

## **Claudia Erb (223)**

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/20/2009 4:23:23 PM

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I am in support of the SugarHouse Casino project. I am a resident of Philadelphia and have lived in the Fishtown section of Philadelphia for over 35 years. I am also a member of FACT and would hope that this project proceeds. Proceeding with the SugarHouse project creates many jobs in the PHL area from the contractors, construction workers, etc. to the employees that SugarHouse will be hiring to the local vendors that SugarHouse has promised to use. We need jobs, let's keep this project going.

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**Janice C. Duffy** (224)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/21/2009 8:52:11 AM

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The Sugarhouse Casino will be a tremendous asset to the Fishtown Community. I was born, raised & still live in Fishtown and I fully support the casino. The casino should have been up & running by now & not only be a beautiful site along the river but also to bring revenue to the City of Philadelphia (which is very much needed as everyone knows). My family, neighbors & I are all looking forward to the opening of the Sugarhouse Casino as soon as possible. Let's get this going!!!

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**james lavin** (225)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/21/2009 9:05:01 AM

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this has gone on long enough it should be up and running by now. the jobs are needed not only in fishtown but in Phila. i have lived in fishtown my entire life in the same house that's 66 years and this casino will bring jobs and much needed money for the city plus it will improve the waterfront something the city has failed to do over the last 40 or 50 years  
thank you james lavin

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## **Dennis G. Duffy** (226)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/21/2009 9:13:57 AM

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I am very much in favor of the Sugarhouse Casino opening in Fishtown. The Delaware River waterfront is very much an eyesore & the casino will not only add much needed beauty to the site but much needed revenue to the city. Let's get it going!!

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**geri schneider** (227)

Special Needs:  
Writing/Speaking: Writing

Support | Created: 4/21/2009 1:03:15 PM

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I am looking forward to the Casino opening. Please hurry

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**robert sides** (228)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/21/2009 2:14:06 PM

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It has been too long that both political and private self serving groups have either delayed or defeated projects such as the one in question. For that reason I feel this needs the support of all the grass root residence of the area.

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**Julia Mongan** (229)

Special Needs:  
Writing/Speaking: Writing

Support | Created: 4/21/2009 5:06:25 PM

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I have lived in Fishtown all of my 60 years, I want the Casino to be built at the Sugarhouse location.  
The city government needs the additional income that this will provide.

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## **R. Mitchell Deighan (230)**

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/22/2009 4:55:33 AM

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As I have mentioned before, the SugarHouse site was first optioned for gaming during my tenure as president of Northern Liberties Neighbors Association, in the early 90's. During those years, I helped to advance the neighborhood on a myriad of fronts, including along the waterfront.

SugarHouse will bring energy and commerce to this area, and I urge that you continue your support for HSP Gaming L.P.

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## Katherine M. Rhoads (231)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/22/2009 6:46:08 AM

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A letter to the Pennsylvania Gaming Board

April 20, 2009

I am writing to you as a life time resident of Fishtown, and a working mother & grandmother, I am asking for your support in granting the petition for the needed extension and modifications and to approve the revised development plan.

By granting the petition and approving the design changes, we can move forward, we can begin to see the light at the end of the tunnel.

People need jobs, the State/City needs money. My entire family & more support the Sugar House's development on Delaware Ave. ( I have a big family)

This new plan is pedestrian friendly, it provides easy public access to an area of our waterfront that we have never had...

This project has been delayed far too long, we want the Sugar House Casino, we want to enjoy our river front, and we want more new business to come to the waterfront. Kudo's to Sugar House for stepping up to the plate to take this trash strewn area, and make it into a magnificent complex of beauty, wonder and public access to the river.

SugarHouse is MORE than just a Casino, I reek with excitement for the day I can see all this in place, I can't wait for the magic of looking over the (Our) river in all the 4 Seasons, ( Spring, Summer, Fall & Winter) and hear the hum of the natural water.... .

Wow, what a thought, - Priceless...

Please support us.

Fishtown is not represented by any groups or activists, that are against what we propose will be a new beginning for us, we are a community that sticks together for things that are very important to us, and to the City..

We Want Sugarhouse, and we will not wavier from believing in ourselves as a community that is strong & caring for each other.

I am certain, this time next year, ( with your approval of course) we will be looking at a 5 star establishment, and our neighbors will walk to the river, (just saying we can walk and enjoy the river is a great feeling.)

Please consider us,

1. The working class
2. Pay our taxes
3. Follow the law/rules
4. Give until we have nothing left

We are the ones that want a new beginning, Sugar House will bring more than jobs, it will bring the ability for every Fishtowner to be able to be part of the larger picture, all the new development that has taken place on the river-front is not accessible to us. The only people that have access to the river are the privilege that can afford to live in the high rise facilities that keep getting built?

I want to see across the river, I want my grandkids to see, I want my mom to be able to WALK to see the river, it's TIME, It's OUR TURN.

Thank you in advance for your consideration and support.

Katherine M. Rhoads

**Lorraine G. Daliessio** (237)

Special Needs:  
Writing/Speaking: Writing

Support | Created: 4/24/2009 9:54:10 AM

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Yes I would like Sugar House to get an extension. Philadelphia desperately needs the income that would be generated and the neighborhoods need any financial gains that would come their way but MOST IMPORTANT...Philadelphia needs jobs!!!

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## **Pinky Stanseski (257)**

Special Needs:  
Writing/Speaking: Writing

Support | Created: 4/29/2009 1:28:21 AM

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I stand 10,000% behind the SugarHouse site!

I drive by that site along I-95 every time I visit Philadelphia area, and SugarHouse will be an excellent fit!

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## Donna M. Tomlinson (258)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/29/2009 9:36:47 AM

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Unfortunately, I am unable to testify in person in favor of the SugarHouse Casino because I recently started a new job at Salus University (formerly the Pennsylvania College of Optometry) on February 16, 2009. I was laid off from Soroptimist International of the Americas in January 2008. I had worked at Soroptimist International for 7 years before being let go.

I have lived in Fishtown my entire life – 54 years. I have volunteered in my community from the time that I was a teenager as a candy striper at St. Mary's Hospital to currently serving on the Fishtown Action board. My volunteer efforts have been many from raising money for the Fishtown Recreation Center programs; coaching softball and cheerleading at St. Laurentius Grade School, and coaching cheerleading at John W. Hallahan High School. I was a founding member of the Fishtown Neighbors Association and Fishtown Action (FACT).

Many of us, who have lived in this community have stayed because we love the community. Unlike some of our new neighbors, this is our home not our investment. Some of us were born and raised here. We chose to raise our children here. Some of us will even die here. We are the ones who kept this community strong and made it a wonderful place to live and raise your family.

The Fishtown community needs the SugarHouse Casino project to move forward. We do not need another condo development on the waterfront or in our neighborhood. The condos and new houses going up are making our community congested. We do not need another park for volunteers to care for. We need a project that will spur more economic growth and bring much needed jobs to the surrounding communities and Philadelphia.

Please know that I have over 30 years of administrative experience and it took me over one year to find a job when normally it would take me 2 months. This only proves to me the poor condition of the job market in Philadelphia. I know that the SugarHouse Casino will employ some of my neighbors who desperately need jobs. I believe that the SugarHouse Casino will choose some of our small local businesses as vendors which will allow them to grow. And, I believe that the SugarHouse will spur economic growth in the local communities and along the north side of Delaware Avenue which has been ignored for years.

Fishtown Action along with the New Kensington CDC has worked diligently to create a Community Benefits Agreement with SugarHouse Casino. And, have worked on the creation of a Special Services District. We have not turned our back on the surrounding communities but have tried to protect it by creating these documents.

Please do not listen to those paid political protestors who have just moved here, they do not speak for me. Please give SugarHouse Casino the permission to build at the current location in Fishtown on our slice of the beautiful Delaware River.

Thank you!

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## Peter Prusinowski (259)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/29/2009 11:10:23 AM

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This is the best idea, not only help Fishtown, but the whole city of Philadelphia.  
This area in Fishtown has been abandoned for so many years, with no prospects.  
With Sugar House, that will help tremendously, not only by bringing needed jobs  
to the city, but also revitalize this area.  
Don't delay, build today !

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**Thomas D. Hoffman** (260)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/29/2009 11:26:33 AM

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PA Gaming Control Board:

I live in Port Richmond and give my enthusiastic support to the building of the Sugar House Casino. The additional tax revenue coupled with the much needed jobs that will be created make it imperative that this project begin at once.

Please do not let the voices of a vocal minority drown out the will of the civil majority.

Thank you,

Tom Hoffman

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## Theresa Ramsay (261)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/29/2009 11:45:59 AM

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As a 23 year resident of Fishtown, I would like to encourage the support of moving forward with the construction of the SugarHouse Casino.

While I was not sure when this all first started whether having a casino so close to our neighborhood was a good idea or not, I now believe that the City of Philadelphia and our Fishtown neighborhood could greatly benefit from the financial gains SugarHouse could provide.

More importantly, I feel SugarHouse has been quite open in their process and has bent over backwards to meet whatever demands and/or suggestions for re-design that have been presented, always ready, willing and able to address concerns raised.

Our neighborhood needs the employment opportunities afforded by SugarHouse!

I hope this all finally gets settled and the debates can stop.

Please allow SugarHouse to move forward!

Thank you for your time.

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## **CAROL A. DEELEY (263)**

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/29/2009 12:36:16 PM

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I am a resident of Fishtown for 53 years now and am happy that Sugarhouse Casino is finally using this land for something other than a trash dump. It will be great to see the riverfront finally being used and allowing people access to the river unlike the condos being built.

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**RANDALL E. DIAZ** (264)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/29/2009 2:33:27 PM

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DEAR SIR, I WISH TO SAY THAT FOR THIRTY YEARS THAT LAND LAY DORMENT. NOW SOMEONE HAS STEPPED FORWARD TO BUILD, BEAUTIFY, INVEST ANDCREATE MUCH NEEDED JOBS IN THIS AREA. PLEASE, NO MORE DELAY TACTICS THIS COMMUNNITY NEEDS AND SUPPORTS THIS IDEA , AS DO I. THANK YOU RANDALL DIAZ

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**Lynn M. Gillis Shain** (270)

Special Needs:  
Writing/Speaking: Writing

Support | Created: 4/30/2009 8:02:29 PM

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I support SugarHouse casino since it changes the riverfront and brings jobs and revenue to Philadelphia. It also promotes tourism and generates revenue to the local neighborhood businesses. Please build it as soon as possible and bring in game tables since we`d then be more competitive with Atlantic City.

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**Michael J. McCabe** (271)

Special Needs:

Writing/Speaking: Writing

Support | Created: 4/30/2009 9:15:54 PM

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I think philly needs the casino.They need the jobs. The waterfront needs too look better and they could use the money that`s gonna come from the casino. I`m for the casinos. Both of them.I hope you grant them the extenion that they both need to build. and the changes that they are gonna show you all. I`ll be coming back to philly as soon as I hear that you approved the sites For I`m In need of a job too.

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## Thomas O. Muldoon (275)

Special Needs:  
Writing/Speaking: Writing

Support | Created: 5/1/2009 10:13:39 AM

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April 30, 2009

PA Gaming Control Board  
PO Box 69060  
Harrisburg, PA 17106

Dear Board Secretary:

The Executive Committee of the Philadelphia Convention & Visitors Bureau strongly supports the SugarHouse Casino. We urge you to move ahead as quickly as possible. Casinos mean significant tax revenues, new opportunities for local vendors, construction jobs and permanent positions for residents.

It also provides an added appeal for conventioneers and leisure tourists. Conventions are more likely to choose Philadelphia if there are more amenities and activities—such as gaming—for their attendees to enjoy. Attendees also look for exciting waterfront activity. SugarHouse Casino will be an added attraction on the waterfront, a bookend that will channel additional attractions along the Delaware River.

The hospitality industry, during this difficult financial time, needs another venue product to separate us from Washington DC, New York City and Boston. The time for waiting is over. Philadelphia needs—must have—quick action. Please move ahead immediately.

Thank you for your consideration.

Sincerely,  
Nick DeBenedictis  
Chairman  
and  
Tom Muldoon  
President

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## Margaret S. Judd (265)

Special Needs:  
Writing/Speaking: Both

Oppose | Created: 4/30/2009 9:13:07 AM

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1. If approved, the revised building/landscape plan should reflect the 100 ft. setback from the river's edge in concert with the Planning Commission's vision for the River's future. Also, there should be a 25' park like setback from Delaware River with grass and trees and no parking to support the future of the area as a beautiful and sophisticated place for business, homes and tourists. This should be completed before the license extension is approved.

1. If homeowners within a 1 mile area of the proposed casino would be put in the position of degrading their family life for the financial benefit of others, it would be appropriate for the Commission to set in place with the City at least a 25% real estate property tax reduction. This should be in place before the license extension is approved.

3. To protect those against crimes associated with gambling, the Commission should set aside funds from the casino profits for the police department to have adequate staff for this situation. This staff for this purpose should be set up to work in concert with the Northern Liberties Neighbor's Association and meet this community's approval. This should be set up NLNA approval prior to the Gaming Commission's approval of extending the casino's license.

4. Prior to the casino's license extension, the Gaming Commission should work with the Philadelphia Parking Authority and the NLNA to prepare a plan where casino clients and employees don't park in streets where people live.

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**gregory tobias** (234)

Special Needs:

Writing/Speaking: Writing

Oppose | Created: 4/24/2009 9:02:43 AM

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It is hard to believe that anyone would really want gaming in their neighborhood. The only motive for this is revenue for the city and state. It is certainly not for the good of the people in the are. Read the sugar house billboards in the area and question is this for real. Oh what fun it is to loose money, especially in todays economy. I propose instead we have a state run money burning casino, where the people coming in have to pay admission and then have the chance to burn whatever amount of money that the want. The city and state keep the admission proceeds of course. the casino would be much smaller, less expense to sugarhouse. I wonder how many people would come there however, let me guess

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## Jeremy Dyen (236)

Special Needs:

Writing/Speaking: Writing

Oppose | Created: 4/24/2009 9:45:13 AM

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While I see how Casinos would bring initial revenue and jobs to the city, I feel that ultimately the negative social impact will be much greater, and this will domino into negative economic impact mainly for those neighborhoods in and around the casino sites. Perhaps when the city Controller has properly assessed the economic pros and cons of the proposed casino we can properly weigh the numbers. However, at this time, these are some of the negative impacts as I see it:

(1) proximity of casinos to neighborhoods would foster gambling problems, especially among poorer residents

(2) How to deal with traffic and sewer issues had not been adequately addressed.

(3) risk, and really, probability that a Casino on the waterfront would increase the crime rate (see Atlantic City. I, for one, as a Northern Liberties resident do not want to see my neighborhood resembling even a fraction of what Atlantic City does).

(4) Casinos do not fit in with the Penn Praxis master plan for the water front. This will also effect my neighborhood directly.

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## Jennifer Yager (247)

Special Needs:  
Writing/Speaking: Writing

Oppose | Created: 4/27/2009 2:22:33 PM

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I have not seen any indication that Sugarhouse attempted to have a temporary facility in place within the allowed time. With no effort made to open a temporary site, I see no reason to extend the license.

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**Jed Williams** (254)

Special Needs:  
Writing/Speaking: Writing

Oppose | Created: 4/28/2009 6:03:19 PM

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I strongly oppose the HSP Gaming L.P. (SugarHouse) County/HSP Gaming L.P. slots facility. No casinos!!!

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## Kenneth C.. Blood (266)

Special Needs:

Writing/Speaking: Writing

Oppose | Created: 4/30/2009 9:49:30 AM

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I oppose the gaming on principle, the process of selection of licensee, the location process, and the manipulation of the by all sides of the process. Philadelphia is the largest city in PA and as that it also has the largest problems in PA. It does not mean that it has larger problems than other cities in PA when taken in proportion to the other metropolitan areas of the PA. PA State Government should support and budget for all areas for which it is responsible for through out PA without exception. The use of the PA State Legislature to override county option relating to gaming in PA when they could not obtain that approval at the local level. The rules and procedures for site selection has been violated or ignored in the pursuit of revenue. The state government and PA Legislature has sought a `painless` revenue enhancement without funding the costs of that new revenue source. The majority of the state are recipients of this revenue without it burden making it a a easy yes vote and making all in opposition the enemy. The PA has been even in spreading the revenue benefits but not the burden. It has in the case of SugarHouse brought a large business, with large social, traffic, a very large building into a an ex industrial location and current residential community. Thea large proportion of the residents in the surrounding communities have opposed this location and have been forced by PA State Law, Courts, and threats to accept their pursuit of revenue. Philadelphia will have to live with the this bad decision. grant the extension this time only, no enlargement of the project. Just imagine SugarHouse being built in your community and you popularity for brting it to your community.

THe

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April 20, 2009

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Honorable Mary DiGiacomo Colins, Chairman  
Pennsylvania Gaming Control Board  
PO Box 69060  
Harrisburg, PA 17106-9060

RE: Gaming in the Philadelphia Region

To the Honorable Chairman and Members of the Pennsylvania Gaming Control Board:

We are writing to express my support of gaming in the Philadelphia region.

The mission of the Greater Philadelphia Tourism Marketing Corporation (GPTMC) is to make Philadelphia and its surrounding counties a premier destination through marketing and image building that increases business and promotes the region's vitality.

GPTMC believes that gaming in our region will benefit all segments of the Philadelphia area's hospitality industry. The casinos will generate thousands of construction jobs and new permanent jobs, much-needed tax relief for Philadelphia's residents, and will create an important source of new revenue for the City and the Convention Center.

As these tough economic times take a toll on the city's economy we, need to continue to increase Philadelphia's marketability as a tourism destination.

Sincerely,

Meryl Levitz  
President and CEO



Public Comment for SugarHouse Casino

To the PA Gaming Board

I am a resident of the Fishtown Community and I am a founder and board member of the largest membership group in our neighborhood Fishtown Action (FACT) a community organization of 600 residents that supports the building of SugarHouse Casino.

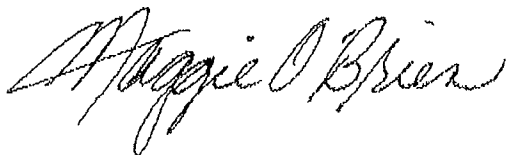
Our organization recognized that SugarHouse Casino will play an important role in the future economic development of our community and has worked for the last three years to have this project come to fruition.

The delays that this organization has met from the City of Philadelphia are ridiculous and an embarrassment. While it should be the job of the City to bring jobs and revenue into the area, Philadelphia has created obstacles. How much money has been spent fighting a project that will create over 1000 jobs? Money that could have been spent to keep our fire engines and pools open and fund our libraries has been wasted. The money that will be generated by this development is sorely needed and those who have stood in the way should be ashamed. While thousands of people were losing their jobs the members of an anti casino group put on theatrics at Independence Hall with the blessing and support of the Nutter Administration. While our elected officials claimed that the residents of Fishtown were in opposition to Sugar House Casino—800 homes sported bright red bows and 700 post cards were sent to City Hall to signify the frustration our community felt that the project was not under way. While elected representatives were worried about turtles—the city was hurtling into an abyss of financial chaos. How many Municipal governments would turn their head while thousands of their citizens were being laid off and families were suffering?

In contrast, Fishtown Action along with New Kensington CDC began working with Sugar House Casino to develop and sign a Community Benefits Agreement that includes Career Fairs, Workshops for employment, jobs for community residents, programs to spur economic development, an internship program for neighborhood college students, and a monetary contribution to be used in our community. We have set up a Special Services District with a seven person Board to implement the Community Benefits Agreement. Sitting on that board are residents of Fishtown, Northern Liberties, Kensington South, and Old Richmond.

I am asking you to extend the license of SugarHouse Casino, finally progress is being made. Listen to the people who actually live in Fishtown and move this project forward.

Thank you  
Maggie O'Brien



CORY ROBINSON, *President*  
ANDREW ROBINSON, *Secretary-Treasurer*



SAMUEL STATEN, JR., *Business Manager*  
PERRY DIVIRGILIO, *Recording Secretary*

SAMUEL STATEN, SR., *Assistant Business Manager*

TELEPHONE: (215) 765-6272 FAX (215) 765-0947

**Laborers' International Union of North America**  
LOCAL UNION 332 OF PHILADELPHIA, PA AND VICINITY

1310 WALLACE STREET

Affiliated with the AFL-CIO

PHILADELPHIA, PA 19123

May 1, 2009

Mary DiGiacomo Collins, Chairwoman  
Pennsylvania Gaming Control Board  
P.O. Box 69068  
Harrisburg, PA 17106-9060

Dear Chairwoman Collins and Members of the Board:

On behalf of the Laborers International Union of North America Local 332 I want to express our unqualified support for the HSP Gaming request for an extension of time to make slot machines available for play and to make modifications to their Approved Development Plan. Our union represents almost 3,000 members who would directly benefit from the construction of the HSP Gaming ("Sugarhouse") Casino. The project will create over 1,100 construction jobs and 1,100 permanent jobs in Phase I alone. Suffice it to say that in this economy these jobs are vitally important to both our membership and the City of Philadelphia.

In addition, the Project will generate substantial revenues for the City which can be used to help fund schools, police, fire, recreation and other social services that will benefit City residents. Moreover, the Project will revitalize a vacant parcel along the Delaware River waterfront and help spur future development along Delaware Avenue, which, in turn, means additional construction jobs and revenue to the City and the Commonwealth in the future.

Thank you for this opportunity to submit these comments and express our support for this Project.

Sincerely,

Samuel Staten, Sr.  
Assistant Business Manager





CITY OF PHILADELPHIA  
CITY COUNCIL

DARRELL L. CLARKE  
ROOM 484 CITY HALL  
PHILADELPHIA, PA 19107  
(215) 686-3442 or 3443  
Fax No. (215) 686-1901

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April 29, 2009

Honorable Mary DiGiacomo Collins, Chairman  
Pennsylvania Gaming Control Board  
PO Box 69060  
Harrisburg, PA 17106-9060

Madam Chairman,

I am writing in support of SugarHouse's request for additional time to make slot machines available for play and to make modifications to its approved development.

SugarHouse has worked at length with the City to address design and planning concerns, gaining increased support from the Mayor's office in the process. Additionally, SugarHouse has been a good neighbor, working with the surrounding community for several months, agreeing to a Community Benefits Agreement that gives at least \$1 million annually. They have also committed to aggressively seeking out and utilizing qualified MBE, DBE, and WBE firms throughout all phases of the project. Lastly, this project will mean significant jobs and revenue to the City. Given the current economic state of affairs completion of this project will be a welcome boon.

For these reasons, I am respectfully requesting your approval of SugarHouse's amended time request.

Your consideration is greatly appreciated.

Sincerely,

Darrell L. Clarke  
Councilman 5<sup>th</sup> District  
Majority Whip





CITY OF PHILADELPHIA  
CITY COUNCIL

FRANK DICICCO  
Room 332 City Hall  
Philadelphia, Pennsylvania 19107  
(215) 686-3458-3459  
Fax No. (215) 686-1931

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Housing & Homeless  
Technology & Information Services

April 29, 2009

Mary DiGiacomo Collins, Chairwoman  
Pennsylvania Gaming Control Board  
PO Box 69060  
Harrisburg, PA 17106-9060

Dear Ms. Collins and Members of the Board:

Thank you for providing me the opportunity to submit written comments in support of HSP Gaming's modified plan.

While I initially opposed HSP Gaming's application and license, the developer has made significant improvements to its design and I am now happy to support HSP Gaming's project. The current plan provides stronger waterfront access, a more pedestrian friendly environment and will permit gaming operations to begin quickly.

With these benefits in mind and in order to facilitate this development, I will introduce legislation on April 30, 2009 to address outstanding concerns. Specifically, the legislation will provide relief from local parking requirements during construction of the facility's parking structure as well as some additional technical revisions. Once introduced, I will request a public hearing for this legislation for May 21, 2009. This should permit final passage prior to Council's summer recess on June 18, 2009.

To conclude, I am committed to HSP Gaming's project and look forward to working with the partnership group now and in the future.

Sincerely,

Frank DiCicco  
1st District Councilman



# CITY OF PHILADELPHIA

OFFICE OF THE MAYOR

May 1, 2009

Honorable Mary DiGiacomo Colins, Chairman  
Pennsylvania Gaming Control Board  
PO Box 69060  
Harrisburg, PA 17106-9060  
ATTN: Board Secretary

RE: HSP Gaming, L.P. (SugarHouse)

To the Honorable Chairman and Members of the Pennsylvania Gaming Control Board:

I would like to thank the Chairman and Members of the Pennsylvania Gaming Control Board for this opportunity to provide additional information on the City of Philadelphia's efforts to facilitate the construction and early opening of the SugarHouse casino being developed by HSP Gaming in Philadelphia. In conjunction with the Gaming Control Board's hearing on May 6, 2009, regarding HSP's request for approval of a modified plan, I am hopeful that my submission will assist the Board in its consideration of this project.

At a press conference on March 13, 2009, I affirmed that the City was working cooperatively with HSP to review proposed modifications for the SugarHouse casino along the Delaware River waterfront. Likewise, in a letter of April 6, I advised the Board that the City supported the concepts in the modified plan presented by SugarHouse. Since that time, members of my Administration, led by Deputy Mayor Andrew Altman, have been meeting regularly with members of the SugarHouse development team as they refine and improve the proposed modified Plan of Development.

Our City Planning Commission had previously approved HSP's original Plan of Development. Now, the modifications HSP is submitting to the Board for approval specifically address several of the City's design principles for development along the river. These include the provision of direct and generous public access from Delaware Avenue to the river, the preservation of the natural shoreline and subsequent minimizing of environmental effects, and improvements to the pedestrian access to the facility from the public sidewalk. In addition to the design improvements, the modifications sought by SugarHouse will enable an earlier opening of an "interim" facility, creating jobs and tax revenues benefiting the City and all Pennsylvanians. We support this modified proposal and are working diligently with HSP to finalize the necessary details.

It is our understanding that, as part of the proposed modified plan, HSP will first construct an interim casino with approximately 1,700 slot machines and during this phase will rely on grade parking, both on-site and on an adjoining pier site immediately to the north, to provide the necessary parking for patrons and fulfill the parking requirement of the Commercial Entertainment District (CED) zoning.

After the interim facility is operational, HSP then plans to expand its building to accommodate 3,000 slot machines and, in so doing, will construct a garage facility to provide for the majority of vehicle parking. This construction is scheduled to begin within four to nine months of the opening of the interim facility, referred to by HSP as "Phase 1." The City supports this phased approach to parking so long as the new garage is available when the expanded Phase 1 slots parlor opens.


In subsequent phases, the feasibility of which is based on market conditions, HSP proposes to build mixed use buildings out to the street line, thereby fulfilling another important City goal of creating a dynamic, urban boulevard on Delaware Avenue.

A critical, but less visible, part of the HSP plan is to rebuild and improve a major combined sewer outflow that currently runs through a City right of way on its site. In conjunction with City improvements in the residential Fishtown neighborhood on the other side of Delaware Avenue, this improvement will provide storm surge relief for the entire surrounding community. We are currently working jointly with HSP to determine the best timing for these improvements, consistent with our commitment to the community, the earliest possible opening date for the interim gaming facility, and minimal street and traffic disruptions in and around the casino site.

Lastly, we are working with City Council to revise and simplify the review procedures for plans under CED zoning. We are scheduling a special public meeting of the Planning Commission to consider the amended Plan of Development. This schedule has been developed with the full cooperation of HSP Gaming.

In closing, we are committed to working in partnership with HSP to realize this important project to the City of Philadelphia.

Sincerely,

  
Michael A. Nutter  
Mayor

DWIGHT EVANS, MEMBER  
CHAIRMAN

MIRIAM A. FOX  
EXECUTIVE DIRECTOR



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COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

April 14, 2009

Pennsylvania Gaming Control Board  
5<sup>th</sup> Floor Strawberry Square  
Harrisburg, Pennsylvania 17106

RE: The petition filed by HSP Gaming, L.P.  
(SugarHouse)

To the Members of the Pennsylvania Gaming Control Board:

I write to express my support of the amended petition filed by SugarHouse. The petition requests a two-year extension as well as certain modifications to SugarHouse's approved plan of development. My staff and I, as well as Mayor Nutter and his administration, have worked closely with SugarHouse to modify its approved plan of development to address some of the concerns raised in the past as well as to get this project under construction and open as soon as possible. These modifications were presented to the public at a press conference in Philadelphia last Monday and, per your request, in Harrisburg last Wednesday.

As Chairman of the House Appropriations Committee, I see firsthand how desperately our Commonwealth and my City need the revenues, jobs and other benefits so many other parts of our Commonwealth have enjoyed from legalized gaming in Pennsylvania. SugarHouse has a plan to create these jobs, revenues and other benefits as quickly as possible. In fact, I can tell you that a substantial majority of the House Appropriations Committee and the House of Representatives at large strongly support the SugarHouse project.

For the reasons stated, I implore you to grant the two-year extension and give your unequivocal approval to the proposed modifications so that SugarHouse can begin construction and open as quickly as possible and the Commonwealth and the City can receive the world class entertainment facility they were promised and the revenues and jobs they so desperately need.

Sincerely,

  
DWIGHT EVANS  
Majority Chairman

DE/lf

cc: Ms. Mickey Kane

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**COMMITTEES**

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**Senate of Pennsylvania**

May 1, 2009

The Honorable Mary DiGiacomo Colins  
 Chairwoman  
 Pennsylvania Gaming Control Board  
 PO Box 69060  
 Harrisburg, PA 17106-9060

Chairwoman Colins,

Attached, please find a copy of a letter that I am submitting on behalf of Representative Michael O'Brien and myself. We would like this to be included as part of the public record for the May 6, 2009 Gaming Board hearing regarding HSP Gaming's amended petition.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Larry Farnese".

State Senator Larry Farnese  
 1<sup>st</sup> Senatorial District

The Legislators submit the following comments for the record.

The Legislators do not object to gaming in Philadelphia. In fact, the purpose for Intervening is to ensure that the Category 2 license holders make slots available without delay in order to provide the residents of the state, city, and community with the tax relief intended by the gaming statute. In addition, we seek to apprise the Board of the challenges and hurdles that remain in developing the Sugarhouse site so that the Board can make a full and informed decision with respect to the request for additional time and for permission to modify the design of the casino. Thirdly, we seek an open and transparent process so that our constituents can understand the full ramification of the proposed modifications. We are pleased that Board has listened to our repeated requests and decided to move this hearing from Harrisburg to Philadelphia, where many of our constituents will now have more opportunity to participate in the process.

In order to achieve these goals, it is respectfully suggested that the Board require HSP to produce documentary evidence to support the claims made by HSP in its prior submissions to the Board, as well as during the last status hearing. In that respect, we incorporate by reference the documents previously filed with the Gaming Board in support of the Legislators' motion to intervene, as well as the responses to HSP's petitions seeking additional time and modifications of the approved development plan. In addition, the Board will of course note that the Office of Enforcement Counsel ("OEC") has also demanded that documentation to support HSP's claims regarding funding, permit status and timelines be provided to the Board before any approval is issued.

Thus far, HSP has provided absolutely no evidence to support the claims it has made regarding these important issues, and in fact has failed to address many of the issues raised by both the Legislators and the OEC. The following examples are illustrative only, and the Legislators rely on their formal submissions to this Board as Interveners, all of which are incorporated by reference herein.

#### Permitting

HSP has presented no legal authority for its assertion that no permit is required from the Army Corps of Engineers ("ACOE") for the Interim or Phase I portions of the project. Instead, it simply relies on the bald statement to that effect by Mr. McKenna<sup>1</sup>. Neither HSP nor Mr. McKenna offer any statutory support for this assertion or an opinion from the ACOE on the subject. As the Legislators point out in their Supplemental Memorandum of Law, the ACOE's own regulations do not support HSP's position.

Moreover, the District Office of the ACOE does not have the last say in jurisdictional determinations, and no formal action has yet been taken by HSP to withdraw their Section 10/404 permit application. Even if HSP does withdraw its application and the ACOE makes a final determination

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<sup>1</sup> The danger in relying on Mr. McKenna as an expert in these legal issues is clearly evident when reviewing his claim that the site is no longer subject to the federal navigational servitude. Pursuant to the relevant statute, and the ACOE's own understanding, the navigational servitude is **not** waived if the district engineer finds the particular project is not in the public interest during the permitting process. Moreover, "if the permitted activities are not completed by 17 November 2008...then the declaration of non-navigability expires." See Memorandum on Implementation of Water Resources Development Act from Director of Public Works, ACOE, December 28, 1988.

that it does not have jurisdiction over any construction on the existing uplands of the Sugarhouse site, this jurisdictional determination could be challenged in federal court.

Moreover, HSP acknowledges that Phase II requires a permit from the ACOE. Case law and the ACOE's own regulations do not permit a developer to divide its project into distinct segments in order to avoid the ACOE's jurisdiction at the early stages of a project. Any attempt to do so by HSP may well lead to a federal challenge under the anti-segmentation provisions of the ACOE's regulations.

Finally, the Board will recall that there is illegal fill in the uplands portion of the project site, which was going to be handled through the permit process. If HSP withdraws its permit application, the Permitting Section of the ACOE will transfer the file to its Surveillance and Enforcement Division because illicit fill remains on the site, and remains subject to the ACOE's jurisdiction.

Assuming for the sake of argument that HSP is able to avoid the jurisdiction of the ACOE, the design modifications will necessarily require that HSP obtain new permits from all other state and local agencies. For example, the modifications will change the treatment of the water side of the project, thus invalidating the conditions underlying prior zoning and other permits from the City. The ramifications are impossible to analyze in the absence of any actual detail as to what the waterfront will look like if HSP's proposed modifications are approved.

Similarly, HSP apparently intends to shirk its earlier commitment to upgrade and relocate the sewer and stormwater system on the property. This will impact the permits obtained from the City and Pennsylvania Department of Environmental Protection ("DEP"). Again, HSP has failed to provide any level of detail on its new plan for handling storm water run off, so the impact is impossible to evaluate. If, in fact, HSP is correct that "it is the City of Philadelphia, and not HSP, who will seek and apply for permitting necessary to complete the CSO work from the Pennsylvania DEP and ACOE," the fact remains that the project cannot proceed without these vital permits.

#### Treatment at River's Edge

HSP has yet to address what effect its decision to pull back beyond the high tide line has on the appearance of the river's edge or on access to the river. Contrary to the OEC's April 22 Answer to HSP's Amended Petition, the river's edge is not in its natural state. According to HSP, the existing waterfront contains nearly an acre of derelict piers which present an eyesore and a significant safety hazard and makes the river completely inaccessible.<sup>2</sup> HSP should explain how and when such a "vital component" of the project, a component which HSP asserted made the project water-dependent, will be addressed in the new design. Additionally, HSP should explain when and how the citizens of Philadelphia and visitors will be provided access to the river -- access that was required by the City's Approved Plan of Development and contained in the original plan of development approved by the Board.<sup>3</sup> The plan of development approved by the Board contained floating piers, with water taxi and ferry landings. HSP should explain how and when these "vital components" will be constructed in the new design.

<sup>2</sup> HSP Alternatives Analysis, 6/6/08, p. 62; HSP Response to comments, 7/28/08 p. 33; HSP Response to Comments, 10/28/08, p. 74.

<sup>3</sup> HSP Response to comments, 7/28/08, p. 33.

### Sewer Improvements

Whether the City of Philadelphia, or HSP, will seek and apply for the permitting necessary to complete the Combined Sewer Outfall (CSO) upgrade from PADEP and the ACOE, the fact remains that someone must complete the work and seek approvals – work that necessarily requires an ACOE permit. HSP has already stated that the existing CSO system is “grossly inadequate” and the CSO drainage channel in the river is ineffective and “heavily polluted.” HSP has stated that human health and the environment would be adversely impacted unless the CSO was expanded and extended.<sup>4</sup> Further, HSP has stated that until the CSO and storm water upgrades are completed, raw sewage will continue to back up into residential homes, and the aquatic habitat in the vicinity will degrade due to the introduction of contaminated sediments from the existing CSO channel and soils from the site.<sup>5</sup> While storm water from the site will not enter the CSO, the sewage from the Sugarhouse casino will enter the CSO, exacerbating the existing problems of sewage back-up discharge of raw sewage into the river.<sup>6</sup> Further, tens of millions of gallons of storm water will continue to enter the city’s CSO and treatment system each year.<sup>7</sup> HSP should explain how and when the improvements to the CSO and storm water system will take place and the timeline for completion.

### Traffic

HSP should also explain the changes to the parking plan in the proposed modification, including the increase in surface parking, changes to the main entrance, and its ownership and control of a parcel it intends to utilize lying north of the approved site. HSP has stated that should they develop only the exiting uplands, “there would be far less efficient movement of vehicles both on-site and off-site, resulting in more vehicle stacking on N. Delaware Ave which would result in increased vehicle idling and air emissions as well as adverse traffic issues for the neighboring communities.”<sup>8</sup> HSP has stated that traffic will stack up on N. Delaware Ave. and in the neighboring streets if forced to develop on only the exiting uplands.

### Financing/Revenue

HSP should provide the Board with updated forecast of revenue and evidence of firm financing commitments. HSP has stated that the design and function of a facility limited to the existing upland area would be less attractive to visitors and would generate less gaming revenue for the Commonwealth.<sup>9</sup>

### Conclusion

HSP’s amended petition lacks any level of detail concerning the proposed modifications. HSP’s Amended Petition is not supported by any documentary or independent evidence. HSP has failed to submit any meaningful response to the comments and arguments of the Legislators and the Office of Enforcement Counsel. Surely, HSP cannot be expecting that any request to this Board will be summarily

<sup>4</sup> HSP Alternatives Analysis 6/6/08, p. 61.

<sup>5</sup> HSP Alternatives Analysis, 6/6/08, p. 62.

<sup>6</sup> Id.

<sup>7</sup> Id at 61.

<sup>8</sup> Id.

<sup>9</sup> Id at 62.



granted, without any due diligence or questioning? If so, the Legislators have no doubt that this Board will disabuse HSP of any such notion, and will require details, documentation and a full response to the filings by both the Legislators and the OEC.

For these reasons, as well as those articulated in their earlier filings and those of the OEC, the Legislators request that the Board ensure an open and transparent process by requiring that HSP provide more detailed plans and information, as well as a response to the points raised, before taking action on HSP's Amended Petition for an Extension of Time or Request for Modifications.

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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

GAMING OVERSIGHT, CHAIRMAN  
INSURANCE

May 1, 2009

Pennsylvania Gaming Control Board  
P.O. Box 69060  
Harrisburg, PA 17106-9060

To Members of the Gaming Control Board:

You recently received a letter dated April 14, 2009 from Representative Dwight Evans, House Democratic Appropriations Chairman, regarding the amended petition filed by HSP Gaming, L.P. (SugarHouse). In this letter, Chairman Evans writes to support the new petition and encourages you to act swiftly on approving this petition.

What alarms me is that Chairman Evans seems to speak for the entire House of Representatives in this letter. He states:

*"In fact, I can tell you that a substantial majority of the House Appropriations Committee and the House of Representatives at large strongly support the SugarHouse project."*

This is an unsupported statement. At this time, there has not been a vote taken in either the House Appropriations Committee or the House of Representatives at large on whether or not this project is supported. I find it very presumptuous that Chairman Evans would make a statement such as this without knowing who shares his opinion.

From the implementation of the Pennsylvania Race Horse and Development Act (Act 71 of 2004) there has been plenty of controversy with both casino locations in Philadelphia. From the lack of public hearings to the on-going lack of respect of the residents of the City, it is time you as members of the Board take time to hear from these individuals and community groups to understand their concerns before acting upon the petition from SugarHouse. Your decision should be based on following correct procedures in the law and the input from the community, not the opinion of individual legislators speaking out of turn.

Sincerely,

A handwritten signature in cursive script that reads "Curt Schröder".

CC: Ms. Mickey Cane  
All House Member  
Jennifer Weeter  
Rod Corey  
Bcc: Paul Boni