow monitoring program will be conducted at the same locations and for the same durations included in the previous item. The purpose of the post-construction monitoring will be to validate project flow estimates and provide an exact baseline for use in consideration of a potential second phase of development.
- Prior to occupying the facility, the applicant will upgrade the existing East Main Street Pumping Station to accommodate proposed flows from the project and potential residential connections using the East Main Street sewer extension.
- The applicant will help fund the development of a town-wide hydraulic system model to assist in the operation and maintenance of the sewer collection system and in the evaluation of potential project impacts and required system improvements.

7.3.3 Stormwater

Project Context for Stormwater: Impervious Surfaces

The project is proposed for a site of about 188 acres that currently has no developed land uses with associated impervious surfaces. Existing land cover consists of brush/woods, wetlands, and bare soil. Stormwater impacts are largely associated with the development's impervious surfaces, including roadways, parking areas, building roofs, and other "hardscape" surfaces.

The site is located near the Holliston town line, and stormwater drainage from the project would flow through several wetlands and tributaries into Beaver Brook in Holliston. Beaver Brook flows south through Weston Pond before joining Hopping Brook, which continues to flow south through Holliston and Medway for about 3.6 miles until it joins the main stem of the Charles River near the Medway/Bellingham/Franklin borders (see Map 2).

The proposed project would result in 24.5 acres of impervious surface, comprised of building/roof, green roof, and pavement (see Table 5). As impervious areas increase with the project, the area of brush/woods would decrease, bare soil would be eliminated, and wetlands would remain virtually unchanged. Overall site coverage with impervious surfaces would comprise 15% of the site area.

Table 7.9 Ground Cover Distribution - Hydrologic Area

Land Use/Cover	Existing Site (acres)	Proposed Project (acres)
Roof/Building -	--	8.9
Green Roof	--	8.8
Pavement	--	6.8
Grass	--	14.6
Brush/Woods	128.8	93.8
Bare Soil	4.1	--
Wetlands	54.8	54.8
Total	187.7	187.7

Stormwater Runoff Calculation

The applicant used standard, widely accepted methods and data sources to calculate the runoff generated on the proposed development site. These included:

- SCS Technical Release No. 20 (TR-20)
- SCS Technical Release No. 55 (TR-55)
- U.S. Department of Commerce, Technical Paper No. 40 (TP-40), Rainfall Frequency Atlas of the United States

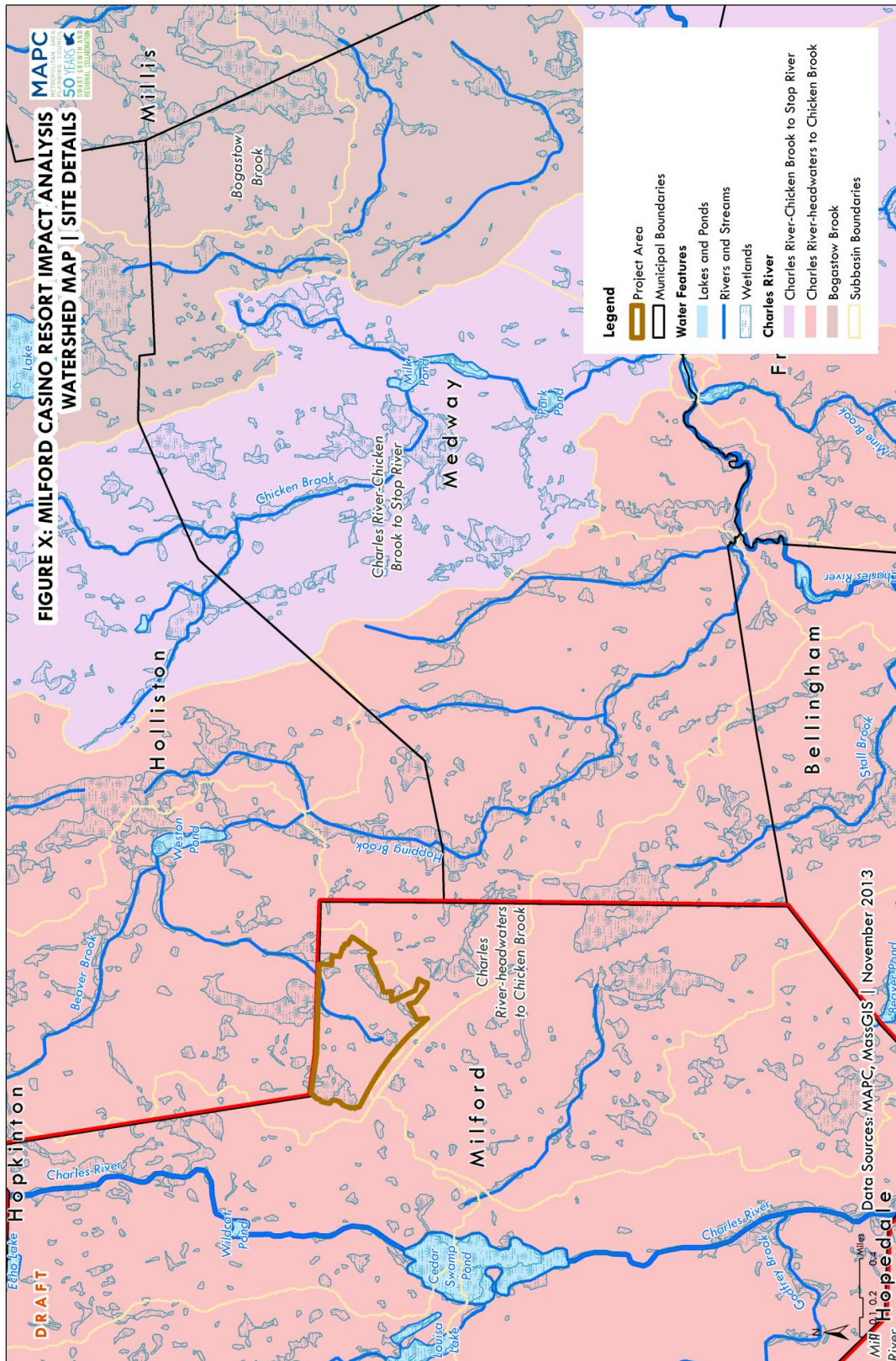


Figure 7.5 – Watershed Map/Site Details

- Natural Resources Conservation Service (NRCS) Soil Survey of Essex County, MA, Southern Part
- Intensity Duration Frequency (IDF) Curves for the Worcester, Massachusetts Area
- The hydrologic model was based on HydroCAD, Version 10.0 software
- The reach routing calculations were modeled using the Storage-Indication plus Translation Method
- The pond routing calculations were modeled using the Storage-Indication Method

As required by the Massachusetts Stormwater Handbook, the stormwater calculations were run for four storm events: 2-year, 10-year, 25-year, and 100-year storms. The rainfall amounts associated with each of these storms provided by TP-40 are as follows:

Table 7.10 - 24 Hour Rainfall from Technical Paper-40

Storm Event	24 Hour Rainfall (inches)
2-Year	3.20
10-Year	4.60
25-Year	5.50
100-Year	6.60

However, changing and intensifying rainfall patterns are increasingly being taken into account in planning and design. The Northeast Regional Climate Center (NRCC), in collaboration with the Natural Resource Conservation Service, developed updated estimates of extreme rainfall events. The NRCC rainfall estimates for the same four storms are as follow, noting the difference with current TP-40 estimates:

Table 7.11 Comparison of 24 Hour Rainfall from Technical Paper-40 and NRCC

Storm Event	TP-40 (inches)	NRCC (inches)	Difference (inches)
2-Year	3.20	3.24	0.04
10-Year	4.60	4.86	0.26
25-Year	5.50	6.12	0.62
100-Year	6.60	8.69	2.09

Note that the differences are small for the more frequent storms, but become significant for the 100-year storm, at more than two (2) inches. The NRCC's Frequency-Duration curve for the 100-year storm follows:

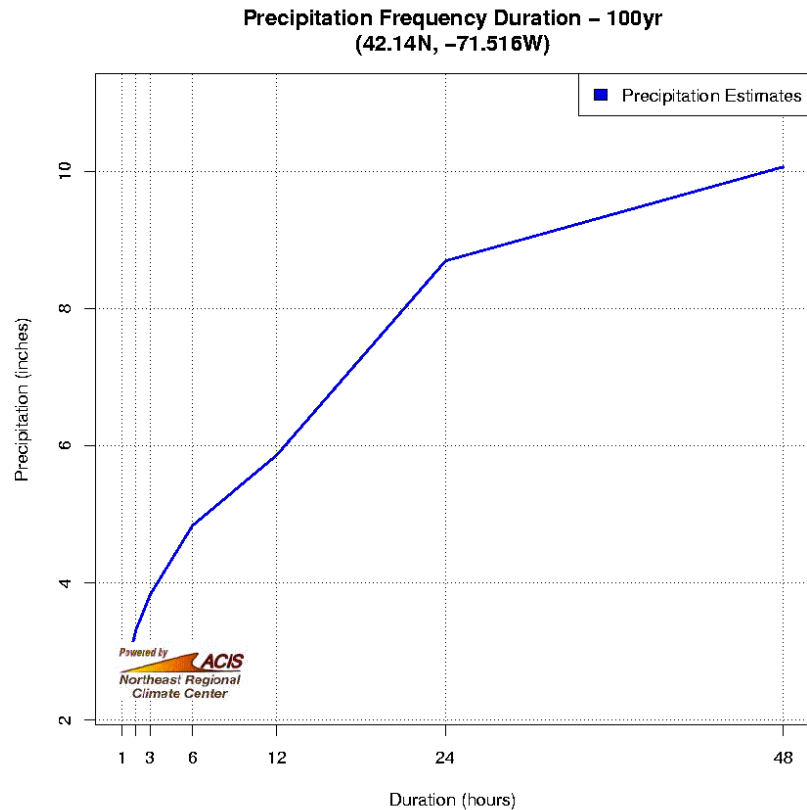


Figure 7.6 - Precipitation Frequency Duration – 100 Year Storm

Northeast Regional Climate Center Extreme Precipitation estimates (inches)
 Location, near Melissa Frieswick School, Milford, MA 01757, USA
 Lon, -71.516 / Lat, 42.140 / Elev (feet), 260

Massachusetts Stormwater Standards

The proposed project will be required to comply with the stormwater standards outlined in the Department of Environmental Protection's *Massachusetts Stormwater Handbook*. This review focuses on issues related to the following stormwater standards:

Standard 1: *No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.*

The conceptual design present in the Proponent's Stormwater Impact Report (July 29, 2013) demonstrates that there will not be any new stormwater conveyances that discharge untreated stormwater directly to wetlands or waters of the Commonwealth. Because the stormwater plans are still conceptual, detailed information has not yet been provided on discharge velocities, which relate to the potential for erosion. However, this issue would need to be addressed under the Milford Conservation Commission's review of the proposal.

Standard 2: *Stormwater management systems shall be designed so that the post-development peak discharge rates do not exceed pre-development peak discharge rates. Measurement of peak discharge rates is calculated at a design point, typically the lowest*

point of discharge at the downgradient property boundary. The topography of the site may require evaluation at more than one design point, if flow leaves the property in more than one direction.

As this standard requires, the applicant has identified four points of analysis along the downgradient property boundary, and a number of "subcatchment" areas that contribute stormwater runoff to each of the four design points. See Figure 4.1 from the applicant's Stormwater Management Report below, showing the four points of analysis and the subcatchment areas associated with both Phase I and II of the proposed project.

For several of the proposed Infiltration Basins, including 2E, 2F, 2G, 2H, 2K, 2L, and 2 M, the applicant's report states that "discharges from the infiltration basin will be conveyed via an emergency spillway to the existing wetland along the eastern property line and ultimately discharge off-site to Point of Analysis 2."

The Proponent's Stormwater Report also states that "the proposed stormwater collection system has not yet been designed however the system will be designed for a twenty five (25) year storm." [P. 14].

On a related topic, The RPAs note that the stormwater peer review conducted for the Town of Milford by Beals and Thomas observed that the Subsurface Infiltrative Systems that receive runoff from rooftop areas have been designed to store and infiltrate flows from up to 100-year storms, but do not appear to have overflow outlets. It is not clear how higher flows will be handled.

Finally, all of the analyses of stormwater to date have been focused entirely within the site. The four points of analysis are at the border of the site, and three of them are at or near the municipal boundary of the town of Holliston.

Standard 3: Loss of annual recharge to groundwater shall be eliminated or minimized through the use of environmentally sensitive site design, low impact development techniques, stormwater best management practices, and good operation and maintenance. At a minimum, the annual recharge from the post- development site shall approximate the annual recharge from pre-development conditions based on soil type.

The applicant's stormwater design is based on a robust goal for recharge of stormwater on site that significantly exceeds the minimum required recharge. This would have benefits both onsite and offsite. Given the distribution of soil types on impervious portions of the development, the DEP standard requires 0.64 acre-feet of recharge for Phase I. The applicant calculates that the recharge volume would be 6.63 acre-feet, exceeding the standard by a factor of ten. For Phase I and II combined, the required recharge would be 0.82 acre-feet: the project is estimated to provide 6.87 acre-feet of recharge, somewhat more than eight times the required recharge. While these proposed recharge volumes would provide an additional degree of mitigation of project impacts, the next steps in the design process will be critical to determining if these goals can practically be met, according to the following rules for groundwater recharge included in the Stormwater Handbook:

- Depth to groundwater: At a minimum there should be a two-foot separation between bottom of structure and seasonal high groundwater.
- Minimum Infiltration Rate: 0.17 inches per hour.
- All infiltration structures must be able to drain fully within 72 hours.

At this stage of preliminary design, there are not site-specific soils data to document whether the intended levels of recharge can be met, or whether design changes to the stormwater management plan would be needed. The most critical factor is detailed soils data in the area where stormwater infiltration is proposed. The DEP Stormwater Handbook requires a four-stage analysis:

- STAGE 1 Review NRCS Soil Surveys
- STAGE 1A Site Visit
- STAGE 2 Determine Site Conditions at Specific Location Where Recharge is Proposed
- STAGE 3 Identify Hydrologic Soil Groups On-site and Where Recharge is Proposed
- STAGE 4 Prepare a Plan identifying Hydrologic Soil Groups for the Site

Given the data available in the applicant's stormwater report, it appears that Stage 1 or 1A have been completed, and the remaining three stages would still need to be completed for the Milford Conservation Commission's eventual project for review.

Standard 4: *Stormwater management systems shall be designed to remove 80% of the average annual post-construction load of Total Suspended Solids (TSS). The required water quality volume equals 1.0 inch of runoff times the impervious area of the post-development site for a discharge:*

- *from a land use with a higher potential pollutant load;*
- *within an area with a rapid infiltration rate (greater than 2.4 inches per hour);*
- *within a Zone II or Interim Wellhead Protection Area;*
- *near or to the following critical areas: Outstanding Resource Waters, Special Resource Waters, bathing beaches, shellfish growing areas, cold-water fisheries.*

The project's stormwater discharge does not include any of the conditions referenced above that would require a water quality volume of 1.0 inch; so the DEP requirement that applies would be for a 0.5 inch water quality volume. Nevertheless, the Proponent's stormwater report proposes to apply the 1.0 inch water quality volume to the project, doubling the required amount of stormwater to be treated. This is a positive step that could help provide

a “margin of safety” in case all Best Management Practices (BMP’s) are not able to perform as efficiently as expected.

Another water quality related aspect of Standard 4 is the Total Maximum Daily Load (TMDL), which is addressed as follows: “If there is a Total Maximum Daily Load (TMDL) that indicates that stormwater BMPs are needed to reduce the concentration in stormwater runoff of pollutants other than Total Suspended Solids (TSS) such as nitrogen and phosphorus, the BMPs selected must be consistent with the TMDL.”

The DEP completed a TMDL analysis for the Upper and Middle Charles River Basin. The TMDL identifies phosphorus as the pollutant of concern, and the analysis established a phosphorus reduction goal for the town of Milford of 57 percent. While there is not yet a specific enforcement mechanism to require such phosphorus reduction, the Town of Milford’s draft EPA stormwater permit under the Clean Water Act "MS4" permit program will include such a requirement when adopted. However, even with this requirement included in the town’s MS4 permit, it would not directly apply to this site because stormwater from the site will not be discharged through the Milford MS4 system. Despite the lack of regulatory enforcement through the town's MS4 permit in this case, the stormwater discharged directly from the site to tributaries of the Charles River would add to the phosphorus load while communities in the Charles River watershed are endeavoring to find ways to reduce the existing phosphorus load to the watershed.

The proponent’s Stormwater Management Report acknowledges the Charles River TMDL, and states that “the BMP’s selected will reduce those potential pollutant loads associated with stormwater runoff as identified in the Charles River Watershed TMDL’s for nutrients and pathogens. The implementation of a combination of good housekeeping practices, structural and nonstructural BMPs, reductions in impervious cover, and other LID techniques will represent effective measures in reducing pollutant loads to levels that meet or exceed the applicable regulatory requirements.”

The DEP Stormwater Handbook states that, “Generally, monitoring is not required to confirm removal percentages. Nevertheless, monitoring or sampling may be appropriate to ensure protection of critical areas or to verify the effectiveness of alternative technologies that are not included in Table TSS or do not have a specified TSS removal rate and that have only limited data about their long-term performance.” .” Given the fact that the site will discharge treated stormwater directly to the Charles River watershed and thus will not be part of any monitoring that will be done for the Milford MS4 system, a targeted stormwater monitoring program for TSS and phosphorus should be implemented in this case.

7.4 Conclusions and Recommendations

The underlying theme for most of the RPAs' comments is the current degree of certainty of the project’s impacts and their successful mitigation due to the preliminary and conceptual nature of the proponent's plans for water supply, wastewater, and stormwater at this time. There will be more certainty should the project advance to the design and permitting stage, but that is not planned until later in the process, well after surrounding community agreements will be executed. However, given the information that has been provided by the

proponent, as well as the various peer reviews, the RPAs have several findings and recommendations that provide a general direction for adjacent and surrounding communities to address potential impacts.

7.4.1 Water Supply

The proposed project will place significant demands on the Milford Water Company that can only be accommodated with significant upgrades to the water system. The applicant has proposed a package of mitigation measures that include significant water system upgrades and water reuse at the project. If fully implemented these appear to provide capacity to meet Milford's current average daily water demand with the addition of the project's demand. However at this stage most of these upgrades are still at a preliminary or conceptual design phase. There is also some uncertainty about meeting maximum daily water demand, as well as future demand beyond 2020. The most significant outstanding issues that should be considered by the adjacent and surrounding communities include:

- The ability of the Milford Water Company to meet peak season (summer) demand with the addition of the casino project's demand and any system upgrades.
- The ability of the Milford Water Company to meet future average day and maximum day demand in the near- to mid-term (2020 – 2030) with the addition of the casino project's demand and any system upgrades.
- The potential reduction of the Firm Yield for Echo Lake/Charles River sources.
- The ability of the Milford Water Company to continue to supply water to Hopedale if needed, and for Hopedale to supply water to Mendon.
- The potential for the Milford Water Company to seek supplemental water from other neighboring towns with interconnections, including Bellingham, Holliston, and Medway.

These are described in more detail below.

Although the proposed project would draw its water supply from the Milford Water Company, the aspects of water supply that could potentially affect surrounding communities include the ability of the Milford Water Company to continue to provide water to the Town of Hopedale, which in turn could affect Hopedale's supply to the Town of Mendon. Potential impacts on other towns that have interconnections to the MWC, including Bellingham, Holliston, and Medway, are related to the possible need for the MWC to seek supplemental water supplies if its sources are not adequate to meet future maximum daily demand. Another potential issue is the possible change in Firm Yield for Echo Lake, which is located in the Town of Hopkinton.

As more definitive information about potential impacts and mitigation measures will not be available until after the project advances to design, permitting, and operation, the potentially affected adjacent and surrounding communities may wish to consider contingency

mitigation measures that would be triggered if and when the proposed system upgrades are not fully implemented, and the MWC's water sources are not adequate to meet average daily and maximum daily demand with the project. Specific issues that the RPAs reviewed include:

- *Water Demand estimates for the casino project*
The RPAs concur with the analysis conducted by the proponent and reviewed by the Tighe and Bond peer review. The water demand estimate based on a water use factor of 93 gallons per square foot per year comports with other similar developments and is a reasonable basis for planning the water supply demand of the proposed Milford project.
- *Potential change in Echo Lake Firm Yield*
The RPAs recommend that the proponent investigate this issue more thoroughly, as it could have an impact on the water available for the project and the town in general, and/or the balance of groundwater and surface water sources available to the Milford Water Company. If the status of a potential change in Firm Yield cannot be determined at this time, then the proponent should provide a contingency plan for how this would be accommodated as part of the mitigation measures.
- *Adequacy of Milford Water Company to supply the project*
Given current water demand and sources available to the Milford Water Company, in order to provide for the project's water demand, a significant number of upgrades will be required. The proponent has committed to upgrades that would offset 135 percent of the project's average daily water demand. The Tighe and Bond peer review finds that if the improvements are implemented there "appears to be sufficient water to meet the demands of the proposed development."

The proponent's report, however, as well as Milford's peer review, primarily address the ability of the MWC to meet current average daily demand, leaving both maximum daily demand and future demand projections unaddressed. Clearly these key issues must be addressed in order to ensure that the Milford Water Company will have adequate capacity to serve its existing customers and the project, as well as reserve capacity for projected growth and emergencies.

The RPAs recommend that the proponent provide a thorough analysis of peak season demand and future (2020-2030) demand on the Milford Water Company with the addition of the project's water demand. Mitigation measures to address any impacts identified should be included in the analysis.

At this early stage of planning the water infrastructure upgrades proposed to meet the water demands of the casino project are still conceptual. Many design, technical, and perhaps regulatory details are yet to be specified. The concern expressed by several communities is that if these improvements are not fully implemented for any reason (e.g., technical, regulatory, financial), then the Milford Water Company may be in a position of having little marginal capacity to supply other new water customers or neighboring communities if needed. The Towns of Hopedale and Mendon are of

particular concern given their constraints and potential dependency on the Milford Water Company, as described below.

- Potential impacts on Hopedale and Mendon

The Town of Hopedale has historically relied on the Milford Water Company for part of its water supply, and in turn, the Town of Mendon relies on Hopedale for 100 percent of its water supply. Both towns are concerned about the ability of the Milford Water Company to supply water after the additional demand of the proposed project comes online.

Both communities are considering steps that could be taken to decrease or eliminate their reliance on outside water sources, and have suggested these as potential mitigation measures. These include a two million gallon storage tank and well rehabilitation and cleaning in Hopedale, and the development of a new water source in Mendon. If either or both of these towns enter into a Surrounding Community Agreement, the specifics of any mitigation measures will need to be negotiated directly with the proponent. The RPAs recommend that the towns explore the options for these mitigation measures as part of the surrounding community process.

As definitive information about water supply impacts will not be available until the project advances to design, permitting, and operation, The RPAs recommend that communities consider contingency measures in any Surrounding Community Agreements that would be triggered *if and when* the project's proposed water system upgrades are not fully implemented and impacts to the communities are therefore not fully mitigated.

7.4.2 Wastewater

The proposed project would rely on the Milford Wastewater Treatment Facility, which discharges treated effluent to the Charles River near its headwaters. A potential impact on nearby communities could arise if there were to be any wastewater overflows to the Charles River in the event that the WWTF capacity is exceeded. The proponent has proposed a set of sewer system upgrades that are intended to reduce flows by establishing an aggressive program of Infiltration/Inflow removal. If successfully implemented in a timely manner, this potential impact would be avoided. As more definitive information about potential impacts and mitigation measures will not be available until after the project advances to design, permitting, and operation, the potentially affected nearby communities may wish to consider contingency mitigation measures that would be triggered if and when the proposed system upgrades are not fully implemented. Specific issues that the RPAs reviewed include:

- Estimated project wastewater flow

The RPAs concur with the analysis conducted by the proponent and reviewed by the Tata and Howard peer reviewer. The wastewater flow estimate based on Title 5 with the addition of an "extended use factor" is a reasonable basis for planning the wastewater flow of the proposed Milford project.

- *Milford Wastewater Treatment capacity and Inflow/Infiltration (I/I) Removal*
Given current wastewater flows and existing average daily capacity of the Milford Wastewater Treatment Facility (WWTF), providing treatment for the project's wastewater flows will require a significant number of upgrades. The town of Milford's peer review itemized a number of upgrades needed to the Milford WWTF, but also stated that these upgrades could be reevaluated if a significant amount of I/I can be removed from the wastewater collection system.

As required by the town of Milford, the applicant has committed to I/I removal at a 5:1 ratio to new flow. The RPAs note that the current estimated I/I in the Milford system is 2.0 mgd, of which 0.9 mgd has been identified by the Town. The I/I removal requirement for the project was estimated by Tata and Howard at 1.7 mgd based on the original two-phase project plus the Route 16 sewer extension. Based on the revised single-phase project's flow with the Route 16 sewer extension, the I/I reduction target would be about 1.5 mgd, and with the revised project's flow alone, it would be about 1.28 mgd. These revised estimates represent about two-thirds to three-quarters of the existing I/I in the system. This is a large proportion, and typically the options for I/I removal become more difficult and/or expensive after I/I that represents the "lower hanging fruit" is removed. As with water supply, this is currently a conceptual plan, and while 5:1 removal of I/I is a laudable goal, in this case it is also quite an aggressive goal given the large volume of I/I removal and the high proportion of existing I/I this represents.

The RPAs recommend that improvements to the WWTF should be considered as a contingency mitigation measure in the event that the goals for I/I reduction are not fully implemented in a timely manner for whatever reason (technical, regulatory, financial, etc).

7.4.3 Stormwater

Stormwater from the site would be discharged to tributaries that flow through Holliston and Medway to the main stem of the Charles River. The potential for impacts on these surrounding communities would arise should there be any discharge of stormwater that exceeds standards for either quality or volume of flow.

The proposed project includes stormwater management features that are designed to meet or exceed state regulatory standards. Stormwater is proposed to be managed using Low Impact Development techniques, including green roofs, groundwater infiltration basins, water reuse, and a development plan with structured parking, which limits impervious surfaces to 13 percent of the site. The proponent has set performance standards that exceed regulatory requirements for groundwater recharge volumes and removal of total suspended solids (TSS) and phosphorus.

As with water supply and wastewater, the proponent's stormwater plans are currently at a preliminary and conceptual stage. If they are fully implemented it appears that the project's stormwater impacts would be properly mitigated. However the details of implementing the plans will only be known later in the project development process, when on-site soil and hydrologic investigations are conducted and the project advances to design, permitting, and

operation. This will not be until after the Surrounding Community Agreement process has been concluded.

The RPAs recommend that the potentially affected surrounding communities consider contingency mitigation measures that would be triggered only in the event that the proposed stormwater mitigation measures are not successfully implemented in a timely manner.

Specific issues that the RPAs reviewed include:

- Design storm rainfall projections
The RPAs recommend that the final stormwater analysis consider the Northeast Regional Climate Center rainfall projections as an alternative analysis, and that the final design accommodate the projected rainfall to the extent practicable.
- Stormwater Standard No. 1 (no new untreated stormwater discharges)
The RPAs recommend that the discharge velocities of any overflows from larger storms be carefully evaluated and the final design should ensure no downstream erosion or bank scouring.
- Stormwater Standard No. 2 (post-development peak discharge rates may not exceed pre-development peak discharge rates)
The proponent states that the project will be designed to the 25-year storm. Given that the 25-year storm is estimated by TP-40 at 5.5 inches, while the 100-year storm is estimated at 6.6 inches, how will the site handle storms in excess of the 25-year storm? Will the emergency overflows be activated? Will other temporary on-site storage volume be available? What will be the potential off-site and downstream impacts in terms of volume of discharge, flow velocities, and water quality?
- Stormwater Standard No. 2 (post-development peak discharge rates may not exceed pre-development peak discharge rates)
The RPAs concur with the Beals and Thomas conclusion that in accordance with the Milford Stormwater Management Bylaw all stormwater management facilities should be designed with an emergency overflow system, and incorporate measures to provide non-erosive flow.
- Stormwater Standard No. 2 (post-development peak discharge rates may not exceed pre-development peak discharge rates)
The final stormwater analysis should include a more comprehensive assessment of the downstream receiving waters in Holliston and Medway, including the location of any sensitive resources, such as drinking water sources, habitat, recreational resources, flood prone areas, and critical infrastructure.
- Stormwater Standard No. 3 (recharge from the post-development site must approximate the recharge from pre-development conditions based on soil type)
After the detailed soils data have been collected and assessed by the applicant, if there are any changes to the design or performance of the stormwater management plan the

RPA's and the communities should be notified and given an opportunity to review any modifications to the plan.

- Stormwater Standard No. 4 (requires removal of 80% of Total Suspended Solids; treatment of 0.5 to 1.0 inch water quality volume)

The RPA's concur that many of the applicant's proposed stormwater management measures could contribute to a reduction in phosphorus discharged from the site, but the magnitude of such reductions have not been calculated or estimated. The final stormwater management plan should quantify the expected reductions in phosphorus related to the proposed BMPs and estimate the remaining phosphorus in the stormwater that will be discharged from the site into the Charles River watershed.

- Stormwater Standard No. 4 (requires removal of 80% of Total Suspended Solids; treatment of 0.5 to 1.0 inch water quality volume)

Given the fact that the site will discharge treated stormwater directly to the Charles River watershed and thus will not be part of any monitoring that will be done for the Milford MS4 system, a targeted stormwater monitoring program for TSS and phosphorus should be implemented during the construction phase and for the first three years of operation of the facility to ensure that the predicted pollution removal efficiencies are being realized and that no unforeseen adverse impacts are occurring offsite and downstream in the Charles River watershed.

This is particularly important since three of the four discharge points from the site will convey stormwater to tributaries that flow directly into the Town of Holliston, and further downstream through the Town of Medway before joining the Charles River.

7.4.4 Summary

The proposed project will place significant demands on both the Milford Water Company and the Milford municipal wastewater system that can only be accommodated with significant upgrades to both systems. The applicant has proposed such a package of water supply and wastewater system upgrades, which if fully implemented appear to provide capacity to meet current average daily water demand and wastewater flow with the addition of the project's demand. Because of existing capacity constraints, the successful mitigation of the project's water supply and wastewater impacts depends entirely on the timely implementation of these proposed upgrades. However at this stage most of them are still at a preliminary or conceptual design phase. There is also uncertainty about maximum daily water demand, as well as future demand beyond 2020. Because there remains some uncertainty at this stage in the process, The RPA's suggest that adjacent and surrounding communities consider contingency measures that would be triggered if and when the project's proposed mitigation is not fully implemented as planned.

The proponent's approach to stormwater management incorporates Low Impact Development techniques such as reduced impervious surface with structured parking, green roofs, water reuse, and stormwater infiltration features. The proponent has set out performance standards for recharge and for removal of Total Suspended Solids and

phosphorus that exceed existing regulatory requirements. As with water supply and wastewater, the uncertainty for stormwater mitigation at this time is related to the preliminary and conceptual nature of the plans at this stage of the process. If they are fully implemented it appears that the project's stormwater impacts would be properly mitigated. However the details of their implementation will only be developed later in the project development process, when more detailed on-site soil and hydrologic investigations are conducted. The RPAs recommend several measures including incorporating the updated precipitation estimates from NRCC into the analysis, ensuring that discharge velocities do not cause erosion and scouring, assessing potential impacts on downstream tributaries, refining and quantifying the project's phosphorus discharge, and conducting a targeted monitoring program during and after construction.

Chapter 8: Zoning and Regulatory Impacts

8.1 Introduction and Relevance of Topic

Zoning is a tool to shape land uses and to facilitate or prevent specific types and scales of land development in specific locations within a community. Given the provisions of nearby communities' zoning bylaws, the development of a resort casino in Milford could result in spillover development that could have impacts on those communities. Specific impacts would depend on the type and location of the development and the capacity of the area to absorb the growth. Site specific analyses of these issues are beyond the scope of this report. What will be assessed are the types of local bylaw provisions that should be focused on for regulatory auditing, the steps communities can take to obtain more detailed information related to potential impacts, and a selection of communities that may be most directly impacted by development pressures and therefore would benefit from taking the initiative to make sure their bylaws will be ready for this new growth potential.

In this analysis, the RPAs did not draw any conclusions in regard to whether growth and development is a net positive or net negative outcome for any community. Each community must judge for itself how much and what kind of growth it wants and determine what kind of community it wants to be. These community values and goals are typically expressed in long range plans and implemented by local regulations and other policies. Each type, scale, and quality of development and land use has its own unique mix of potential costs and benefits. Communities can often proactively shape the kind and scale of development they want through these zoning tools.

8.2 Data Collection and Sufficiency

The zoning impacts analysis is informed by criteria such as proximity to the site, community input, local bylaws and maps, the results of the independent housing market analysis, and an economic analysis peer review study. It was beyond the scope of this analysis to conduct an in-depth study of the specific provisions of each community's zoning bylaw, but generally applicable recommendations are provided that each community can consider based on their own specific circumstances and needs.

8.2.1 Proximity to Site

Data for the zoning analysis was collected by researching each community adjacent and in close proximity to the subject site with a direct roadway connection to Milford and the project site. Communities in this domain included Bellingham, Hopedale, Holliston, Hopkinton, and Medway.

Zoning maps and bylaws were analyzed to assess the zoning districts closest to the site and directly adjacent to the transportation corridor casino traffic is expected to follow.

8.2.2 Economic Analysis Findings

It was noted by economic impact consultant Larry Koff & Associates that economic impacts “...are most likely to be felt by towns that generate revenue from hotel, restaurant and retail activity, are located adjacent to an exit on Route 495 or on a State Road with a commercial center within a ten minute drive of the casino in order to benefit from employee and tourist expenditures. Towns most likely to be impacted from new restaurant, retail and hotel development include Franklin, Bellingham, Medway, and Wrentham.” This assessment suggests that spinoff development in the form of commercial growth will likely occur in these four communities. The economic analysis includes consideration of local sewer infrastructure capacity, which greatly influences commercial development potential.

8.2.3 Housing Market Analysis Findings

Community Opportunities Group conducted a housing market analysis of the study area to determine which of the 14 adjacent and nearby communities are most likely to be impacted from residential development or other market forces. The findings indicate that while there are some communities expected to be impacted more than others, this impact is likely to be relatively small related to new market-rate residential development or the provision of affordable units.

8.2.4 Other Sources

Other sources of information for the zoning analysis were interviews with town officials, comments made by town officials at work group meetings, other conversations with town officials, site visits, and primary and secondary research including studying local zoning bylaws and zoning maps.

8.3 Analysis

As with other criteria in this report and as noted above, zoning impacts from the casino can be narrowed down to communities that have the following characteristics:

- Close proximity and ease of access to subject site.
- Reasonable potential for spillover commercial development related to the casino.
- Reasonable potential for housing market impacts due to relocating labor and a housing market that aligns with the anticipated wage structure of casino employees.
- Zoning and regulatory capacity.

With these criteria in mind, the towns of Medway, Holliston, Hopkinton, Hopedale, Bellingham, Franklin, and Wrentham were identified as top tier candidates for potential zoning impacts (see table below). Additional communities may be included pending the outcome of the housing market analysis. Other participating communities would still benefit from general recommendations developed in this section.

The type and degree of zoning and regulatory impacts on surrounding communities will likely be based on:

- Ineffective, missing, or outdated provisions in zoning bylaws or other regulations that may yield development not in keeping with local master plans or community vision.
- The lack of comprehensive planning in the community to direct and shape regulatory tools such as zoning.
- Lack of capacity or resources to address violations or conduct inspections or reviews.
- Lack of robust processes and procedures for complex and sophisticated development reviews.
- The likelihood of Comprehensive Permits based on whether the community has met the 10% affordable housing goal under M.G.L. Chapter 40B.

8.3.1 Analyses of Likely Impacted Communities – Proximity and Access

8.3.1.1 Holliston

Holliston is directly adjacent to the subject site and connected to it via Route 16. With a new access point to the casino property and I-495, development activity is expected to occur on Route 16 in Milford and into Holliston, impacting property values and creating development impacts such as traffic and other potential nuisances. Regarding property values, commercially zoned parcels could experience an increase in value, while residentially zoned and used parcels could be adversely impacted due to increased traffic and other potential nuisances.

8.3.1.2 Medway

Medway has direct access to Milford center via Route 109 and can access site via Beaver Street connection to Route 16 (approximately 1.5 miles).

8.3.1.3 Hopkinton

Hopkinton is directly adjacent to the Town of Milford to the north along Route 85 and I-495 and is approximately 2.5 miles from the subject site.

8.3.1.4 Hopedale

Hopedale is located directly adjacent to the Town of Milford to the west along Route 16 and is approximately 2.75 miles from the subject site.

8.3.1.5 Bellingham

Bellingham's Route 126 exit would be just over 3 miles from the proposed new Route 16 interchange and a short drive from the site via routes 140 and 16.

8.3.1.6 Mendon

Mendon is approximately 4 miles away from the subject site via Route 16.

8.3.1.7 Franklin

Franklin is just over 4 miles to the subject site via I-495 and is connected to Milford center via Routes 140 and 16.

8.3.1.8 Upton

Upton is directly adjacent to the Town of Milford and is just over 5 miles away from the subject site via Routes 140 and 16.

8.3.1.9 Millis

Millis is connected to Milford center via Route 109 (approximately 6 miles).

8.3.1.10 Sherborn

Mostly residentially-zoned Sherborn is approximately 6 miles from the subject site via Route 16.

8.3.1.11 Ashland

The closest point in Ashland on Route 126 to the subject site is nearly 7 miles. Route 126 serves as a pass-through from Framingham to Milford. Ashland center is nearly 11 miles to the subject site via Routes 135, 85, and 16.

8.3.1.12 Wrentham

Wrentham is approximately 9 miles away from the subject site via I-495 and is connected to Milford center via Routes 140 and 16.

8.3.1.13 Grafton

Grafton is approximately 10 miles from subject site via Routes 140 and 16.

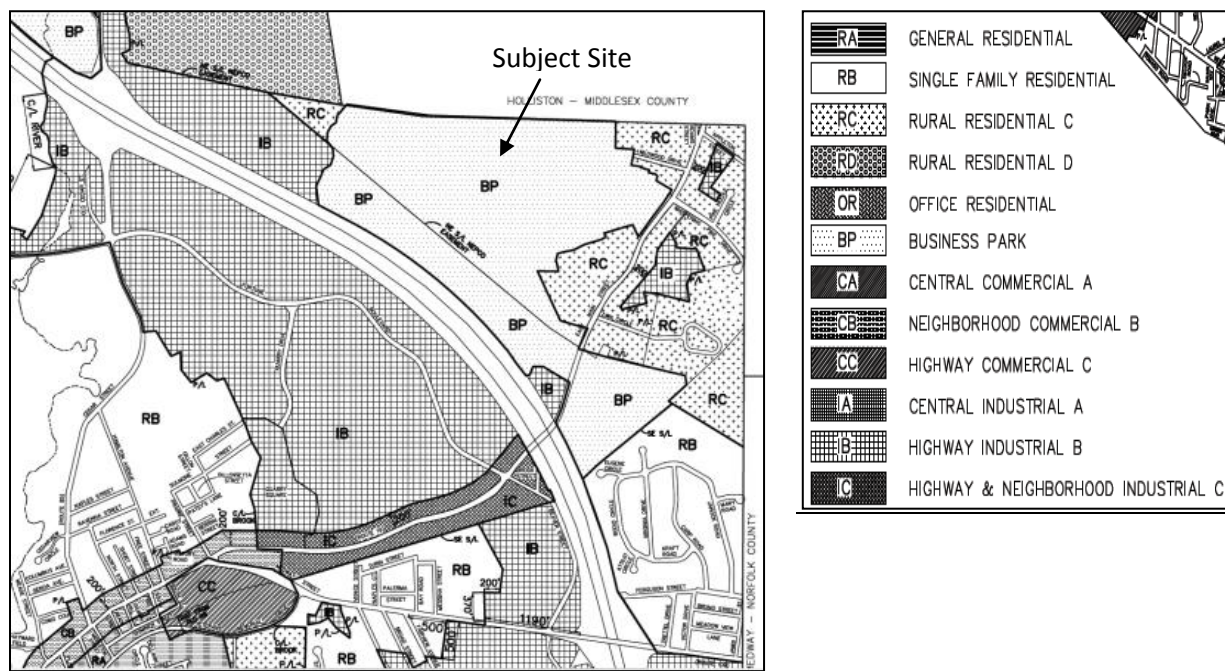
8.3.1.14 Northbridge

While Northbridge is just over 6 miles point to point to the subject site, it would take nearly 11 miles of travel from the closest point in Whitinsville to the subject site via Hartford Avenue and Route 16.

8.3.2 Analyses of Likely Impacted Communities – Zoning

8.3.2.1 Project Site

The project site is currently zoned BP (Business Park), which does not currently permit the mix of uses or scale of development proposed by the applicant. The Town of Milford will be considering zoning amendments that add Resort Casino Development as a permitted use in the BP district with site plan approval necessary from the Planning Board. It will also add a footnote to the bulk regulations allowing the maximum height for a casino to be 130' (which is the highest building based on the last proposal). This amendment is on the Special Town Meeting (STM) agenda for consideration as a warrant article on December 9, 2013.

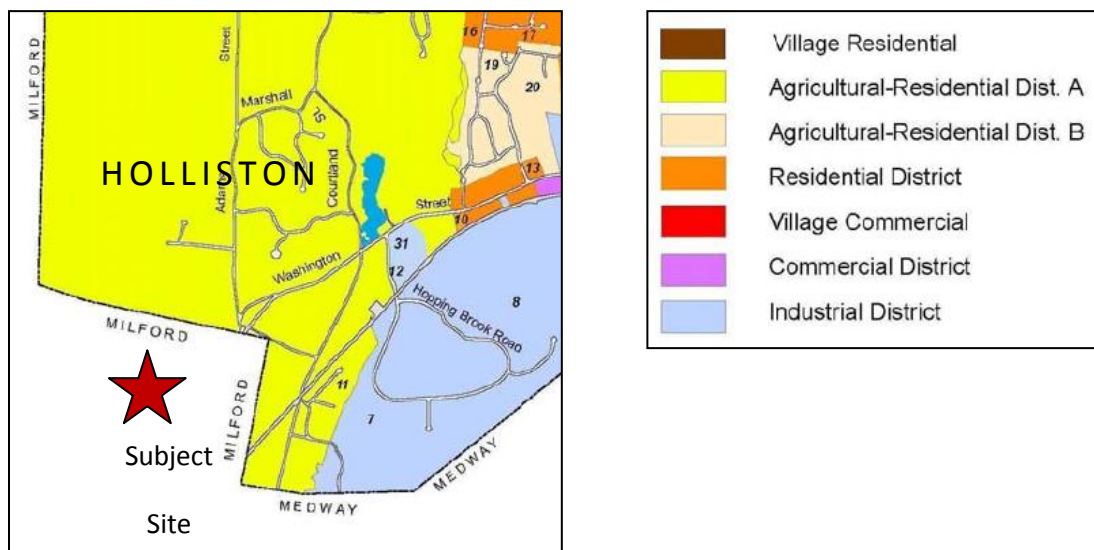


- Based on existing zoning, the currently allowed highest and best use would most likely be offices. For comparative purposes, office development of the site, assuming the same constraints faced by the casino, would, according to an analysis conducted by TetraTech, project engineer for the applicant, yield significantly greater impacts as follows:

- Current Business Park (BP) zoning has an FAR of 0.5, a building coverage maximum of 35%, and a 60' height limit. Parking is calculated at 4 spaces/1000 square feet.
- Based on these dimensional and bulk parameters, the site could theoretically be built out to approximately four (4) million square feet in five story buildings covering 1.6 million square feet of the site (20% or 36.73 acres).
- Additionally, 4000 parking spaces would be required and most likely would be provided at-grade (surface parking). Parking area is calculated at 375 square feet per space, allowing for aisle width and driveways, resulting in an additional 1.5 million square feet of land allocated to paved parking lots.
- Total site coverage for a full build-out scenario under the current zoning is 3.1 million square feet or 71.2 acres. An additional 20 acres would be needed for roads resulting in approximately 50% site coverage (92 of 187 total acres).
- In comparison, the casino development proposal will result in approximately 12 to 14 percent site coverage.

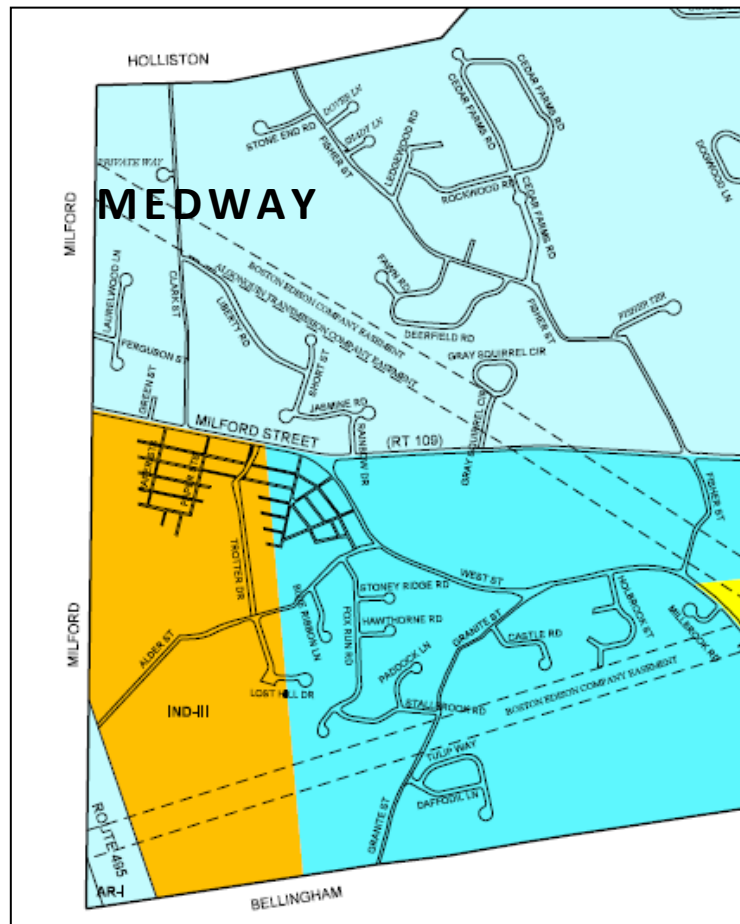
8.3.2.2 Holliston





Adjacent and closest to the subject site, Holliston lands are zoned Agricultural-Residential District A, including the frontage of Route 16 and all lands adjacent to the subject property. While rezoning to commercial or higher density residential is possible, the likelihood of rezoning is less certain. The new interchange, however, could increase development pressure in the Route 16 corridor. The potential for higher density residential projects in Holliston due to Comprehensive Permit developments is not impeded by zoning classifications, and at 4.2% existing affordable housing, Holliston will likely see proposals for this type of project.



8.3.2.3 Medway

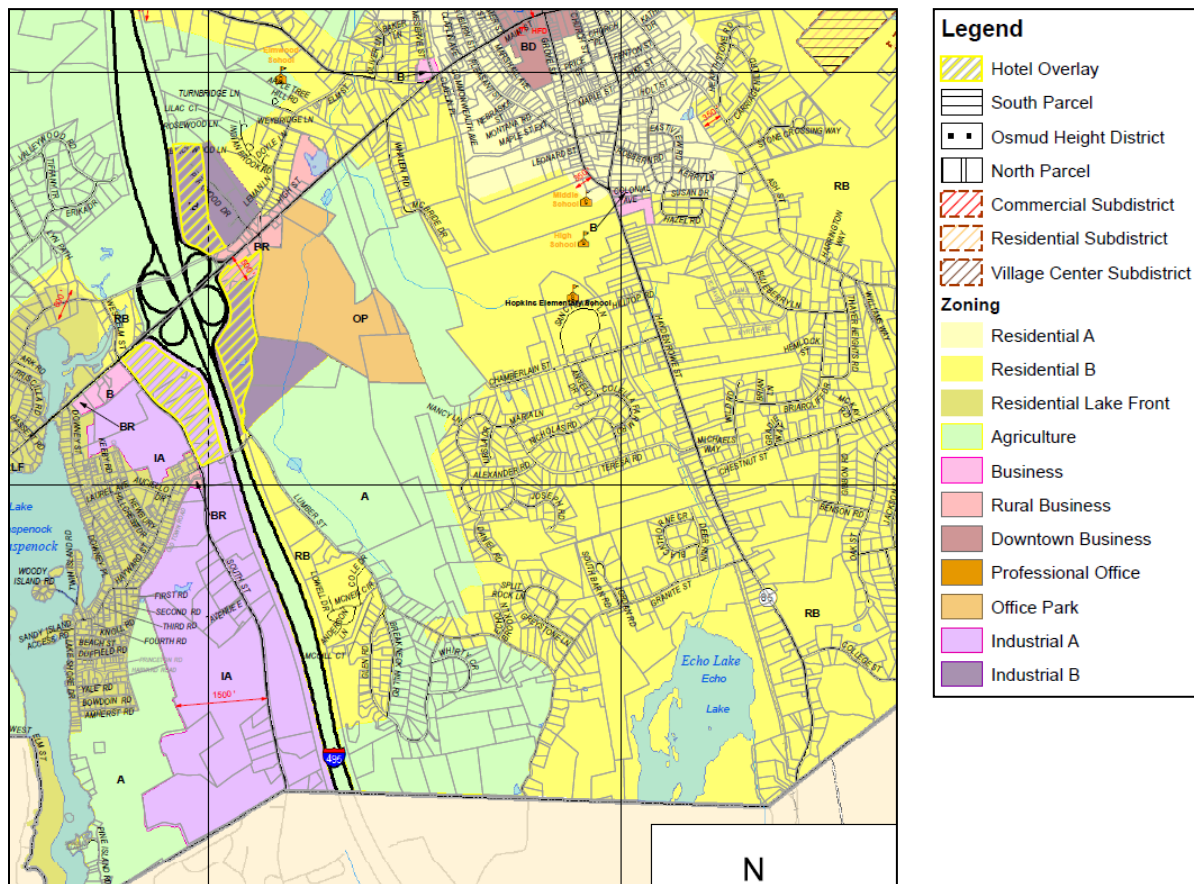
All lands adjacent to Milford in the northwest corner of Medway down to the north side of Route 109 are zoned AR-1 or Agricultural-Residential-I with minimum 44,000 square foot lots. Lands south of Route 109 from Milford line to just east of Trotter Drive are zoned IND-3 or Industrial III. It is unlikely that current zoning districts will result in development that would have a deleterious or other impact on the municipality as a result of the presence of a resort casino. The potential for higher density residential projects in Medway due to Comprehensive Permit developments is also quite possible with a SHI of 5.1%.



-  Agricultural-Residential District I
-  Agricultural-Residential District II
-  Industrial District IV
-  Industrial II

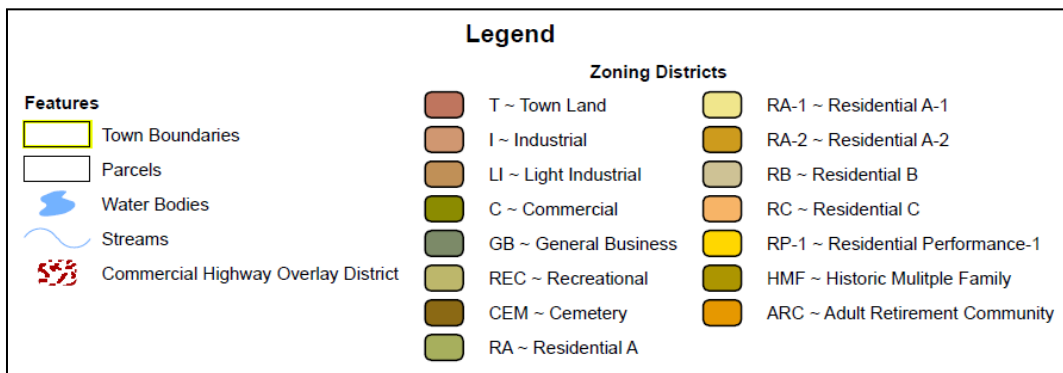
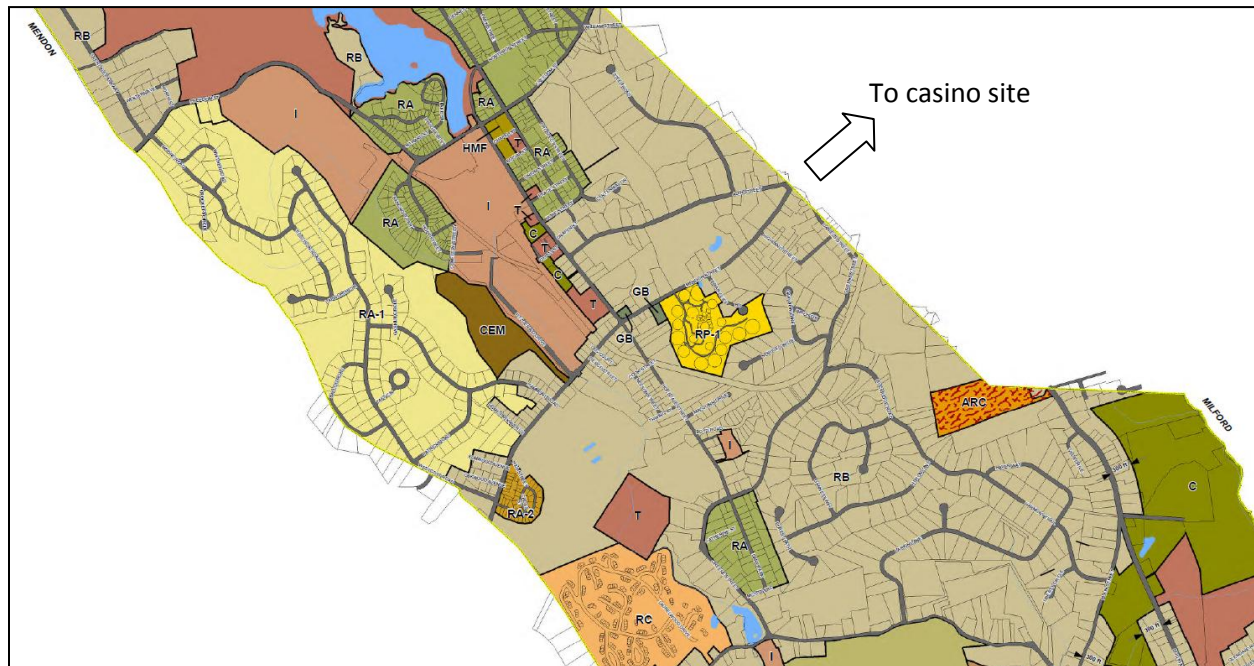
8.3.2.4 Hopkinton

Land fronting Route 85 coming from Milford to the south is currently zoned Residential B, and land use in this area is low density residential. Much of Hopkinton is zoned either Residential B (45,000 s.f. lots) or Agricultural (60,000 s.f. lots). Multifamily uses are permitted in mixed-use buildings in the Business (B) and Downtown Business (BD) districts. In addition, apartments may be developed using the Garden Apartments in Residential Districts provision of the bylaw. Casino development may result in more project proposals under this provision. Hopkinton's SHI is at 8.4%, and if the town reaches or exceeds 10% prior to development of the casino, it would not be subject to Comprehensive Permit projects. A zoning category potentially related to casino spin-off development is the Hotel Overlay District, which provides for hotel uses adjacent to all corners of the Route 135 and I-495 interchange, except the northwest. No hotels have yet been developed under this provision. Other districts in the vicinity of the interchange include Industrial A, Industrial B, Office Park, and Business.



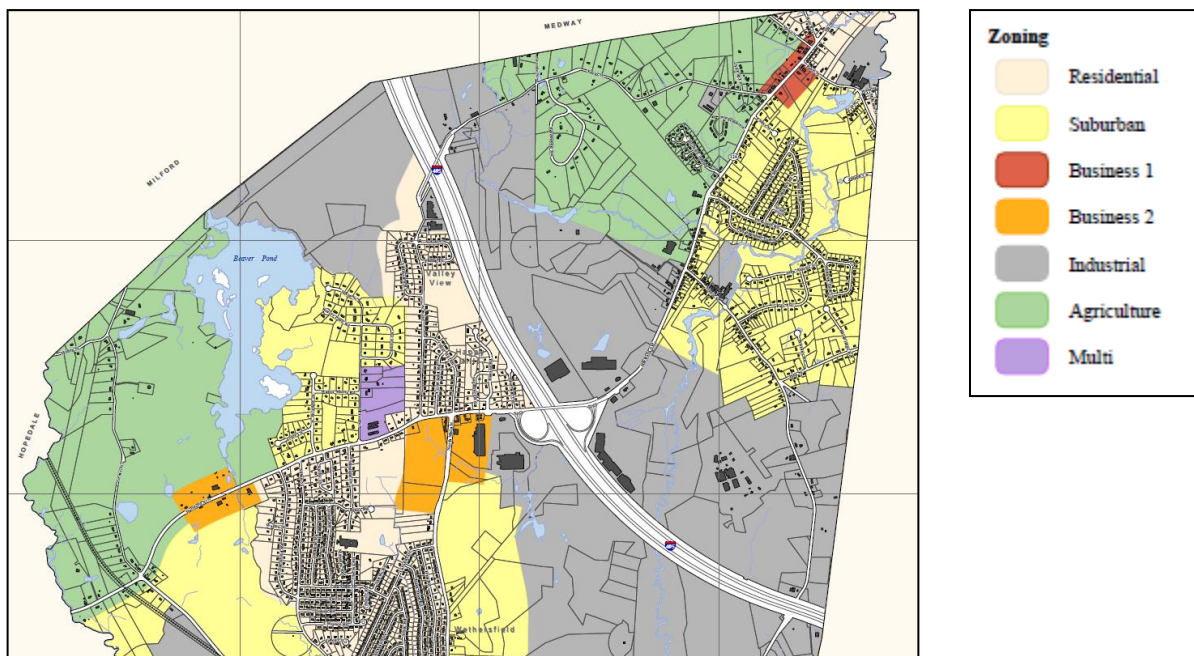
8.3.2.5 Hopedale

Hopedale has an unusually prolific number of zoning districts for a town its size in an exurban location. Much of the undeveloped and underdeveloped parcels are zoned Town (T), Recreational (REC), and Industrial (I) where T and REC districts allow few uses other than Dover Amendment uses, municipal uses, golf courses, and other community uses. There are several developable parcels zoned Commercial (C) adjacent to Route 140 in the south part of town but there appear to be constraints such as wetlands and riverfront resource area adjacent to the Charles River. There is a large district zoned Light Industrial (LI) where the Rosenfield Concrete Plant is located. There is also a scattering of developable residential zoned parcels in town. However, Multi-family uses are only permitted in the Historic Multiple Family district (HMD), which is already developed. At 4.9% SHI, this does not preclude a Comprehensive Permit development in Hopedale where an available parcel can be found. Hopedale is in relatively close proximity to the Casino site via Route 16, convenient for employee access on local roads.



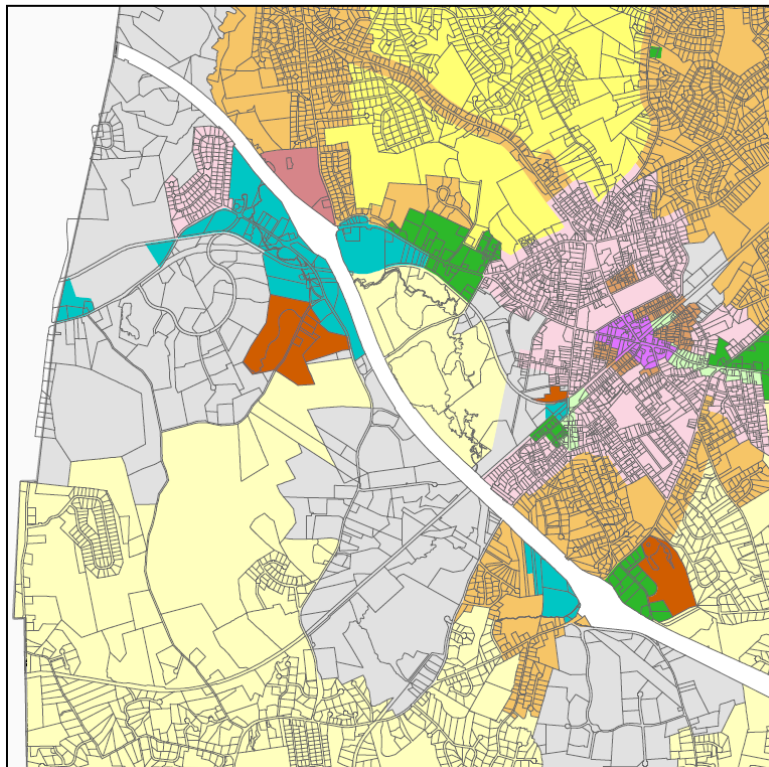
8.3.2.6 Bellingham













Much of the land adjacent to Route 126 and I-495 in north Bellingham, including the interchange of those roadways, is zoned Industrial. However, large-scale commercial development in this district is allowed by Planning Board special permit and this has occurred with the development of shopping centers such as Crossroads, Charles River Center, and Stallbrook Marketplace (and the proposed Shoppes at Bellingham). Other zoning districts allowing significant commercial development include Business 1 and Business 2, which are largely identical but for different height limits (Business 2 allows 45' building height while Business 1 allows 35'). Business 2 districts are located along both sides of Hartford Avenue just east of Grove Street; on both sides of North Main Street south of Hartford Avenue; and at several locations in or south of the town center. Business 1 districts are located along South Main Street, Pulaski Boulevard, and Wrentham Road in south Bellingham; in much of the town center area; along South maple Street; and on Hartford Avenue adjacent to the Town of Medway. Casino development is most likely to influence spillover commercial development at the Route 126 exit on I-495 in the Industrial districts and the surrounding areas. Other primary commercial development as a result of the casino is unlikely in other parts of Bellingham. Secondary commercial development intended to serve residential growth may occur as a result of residential development for the casino labor force. The residential zoning districts in Bellingham (A, S, R, and M) all require lots at or in excess of 40,000 s.f. (approximately one acre), but multi-family development is only permitted in M districts by Planning Board special permit, and townhouses are permitted by Planning Board special permit in all residential districts. M districts are located north of Hartford Avenue between Hixon and Farm streets and east of North Main Street north of High Street.



8.3.2.7 Franklin

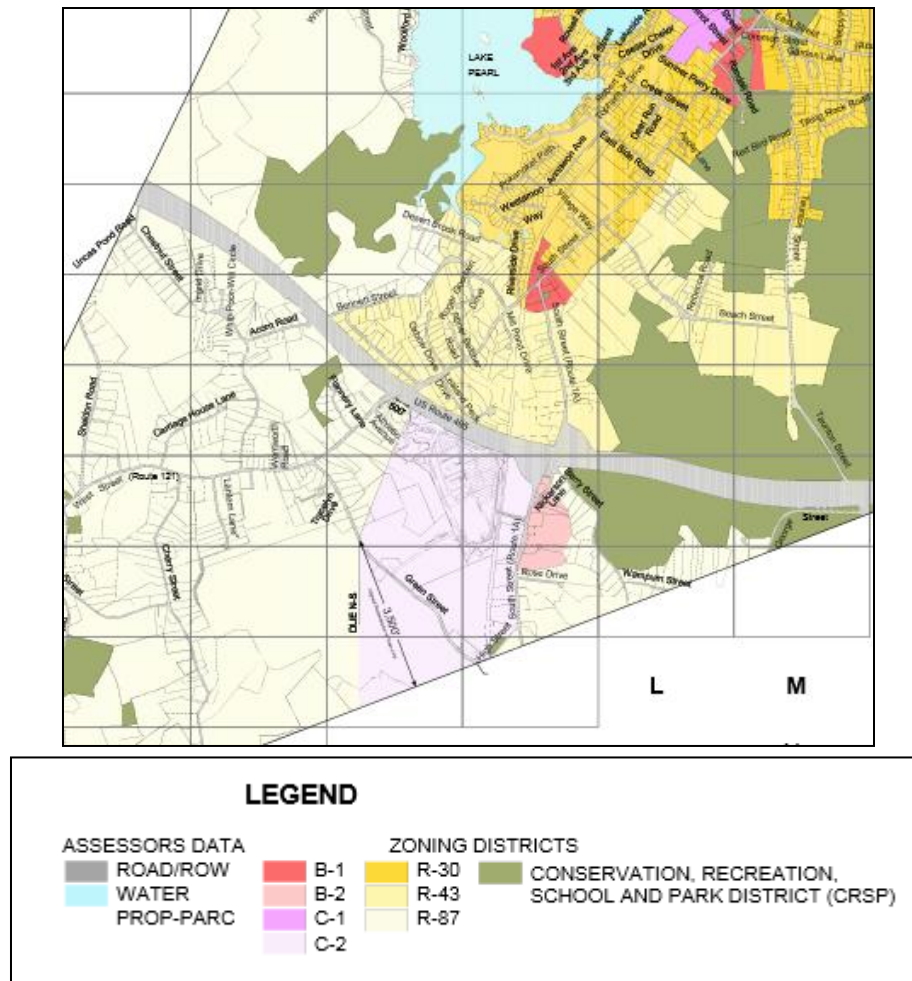
The I-495 interchange for Route 140 in Franklin is approximately five and one-half (5.5) miles from the subject site, and the King Street exit is approximately seven and one-half (7.5) miles from the subject site. These two interchanges contain several hotels such as Residence Inn at Route 140, and Hampton Inn and Hawthorn Suites off King Street. These interchanges and surrounding areas are heavily developed with commercial and industrial uses. The Route 140 interchange area contains Business, Commercial II, Industrial, and Office zoning districts, while King Street has Business, Commercial II, and Industrial districts. Development potential still appears to exist in each of these nodes, and this area is close enough to the subject site along I-495 with zoning in place to be attractive to spillover development. Since Route 140 connects directly to the Town of Milford, local patron and labor force traffic may use this route to get to Route 16 or other local options close to the casino site, but it is less likely to be used by through traffic accessing the casino. Residential zoning districts include Rural Residential I (40,000 s.f. lots), Rural Residential II (30,000 s.f. lots), Single-Family III (20,000 s.f. lots), Single-Family IV (15,000 s.f. lots), General Residential V (10,000 s.f. lots), and Residential VI (40,000 s.f. lots), with the bulk of zoned residential land in Rural Residential I, Rural Residential II, and Single-Family III. Also, Single-Family IV, while lesser in land area, contains a large number of units due to the greater density. Multi-family uses are permitted by Planning Board special permit in General Residential V, Neighborhood Commercial, and Commercial I districts, and as an as-of-right use in the Downtown Commercial district above the street level.



	Business		Office
	Commercial I		Residential VI
	Commercial II		Rural Residential I
	Downtown Commercial District		Rural Residential II
	General Residential V		Single-Family III
	Industrial		Single-Family IV

8.3.2.8 Wrentham

The Town of Wrentham has one interchange off I-495 (Route 1A) located nearly 13 miles to the subject site. There is also one interchange in Plainville that is proximal to Wrentham. The area adjacent to the Route 1A interchange contains Commercial-Industrial 2 (C-2) and Retail Business 2 (B-2) zoning districts. The C-2 district includes the Wrentham Premium Outlets development and associated commercial uses, whereas the B-2 district has a bank and an undeveloped disturbed area and salvage yard. Commercial development in the B-2 district, where there appears to be development opportunity, generally requires a special permit. North of I-495 along Route 1A is zoned residential (R-43), with a minimum one (1) acre lots. North of the interchange and adjacent to Route 1, Wrentham lands are zoned Commercial-Industrial 1 (C-1) north on both frontages to Thurston Street, and Retail Business 1 (B-1) on both frontages further northward. There is some commercial development along this segment, but it is largely underdeveloped, which is remarkable due to its gateway status leading to Foxborough and the Gillette Stadium area only four miles to the north. Hotels and motels, a potential spillover development use category, are special permit uses in all four of the business/commercial districts in the Wrentham zoning bylaws. Note that there is the possibility for the proposed Milford casino, the Gillette Stadium Complex, and Wrentham outlets, through direct cross-marketing or coordination or just organically, to form a combination destination draw serving a variety of customer bases where the sum is greater than the parts. This may increase development pressures and opportunities in the vicinity.



8.3.3 Impact Analysis

Participating communities were sorted into three categories based on the expectation of likely impacts related to zoning and regulatory criteria. Likely significant impacts in each category are shaded red (3 points), moderate impacts are shaded yellow (2 points), and minimal to moderate impacts are shaded green (1 point). As new affordable housing development may be associated with the casino development, each community's Subsidized Housing Inventory (SHI) score has been provided.

Table 8.1 – Potential Community Impacts: Zoning and Regulatory

Community (SHI)*	Commercial Zoning Impacts	Residential Zoning Impacts	Proximity	Total Score
Bellingham (8.8%)	3	3	3	9
Medway (5.1%)	3	2	3	8
Franklin (8.9%)	3	3	2	8
Holliston (4.2%)	2	2	3	7

Hopkinton (8.4%)	2	2	3	7
Wrentham (4.3%)	3	2	2	7
Grafton (4.4%)	1	3	1	5
Hopedale (4.9%)	1	1	3	5
Upton (6.3%)	1	1	2	4
Millis (3.8%)	1	1	2	4
Mendon (2.4%)	1	1	2	4
Northbridge (7.4%)	1	2	1	4
Ashland (3.6%)	1	2	1	4
Sherborn (2.3%)	1	1	1	3

* SHI or Subsidized Housing Inventory is the percentage of affordable housing units as a part of the municipality's housing stock. The percentage shown above dates from 4/30/13.

The communities most likely to be impacted due to potential commercial development as a result of the casino operations include Bellingham, Franklin, and Wrentham—three communities in close proximity with exits on I-495 and commercially zoned land located at or near interchanges. Holliston and Hopkinton also may experience some commercial development impacts with the Route 16 corridor in Holliston in such close proximity to the site and Hopkinton's Route 135 interchange on I-495.

Communities in the closest proximity to the casino development are, as might be expected, the most likely to experience impacts from the development such as commercial activity including hospitality services and complementary retail activities. Housing for casino labor is also expected to impact some communities as the housing market analysis indicates.

8.4 Conclusions and Recommendations

Communities should determine how they want to address their regulatory and enforcement challenges. If development impacts are determined to be potential issues for a community, it would be critical to engage in activities such as a regulatory audit or review to determine how local bylaws can be supplemented or amended to make them more robust. This can prevent or limit inappropriate development, ensure that development is done well and according to the town's criteria and timeline, and can prevent the overwhelming of municipal services. This should be a proactive process prior to the impacts occurring. The applicant should consider assisting such communities by establishing a regulatory fund. Much of this work should be completed prior to or during casino construction.

8.4.1 General Conclusions and Recommendations

While some municipalities in the study area are more likely to experience commercial or residential development or other impacts from the proposed casino development and its operations, there are several actions that communities can take to take more control of development and land use that

may occur as a result of the casino, but that can also be beneficial to proactively address other growth pressures and changes as well. These steps include the following:

- *Proactive:* Rezoning is a difficult and time-consuming process in town government, particularly as zoning changes require a 2/3 majority vote by town meeting. It should not be ruled out, however, if development pressures are significant enough. Towns should not take a reactive or passive stance related to zoning merely because specific properties are not zoned for uses they would wish to limit or preclude. One key example is the Comprehensive Permit process.
- *Long Range Planning:* The development and regular updating of a comprehensive or master plan is one important way the communities in the study area can take a proactive step to forge policies that anticipate and shape growth and development. Using build-out analyses and development potential studies, communities can identify specific actions that can further local goals and objectives and address opportunities and threats.
- *Housing Production Plan:* In combination with affordable housing production to preclude the community being subject to so-called “unfriendly 40B” projects, a housing production plan may include such actions as setting aside Town-owned land for affordable housing development, passage of the Community Preservation Act (CPA) to provide funds for housing, or passage of an inclusionary housing bylaw.
- *Regulatory Audit:* This is an important way that municipalities can assess how their land use and development regulations are working. A regulatory audit can address:
 - Meeting local goals and objectives as may be expressed in long range plans.
 - Dealing with opportunities and threats posed by the casino and spillover development projections.
 - Other potential land use and development threats and opportunities.

Some communities may have outdated or inadequate zoning bylaws that may yield development not in keeping with community vision or goals. Therefore, it is recommended that adjacent and nearby communities conduct a comprehensive zoning audit that includes a legal review to insure that adequate provisions are in place to address residential and commercial growth potential. Zoning changes should also be consistent with local comprehensive or master plan.

- *Capacity Study:* Some municipalities in the study area may benefit from a Local Service Delivery Capacity Assessment, which is a review of municipal levels of service and resource and staffing capacities to determine if they meet current and future projected growth and customer demands. Such studies often include the following:

- Evaluate service needs on the basis of existing and anticipated growth patterns and population projections.
- Evaluate infrastructure needs and deficiencies in terms of capacity, condition of facility, service quality, and levels of service and its relationship to present and planned capacity.
- Identify operational efficiencies, such as staffing levels and technology deployment. This includes whether staffing levels are sufficient to address regulatory and administrative framework.

For example, casino development may spur development of a scale and complexity that local planning and building departments may not have the capacity to adequately review and monitor. Other issues related to casino development that may impact local staffing and capacity. For example, if the overcrowding of housing units occurs, does the building and/or zoning inspections staff have the capacity to address complaints in a timely manner?

8.4.2 Residential Uses

It is recommended that study area municipalities review zoning bylaws including, but not limited to, sections on residential uses, dimensions, definitions, and nonconforming uses. Some specific housing-related issues in local bylaws that could be an issue as a result of the casino development could include the following:

- *Conversions*: In communities near the Connecticut casinos, the conversion of single-family to two-family or more and two-family to three-family or more homes occurred, creating issues related to parking and other issues related to an increase in density (CMRPC, 2010).
- *Accessory apartments*: The creation of accessory apartments to single-family homes and in other situations can be a feasible way to allow affordable units for casino labor, if done properly.
- *In-Law Apartments*: In-law units are also a means to provide affordable units for special populations, but restrictions should be considered to monitor tenant status.
- *Multi-Family Units*: The most significant housing impact could be the development of new multi-family apartments although this is not a high probability as a direct result of the casino. Municipalities should ensure that a fair and equitable process exists for the facilitation of these developments, and that they can be accommodated within municipal service capacities. Municipalities should consider the development of an inclusionary provision in local bylaws that can give a community both more control and a proactive mechanism to ensure that siting and production goals are met.
- *Boarding and Rooming Houses*: The Warren Report (2010) noted that rooming and boarding houses, both legal and illegal, are a potential residential option for low wage non-family

workers of a casino and its component service uses. Municipalities that anticipate providing housing for employees of the casino complex should ensure that robust provisions are included in their local bylaws to allow such units in a reasonable manner, and that steps are taken to try to prevent illegal units from being created.

- *Dormitories*: Dormitories are also a potential means to house non-family workers of a facility like a casino. For example, the Saratoga Race Course in New York recently completed a dorm for backstretch workers¹ that is a positive example of a labor-related residential facility. Other tracks in states such as Florida also operate worker dorms. Local bylaws should ensure that if a provision for dormitories is in place or under consideration, that it facilitates a well-designed facility that provides a reasonable quality-of-life for residents and meets the provisions of *105 CMR 410, Minimum Standards of Fitness for Human Habitation*.
- *Bed and Breakfasts*: While not necessarily relevant for housing casino labor (other than possibly serving as temporary residences for corporate visitors and executives), municipalities may wish to allow bed and breakfast facilities if they are not already provided for in local bylaws to create a market for potential casino visitors.

8.4.3 Parking

- *Parking for Conversions/Residential Uses*: The conversion of residential units to higher densities may overtax the parking infrastructure of the site and area and create nuisances. Regulations should take this into consideration.
- *Location of Parking*: Parking shortages may lead to paving front, side, and rear yards. Bylaws should consider, at minimum, prohibiting parking/paving of front yards.
- *Residential Parking Restrictions*: Municipalities should consider restrictions on parking for some residential uses.

8.4.4 Use Variances

If the Zoning Board of Appeals (ZBA) in a given municipality can grant use variances, the municipality should decide if it wants to use this method to approve residential conversions..

8.4.5 Commercial Uses

Some study area communities, particularly Franklin, Bellingham, Medway, and Wrentham, may experience spillover commercial development as a result of the development of a casino. While this may provide additional revenues to municipalities due to commercial tax ratables, some development-related concerns could include:

¹ <http://www.saratogian.com/general-news/20130614/nyra-improves-dorm-life-for-saratoga-race-course-backstretch-workers>

- *Zoning Bylaws:* Potentially impacted adjacent and nearby communities should have adequate commercial zoning provisions to address anticipated growth and development influenced by the proposed project.
- *Processes and Procedures:* Municipalities should have robust site plan review criteria and special permit provisions that give the community a significant amount of control over development proposals.
- *Adult Entertainment and Other Noxious Commercial Uses:* Communities should ensure that any potential uses that may be considered noxious and undesirable, such as adult entertainment uses, be addressed adequately in local zoning bylaws.

8.4.6 Enforcement

The ability to enforce existing local development regulations is an important way that municipalities can address some potential negative externalities of casino induced development and land use.

- *Building Code Enforcement:* Potentially impacted communities might need additional resources to handle expected illegal conversions and other impacts of the development.
- *Zoning Enforcement:* There may be an increase in zoning complaints about violations of zoning. This may include complaints about illegal land uses, excessive density, parking violations, and nuisances such as noise,
- *Sanitary Code Enforcement:* Additional staff may be needed to perform this task locally.

8.4.4 Potential Mitigation

Mitigation for zoning and regulatory impacts should be largely focused on preventative measures. Such measures might include assisting communities to ensure that local land use and development capabilities will be able to address the impacts of development and operations, as well as the impact of potential spillover development that could occur as a result of the casino. Potential mitigation could include:

- Long Range Planning: The applicant could provide a source of funding for communities to revise master or comprehensive plans, housing production plans, and other appropriate plans to address growth and development challenges.
- Assistance for Regulatory Audits: The applicant could provide a source of funding for communities to conduct regulatory audits and revise bylaws.

- Assistance For Affordable Housing: The applicant could provide funds for local affordable housing planning and development. It could, for example, make payments to local housing trust funds, where applicable and other steps that are detailed in the Housing section above.
- Staffing Assistance: Some communities may need additional inspectional and/or administrative staff in building, planning, health and other relevant departments to respond to increased building activity, the potential for violations, and general increase in development due to the influence of the casino on the local market. An alternative could be the provision of funds for consultants to provide these services or for the RPAs to develop a shared services function that would allow communities to carry out these activities more efficiently. Communities identified in this report as likely to have either a housing or commercial development impact are the recommended candidates for such mitigation funding.

Mitigation for zoning and regulatory challenges is somewhat uncertain due to the nature of markets and the unique nature of each market area. However, the RPAs feel that it would not be unreasonable, nor significantly costly, to provide such assistance, at minimum, to the most likely impacted communities. Mitigation here could not logically be structured ex post facto based on development and operational experience since development-related impacts are difficult, if not impossible, to address after the fact.

Chapter 9: Open Space Impacts

9.1 Introduction and Relevance of Topic

Open space is undeveloped land. It might be permanently protected from development because it is publicly-owned, or it might be owned by a private conservation organization. Protected open space is usually open to the public and includes few, if any, buildings. Sometimes agricultural uses or active recreation uses (horseback riding, mountain biking) are permitted.

Open space may also be unprotected, in which case it may be developable for residential, commercial, industrial or other permitted uses, depending on local zoning regulations.

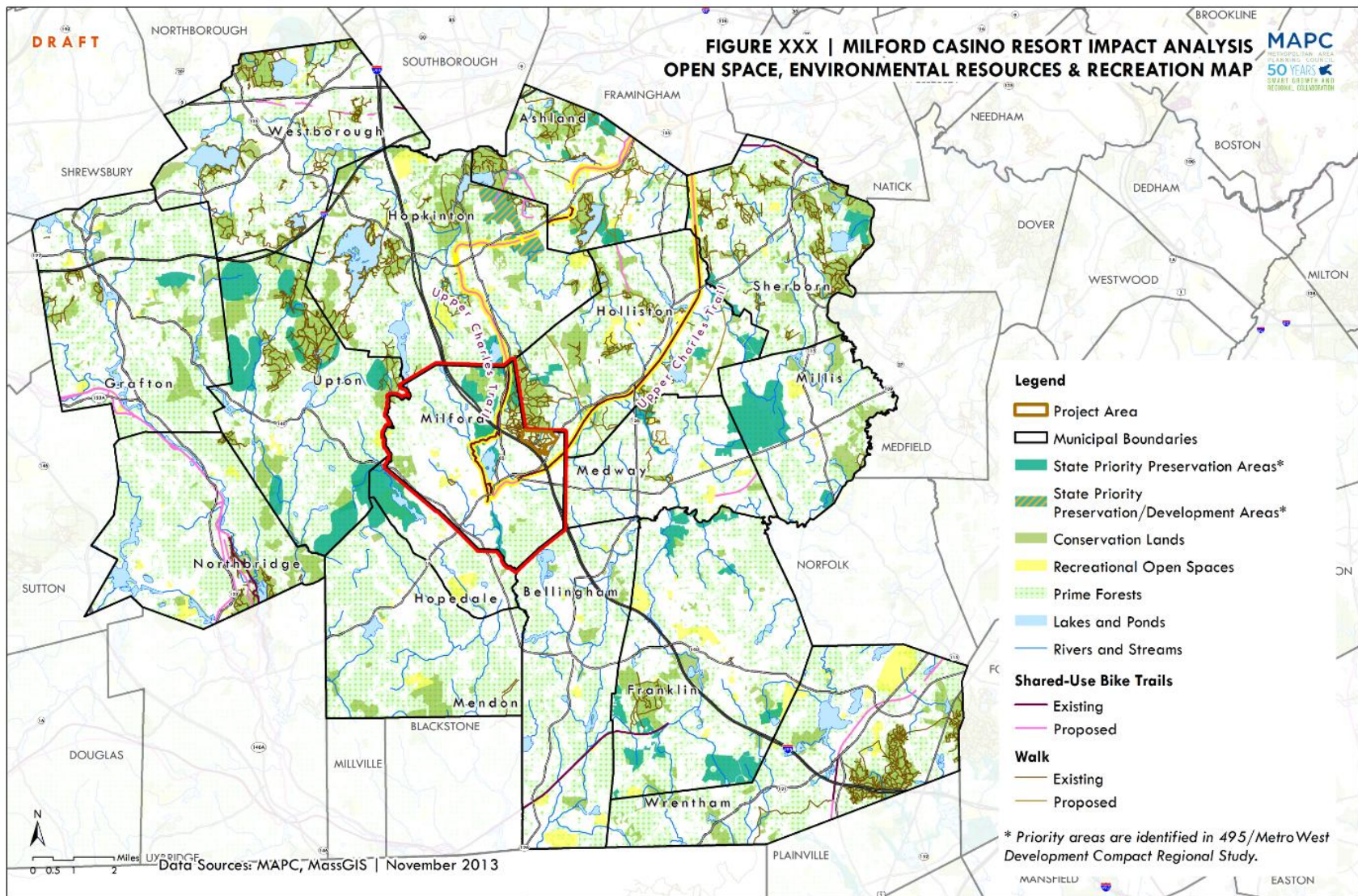
In this report, open space means land that is either publicly or privately owned, and that is protected from development, as opposed to vacant developable land. The Foxwoods Massachusetts project is proposed for currently vacant, undeveloped land in Milford. The northern boundary of the parcel abuts conservation land in Holliston. Depending on how it is ultimately sited on the land, development of the casino, particularly in regards to stormwater, could potentially impact the conservation land in Holliston, as well as a 47-acre parcel owned by the New England Mountain Bikers Association (NEMBA), which also abuts the Holliston conservation land and is northwest of the casino site. The Upper Charles Trail also runs approximately one-half mile south of the casino property boundary.

Potential positive impacts to open space include increased public access to the approximately 65% of the site that the applicant plans to retain as undeveloped open space; and potential connectivity with existing, abutting open space.

9.2 Data Collection and Sufficiency

Data obtained from the Massachusetts Geographic Information System (MassGIS), Massachusetts Department of Transportation (MassDOT) and Metropolitan Area Planning Council (MAPC) was utilized to create a map of open space, environmental resources, and recreation. Sites designated as Priority Preservation Areas (PPAs) from the MetroWest/495 Compact Study conducted in 2012 were included, as well as recreational open spaces, conservation lands, and habitats described by the Massachusetts BioMap2 project. This map is included as *Figure 9.1 below*.

This data array (MassGIS, MassDOT, MAPC and BioMap) is the standard one used by MAPC for land use planning project analysis. The Priority Preservation Areas were identified by the 35 communities that participated in the Interstate Route 495 corridor priority mapping project, which identified Priority Development Areas (PDAs) and Priority Preservation/Development Areas. The PPAs are important to include because they are sites locally significant for acquisition. There is a PPA identified in the town of Hopkinton, abutting



Holliston conservation land. This has potential connectivity opportunities with the Holliston land, and potentially with the casino project's open space.

The only data "gap" is the level of detail. The data, except for the PPAs, is collected on a scale (usually town-wide) that is not site specific. Therefore, detailed analysis of habitat, for example, is not possible and discussion should be limited to identifying areas that require further, site specific evaluation.

Additional analyses on open space are limited because of the amount of information currently available from the applicant concerning open space maintenance, management, public access and connectivity. The proponent's engineer stated that this information will be developed and refined as the process proceeds to design and permitting. Thus, a complete peer review related to open space impacts cannot be conducted at this time.

9.3 Analysis

As with most other criteria in this report, open space impacts from the casino are focused on municipalities that are proximate to the site, or have opportunities to benefit from public access and/or connectivity to any open space created by the project.

The most significant potential negative impact is on the abutting Holliston conservation land. Depending on site design, this public open space could be adversely impacted by noise, lighting, exhausts (vehicle and restaurant), and stormwater runoff. If unabated and not mitigated, then the conservation areas closest to the casino development could become less desirable for habitat preservation and possibly enjoyment by the public.

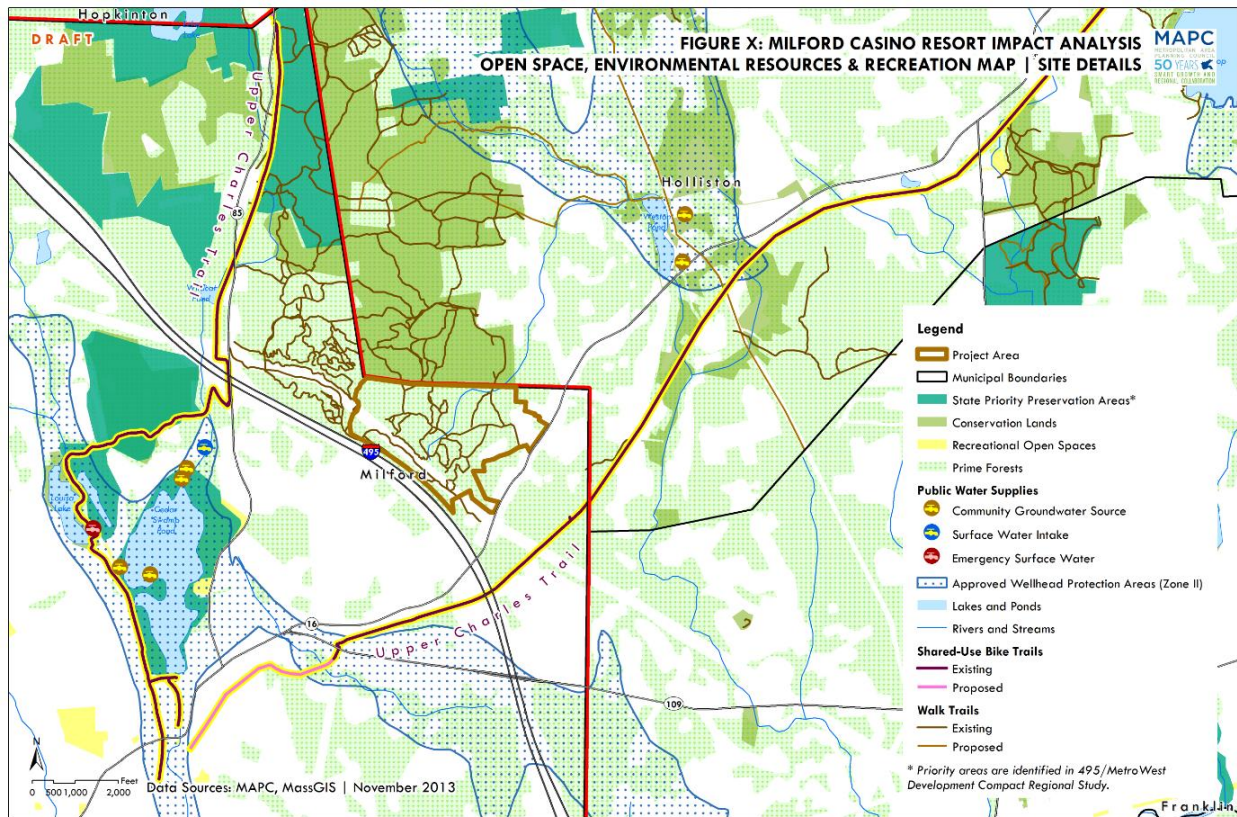
A positive aspect of the location as currently proposed is the potential for additional open space connectivity via a continuous band of undeveloped land on the western and southern portions of the Casino property. As noted elsewhere, this could connect to the west to the existing Upper Charles Trail, and could also connect to the southeast to the other spur of the upper Charles Trail (through the southeastern frontage of the Casino property and potentially along the utility right of way).

A 47-acre parcel northwest of the proposed casino site is owned and maintained by the New England Mountain Biking Association (NEMBA). Known as "Vietnam," this trail network attracts riders from across the U.S. and abroad, as well as a core local constituency. There are also existing informal and unsanctioned trails on the proposed casino property. It is possible that most of these will be eliminated by the development, depending upon the site design. It would be desirable to maintain and formalize these trails as part of the final approval for the design of the project.

The Upper Charles Trail is a 25-mile multi-use trail located approximately one-half mile south of the site. The trail follows former rail lines, and travels north from Milford Center to Hopkinton. Another leg (with gaps) travels northeast through Holliston. There is a proposed link to the Milford Center segment. (See the Open Space map, *Figure 9.2 below*). At the September 5, 2013 working group meeting, the proponent's engineer asked whether there was any interest in connecting the existing Upper Charles Trail through the casino site,

possibly along existing utility easements. Meeting participants responded positively to this idea.

Figure 9.2 – Open Space Resources/Site Details



9.4 Conclusions and Recommendations

Conclusions and recommendations for this section are based solely on data collected by RPA staff and on generally accepted best practices for the protection of open space. No applicant data related to open space impacts in surrounding communities was available for peer review at the time of this report. However, five broad recommendations have been developed:

1. Protect Abutting Conservation Land: Site design for the proposed casino should minimize any and all impacts on the existing Holliston Conservation land that abuts the northern boundary of the casino property. Siting structures away from this area, and minimizing all runoff and lighting from the site should be priority site considerations by the applicant.
2. Protect Additional Trails and Conservation Land: There are many existing trails on the proposed casino site, and on nearby private property. The applicant should coordinate with the New England Mountain Bike Association (NEMBA) and other property owners to maintain trail connectivity. NEMBA raised \$200,000 to purchase

its 47 acres, and is the first mountain bike organization to purchase property. As feasible, maintaining connectivity with existing trails would help to preserve the larger network of trails.

3. Optimize Opportunities for Open Space Connectivity: The Upper Charles Trail could provide access to the casino for some employees (as does the Minuteman Bike Path from Bedford to Cambridge, which serves commuters as well as recreational riders). A direct link to the trail from the casino property should be made, if possible.

The applicant's project engineer suggested an east-west connection between existing portions of the Upper Charles Trail, likely using existing utility easements. This would allow for a shorter loop and a bypass of Milford Center. This possibility should be further evaluated and likely would enjoy strong support.

4. Provide Additional Information: As development plans proceed, the proponent should provide information for the approximately 88% of the site that is to be left undeveloped. This information, which should be included as part of the site plan and special permit processes, should include answer to the following questions:
 - What are the plans for the open space?
 - How will it be maintained and managed?
 - Will there be a conservation easement or dedication of the open space on site?
 - Will all or part of the open space be publicly accessible?
 - Will there be connectivity to other conservation or open space lands?
 - Will future development plans or phases be considered that could reduce open space ?

Specific information on habitat will be available as development plans are refined and are presented to the Milford Conservation Commission. Milford should invite the Holliston and Hopkinton Conservation Commissions to attend and participate in project reviews.

5. Maximize Natural Habitat: With a significant amount of the site proposed to be undeveloped, the RPAs recommend that the applicant consider maximizing the amount of habitat area for native species by leaving it in a natural, undeveloped state and potentially protecting the land through a conservation restriction or donation as open space.

Overall, the RPAs believe that the best option would be for permanent protection by the applicant of the remainder of the site, either through conservation restriction or donation to the Town of Milford as open space, and that the property should be open to the public.

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Chapter 10: Development Impacts

10.1 Introduction and Relevance of Topic

The impact of development is a broad topic that encompasses most of the criteria typically evaluated during site plan review or review of a development of regional impact. This analysis shall evaluate construction impacts, operations impacts, and site plan impacts. Since a detailed site plan and engineering drawings have yet to be developed, many project specifics are not yet known. Broad conclusions, however, can be drawn on the basis of conceptual plans; and relevant review criteria can be identified on the basis of experiences with other casino projects and on the basis of generally established development impact and plan review principles.

Both the construction and operations phases of the casino project may generate negative impacts on surrounding properties and possibly adjacent or nearby municipalities. To the extent possible at this stage, the review team has identified the most likely potential impacts.

The RPAs asked key questions of the applicant not only to seek additional information, but also to establish issues for future project reviews at the MEPA or local review level.

10.2 Data Collection and Data Sufficiency

Existing data consisted of the following:

- Reports and site plans from the developer's consultant team.
- Type and scale of review for comparable casino developments and developments of regional impact
- Generally accepted site plan review practices.

As a part of this analysis, the RPAs sought development plans that contained detail at a level sufficient for submission to local review boards. The applicant, however, has not yet developed such detailed site plans: the plans made available by the applicant in presentations to the Town of Milford are based on conceptual designs. This limited the ability of the RPAs to make definitive findings and recommendations regarding specific impacts or mitigation. It also leaves in uncertainty potential surrounding communities that may be considering Surrounding Community Agreements with the applicant.

10.3 Analysis

This document is not intended to be an exhaustive or complete list of typical site plan and development review criteria. Rather, the topics below were identified as the ones most likely to potentially impact adjacent and nearby communities. It shall be left to the municipalities

participating in this process to evaluate these criteria and determine if they wish to discuss them with the applicant or host community.

10.3.1 Construction Logistics

It is expected that during the construction of the resort casino facility, localized impacts from truck traffic, blasting, pile driving, storage and manipulation of materials such as gravel or sand, rock crushing, paving, assembly, and other typical construction activities will generate some off-site impacts. The degree and area of impact will depend on the activity, but some impacts of development may be experienced by surrounding communities and should be addressed by the applicant.

10.3.1.1 Construction Logistics Plan

The applicant should submit a complete construction logistics plan (CLP) as part of a development review submittal. Such a plan should include:

- **Construction Schedule:** The daily and weekly schedule for construction should be limited to ensure that any nuisances that cannot be mitigated are at least limited to a typical workday and workweek schedule: this would allow adjacent property owners some relief. The applicant should provide information as to when the site will open and close for business each day, and whether work on Saturday and Sunday is anticipated. This information should also include when deliveries will be scheduled.
- **Safety and Security:** A construction site creates a myriad of potential safety hazards that should be addressed in a CLP. The applicant should provide details regarding how the construction site will be secured from entry at all property lines and rights-of-way during non-construction hours, and how access will be controlled during work hours. Information should include whether the applicant will have security personnel on site 24/7 in addition to cameras. Securing the site should also include the prevention of animals from entering the site to scavenge and access waste.
- **Construction Vehicles and Machinery:** During the period of construction, vehicles such as dump trucks, flatbed trucks delivering machinery, cement mixers, tractor-trailers, and other vehicles that need to travel to and from the site may create a range of potential impacts such as:
 - **Street Congestion and Backups:** Beyond merely adding to existing street traffic volumes, construction vehicles, particularly when fully loaded, are slow and may cause backups at intersections.
 - **Mud, Dust, Debris:** Many construction vehicles are hauling construction materials such as soil, sand, gravel, asphalt, wood chips, or cement and can track soil or mud from the construction site into the streets.

- Exhaust, Smoke, Fumes: Construction vehicles, which usually run on diesel fuel, emit significant volumes of dirty, sooty smoke. Vehicles idling while waiting for loads on-site, particularly during cold weather, can create significant air quality problems. At peak site activity, this pollution can have an impact on human health and, at a minimum, create a nuisance.
- Noise and Vibrations: Many construction vehicles have loud engines, brakes, and suspension systems. Engine braking by trucks is such a significant noise-related nuisance that many municipalities pass local ordinances prohibiting the practice. Truck air horns can be extremely loud, as is the noise from truck suspensions when the vehicles hit potholes or other rough surfaces. The applicant proposes a pre-construction noise study and monitoring during construction with mitigation thresholds. Staff concurs with this proposal.

At a minimum, each of these potential impacts should be addressed during the development review process. The applicant should provide:

- Congestion Management Plan: This should include a description of materials suppliers and locations so that anticipated routing can be identified. It should also include details of truck routes and timing of deliveries. Applicant should utilize a dynamic routing software solution.
- Idling policy: The applicant should develop a vehicle-idling policy that is specific to weather conditions. The policy should include a prohibition on significant queuing.
- Statement prohibiting engine braking and establishing other noise-reduction strategies.
- Policy to ensure truck and vehicular cleaning and mud removal prior to vehicles leaving the site.

Note that there are aggregate, asphalt, and ready-mix concrete plants close to the subject site. There are asphalt plants in Wrentham (I-495), Holliston (Route 16), Raynham (I-495) and Shrewsbury (Route 140). There is a ready-mix concrete plant in N. Grafton (Route 140), Millis (Route 109), and also in Smithfield, RI (Route 126). There are aggregate plants in Ashland (Route 85), Sutton (Route 16), and Raynham (I-495). While some locations are convenient to I-495, others are more convenient to local roads such as Route 16 through Holliston and Route 109 through Millis and Medway.

- Location and management of materials and equipment storage on site, including where the equipment or piles will be located, and how they will be managed to prevent windblown dust and erosion. Materials may include, but not necessarily be limited to
 - Soil, sand, and aggregates
 - Rock
 - Lumber

- Steel
- Glazing
- Wood chips or mulch
- Mechanical and electric, machinery, power tools
- Vehicles

The applicant should show on the site plan where materials storage will be situated. If these areas are expected to be shifted over the course of the construction of the project, this should either be depicted on separate sheets and described in a narrative, or the applicant should submit revised site plans to the appropriate boards prior to relocating materials. Storage locations should be selected to ensure maximum limitation of impacts to surrounding communities, including preservation of flood storage capacity and maintenance of woodlands as natural buffer area.

The applicant notes that they intend to balance site cuts and fills and prevent construction traffic from traveling to or from the site on East Route 16.

10.3.1.2 Construction Phase: Impacts of Development

Performance Standards in General: The RPAs recommend that the host community establish a series of performance standards with specific measurements or ranges in their special permit and site plan review process that protect the host and surrounding communities from adverse impacts of development and operations. The applicant should agree to do this as part of surrounding community agreements and in the RFA-2 application for the gaming license.

Soil Erosion: The applicant should provide information related to the Best Management Practices (BMPs) to be utilized to prevent sediments from being carried offsite. Additionally, the applicant should explain how open soil will be prevented from becoming airborne and blown offsite.

Blasting and Ledge Removal: If blasting or removal of rock/ledge through any other means is planned, the applicant should provide a blasting or mechanical removal plan or scope:

- Methods
- Locations on site
- Timing
- Safety procedures
- Noise limitations and monitoring
- Dust/particulate management method
- Identification of potential for impacts to buildings and structures on adjacent and nearby lands

Vibrations Generally: The applicant should detail all machinery, equipment, activities, and tasks that will create off-site vibrations beyond ambient level. This can include, but not necessarily be limited to, blasting, jackhammers, piledrivers, truck suspensions, and engine braking. The applicant should volunteer to establish specific means to limit vibration from each identified source. The RPAs recommend that the host community establish a performance standard for vibration that will protect host and surrounding communities.

Noise Generally: The applicant should detail all machinery, equipment, activities, and tasks that will create off-site noise beyond ambient level. This can include, but not necessarily be limited to, loudspeakers or PA systems, vehicle horns or back-up signals, blasting, jackhammers, piledrivers, and truck engine braking. The applicant should volunteer to establish noise monitoring devices and pledge to keep noise from construction and related activities below the threshold for acceptability. Further, the applicant may wish to consider the erection of temporary noise barriers and evergreen vegetation adjacent to the site to reduce noise levels. The RPAs recommend that the host community establish a performance standard for noise that will protect host and surrounding communities.

Smoke, Dust, Particulates Generally: The applicant should detail all activities and construction site zones that will create the potential for wind-blown dust or particulates, smoke, or odors external to the property line. An evergreen screen may reduce the potential for off-site impacts. The RPAs recommend that the host community establish a performance standard for smoke, dust and particulates that will protect host and surrounding communities.

Light and Glare: The applicant should detail all activities or installed site elements (e.g., security lighting) that will create potential light and glare external to the property line. An evergreen screen may reduce the potential for off-site impacts. The RPAs recommend that the host community establish a performance standard for light and glare that will protect host and surrounding communities. The applicant should submit a photometric plan for the construction and operational phases to allow assessment of this criterion.

Buffering and Screening: The applicant states that they will provide an approximately 600- foot buffer of natural vegetation. This statement is not sufficient to assess impact. The site plan should detail what kind of screening and buffers will be erected for the construction phase of development, as well as what the screening/buffer is intended to accomplish (e.g., screening view, noise, light).

Environmental Impacts: Environmental impacts fall under the following categories:

- Habitat
- Wetlands and other resources areas under Wetlands Protection Act
- Pollution of air, water, soil

The applicant should be aware of open space, habitat, water resources, and other natural features on adjacent parcels and seek to connect similar or linked resources to the subject site. See the Open Space and Water Resources sections of this report for more information on these potential impacts.

Cultural and Historic Resources: The applicant should be cognizant of any cultural or historic resources in the vicinity of the project site and whether any such resources are threatened by the project or require special consideration. This includes historic resources in surrounding communities that may be subject to added redevelopment pressure due to the casino development.

Infrastructure: The site plan must detail the location of major utility lines on or near the site including water, sewer, telecommunications, and gas. The applicant should ensure that construction will not disrupt service in the host and surrounding communities.

Stormwater Impacts: Please refer to the Water Resources section for comments regarding stormwater. Note that stormwater responses should also consider how dust control, wastewater, and mud are handled during construction. Applicant should note any changes to land contours that may impact flood areas or stormwater flow in host and surrounding communities.

Waste: The applicant should address how solid and liquid wastes will be handled during the construction phase. This includes when wastes can be removed, what route waste trucks will take, and what facilities they will be sent to. The applicant should also note where on the site and how wastes will be stored.

10.3.2 Operations Phase: Generally

10.3.2.1 Project Reviews and Approvals

While MGL Chapter 40A Section 11 notes that “parties in interest” are limited in scope, it is recommended that the Town of Milford consider designating additional adjacent and nearby communities as “parties in interest” for the purpose of development review of the proposed project for all public hearings. It is also recommended that the applicant enter into agreements with impacted communities as part of the RPA-2 application with MGC.

10.3.2.1 Screening

Screening is particular importance because the casino is proposed as a 24-hour facility. It therefore will have potential impacts at times well outside those of conventional developments. The applicant should detail what kind of screening and buffers will be erected for the construction phase of development. Screening should address, at minimum, the following: solid waste storage areas, light/glare sources, viewsheds from residences, noise sources, and sources of other potential nuisances. Screening should address concerns in both the host and surrounding communities.

10.3.3 Operations Phase: Impacts of Development

10.3.3.1 Influencing Development Patterns

The proposed development of a Foxwoods Casino in Milford with a primary entrance on Route 16 may have a profound impact on the future course of land use in the Route 16 corridor. Currently, Route 16 north of I-495 is primarily low density residential from just above the proposed entrance to the subject site to the Holliston town line and beyond. There are two small businesses on the east side of Route 16 south of Whispering Pines Drive. South of the proposed entrance is a transitional area with some residences, transmission line right-of-way, wetlands, utility uses, and additional mining/quarrying sites.

South of I-495, Route 16 transitions into a commercial area with a small shopping center and other commercial buildings clustering around the intersection of East Main Street (Route 16) and Beaver Street/Fortune Boulevard. Large-scale commercial uses continue down both Fortune Boulevard to the west and Beaver Street to the west, as well as continuing down East Main Street for some distance just beyond the intersection with Medway Road. With a new access point to the casino property and I-495, development activity is expected to occur on Route 16 northbound in Milford and into Holliston, creating development impacts such as traffic and other potential nuisances in addition to potentially impacting property values.

10.3.3.2 Real Estate Market

Recent residential sales on Route 16 in Holliston range from \$180,000 to over \$500,000, including homes selling for over \$400,000 in the subdivision adjacent to the northeast of the subject site. In Milford, just south of Holliston, residences fronting Route 16 sell for under \$200,000, while subdivisions off the road have experienced sales from the mid-\$300,000s to over \$500,000. The applicant asserts that research indicates no appreciable negative impact on nearby residences. It was unclear whether the applicant data included directly adjacent residences. The Host Community Agreement includes a provision to compensate homeowners for a loss in property value as follows:

“The Community Development Fund shall be administered (pursuant to municipal finance laws and policies) by the Town and used to [...] establish a fund to compensate homeowners for any decreases in the value of their residences upon resale due to the development or operation of the Project, according to standards and procedures established by the Town [...]” (Exhibit E(3)(c); p. E-2)

The applicant should include a similar provision for inclusion within Surrounding Community Agreements (SCAs).

10.3.3.3 Performance Standards

In general, the host community may wish to establish a series of performance standards with specific measurements or ranges in their special permit and site plan review process for ongoing operations.

Vibrations Generally: The applicant should detail all machinery, equipment, activities, and tasks that will create off-site vibrations beyond ambient level. The applicant should volunteer to establish specific mechanisms to limit vibration from each identified source. The RPAs recommend that the host community establish a performance standard for vibration to protect host and surrounding communities.

Noise Generally: The applicant should detail all machinery, equipment, activities, and tasks that will create off-site noise beyond ambient level. This can include, but not necessarily be limited to, loudspeakers or PA systems, generators, vehicle horns or back-up signals, and truck engine braking. The applicant should volunteer to establish noise monitoring devices and pledge to keep noise from operational activities at or below an acceptable threshold level for the surrounding area. Further, the

applicant should consider the erection of noise barriers and evergreen vegetation adjacent to the site to reduce noise levels. The host community should establish a performance standard for noise to protect host and surrounding communities. The host and surrounding communities should collaborate to establish an acceptable noise threshold for all hours of the day and night in addition to other performance standards to limit impacts on surrounding communities.

Smoke, Dust, Particulates Generally: The applicant should detail all activities and areas that will create the potential for wind-blown dust or particulates, smoke, or odors (including cooking) external to the property line. The erection of an evergreen screen may reduce the potential for off-site impacts. The RPAs recommend that the host community establish a performance standard for this criterion to protect host and surrounding communities.

Light and Glare: The applicant should detail all activities and installed site elements (e.g., security lighting, signage, and lights in high windows) that will create potential light and glare external to the property line. The erection of an evergreen screen may somewhat reduce the potential for off-site impacts. The RPAs recommend that the host community establish a performance standard for light and glare to protect host and surrounding communities. The applicant should submit a photometric plan for the operational phase to allow assessment of this criterion.

Safety and Security: The applicant should provide details regarding how the property will be secured from entry from all property lines and rights-of-way and how access will be controlled. Applicant should outline how fire, EMS, and police vehicles, personnel, and equipment can access all portions of the building and site. Further, the developer should enter into surrounding community agreements to reimburse communities for costs associated with mutual aid calls associated with the proposed casino.

Environmental Impacts: Environmental impacts comprise the following:

- Habitat
- Wetlands and other resources areas under Wetlands Protection Act
- Pollution of air, water, soil

Applicant should be aware of open space, habitat, water resources, and other natural features on adjacent parcels and seek to connect similar or linked resources on the subject site. See the open space and water resources sections for more information on these potential impacts.

Stormwater Impacts: Please refer to the Water Resources section for comments regarding stormwater. In addition to the measures there listed, the applicant should explain how road salt, sand, and other materials intended for safe passage in garages and on roads, drives, and sidewalks is to be used, and what the likely impact of applying these materials could be on water quality downstream in other communities.

Waste: The applicant should explain how solid and liquid wastes will be addressed during the operational phase. This response should include when wastes can be removed, what routing waste trucks will take, and what facilities they will be sent to. The applicant should also note where on the site wastes will be stored and how they will be stored.

Tanks and Combustibles: The applicant should report whether any underground or above-ground storage tanks will be installed on site, whether combustible materials will be stored in any such tanks, and provide details about the size and location of such tanks. The applicant should also address whether non-tank-stored combustible or explosive materials of any type (fireworks, cleaning solvents, etc.) will be stored on site.

10.3.4 Mitigation Proposed by the Applicant

Related to air quality, noise, and lighting, the applicant proposes the following in their revised development program:

- 100% structured parking to eliminate principal source of ambient light and reduces vehicle noise and emissions.
- Maintain vegetated buffer to reduce sound, light and air impacts.
- Garage to act as buffer for active uses that typically generate noise and light.
- Comprehensive air quality/noise analysis provided during MEPA Draft EIR.
- Post-construction noise monitoring to document compliance with standards.
- Extensive use of green roofs to reduce air quality impacts by reducing heat island effect.

The structured parking offers notable benefits in reducing impervious surface. The noise and light benefits may not be as significant as suggested, since the garage structure may amplify car horns and alarms, and since vehicle headlights may be visible on five above-ground levels, instead of just at ground level. A robust green screen may reduce some of these impacts.

10.3.5 Site Design

10.3.5.1 Current Conditions

The entrance to the site from Route 16 is currently the entrance to a mining pit. The road is gravel, and the connection to Route 16 is adjacent to two abandoned residences and electric power transmission lines that cross the subject property. There is a rise into the subject property from Route 16. Specific features of the site include the following:

- Significant wetlands and vernal pools throughout the lower portion of the site.
- Electric transmission lines crossing the southern portion of the site parallel to I-495.
- Mountain bike trails throughout the site (see graphic in Appendix A). While the applicant notes that these trails have not been sanctioned, it is still recommended that discussions be pursued with NEMBA in order to maintain the integrity of the system that connects to surrounding communities.

10.3.5.2 Site Design: Proposed Development

The applicant proposes a 980,000 square foot development that includes a 500 room hotel; 205,000 square feet of gaming space, including 5,100 slots; a 5,400 space parking garage; 10 restaurants; 450 seats of bar space, banquet, and meeting space; and retailing. This is significantly larger than the plan described in the original Phase 1 proposal of 660,000 square feet of combined floor area, and nearly double the number of parking spaces, but slightly smaller than the plan described in the original combined Phase 1 and 2 proposal.

Campus Design: The original proposal and revised plans are designed as a campus-style development evocative of a suburban office park or university campus. From an urban design perspective, the proposed design is not out of place in its Milford setting along the I-495 corridor, where such a development pattern predominates (but with more surface parking than the proposed development). The location of the site is relatively isolated, located between Route 16, I-495, and conservation lands in the Town of Holliston. Due to this location, a more sustainable, walkable urban form connected to the existing town street network is not possible. However, the central parking garage does facilitate pedestrian activity throughout the site itself, and the site plan does provide pedestrian paths to connect activity centers.

Siting: The applicant proposes siting the development in the northeast corner of the property, just west of wetlands, and approximately 600 feet from the homes off Wildwood Drive and Dogwood Lane in Milford. The general location of structures is approximately 400 feet from homes on Adams Street in Holliston and a little more than 500 feet from homes along Dunster Road in Holliston. The development site is slightly elevated above the residences, and the developer proposes to buffer the development with the parking deck covered by natural screening (although the specifics of the proposed screening material have not yet been made available). The most recent revision to the project added one story to the parking deck. The applicant should provide revised elevations showing how the project will look from these residences and residences in Holliston in both full summer foliage and in winter. Lighting will be of particular concern, as will the natural screening proposed by the applicant.

Parking, Circulation and Ingress/Egress: The applicant's proposed collector/distributor system I-495 would function as a dual lane collector roadway with a rotary for distribution of traffic to Route 16 or the casino property. There appears to be adequate turning movement area for backups coming from from the subject site. Traffic on the site can access the building entrance via a single-lane circular drive or the parking garage via a two lane, one-way roadway serving the parking garage with a cul-de-sac terminus. It appears that the only way to leave the site from this terminus is from inside the parking garage. This design may create backups when the deck is full or significant traffic is present.

Pedestrian and Bicycle Circulation and Connectivity: The applicant should provide detail regarding pedestrian facilities on site and connectivity of these facilities to public facilities external to the site. Access to New England Mountain Bike Association (NEMBA) bike trails, parking for trails, and trail easements, if provided, could be identified as a positive impact of the development.

10.3.6 Impacts on Health

New development and redevelopment has the ability to impact health outcomes. Likely there will always be some balancing of positive and negative health impacts: there are some very important investments that developments can make so that they are, on balance, supportive of good health outcomes. Based on the site plans provided to date, we would offer the following comments from a public health perspective:

Bicycle and Pedestrian Facilities: The health benefits of physical activity have been well documented and there is convincing evidence that the built environment is associated with physical activity and active transport.

- The site plan shows 6-foot sidewalks, but there is no inclusion of a buffer on the site plans. For both pedestrian safety and comfort, which can enhance walkability, we would recommend that grass buffers be added.
- There are no crosswalks identified on the map at crossing locations. We would recommend adding pedestrian crosswalks with longitudinal striping patterns at pedestrian crossing locations. In addition, ADA-compliant curb ramps are required at these crossing locations.
- There are no bicycle accommodations shown on site or connecting to the site. These include on- and/or off-road bicycle accommodations.
- Since a lighting plan is not included, we are not able to comment on pedestrian-level lighting. In advance, we would recommend that pedestrian-level lighting be included in the photometric and site plans.
- We would recommend that an outdoor walking or shared-use path be provided; perhaps to connect with off-site and on-site trails used by NEMBA. This would allow patrons or guests at the hotel to be active.

Roadways: Crashes with pedestrians and bicyclists have more potential to lead to severe injury or fatality than crashes between cars, and speed is an important factor. A pedestrian hit at 35 mph is nearly three times more likely to die than one hit at 25 mph.

Although exact details are not available on the plan, we would recommend roadway improvements be designed with narrow travel lanes and for slower vehicular speeds, especially in locations where there are pedestrian crossings. This is especially important to consider in light of elderly and/or disabled individuals walking or moving through the area, as well as potentially-intoxicated pedestrians. Consider including either bike lanes or separate bike trail connections on the site.

Transit: Americans who use public transit spend a median of 19 minutes daily walking to and from transit; 29% achieve 30 minutes or more of physical activity a day solely by walking to and from transit.

The plans do not show transit service or transit accommodations (e.g., shelters, benches, trash cans). Given the needs of workers to access the casino jobs and others looking to travel to the casino, transit service and accommodations should be provided. This would not only address job access needs, it would also provide a beneficial health impact in terms of physical activity. Bringing transit service to the site may also benefit individuals from multiple surrounding communities traveling to non-casino sites along the expanded regional route to the casino. Off-site improvements could be made in other towns to promote transit use (e.g. bus shelters).

Air Quality: Traffic-related air pollution has known negative impacts on respiratory and cardiovascular health.

A landscape plan was not included in the applicant's plan, so we will need more information to comment. We would note that although air quality impacts may not be as strong as in a dense urban location, the expected vehicle traffic, as well as the potential for idling vehicles, will have air quality impacts. Therefore, in advance, we would recommend that street trees be included in the plan, since they remove fine particles from the atmosphere and consequently improve air quality. In addition to addressing air quality impacts, trees and tree canopy coverage are associated with positive social and mental health outcomes, as well as protection from heat and UV rays from the sun.

10.3.7 Impacts on the Regional Plan

Sustainable and Equitable Development: MetroFuture and the Milford Casino

MetroFuture embodies a vision of smart growth and regional collaboration through the promotion of efficient transportation systems, conservation of land and natural resources, improvement of the health and education of residents, and an increase in equitable economic development opportunities for prosperity. Developments consistent with these goals tend to:

- Focus population and job growth in developed areas already well-served by infrastructure;
- Provide an array of housing choices;
- Promote health, safety and community engagement;
- Contribute to a globally-competitive regional economy providing opportunity for all the region's workers;
- Be part of an efficient transportation system by offering more choices and making it easier to get around; and
- Protect natural resources.

The regional plan classifies each of the 101 cities and towns in the region into four community types: Inner Core, Regional Urban Centers, Maturing Suburbs, and Developing Suburbs. Milford is a Regional Urban Center, a community type characterized by an urban-scale downtown with multiple

blocks of multi-story, mixed use buildings; moderately dense residential neighborhoods surrounding this core; and (in some cases) lower density single-family residential development beyond. In addition, the MetroFuture vision sees Milford serving as a "Suburban Center" that strives to maximize the potential of its downtown and existing transit in the region; expand housing choice and tax revenue through mixed-use growth; and build new local bus connections and bike/pedestrian paths as it grows.

As a large employment site, the proposed Foxwoods Casino in Milford would appear to have a mixed impact on the regional vision put forth by the plan. Generally, the project could have some positive economic consequences, but taking a broad view of the casino as a major employment center, the specific site under consideration is not an ideal smart growth location given the lack of existing infrastructure and that most trips would be made by personal vehicle.

The MetroFuture regional plan has 65 goals, falling into six goal categories. This analysis does not do a review of the casino against each of the 65 goals individually, but instead considers how the proposed casino relates to the broader goal categories.

- *Sustainable Growth Patterns:* The project is located on an undeveloped green field site that is not already served with infrastructure such as water and sewer. The site is removed from the area's town and village centers, and the proposed project is not a mixed use development that will build upon the existing urban fabric of local communities. While road infrastructure connects to the site, there are likely to be capacity issues on roads, arterials, and highways throughout the region as a result of new traffic generated by this project. Public transportation to the site will be limited and likely make up a small share of the trips to and from the casino. Aside from vehicular traffic, the site is not well served by bicycle and pedestrian infrastructure.
- *Housing Choices:* Because it will be a large employer, the casino may, over time, attract new residential growth. Such development may or may not be consistent with the MetroFuture vision of providing diverse housing choices, including the affordability of the housing units. The regional plan also favors compact versus land-consumptive housing growth. Development of single family homes on large lots, rather than multi-family or single family units on small lots would also be contrary to MetroFuture. Tailoring the right development policies to the communities surrounding the proposed casino could influence whether smart growth and equity are able to be realized in the area's future.
- *Healthy Communities:* As public health, education, and community engagement are substantial aspects of the regional vision, a casino development presents some concerns. The Milford Casino may create additional demands on public services in Milford and surrounding towns. Schools, public safety, social services, law enforcement, and libraries could experience greater stress. While these pressures could be mitigated with financial agreements between the casino and local communities, the public health threats associated with casinos (i.e., compulsive gambling, general mental health issues, substance abuse, drunk driving) are complicated externalities with less readily available solutions. In addition, the social capital of residents feeling connected to and engaged in the civic life of their communities could be adversely affected by the presence of a controversial land use such as a casino. This fear has already been

expressed by citizens concerned about how the casino might change the character of the entire region.

- *Regional Prosperity*: The proposed casino will create a large number of jobs, increase Milford's tax base, and likely provide some economic stimulus for the local economy through employee spending and casino purchasing from local vendors and subcontractors. It may also have some effect on local retail operations by drawing more consumers to the area, creating a multiplier effect of money injected into local economies by employees of and visitors to the casino. On the negative side, the jobs created could skew regional employment toward the service sector, rather than in globally competitive economic sectors. Casino development may also reduce other economic development opportunities and possibly have an adverse effect on certain existing local businesses, such as restaurants.
- *Transportation Choices*: A casino in this location does not offer the type of multi-modal access preferred by the regional plan. From a pedestrian perspective, Milford's downtown core has a walking-scale street network that is well served by sidewalks. This well-connected network of streets, however, gradually dissipates to a less-walkable pattern of lower density streets with less intersection connectivity closer to the proposed casino. A large number of these streets lack sidewalks, making them even less pedestrian friendly. The casino site is an approximately three mile walk from downtown Milford, and the majority of residential areas lie even further away. The casino site would not be categorized as a walkable employment, commercial, or recreation site. Further, the increase in vehicular traffic that may occur on the roads through Milford and adjacent and nearby towns could have a negative impact on the area's overall walkability. More cars could create more dangerous crossing situations and a less pedestrian friendly ambiance in the region in general.

Travelling to the site by bicycle, while more feasible than walking, is still daunting. Only one road will be readily accessible to bicycles (East Main Street/Route 16) and the lack of a dense road network limits route choices for cyclists and pedestrians alike. Route 16 could be greatly improved by adding bicycle infrastructure, such as wide shoulders or bike lanes.

Public transportation to the site also leaves much to be desired. The closest commuter rail station is Forge Park Station, eight miles south of Milford in Franklin. The only bus service through Milford is a bus run by the Metro West Regional Transportation Authority (MWRTA). The MWRTA Route 6 connects downtown Milford to Framingham, where there is another commuter rail station that offers service to Worcester and Boston. At present, only two daily round-trips are offered to/from Milford. There is no weekend service. The applicants, however, are working with the MWRTA to increase frequency and add a stop at the casino site. This, along with likely charter bus services to the casino, will improve transportation options significantly. Still, the site is not a highly transit-accessible choice.

From a multi-modal perspective, the site's proximity to the Upper Charles Trail is a major asset. The trail runs relatively close to the project site and appears to have an access point from nearby Zain Circle. The trail will eventually be 25 miles long and connect Milford, Ashland, Sherborn, Holliston and Hopkinton via an abandoned rail bed. At the moment only 5.7 of these miles are

completed, but the completed sections happen to be in Milford, including the piece accessible from Zain Circle. Improving the connection between the casino site and the Upper Charles Trail would enhance the site's consistency with the regional plan, but would not likely have a substantial effect on the development's mode split.

- **Healthy Environment:** A primary goal of the regional plan is stewardship of natural resources. Given that the casino will be a large employer, as well as a regional entertainment destination, the location is not ideal from an environmental perspective due to the lack of multi-modal transportation choices as described in the transportation section. On the plus side, the applicant is proposing a number of green building techniques, allowing the operation to use resources efficiently. Such sustainable elements include water-efficient fixtures and appliances and a water reuse strategy that uses recycled grey water for irrigation and mechanical systems. Because the development is proposed on a completely undeveloped green field site, the project will introduce 24.1 newly impervious acres to the area, while a project in a previously developed location would not. Yet the project will have a relatively small footprint on the site. Buildings will cover less than 10% of the parcel, and the applicant plans to leave 65% of the site undeveloped, including large areas of existing vegetation. In addition, the developer is building a parking deck, rather than a large surface lot. This is far less impactful from an environmental perspective. The proponent has also proposed to cover the deck with natural screening. In summary, from a regional plan perspective, the largest environmental concern is that the project will be located in an auto-centric green field site.

Overall from a MetroFuture perspective, this project has some notable positives, but more potential negatives. As the casino will be a large regional employer, the site location and the transportation options it offers are less than ideal. The housing and economic aspects of the project are less threatening to the regional vision, although much depends on how the communities around the casino plan for the changes it will bring. Most of the environmental concerns relate back to project location and mode split, as the project is otherwise making substantive efforts to build a sustainable development. Finally, there are concerns about externalities a project of this type may have on public health, education, and community engagement; yet the community and developer may be able to work together to overcome the majority of these effects.

10.4 Conclusions and Recommendations

Development impacts cannot be characterized with great specificity on the basis of conceptual plans, potential mitigation is very difficult to assess at this stage in the process. However, the RPAs offer the following guidance and approaches to reviewing more specific plans as they become available:

- The applicant should submit a comprehensive application packet that addresses all of the topics discussed below; and in particular, for the purpose of this analysis, that addresses how construction and operations may impact adjacent and nearby communities.

- The host community should consider each of the topics discussed below not only with regard to how they affect their own community, but how they may impact adjacent and surrounding communities.
- There is a range of development impact criteria that can and should be addressed during local development review. The analysis developed above provides good guidance for boards and commissions related to the kind of questions to ask, requirements to develop, and conditions to consider. Performance criteria may address issues such as noise, vibration, smoke and dust, light and glare, waste management, erosion, stormwater and wetlands.
- It is recommended that all communities that are eventually officially designated as surrounding communities be provided an elevated status during the local host community development review process. We believe that a more inclusionary process will make for a better and more comprehensive review and result in a better development plan.
- Monitoring and Re-Opener Clause: Due to the currently available conceptual site plans, no site-specific mitigation can be recommended related to development and site plan review other than the suggestion that development and operations minimize impacts to adjacent and nearby communities. As the degree of actual impacts may not be known until the full site design is reviewed, or in some cases until the development proceeds and goes into operation, Surrounding Community Agreements with the applicant should include re-opener clauses based on a specific monitoring program for development impacts that are tied to the criteria noted above.
- The MGC should consider granting any approved license with specific conditions to require that the project proponent interact with and address issues of surrounding and other nearby communities, regardless of whether any formal SC agreement has been executed.
- The applicant should look to the regional plan, MetroFuture, for regional goals that can be met by project siting, design, and operations. The RPAs believe that closer adherence to these goals will result in a better, more sustainable project that will be more competitive in the application process.

Chapter 11: Social Impacts

11.1 Introduction and Relevance of Topic

Social Impacts describe effects on the mental, emotional, cultural, physical and interpersonal wellbeing of individuals and groups as a result of development. Social impacts are not simple to describe and capture as are increases in traffic or the need to create buffers around wetlands: These impacts are complex in nature and often occur over long periods of time. Social impacts typically are considered as externalities as a result of developments. However, social impacts are important to evaluate. The social consequences of development can generate the need for additional outreach, support, and services for individuals and groups in the immediate vicinity of a project as well as in the surrounding area.

While any development has some social impact, particular developments have the potential for more considerable impacts. Casino and gaming developments are such, because of the role of gambling and addiction. Casinos can lead to gambling addictions and impact those with existing gambling addictions, which tend to be more common among those who play card games and use electronic gaming machines. Problem gambling (referring to both problem and pathological gambling¹) is estimated to account for up to 2% of those who gamble (over a lifetime), and the increased proximity to a casino has shown to increase the rate of problem gambling. Problem gambling is associated not only with a compulsive need to gamble, but potentially with crimes such as fraud, forgery, and embezzlement (as problem gamblers pursue more money for gambling). In a similar manner, problem gambling is regularly accompanied by other health issues, or co-morbidities, for the individual. These co-morbid disorders include substance abuse (e.g., alcohol, nicotine, and illegal drugs) and mental health problems, such as depression and anxiety.

Problem gambling has ripple effects on the individual's family and social structure. Problem gamblers experience issues related to debt and bankruptcy more commonly than non-gamblers, and miss work and exhibit reduced productivity due to their gambling. These financial issues translate to impacts within a gamblers immediate family. The actions of a problem gambler often contribute to disorder in the family, such as marriage disruption, abuse of spouses and children, and reduction in housing stability. The disruption of the family environment and housing instability can have short and long term impacts, especially for younger children, where housing stability influences educational and career outcomes.

To the extent possible at this stage, the RPAs have identified potential issues to

- Highlight where impacts could most likely occur;

¹ Problem gambling, according to the National Council on Problem Gambling, is gambling behavior which causes disruptions in any major area of life: psychological, physical, social or vocational. The APA's DSM-IV classifies pathological gambling as an impulse control disorder that leads an individual to engage in destructive behaviors to themselves and others, and is a serious enough form of problem gambling that it becomes a psychological disorder.

- Specify additional information needed from the applicant;
- Establish issues publicly for future project reviews;
- And prompt the applicant to integrate social impacts more comprehensively in their internal programming for support and the physical development process.

11.2 Data Collection and Data Sufficiency

The applicant team did not address problem gambling or the social impacts of the project directly. However, the Town of Milford retained a consulting firm, The Innovation Group, to prepare the following:

- Impacts of a Casino in the Town of Milford on Problem Gambling; The Innovation Group; July 2013.
- Impacts of a Casino in the Town of Milford on Crime; The Innovation Group; July 2013.

In addition, the applicant made available a presentation that discussed mitigation, public safety and social impacts. Finally, the Host Community Agreement executed between the applicant and the Town of Milford also addressed mitigation for public safety and social impacts.

To supplement materials pertaining directly to the proposed casino, existing data for social impacts was collected from the following publications:

- *Gambling in Connecticut: Analyzing the Economic and Social Impacts*. Spectrum Gaming Group, 2009.
- *Gambling on Development: A Report of the Warren Casino Study Committee*. Central Massachusetts Regional Planning Commission, 2010.
- *Socio-Economic Impacts Associated with the Introduction of Casino Gambling: A Literature Review and Synthesis*. Rhys, M G Stevens, M L I S & Robert, J Williams, C Psych, 2004.
- *Potential Health Effects of Casino Development in Southeast Kansas: Kansas Health Impact Assessment Project*. Kansas Health Institute, 2012.
- *The effect of pathological gambling on families, marriages, and children*. Shaw MC, et al, 2007.

These materials, in addition to other reports cited in this section, were used as background for the analysis and to develop recommendations.

11.3 Analysis

Problem gambling, according to the National Council on Problem Gambling², is gambling behavior which causes disruptions in any major area of life: psychological, physical, social or vocational. The American Psychiatric Association's (APA) Diagnostic and Statistical Manual of Mental Disorders (DSM-V) classifies gambling disorder (re-classified from pathological gambling) as an impulse control disorder that leads an individual to engage in destructive behaviors to themselves and others, and is a serious enough form of problem gambling that it becomes a psychological disorder. In the latest version of the DSM, gambling disorder is now classified as with Substance-Related and Addictive Disorders.

Problem gambling (referring to both those who are problem gamblers and those with gambling disorders) is estimated to account for up to 2% of those who gamble (over a lifetime), and tends to be more common among those who play card games and use electronic gaming machines³. These are the nature of the games proposed at the Applicant's casino.

A review was performed to determine if problem gambling may become more prevalent, or be exacerbated, in surrounding municipalities than in other cities and towns in the region. Given the close proximity of the proposed gaming facility to these towns, it is expected that a larger percentage of their total population will patronize the facility than other more distant communities. Research conducted into whether or not the locations of casinos have an impact on the prevalence of program gambling has noted that increased proximity to a casino is associated with an increase the rate of problem gambling. The Gambling Impact and Behavior Study⁴ found there was association between the increase in problem gambling and having a casino located within 50 miles of a residence, rather than farther away. In addition, another study⁵ found an association between being 10 miles from a casino and a 90 percent increase in the odds of being a problem gambler. Some studies have not found similar strong association over time between problem gambling and proximity^{6,7}, however even in these studies an initial spike in problem gambling has been noted after the introduction of a new gaming facility.⁸ Thus, it may be reasonable for the Applicant to consider applying the corporate problem gambling program to adjacent and nearby communities in conjunction with their effort in that regard for the Town of Milford.

Problem gambling is associated not only with a compulsive need to gamble, but is defined as potentially including illegal acts like fraud, forgery, and embezzlement in pursuit of more money for gambling. It has been estimated that approximately half of problem gamblers commit crimes^{9,10},

² <http://www.ncpgambling.org/>

³ *Gambling in Connecticut: Analyzing the Economic and Social Impacts*. Spectrum Gaming Group, 2009

⁴ *Gambling impact and behavior study: Report to the National Gambling Impact Study Commission*. Chicago, IL: National Opinion Research Center at the University of Chicago. Gerstein, D.R., Volberg, R.A., Toce, M.T., Harwood, H., Palmer, A., Johnson, R., Larison, C., Chuchro, L., Buie, T., Engelman, L. & Hill, M.A., 1999).

⁵ *Risk factors for pathological gambling*. Addictive Behaviors. Welte, J.W., Barnes, G.M., Wieczorek, W.F., Tidwell, M.-C. & Parker, J.C., 2004.

⁶ *The relationship between casino proximity and problem gambling*. H Y Tong, Henry and Chim, David, 2012

⁷ *Links between casino proximity and gambling participation, expenditure, and pathology*. Sévigny S, Ladouceur R, Jacques C, Cantinotti M., 2008.

⁸ *Understanding the influence of gambling opportunities: Expanding exposure models to include adaptation*. LaPlante DA, Shaffer HJ, 2007.

⁹. *Crime, antisocial personality, and pathological gambling*. Blaszczynski, A., McConaghy, N., & Frankova, A., 1989.

and while a majority of these crimes are non-violent (e.g., fraud, forgery) or may only involve not repaying money borrowed from family members, they are directly fueled by the need to acquire additional money for gambling¹¹. In a similar manner, problem gambling is regularly accompanied by other health issues, or co-morbidities, for the individual. These co-morbid disorders include substance abuse (e.g., alcohol, nicotine, and illegal drugs) and mental health problems such as depression and anxiety^{12,13}. Given that there is the potential for more problem gaming issues, it would seem practical for the Applicant to provide additional support for services to address and intervene with these behaviors associated with problem gambling.

Problem gambling has ripple effects on the individual's family and social structure. Problem gamblers experience issues related to debt and bankruptcy more commonly than non-gamblers, and miss work and exhibit reduced productivity due to their gambling¹⁴. These financial issues translate to impacts within a gambler's immediate family. The actions of a problem gambler often contribute to disorder in the family and disrupts marriages. This can result in abuse of spouses and children and reduce housing stability, which is the ability to remain in a current housing situation rather than losing this shelter. The disruption of the family environment and housing instability can have short and long term impacts, especially for young children, since insecurity of housing is associated with poor health outcomes and developmental risks¹⁵. Again given that the prevalence of problem gambling may rise in areas close to the proposed casino, the Applicant is in a role to take steps that reduce financial losses of problem gamblers and provide connections to systems of support to the gamblers and their families.

11.4 Conclusions and Recommendations

Casinos can produce significant social impacts due to gambling addictions that have been observed to accompany their development. Moreover, the proximity of casinos to residences is associated with an increase in problem gamblers so the host community of proposed casino as well as surrounding cities and towns can be impacted. And these impacts can ripple throughout all the elements of a gambler's life – work, home, social – and result in the instability of their life and those who rely on them.

As a result, the following recommendations have been developed for the Applicant relative to the potential for social impacts of the proposed project.

1. The applicant should address how problem gambling behaviors might be addressed for nearby communities in a manner similar to how it will be addressed for the host community.

¹⁰ *Beyond the limits of recreation: Social costs of gambling in southern Nevada*. Schwer, R. K., Thompson, W. N., & Nakamura, D., 2003.

¹¹ *Gambling Impact and Behavior Study*. National Opinion Research Center, 1999.

¹² *Comorbidity of impulse control disorders in pathological gamblers*. *Acta Psychiatrica Scandinavica*. Grant JE, Kim SW, 2003.

¹³ *Pathological Gambling – A Clinical Guide to Treatment*. Grant, J.; and Potenza, M, 2004.

¹⁴ *Gambling Impact and Behavior Study*. National Opinion Research Center, 1999.

¹⁵ *US Housing Insecurity and the Health of Very Young Children*. Cutts, Diana, Alan Meyers, Maureen Black, Patrick Casey, Mariana Chilton, John Cook, Joni Geppert, et al., 2011.

If it is expected that the facility will draw more than a nominal amount of patronage from these communities, the applicant should include as a component of any surrounding community agreement support for social services, programs and other resources that can assist those with problem gambling behaviors.

2. As the behaviors of a problem gambler can impact their families, especially in relation to financial resources, it is recommended that the casino operator consider a local application of a system to track and prevent activities of gambling addicts and a loss limit strategy to restrict financial losses among gamblers within a 24-hour period. These programs can be used to reduce the financial impacts of a problem gambler and can be a conduit for connecting the gamblers to supportive services.
 3. The Spectrum Report identified that problem gamblers also tend to abuse alcohol, drugs, and tobacco more frequently than non-problem gamblers. Given the location of the proposed casino and the likelihood of limited available transit services, the RPAs recommend that the proponent consider providing a “safe ride” program for patrons and residents, in order to reduce DULs and provide more transportation options.
 4. The Commonwealth will be setting up a statewide program to address the treatment of pathological gambling, but at this time, there is no proposal for statewide program to address the co-morbidities that frequently accompany problem gambling. It is the RPAs' recommendation that a Public Health Trust Fund be established (MGL Chapter 23K, Section 58) to assist municipal social service and public health programs dedicated to addressing problems behaviors associated with problem gambling such as substance abuse, mental health and family health issues. The trust fund would serve the municipalities that are designated as surrounding communities.
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Chapter 12: Public Safety

12.1 Introduction and Relevance of Topic

Expanded gaming legislation in Massachusetts anticipated potential public safety impacts of resort casinos. Chapter 194 of the Acts of 2011 established a Public Safety Subcommittee of the Gaming Policy Advisory Committee:

“The subcommittee shall develop recommendations for regulations to be considered by the commission to address public safety issues as a result of the development of gaming establishments in the commonwealth including, but not limited to, ways to mitigate the impact of gaming establishments on crimes committed in the commonwealth. The subcommittee shall also study the impact of gaming establishments on all aspects of public safety in the commonwealth.”

These concerns were incorporated into the regulations and application process, which requires that social and fiscal impacts on host and surrounding communities be identified in the gaming license application. Public safety, in the context of this report, includes any change resulting from the casino development that impacts public safety budgets, staffing, and resources, including police, fire and rescue, and EMS services (public or private). It also encompasses potential activities that influence these public safety resources, such as traffic accidents; DUI incidents; crimes such as petty theft, embezzlement, robbery, prostitution; medical emergencies; fires; speeding; and any other situation that would involve a response by a public safety resource. The subject matter of this chapter overlaps with subject matter of the Fiscal Impacts and Social Impacts chapters, but is more comprehensive and broad than either.

A significant contributing factor to public safety impacts from casino developments is the presence of problem or pathological gamblers (see in-depth analysis of this sub-population in the Social Impacts section above). Problem-gambler impacts identified by Spectrum Gaming Group (2009) that were directly relevant to public safety include evictions; suicide; spousal abuse and domestic violence; crimes such as fraud, embezzlement, and robbery; plus secondary impacts such as bankruptcies and other financial stress; substance abuse; mental illness; health impacts; and family conflicts such as divorce. The complexity of the problems emanating from problem gambling behaviors is exemplified by a quote from the National Gambling Impact Study Commission Final Report (p. 4-3) which states:

“Pathological gambling often occurs in conjunction with other behavioral problems, including substance abuse, mood disorders, and personality disorders. The joint occurrence of two or more psychiatric problems — termed co-morbidity — is an important, though complicating factor in studying the basis of this disorder. Is problem or pathological gambling a unique pathology that exists on its own or is it merely a

symptom of a common predisposition, genetic or otherwise, that underlies all addictions?”

The negative impacts that stem from problem gambling behavior are complex and interrelated: they have a synergistic effect greater than the sum of the individual parts (Spectrum Gaming Group, 2009; p. 78). The behaviors stemming from problem gamblers can affect many people, including when gambling-real crime is involved. Other casino projects have been associated with such behaviors, as noted in The Spectrum Report (2009, p, 264), “[...] *Connecticut has certainly seen its fair share of gambling-related crimes.*” It is the intent of this section to report potential impacts other markets have experienced, discuss the potential public safety impacts that adjacent and nearby communities may experience, and make recommendations related to mitigation of those impacts.

12.2 Data Collection and Sufficiency

The approach to researching this topic was primarily to evaluate reports written on the experiences of communities nearby to previously developed and operating resort casinos. Also important were discussions with municipal representatives in study area communities. In these discussions, staff collected the representatives’ specific concerns and their perspectives related to potential public safety impacts.

- Community Comments: A number of specific comments and questions were received from many of the participating communities during regional work group meetings and a series of individual community meetings. Each comment was vetted through the peer review process noted below. All comments and responses are included in Appendix A and E respectively.
- Secondary Research: The RPAs were able to locate a number of studies that discussed public safety impacts from casino development and operations. The reports used for this project include the following:
 - Spectrum Gaming Group (2009). *Gambling in Connecticut: Analyzing the Economic and Social Impacts*. Linwood, NJ.
 - Spectrum Gaming Group (2013). *Gambling Impact Study: Part 1, Section A: Assessment of the Florida Gaming Industry and its Economic Effects*. Linwood, NJ.
 - Spectrum Gaming Group (2008). *Comprehensive Analysis: Projecting and Preparing for Potential Impact of Expanded Gaming on Commonwealth of Massachusetts*. Linwood, NJ.
 - Grinols, E.L., Mustard, D.B. (2004). *Casinos, Crime & Community Costs*. Journal of Economic Literature.
 - NORC (1999). *Gambling Impact and Behavior Study: Report to the National Gambling Impact Study Commission*. National Opinion Research Center at

the University of Chicago, Gemini Research, The Lewin Group, and Christiansen/Cummings Associates.

- Applicant Team Reports
 - None for Public Safety
- Host Community Consultant Reports: The following report from the Town of Milford's consultant were reviewed:
 - The Innovation Group (2013). *Impacts of a Casino in the Town of Milford on Crime*. New Orleans, MA (consultant for the Town of Milford).
- RPA/Consultant Peer Review and Comment: The RPAs retained Municipal Resources, Inc. (MRI) to conduct a comprehensive peer review and provide comments related to public safety. The original analysis conducted by the staff was thoroughly evaluated and the report issued by the host community consultant was reviewed resulting in the following conclusions by MRI.

12.3 Analysis

In the conclusion of a report commissioned for the Town of Milford by The Innovation Group (2013; pp. 26-27), the authors note that based on their research, no long-term crime increase is expected: they note that crime could actually decline. The report cites examples of casino developments, such as Hot Springs, AR, where property crimes purportedly declined after casino opening. They assert that declines may be due to casino funding of staff and resources for local law enforcement. The report also critiques studies that correlate casinos and crimes by suggesting that such research did not factor in casino visitations, and that crime rates should include visitors to the local population base when calculating local per capita crime rates. They also cite a lack of sufficient time-series research to make robust correlations (p. 2). However, the analysis by The Innovation Group is weak in two significant ways.

First, correlating a drop in crime rates directly to casino operations ignores the broader time-series trends in crime rates in the selected communities. Second, recommending the inclusion of the visitor population in the overall population base upon which to calculate per capita crime rates can be a means to artificially indicate low per capita crime rates,

It must be noted that for the purpose of this study, public safety encompasses issues such as fiscal impacts to local budgets, tax implications for residents, and how new and more prolific criminal activity (even if largely confined to casino site) could shift existing resources and reduce levels of service for a community.

In general, the conclusion by The Innovation Group that there will be no increase in crime cannot be supported. Further, a review of reports on public safety and crime (below) suggest that an increase in

crime, both property and violent, may accompany a casino opening, and that other statistically significant public safety impacts are likely as well.

12.3.1 RPA Research Findings

Four (4) issues were identified by the RPA analysis as the primary areas of concern related to public safety, besides those that are directly fiscal impacts (which even these four are, to an extent). The four identified issues, call volume increases, mutual aid agreements, drunk driving, and crime, are described below.

12.3.1.1 Call Volume Increases

The report titled, “*Gambling on Development: A Report to the Warren Casino Study Committee*,” hereinafter referred to as the “Warren Report,” notes that call volumes in the host community (Ledyard, CT) increased enormously since Foxwoods opened, more than doubling. Communities located on roadways leading from the proposed facility, such as I-495, Route 16, and Route 109, may expect increases in call volume similar to that experienced by Norwich in the Warren Report.

MRI Peer Review Comments:

- Two increases in call volume need to be considered. First, the call volume created by the casino and associated development needs to be benchmarked on the basis of the history of other developments of similar size. Utilizing comparative analysis with other similar developments, the applicant should develop a metric to forecast the expected call volume. Once the development is open, the applicant should monitor actual call volumes by developing a trend analysis of actual volume. The communities of Millis and Bellingham have already expressed their view regarding an anticipated increase in equipment and personnel associated with the development of the casino.

In the case of both Foxwoods and Mohegan Sun, sufficient incident activity existed within each development to justify either casino having a staffed fire and EMS presence. The organization of casino-based fire and an EMS service was initiated as a result of the call volume specific to the casino and the desire of the casinos to have a higher level of service and rapid response times.

Second, the call volume in the adjacent impact area can be expected to increase, as noted elsewhere in this document. Preston, CT, a residential area that sits between Foxwoods and Mohegan Sun, operates two volunteer fire departments. One department provides transport EMS and the second provides fire suppression and emergency medical first response. Both departments indicate that the types of calls has changed and that they respond to the casinos as requested. The most notable increase is the number and severity of motor vehicle accidents, including the frequent occurrence of multiple accidents. Identification of the probable increase in motor vehicle accidents based on the Connecticut experience could be developed and used to establish an impact projection for each community. Any mitigation established for this impact could also be supplemented by time-series monitoring of actual accident rates experienced in

these communities. Any increase or decrease from projections could facilitate an increase or reduction of mitigation payments.

- The severity of motor vehicle accidents should be expected to increase, and the area departments will need to increase both training and preparedness to respond to surge incidents involving the extrication of multiple victims. Communities should consider this impact and request that the applicant provide the means for communities to acquire the necessary training and equipment to meet this challenge.
- Although Foxwoods and Mohegan Sun exist in an area where volunteer fire departments are common, the Milford Fire Department, which is a career fire service agency, along with mutual aid from area departments, which are combination of career and on-call fire service agencies, will need to absorb any increase due to higher call volumes. A private fire department could not be established at the casino without special action of the legislature to create a new fire district and the delegation of authority from the state fire marshal. Therefore, there is a need to augment existing departments to meet expected increased needs.
- As call volume is discussed, the need to establish a level of acceptable risk and an appropriate level of service (LOS) should be the foundation of any discussion pertaining to increases in emergency response and service demand. The host community and potential surrounding communities should determine their historical and current public safety LOS, and use it in negotiations and as a baseline for monitoring future call volumes.
- Demands for police services will increase due to the population influx. A significant portion of this demand may not be criminal, but will focus on quality of life issues, as well as ancillary events that accompany any influx of people. These events may include motor vehicle accidents, unlocking cars, demands for traffic monitoring, suspicious activity, bad credit cards, thefts, domestics, drunk and disorderly actions, and a multitude of calls for service that will reduce police availability.
- While it is generally understood that the Massachusetts State Police (MSP) will have an investigatory function at each casino, additional police functions related to response to calls on casino floors, hotels, restaurants, entertainment venues, and parking lots remains to be determined. The role of the MSP will be finalized through the adoption of a memorandum of understanding (MOU) with the local police department. Hence, the actual role of the MSP remains unknown at the time of this report.
- Internal (private) security provided by the casino is critical to the local police agency managing calls for service. If the MSP are the on-site law enforcement entity at the casino, it should be clearly defined what Milford Police resources will be expected by the MSP, such as booking, prisoner lockup, or prosecution. The interrelationship between private security, the MSP, and the Milford Police Department should be codified prior to the opening of the casino.

- Milford Police Chief Thomas O’Loughlin raised the issue of holding cells. The anticipated number of available holding cells for housing criminal arrestees, as well as persons under protective custody, must be determined and compared against existing resources. Related questions include:
 - Are persons arrested by the Massachusetts State Police expected to be booked and held at the local State Police barracks or the local police department?
 - Do memorandums of agreement between Milford and surrounding communities need to be established for the housing of prisoners?
 - Can the County Sheriff be of assistance relative to the housing and transportation of prisoners?
 - Are all holding cells being considered for use certified by the Massachusetts Department of Public Health?
- The Milford police and fire dispatch center should be studied to ensure that it can accommodate additional dispatchers working per shift, as well as the additional communications equipment that may be necessary.
- Large building structures/complexes with metal framing often pose significant challenges for radio communications. Care should be taken to ensure that public safety radios will function well within the building and that there is adequate interoperability between the various public safety agencies including the MSP and private security. The provision of in-building repeaters¹ in the casino facility is an option that should be considered prior to construction. Another option that should be explored is open wire helix antennas. These open mesh antennae allow signals to be captured and exit the building. New technology that should be explored consists of a system that crosspatches cellular phones with radio frequencies. A prototype of this technology was unveiled at the 2013 International Association of Fire Chief s Conference. The optimal configuration of repeaters and other technology. The optimal configuration of repeaters and other evolving technology should be installed by the developer to ensure clear public safety radio communications using portable radios. This would include the consideration of the interoperability needs of mutual aid responders from adjacent communities.
- The project developer has agreed to enhance the Milford Fire and Police Departments with funds to pay for an increase in personnel and equipment to offset an acknowledged call volume increase that will follow the project’s construction. In the case of the Milford Police Department this will include a one-time payment of \$338,500 and annual payments of \$1,423,973 as modified by the CPI Adjustment Factor. For the Milford Police Department this will mean the creation of a new patrol sector which encompasses the casino facility. The GMA report indicates that the creation of this new patrol sector will be more than adequate to respond for any

¹ Repeater aids in 800 Mhz radio communications by boosting signals.

increase in police call volume. This local police presence would be in addition to the presence of members of the Massachusetts State Police assigned to the casino.

- Sources within Massachusetts state government report that casino licenses will be granted during the spring of 2014. It is anticipated that negotiation of the various MOUs would take place during the construction phase of each project. While it is generally understood that the Massachusetts State Police will have an investigatory function at each casino, additional police functions related to response to calls on casino floors, hotels, restaurants, entertainment venues, and parking lots very much remains to be determined. These decisions will be made on a case by case basis in meetings to take place between the State Police and local host police departments

12.3.1.2 Mutual Aid Agreements

Based on anticipated impacts on public safety in the host community, any community with a mutual aid agreement with Milford should be assured that this agreement will not be compromised by the additional activity Milford will need to respond to. The applicant should determine which communities Milford currently has mutual aid agreements with and ensure that such agreements can be successfully accomplished given the anticipated increase in service demands. Note that any degradation in Level of Service (LOS) on any roadway where mutual aid routing occurs should also be addressed through mitigation.

MRI Peer Review Comments

- Each impacted community should document the current level of fire and EMS service in terms of the following:
 - Incident volume
 - Response times
 - NFPA 1710/1720 compliance
 - OSHA Two in/Two Out compliance (
 - Frequency of simultaneous calls
 - Fire prevention volume

Development of this information provides a picture of the level of risk that each community accepts and that forms the basis of the level of service that the community currently funds. Along with incident volume, these other metrics should be monitored to ensure that the level of service in each community is not eroded. The applicant should agree to work with the communities and monitor these metrics as an indication of impact.

- The Massachusetts Office of Emergency Medical Services (OEMS) requires that any available ambulance respond if requested as a mutual aid responder. Questions to address include:

- Should Community Emergency Medical Services (CEMS) seek a waiver from this provision based upon the development?
- Should CEMS reduce their availability to respond to requests for Advanced Life Support Intercepts in an effort to provide a stronger level of availability for primary response to the impact area?
- Each community's EMS Service Zone Plan should be revised (based on M.G.L. c. 111C Amendments (EMS 2000)) and adjusted to reflect the impact of the development. OEMS should be consulted on how to best approach this process given the regional nature of the impact.
- The need for increased resource depth within communities adjacent to Milford should be evaluated. Many of these communities operate only one ambulance. The level of impact may indicate that each community retain a backup unit staffed by recall personnel, and that an additional ambulance shared between the communities for the purpose of a mechanical backup would be an appropriate strategy to retain the level of service currently provided. Such a system should be funded by the applicant.
- The presence of a large development that requires significant response resources may impact the ability of a fire department to respond to emergencies effectively. Once a forecast for incident volume and probable location has been developed, Geographic Information Systems (GIS) should be utilized to map the optimal points of resource deployment and then compare this deployment strategy to current operations.
- The Milford area is part of Massachusetts Fire District Fourteen which provides the overall mutual aid response network. Although the District has increased regional cooperation, coordination, and support, the area is not equipped to respond to surge events such as Mass Casualty Incidents (MCI), such as bus crashes that have occurred in Preston, CT. The Massachusetts Fire Mobilization Committee, Massachusetts Office of Emergency Medical Services, and Central Massachusetts EMS (Region II) should be brought into the discussion, and a Mass Casualty capability should be further developed by the applicant. This effort should also include the participation of Gillette Stadium and the Wrentham Outlet mall.
- A discussion of the regional aspects of this development could be pursued through the West Suburban Managers Group (WSMG). This group brings together communities from Hopkinton to Walpole and focuses on regional initiatives.
- The Milford area does not have high-rise buildings of more than five stories or a development of the complexity of the proposed casino project. As a lack of experience translates into a safety issue, the Milford Fire Department and adjacent response agencies will need to be trained and equipped to operate within this new environment. In addition, the services of a fire protection engineer should be made available to assist in the development of tactics and

preplanning. Training, equipment, and personnel to meet this recommendation should all be funded by the applicant.

- NFPA 1710² provides guidance for response time and the number of personnel required to respond to a structure fire. Based on the scope of the development and the current size and configuration of the Milford Fire Department and fire departments from adjacent communities, the automatic response of an adjacent resource would be the only realistic way to meet this standard. This will require a greatly expanded use of automatic aid and regional cooperation. Surrounding Community Agreements (SCAs) should specifically state that the applicant will reimburse all mutual aid call to the casino property.
- Public safety entities need to reach agreements regarding who will call for assistance and who will respond. Consideration should be given to how often each community might be calling for mutual aid, and if one community might be calling for assistance in a disproportionate manner, thus putting the future of the agreement in jeopardy. Such issues as how a lightly staffed police department would backfill a shift if on-duty personnel were summoned to render aid to a surrounding community should be considered.
- Massachusetts is divided into a number of Law Enforcement Councils. The Milford Police Department is a member of the Metropolitan Law Enforcement Council (METROLEC). That Council is adjacent to the Central Massachusetts Law Enforcement Council (CMLEC). The utilization of these Law Enforcement Councils for the purposes of providing mitigation solutions and single-source funding alternatives for surrounding communities should be explored.
- More analysis needs to be conducted regarding the role of the MSP at the proposed casino and the surrounding area. Legislation dealing with the policing of casinos within the state call for Memorandums of Agreement between the MSP and host police agencies. The total impact on the Milford Police Department will be significantly determined by the role that the MSP will play at the casino, as well as related hotels, venues, and parking areas on the casino campus.

12.3.1.3 Driving Under the Influence (DUI)

Given that the average casino visitor will be driving greater distances on roadways outside Milford than within it, it may be logical to suggest that DUI and alcohol related automobile accidents are more likely in adjacent and nearby communities than in the Town of Milford itself. Therefore, routes radiating from the casino site should be considered “potential DUI incident corridors” and special attention should be focused on such routes in developing mitigation (Public Safety, Traffic, and Social Impacts). Such routes may include I-495 and routes 16, 85, 109, 126, and 140. For an accurate assessment of potential DUI impacts and to be more comparable and relevant, localized

² This standard contains minimum requirements relating to the organization and deployment of fire suppression operations, emergency medical operations, and special operations to the public by substantially all career fire departments.

historical DUI data for regions where casinos have opened recently will be more useful than state-level data. As of this writing, this more specific DUI data had not been submitted by the applicant.

Studies have shown that casino traffic is more prone to accidents involving DUI incidents, than routine commuter traffic. This increase, even if it is in proportion to the increase in trip generation from the casino, will impact surrounding communities. While strategies to reduce DUIs are more programmatic than infrastructure related, the proponent should analyze the likelihood that the area may experience an increase in DUI-related accidents and should include a clear explanation of what steps will be taken to proactively minimize drunk driving and the accidents that may occur as a result. Such steps might be establishing education programs, setting rules regarding serving of alcohol to patrons, and arranging for mitigation to Police, Fire and Emergency-management departments). The RPAs recommend that DUI-related accidents should be monitored and mitigated with the local communities after the first months and years of operation in order to best establish what is needed in terms of prevention and mitigation.

There are several resources that address the likelihood that casino traffic is more prone to alcohol-related incidents such as accidents. The resources and their key findings are summarized below:

- **Spectrum Gaming Group, Gambling in Connecticut: Analyzing the Economic and Social Impacts, June 22, 2009**

In 2009, Norwich, CT, located near Mohegan Sun and Foxwoods, reported that DUI arrests have more than doubled since 1992. The nearby towns of Montville and Ledyard also experienced significant increases. Roughly 20 percent of the motorists in Montville, Ledyard, and North Stonington arrested for DUI acknowledged to police that their last drink was at a casino (page 13).

The report contains information from local police departments, the State Police, and the Department of Transportation. The information compares some of the towns close to the casinos with those of similar population that are much further away from the casinos. The comparison concluded that Norwich registered significantly more arrests.

- **Chad D. Cotti and Douglas M. Walker, "The impact of casinos on fatal alcohol-related traffic accidents in the United States," *Journal of Health Economics*, 2010, pp. 788-796.**

This study explored whether there is a link between casino expansion and alcohol-related fatal traffic accidents by looking at the timing and locations of casino openings over a 10-year period and isolating the impact of casino introduction on alcohol-related fatal accidents. Results indicate that there is a strong link between the presence of a casino in a county and the number of alcohol-related fatal traffic accidents. Specifically, the study found that alcohol-related fatal accidents increased by 9.2 percent in counties with casinos. This study also found that the DUI rate for casinos in suburban and rural areas is higher compared to casinos located in urban areas.

- **Zach Lindsey, “Sands Casino linked to increase in DUIs by Northampton County report,” *The Express-Times*, July 22, 2012**

Drunken driving arrests were reported to have nearly doubled in Bethlehem, PA, after the Sands Casino Resort opened in 2009, while they have remained consistent in a nearby non-casino county, Northampton County.

MRI Peer Review Comments:

- This metric also relates the increased response to motor vehicle accidents and the overall need to prepare for more serious extrications. All communities should consider the need for both training and equipment. This may include a regional cache of equipment for incidents particular to the casino.
- The development will create an increase in the number of EMS calls and patient transports. The Town of Milford should consider this change and negotiate with the selected EMS provider to increase the depth of primary and secondary response units.
- Milford Hospital should be contacted and the capacity of the emergency room should be identified and evaluated in comparison to the projected increase in patient transports. Milford Hospital and the Town of Milford should work together to review and update the hospital disaster plan and community emergency management plan (CEMP) to include the demands of development.
- The applicant’s response letter acknowledges the reports from Connecticut and other states that counties that host a casino have experienced a doubling of intoxicated driver arrests and a significant increase in fatal drunk driving related crashes. It is documented that in a large percentage of these incidents, the casino was the location of the last drink. A single drunk driving accident/arrest can easily remove a police officer from service for four or more hours. Communities through which the main routes to the casino pass will see dramatic increases in alcohol-related accidents and arrests. This fact should be acknowledged, and mitigation plans developed.
- Although specifically addressed, drunk driving is only one category under a larger umbrella of “traffic challenges” that can be anticipated. There will be a variety of other motor vehicle related issues, including speeding, stop sign violations, accidents, and mechanical breakdowns. The issue remains regarding the ability of surrounding communities to respond to traffic related challenges in their jurisdictions.

12.3.1.4 Crime

The applicant and peer review consultant for the Town of Milford indicated that crime will increase, but that it will largely be limited to the gaming property. A study conducted by Grinols and Mustard (2006) indicates that the opening of a casino results in a dramatic increase in crime such as assault, robbery, and burglary, and that the impact increases over

time. The Spectrum Report also identifies crimes that include embezzlement (2009, pp. 141-147) and robbery to increase after the opening of a casino.³

MRI Peer Review Comments

In 2007 a newspaper columnist referred to southeast Connecticut as the “Embezzlement Capital of the World.” This referred to the dramatic increase seen in reported embezzlement cases believed to be related to problem gamblers. Victims include businesses, governments, and not for profit agencies. It is further believed that many more cases remain unreported to law enforcement for various personal and business reasons.

As noted in the Innovation Group Report on Problem Gamblers, current research indicates an expectation of between 2% and 3% of gamblers will develop to the “problem” stage. While literature reviewed for this proposal focuses on education and services to the impacted individual and his/her family, there are many outgrowths of this situation that come to the attention of the police. Issues associated with the problem gambler that will generate calls for police service include child abuse and neglect, substance abuse, domestic violence, bankruptcy, embezzlement, and suicide. Responding officers will need to be well versed in each of these types of incidents which may impact usual annual training programs. While the creation of a uniformed patrol sector for the casino may address the calls for service in proximity to the casino, what steps will the Milford Police Department take to mitigate an anticipated increase in in-depth investigations that may take place throughout the community?

Crime rates are generally determined as the number of crimes per 1,000 residents. This is a system established by the U.S. Federal Bureau of Investigation (FBI). State crime reporting units forward reported crime statistics to the FBI gathered from each local police department. This established proportion is unlikely to change. A definitive case can be made that such crime statistics, from a community with a casino, are incorrect and misleading considering the millions of visitor days per year to a casino campus. This complaint can also be made by communities which contain major employers as well as entertainment or sporting venues. For internal planning purposes the daily service population, including casino visitors and employees, could be utilized but it is likely that the community’s crime rate will still be determined in relation to the residential population. Attempts for forge a new method of defining the crime rate for a community, as mentioned in some responses, should be abandoned. For clarification, MRI suggests that the Massachusetts State Police Crime Reporting Unit be contacted at 617-660-4710.

- MRI suggests that the Milford Police Department create a geographical code, geocode, specifically associated with the proposed casino. This casino geocode would be utilized for all calls for service entered into the department’s records management system, RMS, and associated directly with the casino. Such a geocode

³ From Uniform Crime Report (CT State Police) and FBI, Crime in the United States.

would be of significant assistance with the conducting of research related to the impact of the casino on police operations.

- Even sound projections for casino related public safety impacts will need to include the potential for the unknown. MRI acknowledges that mitigation funding be revisited and modified as needed based upon actual experience. The inclusion of an annual direct payment review meeting, as mentioned in the final contract between the developer and the town, will be useful in this regard. Agreements for the gathering and presentation formats of collected data should be agreed to by all participating parties prior to initiation of the project.
- More analysis needs to be conducted regarding the role of the Massachusetts State Police at the proposed casino and the surrounding area. Legislation dealing with the policing of casinos within the state call for Memorandums of Agreement between the State Police and host police agencies. The total impact on the Milford Police Department will be significantly determined by the role that the State Police will play at the casino as well as related hotels, venues, and parking areas on the casino campus.
- Anticipated major routes for casino patrons should be pre-determined along with projected traffic counts. Primary police responsibility should be determined prior to the start of the project. Assumptions should all be investigated and solid commitments received.
- The budgetary impacts upon public safety agencies in the effected surrounding communities appear to not have received much attention to date. While it is acknowledged, in the various reviewed reports that calls for service as well as actual reported crimes and motor vehicle accidents will increase in area communities, the discussion of mitigation of these impacts has not appeared to have been a focus to date. These impacts will be real and will need to be addressed long before the construction phase of the proposed project.

12.4 Conclusions and Recommendations

Four (4) specific recommendations were developed regarding public safety. These include:

12.4.1 Call Volumes

Estimates for the anticipated increase in call volumes for adjacent and nearby communities are needed to effectively evaluate potential service and cost impacts. This should be based on estimates for Milford or another justified methodology. Any Surrounding Community Agreement (SCA) that includes a public safety component should be informed by this

analysis. In addition, or as an alternative, an SCA could include data monitoring and a re-opener clause contingent upon documented adverse impacts.

12.4.2 Mutual Aid Agreements

The applicant should assemble mutual aid agreement data for Milford and adjacent/nearby communities as a precursor to any Surrounding Community Agreement to determine how the development and its traffic, incident, call volume and other related impacts may affect these agreements. Specific actions should include:

- a. Levels of service for each community, as per Section 2(a) above, should be documented. This shall establish a risk threshold.
- b. Applicant should work with Community Emergency Medical Services (CEMS) to determine how this company will change their service provision as a result of the casino development. Any resultant gaps in service should be addressed by the applicant.
- c. Each community, in consultation with the Massachusetts Office of Emergency Medical Services, should update its EMS Service Zone Plan on the basis of anticipated development impacts
- d. Each community needs to determine its own resource “depth” and determine potential gaps that could result if the casino is developed. One means of addressing gaps could be the creation of a regional pool of backup resources, such as a unit staffed by recall personnel. This should be funded by the project applicant.
- e. Using forecasts of incident volumes and locations, Geographic Information Systems (GIS) should be used to map optimal points of resource deployment. This should inform current deployment strategies. The applicant should fund this initiative for regional utilization.
- f. A Mass Casualty Capability needs to be developed on a regional basis through the coordination and cooperation of Massachusetts Fire District 14, the Massachusetts Fire Mobilization Committee, the Massachusetts Office of Emergency Medical Services, and the Central Massachusetts EMS (Region III), with the participation of large venues that involve potential Mass Casualty generators (e.g. buses, large gatherings), such as Foxwoods, Gillette Stadium, and Wrentham Premium Outlets.
- g. Milford and surrounding communities must be trained and equipped to function in a high-rise building environment. The services of a fire protection engineer should be made available to assist in the development of tactics and preplanning in this effort. Training, equipment, and personnel to meet this recommendation should be funded by the applicant.

- h. Mutual aid response will be critical to a structure fire at the casino facility. Host and Surrounding Community Agreements should include a clear and consistent mutual aid provision which, at minimum, should include the applicant reimbursing all mutual aid responses by a surrounding community.
- i. Mutual aid reciprocity should be evaluated to make sure that one community is not disproportionately making requests versus providing assistance. Mutual Aid Agreements should address imbalances with a compensation or reserve fund.
- j. The applicant and communities should consider the area Law Enforcement Councils (METROLEC and CMLEC) as resources to assist in the implementation of regional solutions to public safety impacts.
- k. The Milford Police Department should create a geographical code (geocode) specifically for the casino property.
- l. The role of the Massachusetts State Police at the proposed facility needs to be determined. This may inform how the public safety provisions of Surrounding Community Agreements are developed. The applicant and the Town of Milford should seek this information and provide it as public information as soon as possible.

12.4.3 Drunk Driving

The only way to effectively evaluate drunk driving impacts is to provide a time-series data set of DUI statistics for the host and surrounding communities of recent casino development in similar areas (rural to suburban). This could include both the Foxwoods and Mohegan Sun facilities for at least five (5) years prior to the openings and ten years after. This is an important data set that needs to be included in the development of a comprehensive SCA.

- m. Surrounding communities will need to be trained and equipped to respond to more traffic accidents, many of a more serious nature. The applicant should, at minimum, fund the establishment of a regional cache of applicable supplies and equipment for these incidents. Additional actions may include providing funding for personnel and equipment directly to the communities most likely to respond to casino generated incidents.
- n. Due to expected increase in EMS calls and patient transports, Milford should work with EMS providers to increase the depth of its primary and secondary response units.
- o. Due to expected issues related to emergency room capacity as a result of a projected increase in patient transports, Milford and the Milford Hospital should work together to review and update the hospital disaster plan and the community emergency management plan to include the new development.

- p. Communities in which drunk drivers are expected to travel will likely experience an increase in DUI-related incidents such as stops and accidents. These communities should be compensated by the applicant for the call response increase.

12.4.4 Crime

The applicant should consider, at minimum, what could be done post-opening if the conditions are different than what was estimated. Perhaps an impact escrow account could be established or a re-opener clause made a part of any SCA. This potential impact is a good candidate for monitoring and tying potential mitigation to actual post-opening data. This data should be based on the first five (5) years, and there should be a re-opener through year 10 if significant changes occur based on a threshold percentage increase beyond a revised baseline.

12.4.5 MRI's Additional Key Public Safety Recommendations

In addition, MRI identified three (3) key public safety concerns, each in the law enforcement and fire/EMS domains.

12.4.5.1 Law Enforcement Recommendations

- Great care should be utilized when drafting the jurisdictional memorandum of agreement, as it will impact Milford Police responsibilities well into the future and a number of the true impacts cannot yet be quantified.
- The Milford Police Department should anticipate modifying its capacity to undertake an increase in long-term criminal investigations.
- MRI has concluded that significant attention should be given to the regional impact of the casino on public safety for surrounding communities in terms of increased calls for service, traffic related issues, and crimes.

12.4.5.2 Fire and EMS Concerns

- It is critical that the end result of any mitigation efforts focus on maintaining the same level of service (response times, availability of units, etc.) within Milford and adjacent communities that exists today.
- A response matrix that matches the target hazard should be developed. This should include the use of automatic aid to provide for the operational needs of the incident and firefighter safety.

- The resource depth, equipment, and training for surge incident response (Mass Casualty incidents) should be developed. This includes coordination with multiple state and regional agencies.

12.4.5.2 General Public Safety Concerns Recommendations

1. Capacity and LOS Evaluation: Critical to any impact determination regarding public safety is an evaluation of current resources and levels of service. It is recommended that each potential surrounding community be assessed in regard to these metrics.
 2. Monitoring: Actual impacts on public safety functions should be conducted through a comprehensive incident and call volume monitoring program on a per community basis.
 3. Agreements: Surrounding Community Agreements, whether or not they initially identify any specific public safety mitigation payment, should include a reference to monitoring and maintaining an acceptable LOS and resource base. Any statistically significant degradation in either metric should result in a re-opener clause that permits specific remuneration or a negotiation process for same.
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Chapter 13 – Conclusions

13.1 Conclusions

This report is the culmination of a process facilitated by the RPAs designed to conduct a close analysis of applicant-generated reports, plans, and other data and evaluate the impacts of the project on the adjacent and nearby communities, some which may be impacted to a degree that they may be designated by the Massachusetts Gaming Commission as a Surrounding Community. The RPAs also conducted independent analysis on several criteria that were deemed significant enough due to the potential for impacts.

The expectation going in to this process was that much of the information necessary in which to comprehensively evaluate surrounding community impacts would be available for review. However, over the course of the project, it became evident that a significant portion of the data needed by staff would not be available until later stages of the licensing process. For example:

1. Data of sufficient detail to comprehensively evaluate transportation and stormwater impacts will not be available until the DEIR stage of the MEPA filing process.
2. Development and site impacts could not be comprehensively reviewed and commented upon because the detailed documents and plans that will be developed for local review by the Planning Board, Board of Zoning Appeals, Conservation Commission and others will not be produced until a casino license is awarded.

Furthermore, while some impacts can be inferred from case studies of comparable projects already developed, precision in predicting criteria like crime rates, drunk driving accidents, and the social impacts of problem gamblers is very difficult and the research on these topics is compelling and concerning but inconclusive.

It is critical to keep in mind when considering the potential for impacts and the mitigation regime that should be developed is a quote from problem gambling epidemiologist Rachel Volberg (2008) who stated, *“The negative impacts of gambling [which chiefly concern the social impacts] typically take much longer to emerge than the positive impacts and they’re also often much harder to measure in terms of quantitative and economic terms.”* With this in mind, mitigation is recommended to be balanced between likely impacts easily identified prior to development and potential impacts that require development and a period of operations to clearly evaluate. Therefore, negotiations with the applicant on Surrounding Community Agreements must include provisions for criteria that may be more reasonably included as long-term monitoring measures rather than a standard whose impacts may be roughly estimated and a mitigation value estimated in a closed-end stipulation. See Section 13.3 below for more information regarding monitoring programs.

Each technical review chapter provides a discussion of the relevance and importance of each topic area, discusses the data reviewed as part of the process and its adequacy, describes staff and/or consultant analysis of the data (including data acquired independently), and each section has a detailed set of conclusions and recommendations (including potential mitigation measures). The conclusions and recommendations have been restated for ease of access in the Executive Summary (Chapter 1).

13.2 Next Steps

Communities concerned about the potential impact of the proposed Foxwoods casino in Milford should already be actively working to understand the process and be aware of deadline and procedures. This can include any or all of the following:

13.2.1 Timeline/Process

Foxwoods Massachusetts and Milford signed a Host Community Agreement (HCA) on September 10, 2013. A town-wide referendum is scheduled for November 19, 2013. A special town meeting in early December to consider necessary zoning changes would follow a successful referendum. Foxwoods must also pass the MGC's suitability assessment—a finding is expected in mid-November. The full application (RFA-2), which may include Surrounding Community Agreements (SCAs), is due on December 31, 2013. The license for Region A is projected to be awarded in April 2014.

Communities will have several opportunities to comment on a proposed facility, including:

- During the RPA-facilitated process presently underway, including this report.
- During the Massachusetts Environmental Policy Act (MEPA) process, communities may comment on the Environmental Notification Form (ENF) in a letter to the Secretary of Energy and Environmental Affairs prior to the application filing. Comments are due by WHEN. They may also comment during the Draft Environmental Impact Report (DEIR) public review process and the Final Environmental Impact Report (FEIR) public review process after the application is filed and likely after the decision to award a license has been made.
- During the MGC hearing on the proposal, to be held in Milford sometime between January to March, 2014.

13.2.2 A municipality can become a “surrounding community” in the following ways:

It is important to understand that just because your municipality is close to the proposed casino site or is directly linked via local roads, it does not necessarily mean that it will be designated a “surrounding community” without assent by either the developer or the MGC. The term “surrounding community” has a specific a narrow meaning in the legislation and you must be aware of how this happens.

- 1) The applicant (Foxwoods) designates the community in its application as a surrounding community and the community assents to the designation in writing within ten days of the application being submitted.
- 2) The applicant and the community execute a surrounding community agreement (SCA) that is submitted as part of the application. Since applications are due no later than December 31st, negotiations with the applicant on SCAs prior to the deadline would need to be proceeding well before that date.

- 3) The community petitions the MGC for designation as a “surrounding community” no later than 10 days after the application is submitted. The community must send a copy of the petition to the applicant, which then has 10 days to provide a response to the MGC. The MGC will then make a determination on the petition at an open meeting, at which time it may allow presentations or information from the community and the applicant. If the MGC determines that a community is a “surrounding community” (or the applicant and community cannot come to an agreement under scenario 1), it will require the applicant and the community to negotiate an agreement. If the community and the applicant do not reach agreement within 30 days of the MGC acknowledging in writing that the community is surrounding, MGC will require the parties to participate in binding arbitration. Within 5 days, the community and the applicant must choose an arbitrator or arbitrators and file with the MGC a best and final offer for an agreement. Within 20 days of the submissions, the arbitrator(s) shall file a report with the MGC and within 5 days, parties shall execute an SCA. All “surrounding communities,” by definition, shall execute an agreement with the applicant.

13.2.3 Definition of “surrounding community”

Under the law and MGC regulations, if a dispute is brought to MGC on whether a community is a Surrounding Community, it will consider all of the information and analysis presented, including the population, infrastructure, distance from the gaming establishment and political boundaries, specifically:

- Proximity: Whether a community is in proximity to the host community and the gaming establishment, taking into account whether it has a shared border, the geographic and commuting distance between the communities and between residential areas in the community and the gaming establishment.
- Traffic & Transportation: Whether the transportation infrastructure in the community will be significantly and adversely affected by the gaming establishment, taking into account such factors as ready access between the community and the gaming establishment, projected changes in the level of service at identified intersections, increased volume of trips on local streets, anticipated degradation of infrastructure from additional trips to and from a gaming establishment, adverse impacts on transit ridership and station parking, significant projected vehicle trips weekdays and weekends, and peak vehicle trips.
- Impacts of Construction and Property Development: Whether the community will be significantly and adversely impacted prior to the opening of the facility by noise and environmental impacts during construction, including construction and general vehicle trips on roadways.
- Impacts of Operations: Whether the community will be significantly and adversely affected by the operation of the facility in terms of public safety impacts; increased demand on community and regional water and sewer systems; impacts from storm water run-off; changes in drainage patterns; stresses on the community’s housing stock including any projected negative impacts on the appraised value of housing stock; negative impacts on local retail, entertainment, and service establishments; increased social service needs including problem gambling; impacts on public education; and/or any other relevant impacts that the MGC considers appropriate.
- Positive Impacts: Any positive impacts that may result from the facility’s operation.

13.2.4 Assessing Impacts

There are two primary pathways that communities can approach determining impacts from a proposed casino development. The first is to participate in the Regional Planning Association (RPA) facilitated process as discussed below. The second is to independently seek voluntary or involuntary disbursements to fund specific studies in the community.

1. RPA Impact Evaluation Process: The casino licensing program provided the opportunity for RPAs to facilitate an impact evaluation process for one or more potentially impacted communities. In July 2013, MAPC and CMRPC entered into an agreement with the Massachusetts Gaming Commission to engage in this process for a number of communities in the vicinity of a proposed casino in Milford. Specifically the RPAs are:
 - a. Convening and facilitating meetings, providing technical review and analysis, and offering recommendations on potential impacts and mitigation options as applicable to communities interested in participating in the process.
 - b. Assisting the participating municipalities in the assessment of potential impacts of the gaming facility and the adequacy of any applicant-proposed mitigation measures, as well as determining the most effective combination of mitigation measures to adequately address the impact of the proposed gaming facility. This analysis has involved a review of the following areas: Transportation, Housing, Economic Development and Fiscal Impact Analysis, Water Resources, Zoning Analysis, Open Space Protection, Land Use Development Impact Assessment, and Public Safety. This is the final report on findings and recommendations.
 - c. Based on the findings of this report, the RPAs are available to facilitate and counsel communities in regard to negotiating surrounding community agreements that are equitable and accurately reflect the interests of the communities and the proponent and provide for appropriate mitigation that is needed to the impacts the proposed development.

This RPA facilitated process is intended to be comprehensive and robust, evaluating the full range of impacts through a peer review of the applicants' reports and plans and conducting some independent analysis where feasible. However, some communities may wish for more in-depth analysis in regard to one or more criteria of particular concern. To allow this analysis, MGC regulations include voluntary and involuntary disbursements, which shall be discussed below.

2. Additional pre-licensing funding to communities for the study of potential impacts and negotiation of a surrounding community agreement:

Communities may seek to obtain funding for a range of purposes related to potential casino impacts including seeking data, conducting or contracting for studies, developing potential mitigation requests, and drafting agreements.

- Communities may request a VOLUNTARY DISBURSEMENT of funds from an applicant at any time. The RPA-facilitated process is one form of a voluntary disbursement but does not preclude communities from seeking independent voluntary or involuntary disbursements.
- Communities may file a petition with the MGC to require the applicant to provide funding without their assent (INVOLUNTARY DISBURSEMENT). This petition must demonstrate:

- A likelihood that the community will be designated as a Surrounding Community;
- The risk that the community will not be able to properly determine the impacts of a proposed gaming establishment without the funds outweighs the burden of the actual financial assistance cost that will be borne by the applicant; and
- The community previously requested the funding (a voluntary disbursement) and was rejected by the applicant.¹

Communities participating in an RPA process are encouraged to fully engage and utilize all of the resources and opportunities that are available and to work with the RPAs to maximize the potential of this method of impact assessment. In the event that one or more criteria is not being evaluated or a more detailed analysis is desired, it is recommended that communities seek these additional services through the RPA process if possible.

13.2.5 Post-Licensing Funding Available

The regulations have not been set on these funding sources, but under the law, there are several potential sources of funding that may be available to nearby communities. Once facilities are operating, designated Surrounding Communities will each have a seat on the local mitigation advisory committee, which will advise the statewide Subcommittee on Community Mitigation, which will make recommendations to the MGC on disbursements from the Community Mitigation Fund.

- *Community Mitigation Fund:* (6.5% of gaming revenue fund and 10% of gaming license fees)
- *Operations and subsidies to affected performing arts centers:* (2% of gaming revenue fund)
- *Public Health Trust Fund:* (\$5 million per facility per year and 5% of gaming revenue funds originating from resort casinos). The Public Health Trust Fund will be used by The Executive Office of Health and Human Services to “assist social service and public health programs dedicated to addressing problems associated with compulsive gambling.”
- *Local Capital Projects Fund:* (4.5% of resort casino revenues and 11% of gaming license fees). To be administered by the Massachusetts Department of Transportation.

13.2.6 Recommendations

It is important for communities who believe that they might be impacted significantly enough to require some form of mitigation to be proactive and engage early in this process. At this time, communities may wish to:

- Engage actively in the RPA impact review process. For more information, please contact Christopher Ryan, MAPC, at 617-933-0758 or cryan@mapc.org or Larry Adams, Executive Director, Central Massachusetts Regional Planning Commission at 508-459-3318 or ladams@cmrpc.org. The RPA process is designed to evaluate data from the applicant and

¹ It is important to note that in order to be eligible for INVOLUNTARY DISBURSEMENTS, communities will need to request consideration by the applicant for this status beforehand and either be rejected or not engaged with by the time INVOLUNTARY DISBURSEMENTS are available.

other available sources to make a judgment in regard what impacts could be and how they could be mitigated.

- Coordinate locally in regard to what local officials believe impacts could be based on existing conditions and anticipated change. Local officials are in the best position based on their knowledge and experience in the community to understand what the key issues would likely be. Working closely in the RPA process insures that this knowledge and experience can be integrated with the process.
- Note that the RPA process is a regional-scale project and while certain impacts to specific communities may be determined, some municipalities may wish to have one or more criteria evaluated more closely such as traffic at a particular intersection or length or roadway. Communities should discuss these special concerns with the RPAs to see if the additional criteria can be evaluated effectively within the scope of the project. Communities may also wish to seek voluntary or involuntary disbursements to have this issue studied in more depth prior to entering into surrounding community negotiations.
- It is strongly recommended that communities keep engaged in the process by seeking and providing information, trying to engage with the applicant, and coordinating with other communities who are also in this process.

13.2.7 Guidance for Surrounding Community Negotiations and Agreements

Municipalities seeking or already having received Surrounding Community status and in the process of negotiating Surrounding Community Agreements (SCAs) should consider the following recommendations for clauses in any agreement and approaches to the negotiation process.

13.2.7.1 The Negotiation Process

Negotiations with a project proponent can be a complex and stressful process that should be taken very seriously.² Municipalities should consider the following:

- a. *Legal Counsel:* Retain experienced and knowledgeable legal counsel.
- b. *Employ Available Data:* Use all available data to inform consideration of impacts and potential mitigation.
- c. *Potential Partnerships:* municipalities do not have to approach the negotiation process as a separate party. Municipalities may form coalitions or partnerships with other municipalities (and other entities?) pursue negotiations and agreements collaboratively with the result potentially a joint or regional impact agreement.
- d. *Use RPAs and MGC as Resources:* The RPA process has been established to provide communities with assistance in the negotiation process should these services be desired. The Scope of Services executed with the MGC includes a task for inter-municipal agreements. This could include convening parties to regional agreement

² The Collins Center has produced a MGC-funded report on development agreements in Massachusetts: http://cdn.umb.edu/images/centers_institutes/center_collins_mgmt/Understanding_Crafting_Development_Agreements_in_Massachusetts.pdf

meetings and work sessions. Here, RPAs would serve as facilitators of the agreement negotiation and drafting process which would be directly negotiated by outside counsel and the parties to the agreement (including the applicant, host community, and surrounding communities). RPAs may also draft an initial regional agreement for parties in conjunction with outside counsel. Municipalities should also look to the Massachusetts Gaming Commission as a resource for process and regulatory interpretation.

13.2.7.2 Important Elements of a Surrounding Community Agreement

It is evident that by the time municipalities will need to conclude negotiations and decide whether to execute an SCA with the applicant, much information related to the specifics of the development will not yet be known. As noted above, detailed traffic modeling information, final stormwater calculations, and a plethora of potential impacts that can only be known for certain once the casino has opened and has been in operation for a period of time, will make any attempt to approach certainty related to impacts an exercise in futility. However, even without certain data, staff has been able to identify a range of potential impacts based on the proposed scale of the development, the type of use, and an analysis of case studies and comparables detailed in technical reports conducted by respected researchers and consulting firms.

- a. *Reopener Clause*: A common mechanism for hedging against uncertainty is to insert a “reopener” clause in an SCA. Such a clause would be tied to any criteria where there is acknowledged uncertainty about the expected impact or where significant changes or differences in impact would change the level of mitigation agreed to, if any. For example, an SCA could be negotiated to provide an annual payment to a Surrounding Community for an anticipated twelve (12) new schoolchildren expected to be enrolled in local schools as a result of predicted residential development for the casino labor force in the municipality. A reopener clause could allow for the agreement to be further negotiated and amended if an additional six (6) schoolchildren were resultant from the casino employee base and 3 of these additional 6 did not speak English and required ESL services that the district did not currently have.
- b. *Arbitration*: While an arbitration process, as needed, is a formal element of the official MGC process for concluding SCAs immediately after RFA-2 applications are filed, such a process is not available to parties after an agreement is reached. In the event that an SCA has a reopener clause that may result in the need to amend an agreement, modify mitigation, or impose a new mitigation based on the results of a monitoring program, the inclusion of a clause for an arbitration process is essential.
- c. *Monitoring*: A monitoring process will very likely be a critical part of an SCA for one or more criteria. For example, since detailed traffic generation data will not be made available until after SCAs are executed, mitigation based on preliminary data will be speculative and possess a margin of error. Therefore, this type of provision may include a monitoring program to collect data on traffic volumes and distribution and probably funded by the applicant. Should counts and distribution be different and statistically significant (the agreement would establish a threshold that would define statistically significant), then a reopener clause could allow a modification to or additional mitigation to be provided.