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3 MR. DOUGHERTY: Good morning. How's
4 the sound this morning? A little better than
5 yesterday?

6 This isn't bad. This is about the
7 same amount of people who usually go to Sacred
8 Heart mass this time.

9 Just a little rehash on yesterday on
10 the symposium.

11 I want to thank -- I notice a few
12 people are back today -- I want to thank
13 everyone that showed up. This was a -- and
14 because I was asked a couple questions earlier
15 this morning I'm going to just take a second.
16 And my understanding, there's somewhere in the
17 vicinity of 150,000 fliers given out over -- a
18 total around 600,000 pieces -- advertising
19 this symposium through three or four
20 neighborhoods over a period of a week or so.

21 Even though I yesterday basically
22 kept this apolitical, the Senate bill 862 is
23 what drove the emphasis to get more input on
24 what was happening on the water front.

25 Now, today we have a decent amount

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2 of not only neighborhood people but
3 representatives from the I.L.A. here. And
4 it's funny, you would never -- if you talked
5 to some of the people who attended yesterday's
6 seminar, they had no idea, okay, some being
7 new Philly residents that are part of the
8 3,000 condos in Marie Lederer's legislative
9 district or some of the Old City/Queens
10 Village/Society Hill area who doesn't have the
11 same lineage or family lines in the I.L.A.
12 that people like myself and State
13 Representative Keller, having had a
14 grandfather and a father both put food on the
15 table via the port, it was real interesting
16 and absolutely proved that this was needed.

17 Because we took no time because,
18 again, we went, I think we went so far out of
19 our way to not have any political overtures
20 that we might have did ourselves a little bit
21 of a disservice by not touching a little bit
22 on that bill.

23 You know, that bill has drawn the
24 ire of a lot of people because it's worth, as
25 some people said, the greatest economic

2 windfall in this area on any one piece of
3 development other than the stadiums in years.
4 But what it does, we're not worried about who
5 owns the land, who owns the distributorships
6 on these deals, we were concerned about how it
7 affects the neighborhood. And the bill itself
8 takes out almost all neighborhood input.

9 And what happens is, for example,
10 you know, we just had a smoking ban, so now in
11 our conversation with some people from the
12 hospitality industry they say, Hey, it's tough
13 enough to compete with new hospitality
14 businesses such as casinos, people who have
15 done business with casinos in the past, they
16 say because they have a habit of early on in
17 their tenure of giving away food and beer.

18 And now you have an opportunity to smoke. So
19 it hurts the people along the line, the For
20 Pete Sake's, who transcend a whole lot of
21 neighborhoods on Front Street. Okay, so that
22 was one concern, smoking.

23 Then you talk about how
24 neighborhoods have been fighting with the help
25 of groups like SCRUB, okay, over a period of

2 years, billboards, and how it gives Delaware
3 Avenue unlimited access. And these were some
4 of the concerns that were raised.

5 Then it talks about the fact that
6 they would be free from, not only fees, but
7 any oversight of the city when it comes to
8 water and sewage. We had a series of people
9 that live -- it just happens that I'm here not
10 as a labor leader, not as anyone that has
11 political ambition, as a head of Pennsport
12 Civic Association, where I average about 30
13 calls or 30 visits a week, either between
14 myself or Bernadette Mason, about basement
15 flooding.

16 It's no longer about water in the
17 basement, it's about a health issue. Okay.
18 It's about an infrastructure issue or concerns
19 of infrastructure. Your house isn't supposed
20 to handle 12 to 13 inches of dirty backed up
21 sewer water like Mike O'Donnell has
22 experienced on the 100 block of Mifflin
23 Street. Which is in the center of Pennsport,
24 is one of the more prominent blocks we have in
25 the sense that long term families, almost

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2 every house has a multi-family -- multi-person

3 family in it, and most are fairly newly
4 renovated. Over an 18-month period I think he
5 said he had six floods of 12 to 14 inches of
6 water. That's a health issue.

7 Okay. So that's a little bit more
8 than just the Senate bill. There's no spot in
9 the Senate bill that explains about the fact
10 that there'll be no oversight. And it doesn't
11 have like a little asterisk that says, See
12 Mike O'Donnell for future information.

13 So that's why we're here. This was
14 put together because we had three legislators
15 who initially had supported gaming. Now,
16 everyone has a different view, but I'm not
17 going to speak for them, they can speak for
18 themselves. But I think they more than
19 adequately represented their district and
20 their concerns and the changing neighborhoods
21 which are in their district.

22 For example, the things that -- and
23 I bumped State Representative Keller during
24 the process yesterday because when he was
25 talking about \$150 million dollars of state

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2 money coming into the Food Produce Center,
3 most people in the labor movement say, Well,

4 I'm going to build it, most Teamsters work in
5 there, so it's, oh, it has to work.

6 Okay, well, the way that it was
7 positioned -- again, without fitting into any
8 plans here, two things happened. Yesterday it
9 was understood that they're going to put a
10 road in the middle of it, it's going to be
11 taxpayer money, and the way the road is
12 positioned it will probably hurt future
13 development of the long shore unit.

14 In the process, it also talked about
15 dumping most of the traffic onto Delaware
16 Avenue. Okay, we're talking 400 trucks per
17 morning was the number that was given to us in
18 some of preparation information. Okay, so
19 they're the type of issues that were discussed
20 yesterday morning.

21 And then we talk about the actual
22 gaming institutions. And again, I've told you
23 I've been on record wearing my other hat --
24 and I didn't talk about my other hat yesterday
25 at all. I have been on the record saying,

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2 Hey, I'm for gaming under the right conditions
3 and the right locales. I have supported all
4 type of development on the water front. But

5 you get to a point where when neighborhoods
6 are legislated out of the process, where the
7 development is once in a lifetime development
8 and you're being steamrolled over.

9 Because we had the authorities from
10 the state who told us they were given just a
11 folder about what it looked like as well as
12 traffic studies and infrastructure of the
13 casinos. We had the Streets Department
14 basically state the same thing. Basically,
15 the understanding we had that there's been
16 just a complementary sort of cavalier, you
17 know, communication process between the city.
18 So who are we, the neighbors, supposed to go
19 to?

20 So that's why we decided to have a
21 Delaware River 2015 Symposium. And the 2015
22 isn't just about the casinos. It's about, we
23 have people in the room, that as State
24 Representative Keller talked about, industry
25 and future development of the port and the

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2 need to over -- the need to expand the port
3 because of the people knocking the door down.
4 And we have people from the Delaware Valley
5 Planning Commission giving you all the cargo

6 reports on the screen and projections and all
7 that stuff. I mean, that's -- a lot of people
8 were just looking in the air. You want to
9 hear, Where's the green space? And where is
10 our access to the water front?

11 And on the other side, okay, even
12 deeper down you're starting, you're starting
13 to just -- people just want to know the
14 infrastructure off of I-95, they don't want
15 Schuylkill South. And when I asked the TIP
16 program, the Transformation Information Plan,
17 they have a 12, 15 and 30-year study, Reed
18 Street is not on that. Reed Street is the
19 access and egress that all four prospective
20 casinos on the water front have used as their
21 main outlet for transportation, for vehicle
22 transportation. It's not even on the study.

23 And when we talked about, you know,
24 they're whispering in the ear, if we do
25 something on Girard Avenue we'll have a

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2 temporary offramp. But I think we cleared
3 that up yesterday, there's no temporary
4 offramp even on the plan or nobody discussed
5 it.

6 So these were -- I think it was a

7 very interesting day. I wanted to come out
8 here early today and say, Hey, look, this has
9 purely been, you know, and the word "good
10 government" is thrown around too frequently it
11 becomes more of an adjective for political
12 campaigns. Okay. I mean, this is something
13 that has been very good because you've had so
14 many people with different interests that
15 realize that we have to work together.

16 And today we're going to jump
17 into -- we have the Planning Commission here,
18 we have one of the City Solicitor's lawyers
19 whose been involved with the gaming
20 application. And also two of them have been
21 working on the Mayor's executive order on his
22 vision for the plan for the water front.

23 And one of my concerns was, I was
24 very happy that the neighborhoods were all
25 included, but I was a little frustrated that

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2 there was nobody from the labor community
3 included. Because there's a ton of jobs.

4 And, you know, I know the Mayor and
5 the local councilman had this structured that
6 way to have community input. And we also know
7 that there's a year left to the Mayor's term

8 and that there's also council elections within
9 a year. So as much as we're being apolitical
10 here, we also have to identify the fact that
11 everybody might not be.

12 So just when we walk in here the
13 last thing I want is this not to be a
14 productive -- you know, and it's already, from
15 my opinion, it's already a much more
16 productive symposium than I even expected.
17 Okay. On a Saturday night I had five to seven
18 calls either in reference to about what
19 occurred, how come they weren't included or
20 what's happening tomorrow. It was a beautiful
21 Saturday, okay, so it was a beautiful
22 Saturday.

23 With that, I'd like to just go
24 across the table. We have a couple -- we have
25 a new addition to our front today, another one

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2 of our community activists.

3 And the way we'll handle this is
4 we'll go through -- let me read what we handed
5 out there, we'll read through -- we have Dave
6 Knapton here from City Planning and he's got a
7 few -- he has one or two associates with him.
8 We'll talk a little bit about that. We're

9 going to talk about development on the water
10 front.

11 I get the bad news to tell you, Carl
12 Primavera, who is pretty active on behalf
13 of -- he's representing community groups and
14 large development, his dad passed away last
15 night. So keep his family in your prayers.
16 And he'll be represented today here by Ron
17 Patterson, who is his protege.

18 And then this afternoon we're going
19 to talk about a couple --

20 MR. KNAPTON: We're teasing.

21 REPRESENTATIVE KELLER: He's his
22 equal, not his protege.

23 MR. GREENBERG: Carl would say he's
24 a protege, Ron would say --

25 MR. DOUGHERTY: And then this

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2 afternoon we'll wrap it up with gaming.

3 Remember, we will take a look at --
4 we will take a look at every question and if
5 we feel up here that people either submitted
6 it after the fact, that it wasn't a thorough
7 answer, because we are going to have
8 documents, we are going to have information
9 and facts of what occurred here, will be

10 available at the Pennsport office in a couple
11 days. Bernadette asked me to give her a
12 couple days to get the stuff together.

13 Any questions you have, any other
14 concerns you have, anything you think you
15 needed, any reports that you were shown
16 yesterday or slides that you think you would
17 like a peek at to compare them to either yours
18 or just to better educate yourself, feel free.

19 Significant pieces of paper that
20 were voluntarily given to us yesterday. You
21 know, just when you talk about the backed up
22 sewer, we did get a letter from the Free
23 Library, Whitman Branch which talked about how
24 they had to close because of the problem. So
25 it starts to interfere with just the way our

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2 kids live too.

3 With that, I'll go to my right,
4 Marie Lederer.

5 REPRESENTATIVE LEDERER: Thank you.
6 And thank you for being here.

7 I had reservations about voting for
8 casinos. And Bill Keller sits next to me in
9 the House. And I felt very abused by the 11
10 mega nightclubs that donned Delaware Avenue

11 for about a mile and-a-half, 11 of them. And
12 a mega nightclub was a nightclub that held
13 between 1,500 and 3,000 people a night. And
14 the neighborhood was subjected to all kinds of
15 unsocialized behavior from these people. And
16 I was like a voice in the wind trying to
17 curtail some of the activities that went on
18 there.

19 So when the casino -- when I knew
20 the casino bill was going to be coming up I
21 sent out a newsletter with a poll. And my
22 then Chief of Staff, Mike O'Brien, headed it
23 for me. And I thought, you know, that I could
24 get a lesser percent of yeses than nos. I was
25 wrong. It came back 68 percent for casinos.

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2 So that's what my people wanted and that's
3 what I voted for.

4 But I am concerned that it took us
5 ten years to get rid of those casinos and not
6 until we had four or five murders and
7 stabbings and all kinds of problems were we
8 able to one at the time close them down. If
9 these amendments go through on that bill we
10 won't be able to close them down.

11 So what happens with this bill is

12 extremely important. And I am very, very
13 happy that this symposium is taking place
14 because people have a right to know. And I
15 hope we can affect a change. Thank you.

16 REPRESENTATIVE KELLER: Good
17 morning, everybody. Thanks for being here and
18 again it's early on a weekend and you're
19 taking your time from your family to be here.
20 And as we said yesterday, we believe this is
21 an important issue. And guess what, after
22 yesterday there's no doubt left.

23 First, I'd like to thank Pennsport
24 and Whitman for coming up with this idea and
25 approaching us with it. Usually you hear that

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2 we're going to have the meeting, we'll get
3 together, absolutely we say yes, we'll get
4 together. This is probably the best run,
5 outside of the legislative hearings,
6 neighborhood-run function that I've ever been
7 associated with. And yesterday I think,
8 again, reiterated what we were here and what
9 we were trying to accomplish here.

10 Yesterday we learned that basically
11 there is no plan. We started out yesterday --
12 I started out yesterday by saying if we do

13 this the right way, we slow down and take our
14 time, we could develop this water front the
15 way it has to be developed. There's room
16 along the water front for the residential
17 condo development that's going on. There'll
18 be room for the commercial development. And
19 more than ever we need to sit down and protect
20 the port industrial.

21 That is why, that is why the city of
22 Philadelphia is here. 200 years ago, 300
23 years ago when they settled here it was
24 because of the river and that's why
25 Philadelphia is here. It's still that

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2 important, we have to take that into
3 consideration.

4 We learned yesterday that there
5 was -- there's plans on the board now that
6 will absolutely be detrimental. And that's
7 one of the things we have learned that not
8 many people know about. We've decided,
9 Representative Taylor and Lederer and myself,
10 that we're going to send a -- and
11 Representative Taylor is rehashing it right
12 now -- we're going to send a letter to the
13 Secretary of Transportation, Tad Dechert. We

14 need more answers before we move forward,
15 before we just, as we say and as I've been
16 saying the whole weekend, try to jam a square
17 peg in a round hole. To me that looks like
18 what's going on here.

19 We're going to go back tomorrow and
20 go to our colleagues and go to our prospective
21 caucuses and go to our respective leaders in
22 the House and say that this Bill 862 as it
23 stands has to be slowed down so we can take a
24 look at it or it has to be changed. It's
25 going to be impossible for us to vote for the

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2 bill the way it is now. It is detrimental,
3 not only to the water front but to the
4 neighborhoods associated with the water front.

5 So I would again like to thank
6 Whitman and Pennsport and all the other
7 neighborhood groups that participated in this.
8 This turned out much better, I believe, than
9 anybody expected. And I guess we're going to
10 have to have more of these since this is so
11 successful. So once again, thanks for your
12 participation and I think we'll have another
13 good day today. Thank you.

14 REPRESENTATIVE TAYLOR: Thank you,

15 Bill. Good morning, everyone. I am
16 Representative John Taylor, I represent the
17 community just north of here. And I am also
18 Chairman of the House Urban Affairs Committee,
19 and have been so for quite a few years.

20 One of the challenges of a Committee
21 Chairman is to prepare your committee members
22 and the entire House when any piece of
23 legislation or groups of legislation comes
24 before us. And one of our challenges is to
25 get the proper people in front of us to inform

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2 us and to organize that. And that's very,
3 very difficult and a big challenge for our
4 staff.

5 But what we -- with John Dougherty,
6 he really has been able to put together here
7 with the folks we had to listen to yesterday
8 and today is incredible. And I, like many of
9 you, really didn't look forward to working my
10 entire weekend. However, I was very excited
11 about what we learned yesterday and couldn't
12 wait to get here this morning.

13 While it was alarming about what we
14 heard from PennDOT and the Delaware Valley
15 Regional Planning Commission and the Streets

16 Department about having absolutely no plan in
17 place, no adjustments are on the board, they
18 are behind on the projects they're ready to
19 build now, and the fact that there has been
20 very little, if any, discussion or formal
21 discussion was something that we certainly can
22 use I think, is a good reason why we need to
23 slow everything down.

24 And as alarming as that was, and
25 what was even more alarming was what the Water

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2 Department and DEP had to say afterwards. We
3 think that the traffic planning is poor, wait
4 until you get into the water and sewer
5 problem. So we were very fortunate to have
6 that information.

7 As Bill was saying, we're all
8 playing around with the letter right now to
9 the Chairman of the Gaming Control Commission
10 as well as PennDOT.

11 I had a discussion on the way up
12 with Ed Goppelt from Hallwatch about, Don't
13 you wish you had done this earlier? And then
14 he says, Well, I guess this is how sometimes
15 this process works. And it's certainly how
16 the legislative process works, unfortunately.

17 Everything comes into a funnel and happens
18 real quick at the end. It's almost a military
19 type of model.

20 But as a result of this and some
21 other discussions we've had with community
22 leaders we are fully engaged and fully
23 prepared for this week to take 862, certainly
24 hold it up like we did last week, open it up
25 for amendments and try to put some common

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2 sense provisions and take away the absolute
3 greed and arrogance of the casinos that was
4 put in this version of 862. And I'm confident
5 we're going to do that.

6 And I think not only are we going to
7 do that, we're going to go way further than
8 that. If they can legislate absolute details
9 and run over a community, we're going to try
10 to legislate details that give them some
11 rights right in the state legislation. So
12 that would be our challenge this week. But
13 our two days here have certainly helped us
14 prepare for that.

15 MR. LEVINS: Good morning, everyone.
16 My name is Rich Levins and I serve as a
17 volunteer as President and Chairman of the

18 Board of New Kensington Community Development
19 Corporation.

20 As many of you may know, New
21 Kensington CDC is involved in various
22 initiatives. We are involved in zoning, we
23 clean and maintain lots and brown fields. We
24 build moderate income housing and recently one
25 of the things we're most proud of is we were

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2 able to get historic tax credits where we took
3 a five-story abandoned factory in East
4 Kensington and renovated it and we won the
5 prestigious Historic Preservation Award.

6 My hope that in this symposium and
7 other initiatives is that, I'm sure most of
8 you have visited Old City at one time, visited
9 the Schuylkill River water front or visited
10 the Parkway and at one point said to
11 yourselves, Wow, these people who put this
12 together, planned this, these visionaries
13 really did it right. And my hope is that in
14 2015 or 2020 that, you know, people who visit
15 the water front will have the same reaction
16 and say, Wow, the people involved in this, the
17 leadership at that time really did it right.

18 And I know there's no such thing as

19 perfection, but ultimately I hope that the
20 water front -- and I recognize it will not
21 just be recreation, it will be residential, it
22 will need to be commercial as Representative
23 Keller said, but a perfect blend of all three
24 I think is the ultimate goal that all of us
25 will be satisfied with.

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2 MR. SHALLCROSS: Thank you, Rich.
3 I'm Herb Shallcross, President of
4 the Fishtown Neighbor Association. We
5 facilitate communications between the
6 neighbors in our area and city agencies such
7 as the Zoning Board of Adjustment.

8 Everyone -- well, I have known for
9 25 years that the expectation was that
10 Fishtown would be gentrified, it would be
11 developed. The obvious potential of plans
12 east of Delaware Avenue, east of I-95 and
13 Fishtown has been obvious for 25 years. Now,
14 that development logjam is broken. The 25
15 years people could have been spending to lay
16 the underpinnings for that development have
17 been wasted. There's really no comprehensive
18 plan for anything there.

19 We're here to talk about

20 infrastructure. You heard from people from
21 the Water Department. I'm not an engineer,
22 it's not really my area, but if you look at
23 the telephone, the electric power, cable,
24 television service in Fishtown, it's almost
25 all on poles above ground. For 40 years

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2 communities have been getting away from that.
3 And, you know, the opportunity to do that has
4 been wasted.

5 Now, it's very exciting that we come
6 here. We have to get on top of this. It's a
7 clean slate. And everyone let the dollar be
8 made inscribed on your corner of that clean
9 piece of paper. Because no one's laying out,
10 though, any overall design or picture, and
11 that has to take place now.

12 MR. RUBEN: Hi, my name is Matt
13 Ruben, I'm with the Northern Liberties
14 Neighborhood Association. I'm also a
15 co-convener of the North Delaware Casino Unity
16 Coalition which consists of a large number of
17 civic groups up and down the river, represent
18 and serve approximately 200,000 taxpayers.
19 And we are part of a movement that's happening
20 along the river and elsewhere in the city

21 recently to increase the attention on
22 planning.

23 We have initiated our own
24 neighborhood plan that we completed last year.
25 We've initiated an addendum covering the water

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2 front in our neck of the woods. And other
3 civic associations, including New Kensington
4 CDC, are also undertaking their own planning
5 initiatives because there has been a really
6 palling vacuum not really in the will to do
7 plans in this city, although that's part of
8 it, and really no political will to implement
9 them and make them have teeth.

10 There is a Planning Commission plan
11 for the river front. It's, I believe, 24
12 years old so it's out of date at this point.
13 But it was done. And have been other visions
14 articulated by public and private entities in
15 intervening years, but there's been no
16 political will to coordinate these and get
17 them done.

18 And I think we're as, and others
19 have said, I think we're really at a place
20 where we need to get those things implemented,
21 not only to do plans right, but we also just

22 need to do them. And I hope that meetings
23 like this can be a spur to break the apathy
24 that has prevented us from getting things done
25 for our river front.

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2 And I don't know if it's fitting or
3 not that the, apparently the casinos who were
4 supposed to be represented here this afternoon
5 have pulled out, because any plan that's going
6 to happen for the river front is going to have
7 to happen around casinos. Because I can't
8 imagine a worse planning idea than putting big
9 boxes with no windows on a river.

10 So I think we're facing real
11 challenges of planning around what's already
12 on the river and what's already planned for
13 the river. But I still think that there are
14 opportunities remaining for us to preserve a
15 lot of what we need to preserve about the
16 river and make it a truly mixed use and
17 publicly open area.

18 MR. DOUGHERTY: Thank you.

19 What we'll do is, again, just if
20 you're comfortable with it, we will treat this
21 as if it's a round table and we're just having
22 cross talk. Just raise your hand. And,

23 again, if you're comfortable, identify your
24 name, purely for the stenographer, so we know
25 who said what.

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2 What I'd like to do is start off
3 with City Planning. And I know that Kevin
4 Greenberg, who is the Law Department's
5 representative on the gaming and water front
6 development process, he's on a little bit of a
7 time frame here.

8 So Dave, I'd like to start off with
9 just asking you, earlier this week the Mayor
10 outlined a plan for the Delaware River Front,
11 Penn Praxis is the lead group here, could you
12 just explain the role here of the Planning
13 Commission in that process and what your
14 understanding of what occurred this week?

15 MR. KNAPTON: Very briefly, and I'll
16 pass this on to Kevin, who is with me here.

17 My name is David Knapton. Is this
18 going to be too loud? Am I booming you out?

19 MR. DOUGHERTY: Not at all.

20 MR. KNAPTON: The Mayor's executive
21 order, which Kevin will describe, enumerates a
22 set of tasks, the leadership of the Executive
23 Director of the City Planning Commission, to

24 study the water front and come up with
25 recommendations. And there are all sorts of a

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2 deadlines, the drop dead date in 2009.

3 This is important, not the date, but
4 the action. The comprehensive water front
5 plan. Matt Ruben mentioned a 24 year ago set
6 of studies which are still good documents of
7 the entire water front from Poquessing Creek
8 all the way around the Delaware and up the
9 Schuylkill up to Flatrock Dam and past there
10 to River Road in the northwest. These were
11 done with state money to study water front
12 assets and so on. This was done in the early
13 eighties, 1980 to 1984.

14 And those documents, good as they
15 were, separate the city into separate
16 districts. And the unintentional result of
17 that is that people tend to think about one
18 section, another section and not relate them.
19 So for example, the Delaware water front is
20 North Delaware, Central River Front, South
21 Delaware, three different plans with, to my
22 mind, arbitrary boundaries between one section
23 and the next.

24 In the defense of the planners, I

25 was there at the time, you can say, well, you

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2 can't do it all at once, you do have to have
3 some workable way to divvy things up. I'm
4 going to step back just for a moment before
5 passing this on to Kevin and talk about,
6 though, the impact of dividing things up.

7 The city was first designed and
8 founded by William Penn in 1683, not with an
9 ideal plan, a grid on totally clear ground.
10 And you all know the story, you have all heard
11 it in school, about the five squares and the
12 street grid and so on and so forth. This has
13 an impact on the water front because that's an
14 east-west orientation. It's an ideal plan in
15 which the water front is only part.

16 And I think we all know the reality
17 of the ideal, of the real side, is that from
18 the 1600s onward the city developed on the
19 water front, not in -- only incidentally in
20 William Penn's mind. So the places like Old
21 Swedes Church, which antedate William Penn, or
22 streets coming down to the river, Germantown
23 Avenue coming down or Poplar Street from the
24 north or Christian Street and Carpenter Street
25 in the south. All way antedate things like

2 Rittenhouse Square.

3 So that's the real side of
4 Philadelphia growth. And it grew along the
5 water front. And we've seen the same thing in
6 the present day where we've made -- the city
7 has made great plans for Penn's Landing and
8 decade after decade has revised the plans for
9 Penn's Landing, part of the William Penn grid
10 of Center City, not the whole harbor.

11 And in the meantime, with the
12 development of Christopher Columbus Boulevard
13 and the repaving, lots and lots of development
14 north and south of Penn's Landing,
15 irrespective of whatever the Planning
16 Commission has said in 1970 and 1980 and so
17 forth.

18 So I'm telling you this long story,
19 which you know, because it's important as a
20 way of thinking, well, how are we going to
21 deal with the new phenomenon of casinos as
22 well as low interest rates and tax abatements
23 taking such an incentive to develop anywhere
24 in the city and especially along the great
25 wide road such as Christopher Columbus

2 Boulevard. Anywhere from Port Richmond and
3 St. Ann's Church on Allegheny Avenue down to
4 the wharf, down to south, say, Oregon Avenue.
5 And that becomes, to my mind, a unitary kind
6 of district, not something to be separated out
7 as separate parcels.

8 This very important point for the
9 south water front and also for the north of
10 specialized port facilities in making sure
11 those are as modern as possible. But that,
12 given that mileage that I've just enunciated
13 from Lehigh to Oregon Avenue, it's clearly
14 mileage enough for everybody to play.

15 Okay, that's the background comment
16 I want to make. And I'll pass it on to Kevin.

17 MR. GREENBERG: Thank you, Dave.

18 Before I start I just want to
19 commend John and frankly all the
20 Representatives for spending their time and
21 their efforts to set this process up.

22 I've only been involved with
23 planning along the Delaware River for about a
24 year and-a-half now since I started working on
25 the gaming project for the city, Gaming Task

2 Force. And the amount of development in that
3 year-and-a-half has been astounding. The
4 growth and plans that are coming for the next
5 year-and-a-half is even more astounding. And
6 the need for this symposium, this type of
7 effort is manifest, which is a large part of
8 why the Mayor issued the executive order this
9 week that he did.

10 Throughout the process of gaming,
11 first in meetings convened by Councilman
12 DiCicco with Matt and Herb and Bernadette and
13 all the folks who were represented in this
14 room -- well, first we did it as a task force
15 ourselves, and then with councilmen went out
16 to the community groups to try to find out
17 what they were doing in terms of open
18 discussions with the casino applicants. And
19 that led to a sense of involvement on my part
20 when we hopefully roll this out with other
21 people as a certain Delaware order.

22 What the Mayor did this week -- and
23 I'll just touch on that briefly before I would
24 like to say a couple things to the
25 Representatives on 862 on behalf of the city

2 and on my own behalf as well. What he did

3 this week was to set forth a process where
4 we're going to get a comprehensive master plan
5 for the Delaware from Allegheny south to
6 Oregon.

7 The Mayor's vision on this is very
8 clear. And the reason we picked those
9 boundaries simply is because other plans, and
10 relatively recent plans, were placed above
11 Allegheny and then in between the port and
12 PIDC below Oregon. So our attempt is to try
13 to fill the gap in plans that have been done
14 this decade.

15 And the Mayor set forth a series of
16 reasons for him doing so and I'm just going to
17 touch on them real briefly. Excuse me if I
18 walk down them.

19 First, obviously, the New River City
20 Initiative is how we're talking about what's
21 happening on the water. But as we all know,
22 this is not only an issue of the city, but
23 something that's been driven by market forces
24 and we're working with them.

25 The 24-year city plan was developed

2 and the need for the new plan to include
3 residents, businesses and frankly the broader

4 public interest of folks who want to use the
5 water front to have access to open space,
6 whether you live one block from the river, as
7 many of you do, or 20 blocks, as I do, the
8 idea is that all folks in the city want to get
9 access to this beautiful river and use this
10 river front. And to include them with that,
11 the fact that we're going to have this
12 commercial development. And we need to do
13 that.

14 So what the Mayor set up was a
15 program that has two components -- three
16 components, the first of which is Penn Praxis,
17 a consultant for whom we have identified
18 probable funding. It's foundation type
19 funding, but it's not going to be done until
20 it's done with the foundation's support. But
21 the city is going to backsoft that as
22 necessary to do a plan, create a master plan
23 that will be directed by the other two
24 components of this, which are the Advisory
25 Group as a whole group, and then a Steering

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2 Committee within that group.

3 And to those boards the Mayor
4 generally appointed the various stakeholders

5 who live here, but not the interest groups and
6 trade groups, be they business or labor, who
7 we expect will be forming this process
8 throughout. It is dominated by community
9 folks and community business associations and
10 local representatives with the Planning
11 Commission as the lead for both the Advisory
12 Group and the Steering Committee.

13 And within that Advisory Group there
14 is going to be a Steering Committee of nine
15 people. Only two of whom are representatives
16 of the City, Planning Director and the
17 Commerce Director. The other seven members
18 are going to come essentially from the
19 community.

20 We were told one of them is going to
21 be a District Council Member. There's going
22 to be one representative of the Business
23 District, be it Center City District, Head
24 House Square, South Street or Old City. One
25 representative from the Chamber of Commerce.

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2 Three representatives from community
3 groups which we have designated the community
4 groups themselves get to select from amongst
5 their leaders, which the only thing the city

6 has asked is that you pick geographically
7 diverse representatives. Well, and we also
8 want folks who can give their time as
9 necessary. But our only requirement is that
10 within this area they pick geographically
11 diverse representatives. But we expect the
12 communities to pick their own folks.

13 Same things goes for the business
14 district, for that matter. One City Council
15 Member from the two District Council Members,
16 Councilman Clark, Councilman DiCicco, who
17 represent this area, notice to the Commerce
18 Director.

19 Those groups will do what they need
20 to do to meet, they will report and we have
21 said that every one of their meetings will be
22 open to the public, everyone. We want this to
23 be a full buy-in process that really speaks
24 for the neighborhood.

25 Because this plan, as Mr. Dougherty

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2 indicated, is only as good as what -- the
3 Mayor has only got a year and-a-half left,
4 this plan is only as good as the plan is good.
5 If the plan is good it will live and it will
6 send and it will last well into the next

7 administration. And the next Mayor, whoever
8 it may be, will walk in and look at this plan
9 and say, This is a plan that I want my
10 Planning Commission to adopt, and it's a plan
11 that I want my Commerce Director to promote
12 and I want my neighborhoods and my Managing
13 Director and my neighborhood offices to
14 promote. And I want to make this plan real.

15 And that's our goal here, is to have
16 it be a plan of the neighborhood and of the
17 city's needs, be they commercial, be they
18 infrastructure or whatever. And that's sort
19 of where we're going on that.

20 The one problem we have with this
21 plan, frankly, in our process is that it's on
22 a time line that while we hope to have it done
23 in the next 12 months, that's not fast enough
24 for gaming because the state has dictated to
25 us what's happening and when. So towards that

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2 end, the city is doing what we can to be ready
3 for gaming.

4 And frankly, I think we are doing
5 better than anybody else in the state has
6 done. We have a Commercial Entertainment
7 District Zoning Board now that lays it out

8 what we think needs to happen to make this
9 work for the communities. And it's a new
10 zoning bill that is specific to gaming.

11 We at the Philadelphia Gaming
12 Advisory Task Force which produced a 479-page
13 report, I was proud to be part of the process,
14 www.phila.gov/gamingadvisory, if you haven't
15 seen it, it's there. And it lays out exactly
16 the issues including the water and sewers,
17 including the traffic, that we knew the city
18 was going to face. We published that a year
19 ago this month and it's been out there. And
20 we would urge the Representatives to use that
21 as a club as necessary on 862 because we are
22 ready.

23 The Mayor did not support or oppose
24 gaming. He did not pick to have it come here.
25 That was done for us by the state. But he is

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2 committed that if it comes, and it is coming,
3 that we are going to be ready to do it right.
4 And we're going to be able to do it right in a
5 way that works for our communities and our
6 neighborhoods. And that's our agenda here.

7 And that's what the Commercial
8 Entertainment bill does. And that's what 862

9 cuts right at the heart out. It targets
10 Philadelphia without justification and goes
11 right after us. And frankly, we don't quite
12 understand the reason. There doesn't seem to
13 be a good reason.

14 Because we are ready to make gaming
15 come in and make it work, we've established a
16 process that will allow gaming to happen fast
17 without the perennial ZBA hearing process.
18 We've created a forum for public input into
19 the plans. But once they're approved there
20 are not appeals. It's an as-of-right permit.
21 There's no ZBA appeal from that right.

22 Then there's -- you know, I don't
23 know if Mr. Dougherty went through the whole
24 list of things that are wrong with the bill,
25 I'm not going to do that here. But just to

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2 say the city believes that this bill in its
3 current form, the preemption language, all of
4 the Philadelphia charting language is just
5 patently absurd or unacceptable. We are ready
6 to do it right. We are better ready than any
7 other community in the state.

8 Frankly, we're better ready than any
9 community that's ever not had gaming, but know

10 when it's coming. Nobody else has ever got a
11 report like we've used. That report's being
12 used as a textbook by gaming professionals in
13 Nevada this year. So we're ready for this and
14 we intend to do our part and we hope you can
15 sell your colleagues on that.

16 And with that, I'll turn it over to
17 Ron.

18 MR. DOUGHERTY: Ron, why don't you
19 just hold up and we're going to talk a little
20 bit more about development, if you don't mind.
21 We'd like to stay on the Planning Commission
22 the water front, the new initiative at Penn
23 Praxis. If we can hear some questions from
24 people in the audience, there's some questions
25 at the table.

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2 MR. PATTERSON: John, I'll be able
3 to give you my view of how I think this
4 legislation will work and how it takes the
5 specific group and the community right out of
6 it.

7 MR. DOUGHERTY: Okay. And there's a
8 couple other later -- we have a list of
9 questions. People just want to -- you know,
10 people are here just to understand the process

11 too. You've represented community groups and
12 you've also represented large developers. So
13 you can explain how the process develops and
14 who's involved and, you know, the formulas,
15 the appeal process, the Commonwealth core
16 process, the whole nine yards.

17 On this, the Planning Commission,
18 just to follow-up to my initial question, what
19 exactly does the Planning Commission see its
20 role? Will you be lead position or just part
21 of a support team for Penn Praxis?

22 MR. KNAPTON: Well, the lead
23 partner --

24 MR. DOUGHERTY: I'll call them P
25 squared from here on in.

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2 MR. KNAPTON: The lead partner, the
3 executive director, will be the chairperson of
4 both the Steering Committee and the broader
5 Advisory Committee.

6 So in terms of the momentum, keeping
7 things moving, knowing deadlines, reminding
8 people of the importance of key topics, it's
9 fair to say that that person who is the lead
10 person will help to shape the way in which
11 everybody's opinions together are grouped and

12 expressed.

13 And also we're looking for a
14 deadline. So part of the lead position job is
15 simply going to be meet deadlines. Woody
16 Allen made a joke about that, but it's really
17 very serious about, you know, being there.
18 Absence is a loss, absence or meet failing
19 deadlines. I'm being very general because at
20 this point the tasks and the goals aren't out
21 there. So you can see why.

22 MR. GREENBERG: One of the key
23 components in how we set up this executive
24 order, that the Steering Committee gets to
25 steer and advise this process. And one of the

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2 things now that we've announced this group on
3 Thursday is that fairly shortly, probably this
4 week, the Planning Commissioner will be
5 reaching out to the various groups to convene
6 them, allow the neighborhood groups to select
7 their own representatives to the Steering
8 Committees and how we get there. But the idea
9 is to let that group dictate the process
10 entirely.

11 We know this has to happen within 12
12 months. Praxis has a general work order but

13 they want to know specifics. And frankly,
14 they have been directed by the Mayor and they
15 will be directed by the folks who fund them to
16 follow the lead of this community-dominated
17 Advisory Group and Steering Committee.

18 And the reason we pick the Steering
19 Committee is you need a group of seven or nine
20 or 11 or whatever people, it's nine we picked
21 in this case, to manage day to day what's
22 going on. You've got lots of leaders who are
23 involved, but we want them to have a smaller
24 group they can go to with every little
25 question. And now we've got that group, or we

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2 will have it once they're picked.

3 But the idea is to let that group
4 tell them what their little steps in the
5 process are. We told them they have to have
6 public hearings and you have to make public
7 input. Where you hold them, how you hold
8 them, frankly that's the kind of thing we want
9 the Steering Committee, which is going to be
10 community-dominated, to select.

11 MR. DOUGHERTY: In your opinion is
12 this something along the lines of the North
13 Delaware plan, the New River City plan?

14 MR. KNAPTON: I'll give two
15 examples, the North Delaware being one, in
16 which a plan for a long distance area starting
17 in Bridesburg and going up was reviewed by
18 technicians and reviewed by every community
19 group and elected officials.

20 The other example is an urban design
21 study on the Schuylkill River, not on the
22 Delaware, but fairly recently with the
23 underwriting of the Schuylkill River
24 Development Corporation. And that was a kind
25 of a visioning process of looking at our

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2 Schuylkill from basically Bartram's Gardens to
3 the mouth of the Schuylkill. And allowing a
4 lot of people from a lot of different parts of
5 the community on either side of the Schuylkill
6 River to come and have input on what they
7 thought they wanted to see and what would be
8 the impact of what they asked for.

9 So that consultant then gave three
10 very broad pictures, three very broad
11 scenarios. I'm not going to go into detail on
12 that, that's not today's meeting. But the
13 point is, the mandate to that consultant and
14 the product that we got as an end result was

15 very useful. It was a reflection of public
16 sentiment and it turned that public sentiment
17 into, well, what are the costs for these
18 various options?

19 I think that's one of the kind of
20 products we can expect from the Penn Praxis
21 process. I think I can say that even without
22 having, you know, a document and working plans
23 and so forth in hand.

24 MR. GREENBERG: I would also add,
25 the seven of you are all members or your

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2 associations can select members to serve on
3 this committee. So a lot of what the shade of
4 this committee is is going to be set by what
5 you want.

6 MR. DOUGHERTY: For example, the
7 North Delaware plan, they had a provision in
8 it, they were not-profit for land acquisition.
9 Do you foresee something like that coming out
10 of this?

11 MR. KNAPTON: Any number of kinds of
12 land acquisition might be entertained. For
13 example, we've used urban renewal process.
14 Now the state law has altered that very
15 recently. But for this purpose a lot of land

16 along the water front is already in black
17 certified areas so we can already use existing
18 ordinance for that.

19 MR. GREENBERG: I would also add
20 that Penn Praxis's work plan includes
21 implementation phase that they're going to
22 recommend. And given what we've all heard
23 over the last year along the water front, I
24 think it's safe to say that we all assume some
25 form of non-profit or some sort of other

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2 entity or include the expansion of these
3 existing entities or some sort of structure
4 along those lines will be adopted.

5 But again, this is where we think
6 that there needs to be some entity, but the
7 exact shape and composition and how it's
8 developed needs to be created through this
9 process. And the hope is that guided by the
10 advisory group Penn Praxis will recommend
11 something that sometime in 2007 we can make
12 real.

13 MR. DOUGHERTY: State Representative
14 John Taylor.

15 REPRESENTATIVE TAYLOR: Thank you,
16 John.

17 Kev, and to you and the Mayor, good
18 luck with that process. We'll be glad to
19 participate. But good luck over 12 months. I
20 hope you don't get the same reaction as I got
21 and the District Councilman got on Thursday
22 when the very groups you're talking about
23 threw out the District Councilman out of the
24 meeting and tried to throw me out of the
25 meeting. So the open transparent process is

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2 required, and we're doing something. But when
3 the community groups want to have their own
4 thing without any elected officials in the
5 room, it's pretty worse.

6 I'll just make another editorial
7 comment that you said that the city is well
8 prepared to have the ability to go ahead and
9 move forward with the Zoning Board of
10 Adjustments, et cetera. If they had that
11 power, let's hope that that would not be as
12 abused as it has been in the past. Let's hope
13 we don't have this crazy archaic system where
14 the District Councilman has total veto power
15 over anything that's done.

16 So there is a history in why at
17 least the legislature has decided to do that.

18 As I said in the last week based on the latest
19 arrogant bite that was taken out on 862, that,
20 you know, if I have a shot at giving you
21 zoning back, I will. However, it has to be
22 done the way it's supposed to be done, the way
23 it's laid out in the code and things and not
24 with these defacto processes that are used.
25 So all we're doing if we used the process that

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2 we've always used, is take it out of the
3 Gaming Board and putting it in the hands of
4 one Councilman.

5 MR. GREENBERG: That, sir, is why
6 with Councilman DiCicco's help, in fact, we --
7 the Gaming Task Force back last year when we
8 were looking at this issue, drafted a proposed
9 Commercial Entertainment District ordinance,
10 with the Planning and Law Department's help,
11 amongst others, that would create a specific
12 process for large scale entertainment
13 projects.

14 There really weren't -- you know,
15 I'm the president of a civic association, and
16 again, when some guy wants to build a fence a
17 little bit higher than it is, you don't want
18 to have all the Council involved, you need a

19 point person.

20 But this is not that. This is
21 something larger. And our process with this
22 was to put the Planning Commission in that
23 spot, the one who sort of makes the
24 recommendation and go directly to Council.

25 This bill, this Commercial

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2 Entertainment District Ordinance, which became
3 law in March, is only targeting those large
4 scale developments. And through a process
5 that has community input, but at the front
6 end.

7 And frankly, I'm happy to give you
8 as much information as you want tomorrow, I'll
9 give you my card before I leave, call me,
10 we'll work with you so you have the
11 information about what we got in law here in
12 Philadelphia.

13 REPRESENTATIVE TAYLOR: Oh, I have
14 that. What I would like to ask all three,
15 actually, if Ron wants to chime in here, if
16 any of you have completely absorbed 862 in its
17 present form to explain to this panel the role
18 of the Commercial Development District or
19 Commercial Entertainment District, that it's

20 been sort of incorporated into the bill. Is
21 it? Isn't it? Is it? I know it's law in
22 Philadelphia. It sort of absorbed it into the
23 Gaming Commission process, but not really.
24 So I would like from a legal point
25 of view what you think the effect of that is

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2 and how strictly it is under the current
3 version of that bill that the Gaming Board
4 would have to adhere to that or not adhere to
5 that.

6 MR. PATTERSON: I think the key --

7 REPRESENTATIVE TAYLOR: Maybe just
8 for the audience go through that again, if you
9 would, about how that's a part of it.

10 MR. PATTERSON: Sure. I mean, I
11 don't know all the particulars, but I think
12 the key is whether the input from the Steering
13 Committee is binding. I represent developers
14 but I also come from a civic background. And,
15 you know, when you do these large scale
16 developments, pretty much half of what you're
17 looking at, if you have any kind of
18 conscience, is what the impacts are on the
19 public health, safety, welfare and traffic.

20 And there's certain uses that even

21 the legislature has deemed that require
22 additional consideration. And they're under a
23 group of regulated uses under the Zoning Code
24 which has things like massage parlors, pawn
25 shops, pool halls, go-go bars, which the

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2 legislature has determined that these uses
3 bring secondary impacts around in the
4 neighborhood with increased crime,
5 prostitution, drugs, et cetera, that they then
6 send to the Zoning Board.

7 And whether that's good or bad. But
8 it gives the -- going to the Zoning Board is a
9 public forum and gives the opportunity of
10 neighbors and civic groups and elected
11 officials to voice their opinion. And if it
12 doesn't meet those standards the Board can
13 deny the applications.

14 So with that said, you know, this
15 legislation to me takes all that public
16 process, for the most part, out of the hands
17 of the neighborhood groups and the civic
18 groups and rests it with the legislature, of
19 course. But I think with the Steering
20 Committee it would have to be binding what
21 their comments are, what their opinions are.

22 And I gave you one example. Where I
23 lived in Southwest Philly the U.S. Postal
24 Service was relocated. And while they met
25 with us about what our concerns were, we

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2 really just got lip service. We had a
3 Steering Committee. In the end they vote
4 their sovereign immunity in saying, well,
5 we're the federal government, we don't have to
6 follow or get any permits or approvals.

7 So our concerns about traffic and
8 impact, noise, lighting, et cetera, they
9 pretty much ignored. And so we were inundated
10 with 60,000 truck trips a week of tractor
11 trailers and delivery trucks going in and out
12 of the postal service.

13 So, again, I think what it comes
14 back to is whatever the input is has to be
15 binding.

16 MR. GREENBERG: Representative, I
17 think that's a story that's being told a lot,
18 is that they have adopted the provisions of a
19 Commercial Entertainment District. And with
20 two very limited examples, it's just not true.

21 Let me walk through what we would
22 call sort of the high points of the

23 development, the rules that we created for the
24 Commercial Entertainment District and I'll
25 tell you what they do on the current version

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2 of 862.

3 Actually, to be fair, I don't know
4 if this is the version of it if there was any
5 amendments on Thursday. But the version as of
6 Wednesday, was the last time I looked at it.
7 I don't think anything's changed.

8 Regulated uses that Ron was talking
9 about, we prohibit regulated uses, strip
10 clubs, massage parlors, whatever, with two
11 exceptions which are video game arcades and
12 pool halls, which we felt while they're
13 regulated uses under the code are appropriate
14 for casinos. Regulated uses are completely
15 allowed under the new rules. And in fact, the
16 existing city rules prohibiting regulated uses
17 are struck.

18 Billboards. We have rules that
19 allowed them to have on-site limited
20 billboards. A lot of billboards still, I
21 mean, because it's a casino and you want to
22 promote it. But they were limited in size,
23 they could not be flashing, they could not be

24 neon, they could not be illuminated, they
25 could not be rotating.

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2 For the four casino sites along the
3 river they were limited to 20 feet above the
4 roof line, I believe it was 30 feet in the
5 last version, but a limited high above the
6 roof line.

7 MR. PATTERSON: I guess that's so
8 you could view it from I-95.

9 MR. GREENBERG: So you could view it
10 from I-95, you could view it from the bridges.
11 But at the same time we didn't want to
12 obstruct the views of the whole community and
13 all the highrises housed on the water. I
14 mean, we didn't want them to become towering
15 behemoths. And we also said that they could
16 do -- could not be rotated, illuminated and
17 they had to be accessory, which means they had
18 to advertise the casino.

19 What the state law -- what 862 now
20 says is this, they basically increased by five
21 the amount of billboard signage they could
22 have, which is above what we thought was a
23 very generous allotment.

24 They specifically allow illuminated,

25 flashing, animated and neon signs. So we're

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2 talking about Las Vegas type signs. They
3 allow non-accessory signs, which means you can
4 have illuminated, flashing, neon signs for
5 something that's not the casino. Plus the guy
6 who happens to own the casino can make a lot
7 of money selling signs on his roof.

8 And there's absolutely no height
9 limit on those signs. Although, we did have
10 that on Delaware. We did not before the Trump
11 site location because we didn't think there
12 was a public purpose to allow access to the
13 river in terms of use the way there is down
14 here up there. But near the river we thought
15 that was appropriate so we did that.

16 Parking. We had initially said four
17 spots for every five gaming spots. Four
18 parking spaces for every five gaming spots.
19 And this is -- the last version of 862, this
20 is the change they adopted to meet our
21 standards. They went from one every ten to
22 four for every -- to eight for every ten. But
23 that's what the industry wants.

24 We picked eight for ten because the
25 industry says this is what we need on site to

2 avoid sending cars through the neighborhood.
3 We want that. So since the industry wants it,
4 we were willing to do that because that made
5 sense. Like I said, we don't want these cars
6 in the neighborhood, that is one provision
7 that is matched in this new version.

8 Height. We had a limit on height.
9 It wasn't -- I mean, it wasn't a small limit,
10 it was 200 feet. I mean, it wasn't like we
11 were being absurd here. But you would need a
12 variance if you wanted to go above 200 feet.
13 That's gone in 862.

14 Lot coverage. We had said that they
15 could only cover 70 percent of the lot. 862
16 says 80 percent. That's better than 100
17 percent they had in the last version of 862,
18 but it's still not there. 70 percent is a lot
19 higher than what we have.

20 And just for a real quick thing on
21 lot coverage, because these are river front
22 properties all of the water will drain, to the
23 extent they cover the lot, into the Delaware
24 River. Which means all of our measures and
25 all of our efforts to handle that water will

2 not be applied.

3 And because the City of Philadelphia
4 is treated as a single whole, to the extent
5 that these casinos are allowed to have massive
6 runoff into the river that's untreated and has
7 a lot of particulates in it, the burden on
8 every other non-casino in Philadelphia will be
9 higher. Every business up and down this river
10 is going to feel the obligation to make up,
11 they're going to have to do better than they
12 already do to make up for the casinos.

13 We talked about signs.

14 Streets and civil engineering. It
15 used to be that we controlled -- we wanted to
16 have, through the zoning process, a traffic
17 management plan so we could look at what
18 intersections does traffic from the properties
19 were flowing in and out. That's something of
20 an issue at Foxwoods. It's more of an issue
21 on the North Delaware where you don't want an
22 entrance to be right at Spring Garden Street
23 where you get some funny turns. Or you get up
24 to Foxwoods where you wouldn't want it to be
25 at the base of the ramp and you would have

2 some funny turns. You want to do some
3 dedicated -- you want to figure out how to do
4 it right.

5 We don't have that authority to say,
6 You do this, You don't do this. We didn't
7 want to veto it, we just wanted to make sure
8 they were living up to their plans.

9 Set backs. In our version in the
10 CED there is a front, rear, side set backs.
11 There's a requirement for vegetative border
12 next to residential districts. Now there is a
13 front set back of ten feet rather than 30.

14 Access to the water up and down the
15 Delaware. We had said there should be a 50
16 foot path, 30 feet for pedestrians and 20 feet
17 for bikes. It is now down to 30 feet -- down
18 to 20 feet, sorry. We had also, with the
19 current version of the fixed bill that's in
20 Council, which is pending, said that for some
21 spots along the Delaware you could drop down
22 to 20 feet if the geography for the way the
23 river bends or whatever, you need to do some
24 things, the Planning Commission would have
25 that authority. They just made it 20 feet

2 throughout.

3 And finally, there's no landscaping
4 plan. Also missing from this are some things
5 that are in that fixed bill. For example, we
6 want to mandate that all trash must be stored
7 inside. That is gone.

8 So there's a whole series of things
9 that our plan -- and, frankly, how we got this
10 bill is we've drafted one we liked. But then
11 we sat down with the casino operators, we sat
12 down with the neighborhood groups and said
13 tell us what you think. We haven't taken all
14 of their suggestions from either group, but
15 every casino operator has bought in, every
16 neighborhood group has bought in. And in
17 fact, four of the five casinos operators have
18 told us their plans are currently compliant
19 with 98 percent of the CED, with the exception
20 of this area where the river bends, which is
21 one of the things we're fixing.

22 So we aren't quite sure why this is
23 going to be a problem because they're already
24 building to our code.

25 REPRESENTATIVE TAYLOR: Well, Kevin,

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2 here's our dilemma. As we are trying to make

3 862 better we have Senator Fumo saying that,
4 oh, they just did tremendous benefit to the
5 community by what they put in 862 as it
6 pertains to the Commercial Entertainment
7 District. You would disagree with that?

8 MR. GREENBERG: I won't comment on
9 Senator Fumo.

10 REPRESENTATIVE TAYLOR: I'm not
11 asking you to comment on Senator Fumo. I want
12 you to just -- what I thought you said, that
13 what they put in with regard to the Commercial
14 Entertainment District in 862 does not give
15 you more control, but rather much less?

16 MR. GREENBERG: Absolutely, with the
17 exception of parking and lot coverage where
18 they have come very close to what we have, but
19 not -- but didn't get there completely.

20 REPRESENTATIVE TAYLOR: So, I mean,
21 that's what we're battling in the media where
22 it's being spun that 862 is a good government
23 and gave everything that the city already
24 wants is put in that bill, what are you
25 complaining about? We're just going to get

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2 the casino -- the Gaming Control Commission to
3 adopt the Commercial Entertainment District

4 and proceed. And that's not true, right?

5 MR. GREENBERG: In my expert opinion
6 you have stated it correctly.

7 MR. PATTERSON: How is the city's
8 version -- excuse me -- enforced or appealed
9 if the application or the design doesn't match
10 the criteria?

11 MR. GREENBERG: If the application
12 or design --

13 MR. DOUGHERTY: Excuse me, Kevin.

14 That was a very interesting
15 question. I don't know if you heard that one.
16 Would you take your time, Ron, and say that
17 into the mike, please.

18 MR. PATTERSON: Sure. My question
19 was, if the design, the development design
20 does not meet the city's criteria as stated
21 how is it enforced and what is the appeal
22 process both from the developer's angle,
23 excuse me, and the civic group neighborhood
24 angle?

25 MR. GREENBERG: Under the CED

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2 process right now as it stands -- well, let me
3 tell you, the Zoning Code right now, as you
4 know, Ron, prohibits gambling because gambling

5 has never been a legal activity. It's one of
6 those prohibited uses that you just can't
7 build any place in the city. The CED has
8 created an exception to that rule which are
9 the CED Districts. In the absence of a CED
10 District you couldn't get a zoning permit for
11 a gambling hall, couldn't get a use of
12 occupancy certificate.

13 MR. PATTERSON: So this establishes
14 a new zoning district.

15 MR. GREENBERG: It created its own
16 classification. And then you create -- within
17 that classification you apply to a new zoning
18 district. And that CED District which you now
19 create gambling is a permitted use. And you
20 get an over the counter permit. In the
21 absence of compliance with that, which
22 requires a hearing through the Planning
23 Commission and their evaluation and evaluation
24 by Streets and evaluation by Water, all of
25 which then goes to City Council which adopts

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2 or rejects.

3 Once Council adopts -- and the
4 public has a lot of input through that
5 process. Once Council as a whole, and not a

6 single councilman, once Council as a whole
7 adopts that initiative it's an over the
8 counter permit and it's ready -- and there's
9 no appeal from that permit by either group.
10 If Council -- it's like a city overlay, it's
11 an overlay. I mean, we created a district
12 where this is an as-of-right permit. So if
13 Council does not do it, then obviously you
14 have PZB.

15 MR. DOUGHERTY: The gaming use and
16 all its related issues then become right?

17 MR. GREENBERG: If you got a CED
18 District and -- yes.

19 MR. DOUGHERTY: The focus, okay,
20 let's stay on that, let's not miss that point,
21 okay. So the Entertainment District, okay,
22 the minute the Entertainment District is
23 approved, basically the gaming and all its
24 related entities are by right from there, at
25 that point on?

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2 MR. GREENBERG: Within the envelope
3 that's permitted in the district, yes.

4 MR. DOUGHERTY: The object, okay, is
5 that sometimes we can't or we don't want to
6 slow down the process. Okay. But in this

7 case there's so many issues -- we have one
8 gentleman faced social issues that go along
9 with it.

10 There's the Senate bill that some of
11 our brothers and sisters in the labor movement
12 that are here today, if you don't read that
13 and you don't know who the players are you
14 have no idea that the same people who own
15 Foxwoods have some other associated entities
16 that own the land in which Wal-Mart and some
17 of them other places are. So that if you
18 continue to move the casino down, okay,
19 there's some discussions about moving the
20 Wal-marts and the some of the other places
21 down further, starts to affect the livelihood
22 of the I.L.A., okay.

23 And there are things, there are
24 things that, you know, that we're just
25 starting to digest here. And I don't want

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2 everyone in the room to automatically think
3 because Senate bill 862 is so bad that the
4 casino entertainment district is the answer to
5 all the woes. Because basically from a
6 neighborhood point of view, the minute you
7 have that district in place, okay, I mean, the

8 gaming automatically becomes by right.

9 MR. GREENBERG: Well, yeah. The
10 idea, John, in terms of tailoring the
11 districts so that we would put the districts
12 essentially the size of the plot that's
13 brought to us. So to talk about the Foxwoods
14 site, the Wal-mart properties wouldn't be part
15 of the district unless through the Planning
16 Commission process, which is a public hearing
17 process, and through City Council, which has a
18 public hearing process, they are made part of
19 that district.

20 MR. DOUGHERTY: And what we have
21 to -- one of the reasons we're here, in
22 particular, this water front, there's seven or
23 eight neighborhoods. And I'll speak again
24 just for Pennsport.

25 Pennsport starts on Snyder Avenue

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2 about 2000 South, it runs to Washington
3 Avenue, about 900 South, somewhere in that
4 vicinity, okay. On the lower end at Front and
5 Mercy I have widows who lived in the same
6 house which has been handed down from family
7 to family who live on a \$300 dollar pension
8 from the sugar house from years ago at the

9 lower end that are concerned about keeping
10 their door open and feeling safe and worried
11 about keeping the water out of their basement.

12 On the Northern end of Pennsport I
13 have 25 to 30 houses over \$675,000 for sale,
14 and a double income, rather professional,
15 okay, double degree group of people that
16 attend the same civic association. That's
17 within one little community. And that's so
18 diverse and the opinions are so different.

19 So you can imagine when we work our
20 way from the lower end of Whitman, you know,
21 up through Society Hill into Northern
22 Liberties, you have different, you have
23 different -- so it's not the fact that you
24 have three or four casinos looking at Delaware
25 Avenue. You have three or four different sets

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2 of communities and different classes of people
3 there, okay. And so, you know, you just can't
4 blanket.

5 Now, I know certain things are in
6 place already. Look, again, I tell you, for
7 the record, I get paid to build buildings.
8 It's just that you have people that just don't
9 understand. Let me put it this way, I think

10 sometimes we misrepresent to them, and it's a
11 tad disingenuous, to that grandmother that
12 lives on the 100 block of Mercy Street who
13 votes for the last so many elections and just
14 thinks that she's being -- you know, her
15 interests are being protected. And they're
16 not.

17 MR. GREENBERG: I will only say that
18 the CED does not solve every issue that's
19 associated with gaming, you're right. It's
20 our attempt to do right what we can. If
21 you're going to have a huge commercial
22 development there and there are up sides and
23 down sides to this.

24 And frankly, I think the CED is
25 probably the right balance, although that's

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2 obviously integrative terms to decide for
3 themselves, between going fast and getting
4 something done, and at the same time ensuring
5 the right checks are in place to protect the
6 communities.

7 What we don't want to do is end up
8 in -- we wanted to create a system that would,
9 frankly, allow Representative Taylor,
10 Representative Keller and Representative

11 Lederer to say to their colleagues we're not
12 going to hold this up in court for six years,
13 but we're going to make sure the community is
14 protected. And that's the balance we try to
15 strike.

16 REPRESENTATIVE TAYLOR: Just so the
17 audience understands my reference with regard
18 to the zoning and the veto power or the de
19 facto veto power of a councilman, I wasn't
20 just talking about this particular council
21 district or this councilman, but every
22 district councilman where this sort of
23 developed common law, if you will, in the city
24 of Philadelphia is that they have that
25 control.

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2 And, you know, at least
3 Representative Keller and Lederer and I have
4 been involved in situations where we
5 appropriate \$450 million dollars for a
6 building project that's held up for eight
7 years with thousands of jobs at stake, and
8 things like that, and it just gets held up for
9 who knows what reason, even if the community
10 all bought in, but. So that's where the
11 thinking comes from.

12 But again, now, you know, after
13 looking at all the other things that are put
14 in that bill and the testimony we received
15 yesterday about how damaging that is. You
16 know, I will at least put my faith in what
17 you're saying is that there will be an
18 accepting, reasonable process should you have
19 that power.

20 MR. DOUGHERTY: Planning Commission,
21 now, just because the Mayor -- and we're happy
22 that the executive order came down last week.
23 But I imagine that the Planning Commission had
24 to have some studies on the impact of the
25 casinos on what would happen on a long term

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2 infrastructure going or do you have any work
3 product to this point?

4 MR. KNAPTON: There's one work
5 product which we submitted to Kevin last year.
6 And apart from that -- also economic
7 development work on the river front north and
8 south, but not specific to the casinos.

9 MR. DOUGHERTY: Well, okay, how
10 about the infrastructure in general? Like, do
11 you have anything, you have any opinion, has
12 there been a documented opinion, not today's

13 opinion, has there been anything in the past
14 that says, Hey, the access and egress off of
15 the Reed/Washington Street exit, things like
16 that?

17 MR. KNAPTON: For economic
18 development purposes we do that when specific
19 projects come up as to the Redevelopment
20 Authority and PIDC. And that's about the
21 limit of what I can say.

22 MR. DOUGHERTY: Well, I'm the
23 Chairman of the Board for the Philadelphia
24 Redevelopment Authority and I haven't seen
25 anything yet. I don't know about PIDC, but

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2 from my perspective I haven't seen anything
3 yet. And I make it a point of making sure
4 that every new development has the proper
5 engineering when it comes to distribution and
6 processing of sewage and water and things
7 along them lines, so.

8 MR. GREENBERG: Patrick Mulligan,
9 who is in the room here today from the Gaming
10 Task Force Staff, worked with Planning and the
11 Streets, to the extent we have good casino
12 based traffic studies, they are incomplete.
13 We know they were done as a high level look

14 and now that the plans are becoming more
15 concrete there needs to be a lot more detailed
16 look.

17 MR. DOUGHERTY: The State Rep. wants
18 to talk. I just want to follow up.

19 Yesterday we had a meeting -- this
20 is relevance of our brothers and sisters at
21 I.L.A., the Food Produce Center. I addressed
22 it during the negotiations at the Penn's
23 Landing Board meeting about dumping the
24 traffic on Delaware Avenue. And I asked, and
25 you were in the room when I asked PIDC, three

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2 four, maybe five times. And they said, Well,
3 we're not sure.

4 Yesterday we were told that it looks
5 like most of the traffic will be ran in. And
6 the fact that there's already been \$150
7 million dollars or so, and that, you know, put
8 in towards, state money toward the Produce
9 Center. And that there was going to be a
10 road, temporary road and permanent road and
11 there was going to be a permanent bridge.

12 Does the Planning Commission take
13 into play -- so I just don't want this to get
14 focussed on gaming because this is talking

15 about jobs for people who live inside the
16 neighborhood, you know, where I grew up at.
17 How does, when we have a plan, who is there to
18 represent the men and women who are working on
19 them jobs in the layouts of the infrastructure
20 that goes with the future development?

21 Because by putting a road in a wrong
22 place it basically could landlock and cut the
23 ability for some of the larger stevedore
24 companies to develop and grow.

25 MR. KNAPTON: I think I can give a

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2 general answer to your specific question about
3 the Naval Business Center and access. Because
4 one of the basic problems when the city
5 acquired the Navy Base was it was one access,
6 Broad Street. And so from that time on the
7 Planning Commission has been talking about,
8 okay, the second road, the second access and
9 what kind of bridge that would require and how
10 much cost that will be.

11 Now, the specifics of that I don't
12 know. But I know that from the outset people
13 have said, Well, at some point, depending on
14 the level of development on what used to be
15 called Muston Field, the Naval Air Station

16 Field in the east end of the Naval Base, at
17 some point when that becomes developable and
18 there's a demand for it then obviously there's
19 going to be a traffic issue and a question of
20 how to pay for and where to put a major
21 bridge.

22 So basically the discussion has been
23 so far as I know, informal, but that's so far
24 as I know.

25 MR. DOUGHERTY: See yesterday, and

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2 I'll move forward with this, yesterday it was
3 some specific conversation about that. The
4 cost, you know, how long it's going to be
5 there and the answers were probably permanent,
6 permanent, and we think permanent. Also the
7 conversation is a little concerning to myself
8 from a Foxwood perspective and the community's
9 perspective is that PennDOT, the DEP and the
10 Delaware Planning stated that they had been
11 given cursory, just casual type conversation
12 about parking impacts and things along them
13 lines.

14 So that's why I asked you, Dave,
15 what do you see your role? I mean, there's --
16 we didn't even talk about green space and land

17 acquisition and all these other points of
18 concern to the people that are here. We are
19 just looking at the basic points that we
20 thought were managed.

21 MR. KNAPTON: Well, one response to
22 that would be to look at the specific case.

23 The specific case that -- I think we're
24 speaking of the same thing -- expansion of the
25 Naval Business Center from the Food

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2 Distribution Center area. The manager of each
3 is the PIDC. And so what we do in Planning
4 when looking at a parcel or a development site
5 where the developer owns both pieces and wants
6 to develop both pieces, and they're adjacent
7 to each other, we try to make sure the plan's
8 internally consistent and that it works.

9 And if there are a whole bunch of
10 other stakeholders to that, other property
11 owners around the perimeter, that's something
12 else.

13 But if it's internal to the two
14 abutting parcels, then that's a matter of the
15 developer to work on and come back and talk to
16 us.

17 I'm making it sound too simple,

18 but --

19 REPRESENTATIVE KELLER: Excuse me.

20 You're not only making it sound simple, you're

21 making it sound like it's in the planning

22 stage and we had PennDOT in here yesterday,

23 said this is done.

24 MR. KNAPTON: I'm sorry to mistake

25 then. I didn't mean to say that it's in the

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2 planning stage, but only as an example, if two

3 property owners are side by side as the same

4 property --

5 REPRESENTATIVE KELLER: I know we're

6 getting off from what we were talking about,

7 but let's just, so we can get this on the

8 record.

9 DVRPC stood up here and had a slide

10 show and said we have problems that their

11 doing freight movement, we have problems

12 because we have at-grade crossings again into

13 Packer Avenue.

14 PennDOT then said, Oh, we're going

15 to put a road down there. They're going to

16 put a road across six at-grade crossings just

17 to get into the lower end of the Navy Yard.

18 But not take into consideration that that's

19 the future development of the port. They're
20 going to cut the port right in half. Nobody
21 is saying a word. Saying, Done deal.

22 Asked, Well, are you putting it on a
23 TIP plan so that the federal government will
24 pay 80 percent of that? The answer is no, the
25 Commonwealth of Pennsylvania is going to take

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2 on the whole, they said \$75 million dollars,
3 and they didn't know how much the road was
4 going to cost. So they're going to take on, I
5 would say, \$150 million dollar burden by the
6 time they're done. Not even put it on the TIP
7 list so the feds will pay, be able to pay
8 80 percent of it. That's planning? They're
9 sitting there and they're saying, This is what
10 we're going to do, and this is planning? And
11 the City Planning Commission has no idea
12 what's going on.

13 MR. KNAPTON: Well, I can't speak
14 for PennDOT.

15 REPRESENTATIVE KELLER: And why is
16 it -- PIDC, isn't that a -- that's a public
17 entity?

18 MR. KNAPTON: That's a public
19 entity, yes.

20 REPRESENTATIVE KELLER: Well, you're
21 acting like they're private developers.
22 That's the public's, it's not PIDC, that's us.
23 It's not like PIDC owns two pieces we want to
24 develop.
25 We're saying you got to sit down and

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2 take a look at this whole thing. And it's
3 not -- it's not a plan, maybe it's a plan, but
4 I'm going to say it's a bad plan. All right.
5 It's a bad plan. It's not looking five years
6 down the road, not along 30 years down the
7 road like we're supposed to look. It's going
8 to cut off all future development of the port
9 industrial that we're interested in. Just so
10 you can get into the lower end of the Navy
11 Yard.

12 We say, take your time, again, let's
13 look at this, there's got to be a better way
14 to do this. Not spending \$100 million dollars
15 to get a bridge which, from my understanding,
16 may be the largest structure in South
17 Philadelphia by the time they're done with it.
18 And we're just jamming that in. Everybody
19 ready? Jam. Did anybody know about this
20 going on? It's going on. Plans. City

21 Planning. Apparently, you had something to do
22 with it.

23 Off that subject. Back to 862. All
24 right. Kevin, 862, you said as it stands now
25 it takes away all the city's abilities to

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2 regulate strip clubs and everything else?

3 MR. GREENBERG: On the casinos
4 themselves, yes.

5 REPRESENTATIVE KELLER: In 862
6 there's an associated areas piece. In the
7 associated areas piece this gives, from the
8 way we read it -- and nobody's been able to
9 tell us any different -- the casinos the
10 ability to jump anywhere they want if they
11 could connect it by bridge, pedestrian
12 walkway, variance.

13 MR. GREENBERG: There's actually
14 even a more scary argument, although I think
15 we would fight that in court.

16 REPRESENTATIVE KELLER: No, let's
17 have the scary argument, it's Halloween.

18 MR. GREENBERG: So in theory the
19 streets or the utilities, or something like
20 that, could connect it to Chestnut Hill, in
21 theory. We would fight -- I think there's a

22 good argument that you can't go to Chestnut

23 Hill with this, but how far you go --

24 REPRESENTATIVE KELLER: But you

25 could reach, through variance, you could reach

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2 every property along the Delaware River and

3 you could reach every property across Delaware

4 Avenue.

5 REPRESENTATIVE TAYLOR: We would

6 love to get Chestnut Hill into this battle.

7 REPRESENTATIVE KELLER: We could use

8 their support.

9 MR. GREENBERG: Let me put it this

10 way, I think getting across Delaware Avenue by

11 a couple of properties or getting up or down

12 the river a couple of properties from where

13 you are is what the author of this version of

14 862 seems to be contemplating. That is what

15 we think they are contemplating. On behalf of

16 the city I'm not real, real happy with that.

17 And I think we would try to do what we can do

18 to legally fight that.

19 But, I mean, I'm here representing

20 the Solicitor, that's going to have to be his

21 call at the end of the day.

22 REPRESENTATIVE KELLER: So in theory

23 what we're saying you believe is also to be
24 true, that the current version of 862 will
25 give -- wrap up in a bow and give to the

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2 casinos all future development of the Delaware
3 River?

4 MR. GREENBERG: I certainly would
5 not say that for the record in any sort of
6 way.

7 REPRESENTATIVE KELLER: I'll say it.
8 Do you agree with me?

9 MR. GREENBERG: I think we'd be
10 fighting that, let me put it that way.

11 REPRESENTATIVE KELLER: You'll fight
12 it. But that's what this bill does right now?

13 MR. PATTERSON: There was also a
14 subtlety that was crossed over that Kevin
15 mentioned in the city bill, and it had to do
16 with the approval process.

17 And typically, when you're looking
18 at zoning there's two parts, there are the
19 uses and then there's the zoning dimensional
20 requirements, the height, the bulk, the set
21 back, et cetera. And you go through the Water
22 Department and the Planning Commission and the
23 Streets Department and they review your plans

24 in accordance with their rules and regulations
25 too.

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2 You file with L & I. It either
3 meets the code requirements. If it doesn't,
4 and if you choose not to meet them, then you
5 go to the Zoning Board for variance relief
6 because you're deviating from the code.

7 This is a rarely used process
8 described here, that you go through the
9 initial steps and the reviewing agency is not
10 L & I or the Zoning Board, it's City Council.
11 City Council, with the Planning Commission,
12 determines whether your plan meets the zoning
13 code requirements. If it does, you
14 automatically get your permit. If it doesn't,
15 you don't get your permit. But back to if it
16 does, there's no appeal process unless you
17 challenge the City Council action by saying it
18 was improperly voted case or they exceeded
19 Constitutional authority.

20 So it does take everyone's input out
21 of the process. Which means that it's very,
22 very important to look at what the parameters
23 are in the bill in terms of the uses and the
24 set backs and everything you're just

25 mentioning. Because once it's in there, you

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2 can't change it. If it's in there and you
3 meet it, you go to City Council, they have to
4 approve it. So it's rarely used because it's
5 a curve ball kind of process.

6 REPRESENTATIVE KELLER: We've been
7 saying this all along, if this bill gets out
8 in two years everybody will be up screaming
9 and it will be too late.

10 This bill will not be able to be --
11 I said it at the Editorial Board, making laws
12 is not an exact science. Where we pass a
13 bill, we pass a law, then we're back fixing it
14 two years later. We pass this bill, 862, in
15 its current form, there's no fixing it.
16 There's no fixing it. Because we are just
17 handing over future development of the
18 Delaware River, and my concern, the port of
19 Philadelphia, to casinos who have no interest
20 in developing, only in their own interest.

21 MR. GREENBERG: I would take that
22 one step further and say that not only are the
23 zoning codes preempted under this new version
24 of 862, but when the Gaming Act was passed
25 before the provision on zoning was struck

2 down, the prohibition -- the preemption was
3 simply limited to land use controls.

4 The current language preempts all
5 regulatory and police powers which includes
6 fire inspection, it includes fire code
7 compliance, it includes the plumbing codes, it
8 includes all of the building codes, all of the
9 building permitting, all the building
10 inspections. You will have to have a state
11 entity responsible, which doesn't exist.
12 Where they will have to hire folks at the
13 state boards to look at fire codes and
14 building codes and all of the compliance
15 issues and the whole permitting process.

16 That, frankly, we have L & I
17 inspectors, good, bad, different, they're here
18 and they know what they're doing. Okay. The
19 state doesn't have those folks in Philadelphia
20 and they will be watching over these
21 properties.

22 And that's something that, again, is
23 one of the things that they just sort of
24 slipped into this version of the bill.

25 REPRESENTATIVE KELLER: Well, Kevin,

2 I know this won't give you any solace, but I'm
3 telling you, they're not only tearing apart
4 what the city has rights to, they're taking
5 riparian rights that have always been a
6 legislative process. It's always been the
7 purview of the legislature to give riparian
8 rights and to go through the process, put a
9 bill in, get it through committee.

10 Representative Taylor and
11 Representative Lederer and myself have done
12 these numerous times. It works, the process
13 works. Get it through committee, have public
14 hearings. Get over in the Senate, get it
15 through the committee, have public hearings.
16 Have the governors, you know, right from the
17 beginning saying they're for this, they're
18 against it. That's taken out of it, that's
19 taken away from the Pennsylvania legislature.

20 And on top of it, we had DEP in here
21 yesterday, we're saying if 862 passes in its
22 current form what will DEP, the Department of
23 Environmental Protection, have anything to do
24 or say about these casino sites? Their answer
25 was no.

2 So I don't know, I mean, we have a
3 whole department in the Commonwealth that
4 protects the environment, that's their job.
5 If this bill passes in its current form that
6 department is saying, We don't know who's
7 going to protect the environment, it's not us.

8 So, I mean, we're here, this is
9 another reason why we should have this, and
10 more often. We believe this goes way too far.
11 As Representative Taylor always says, This is
12 excessive, this is not what we intended, this
13 is not what anybody intended. This is bad.

14 We're hearing from you -- I think
15 I'm hearing from you -- that they're given the
16 right to, if that's part of the casino
17 district, they could put strip clubs, they
18 could put whatever they want in there and no
19 one has anything to say about it.

20 MR. PATTERSON: It's in there.

21 MR. GREENBERG: I think the answer
22 is the way the -- there is a good argument a
23 developer could make that the areas
24 immediately adjacent to and around the
25 casinos -- and how far that stretches I think

2 somebody would fight about -- but the areas

3 immediately adjacent to and around the casinos
4 would be exempt from a whole host of our laws,
5 be they regulated uses, be they building
6 codes, whatever else.

7 And our firefighters will have to go
8 into these death traps to save people's lives,
9 but we can't make sure they live up to our
10 code before they have to go in there. And
11 that does not make a lot of sense, you know,
12 in this industry or anyplace else.

13 MR. DOUGHERTY: State Representative
14 Marie Lederer.

15 REPRESENTATIVE LEDERER: Kevin, you
16 said there's a traffic plan. Traffic
17 presently on Delaware Avenue is not
18 controlled. The I-95 exit just a couple
19 blocks down from here that spews onto Delaware
20 Avenue just north of Washington Avenue creates
21 gridlock every day no matter what hour of the
22 day it is. So that is only one of the many
23 problems.

24 And does your traffic plan take into
25 consideration the 3,000 new condos plus the

2 thousands of cars that will be using Delaware
3 Avenue and let's not forget the buses, the

4 buses that casinos bring?

5 MR. GREENBERG: I may have misspoke.

6 We don't have a traffic plan. We have a

7 traffic assessment. And this predates the

8 3,000, this is just after Best-Buy opened

9 because this is when we took the counts. The

10 answer is --

11 REPRESENTATIVE LEDERER: What year

12 would that be?

13 MR. GREENBERG: It was mid-2005,

14 spring/summer 2005.

15 Patrick, it was April?

16 MR. MULLIGAN: May.

17 MR. GREENBERG: May 2005 is when we

18 took the counts.

19 It gives us some sense of what was

20 there. It is not a plan by any stretch. What

21 we did was we took the May 2005 counts,

22 overlaid casinos and came up with some

23 assessments and predictions. We do not have

24 plans. Frankly, as far as we're concerned,

25 it's the burden of the city folks working with

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2 gaming operators in the state to make sure

3 these plans work for everybody, but we don't

4 have plans until we know what's going on yet.

5 At this point it's just, what we have is an
6 assessment from last year.

7 REPRESENTATIVE LEDERER: But it's
8 not just casino traffic, it's condo traffic
9 and traffic off of I-95 for people who want to
10 get off maybe in Center City.

11 Yesterday, one of the gentlemen from
12 PennDOT said that people in the condos should
13 use mini-buses to go back and forth to Center
14 City.

15 MR. GREENBERG: Shuttles.

16 REPRESENTATIVE LEDERER: A shuttle.
17 And that's fine if you're going to Center
18 City. But not everybody's going to Center
19 City.

20 MR. GREENBERG: I would only say
21 that that is exactly -- that is one of the
22 driving forces for the Mayor's executive order
23 this week is to try to take that sort of --
24 and develop a real plan around traffic driven
25 by the community and the business associations

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2 over the next year. But it's not there now.
3 And it won't be there by the time the casinos
4 are here.

5 And that's part of what's, frankly,

6 going to make the challenge for the three of
7 you in Harrisburg so difficult. And trying to
8 get the Gaming Control Board to look at these
9 issues and consider them and make the casinos
10 do what they need to do.

11 REPRESENTATIVE LEDERER: Thank you.

12 MR. DOUGHERTY: Matt.

13 MR. RUBEN: This is Matt Ruben, for
14 the stenographer.

15 A couple of things. One is that it
16 seems to me that the associated areas part of
17 this legislation is, in and of itself, a total
18 deal breaker. And that in essence what it
19 does is it says that the Delaware River front
20 is no longer part of Philadelphia.

21 And the stripping of zoning
22 authority, even more worrying, of regulatory
23 authority, as you were speaking of, Kevin,
24 really makes the Chairman of the Gaming
25 Control Board an imperial viceroy overseeing

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2 Philadelphia. And I'm dead serious. Someone
3 who is far away who is charged with regulating
4 an area which is, in effect, being occupied.

5 And I think that it is incumbent
6 upon our city, and I know City Council has set

7 aside, authorized the setting aside of funds
8 for this.

9 I think as long as the associated
10 areas language remains in any shape or form in
11 862, the original definition did not include
12 the ability to gobble up adjacent property, as
13 long as this definition remains in any shape
14 or form, as long as zoning authority is
15 stripped, even if they photocopy the CED and
16 stuck it in as a state version, as long as
17 zoning authority is stripped and as long as
18 city regulatory authority is stripped, I think
19 it is incumbent morally upon the city to sue
20 the Commonwealth. And I would hope that the
21 Solicitor and the Mayor and the City Council
22 would draw that line in the sand.

23 We have legislation, I believe
24 Mr. -- Representative Keller was saying, in
25 two years people will be up in arms and it

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2 will be too late. And that's the situation
3 we're in now with Act 71 itself. And that was
4 passed and we fell back. And then 862 is
5 passed -- I mean, is being considered, and
6 where the debate and the public's fear is
7 about, Well, if we can put the city's

8 regulations into the state version then maybe
9 it will be taken care of.

10 And I know that people in the room
11 don't agree with that, but that's what's
12 happening out in the press. And how far do we
13 fall back before we say no and go to war over
14 this? I think that the city must sue the
15 Commonwealth if any of the three provisions I
16 mention are in this bill when and if it is
17 voted on. Do you have any thoughts from what
18 the thinking is in City Hall about this?

19 MR. GREENBERG: I will tell you that
20 conversations are being had. And I think we
21 want to wait and see what happens on 862.

22 I will only tell you my personal
23 capacity, rather than City Hall capacity, that
24 there are a lot more than three deal breakers
25 in this bill. That deal breakers are not the

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2 term that I want because this is not a deal
3 that's worth considering. That it doesn't do
4 anything.

5 I know the Mayor has been very clear
6 that he did not want to slightly improve 862's
7 preemption provision, he wants it out. And
8 he's been very clear on that. The manner of

9 taking it out, hopefully our legislative
10 delegation is able to take it out for us and
11 it never becomes an issue. And I don't want
12 to go to the hypotheticals. But the Mayor's
13 take on it has been very clear, there should
14 be no preemption.

15 And there are a lot more deal
16 breakers. And so it's a bad deal and we don't
17 want to get into the discussion.

18 MR. DOUGHERTY: State Representative
19 Taylor.

20 Matt, are you done?

21 REPRESENTATIVE TAYLOR: Just
22 one question with regard to the commercial
23 entertainment districts. And I'll ask this,
24 with the current version of 862 or without,
25 let's say it wasn't there at all, I think this

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2 question would apply either way, am I correct
3 in understanding that as it pertains to
4 casinos that there's very little, if any,
5 judicial oversight of that should anything
6 occur in terms of that district that it is
7 appealable? That there's particular
8 provisions that pertain just to casinos in the
9 current commercial entertainment district?

10 MR. GREENBERG: I believe the only
11 language -- and I don't have it with me -- of
12 the CED bill that pertains to casinos is
13 allowing of an use. But it would be the same
14 rules that would apply to any -- there would
15 still be judicial oversight whether or not
16 they comply with the building envelope, the
17 signage to whatever else they're permitted
18 for. There would still be judicial oversight
19 over the various permits being properly
20 issued. However, you have to prove error.

21 And our design here was if a casino
22 was developed, licensed by the state and put
23 in a place where City Council, through the
24 Planning Commission and City Council,
25 determined it was appropriate to have it, with

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2 a plan of development that is approved by City
3 Council, it would be presented by, the gaming
4 applicant said, This is what we want to build,
5 the Planning Commission will work with them on
6 it, Streets and L & I and Water will work with
7 them on it. And then the City Council will
8 review it to pass it all the way through these
9 public processes. And at that point they
10 would have and it would be able to sort of go

11 right to build once you go through the
12 process, rather than go through a series of
13 hearings judicially.

14 Now, if somebody wanted -- if they
15 get the permit and then they choose to build
16 five times the sign facing that's allowed or
17 they put a flashing neon sign which is
18 prohibited, obviously you still have
19 oversight. 862, on the other hand, takes that
20 whole process out and the first appeal is the
21 State Supreme Court.

22 REPRESENTATIVE TAYLOR: Let me just,
23 instead of asking a question I'll just say
24 that could you please look at the provisions?
25 And I hope that you and I maybe will get a

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2 chance to talk more when we're through here
3 and we get some of this stuff in writing a lot
4 quicker than our -- then she'll get it for me.
5 But can you just look at that and see as it
6 pertains -- the CED as it pertains to casinos,
7 how different that is from any other bar,
8 restaurant, commercial, retail or whatever.

9 We don't need to do that right this
10 second. I mean, one of the lines, you know,
11 my friend Mike O'Brien gives us is that under

12 that provision it may be easier to get a
13 casino than it will be to get a hotdog stand
14 because of the particular provisions in the
15 commercial entertainment district.

16 MR. GREENBERG: After Tad Dechert
17 says yes, you got to go through City Council,
18 but not L & I. And I'm not going to weigh on
19 it on which one is the easier process.

20 MR. PATTERSON: Yeah, but isn't it
21 true that the review at City Council is really
22 just a checklist review, do you meet what the
23 parameters are set forth in the bill or the
24 code? There's no discretionary review, it's
25 the checklist. Did you meet the set back? Do

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2 you meet the uses?

3 MR. GREENBERG: No, actually, it's
4 actually -- there's no requirement that
5 Council vote yes or no based on the checklist.
6 Council gets to undertake a planning
7 discretion process. Once Council's determined
8 that it's appropriate to put a casino there,
9 frankly, I think we would all like to avoid a
10 situation where we get into a showdown with
11 the state where Council decides that a given
12 piece of property is inappropriate for a

13 casino and the state wants it. Because then
14 we get into inviting the kind of preemption
15 legal fight that the state has not -- and the
16 state has been quite successful with the
17 Parking Authority and some other places where,
18 you know, it becomes problematic.

19 But within that I think what we're
20 really talking about is the building envelope,
21 the traffic impact and sort of figuring out
22 what works and what doesn't work. But the
23 idea is to have a real process that's a
24 partnership.

25 And I will say this, that of the

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2 five sites there's some that are doing a lot
3 better than others in terms of working with
4 the communities to figure out what works and
5 what doesn't work, and how to make it within
6 the neighborhood and what doesn't fit within
7 the neighborhood. And there's some that are
8 -- don't even have any specifics at all.

9 MR. DOUGHERTY: Okay. How about
10 Rich. I'm sorry.

11 MR. LEVINS: Kevin, earlier this
12 year we had a meeting in Holy Name Church in
13 Fishtown where Herb and I reside. And Darryl

14 Clarke came up to me and said, You know, your
15 organization really needs to think about an
16 initiative to ensure that opportunists who may
17 come into your community after a casino
18 applicant receives a license to turn Girard
19 Avenue into a series of pawn shops, check
20 cashing, go-go bars, whatever.

21 And I mean, based on what I've
22 heard, and I'm familiar with the issues
23 associated with the Senate bill, but putting
24 that aside, we're going to be meeting with
25 Councilman Clarke shortly, do we already have

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2 those protections with respect to those
3 specific types of industries? Or is there
4 other zoning overlays that could be done with
5 his support? I mean, he's the one who brought
6 it up to us.

7 MR. GREENBERG: Some of both. With
8 respect to go-go bars, for example, you're
9 well covered. There is a restricted use
10 provision except if somebody has an exemption
11 from that they're covered.

12 With respect to pawn shops or payday
13 lenders or whatever, I don't believe there is
14 such a provision. And so there's probably a

15 middle ground. And again, if the Councilman
16 asks, I'm sure our department will be happy to
17 work with him.

18 MR. DOUGHERTY: Questions about --
19 yes.

20 MS. GOODWIN: My name is Rene
21 Goodwin and I have two questions. The first
22 question, if I understand correctly, the
23 purpose of the commercial entertainment
24 district is to create a sort of an oversight
25 body. However, it is also my understanding

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2 that if 862 is passed in its present form
3 without major change that that really prevails
4 over the entertainment district.

5 So am I correct in assuming that the
6 worse of all possible worlds if 862 is passed,
7 the commercial entertainment district is
8 virtually powerless or has power only to the
9 extent that the casinos and/or the State
10 Gaming Control Board is willing to accept its
11 suggestions? That's one of my questions.

12 My second question is, several
13 months ago I had the opportunity to attend a
14 meeting with the Mayor, other city officials
15 and community representatives. It was the

16 first go 'round in this particular series of
17 looking, again, at a water front plan. I
18 remember the Mayor stated in a sort of a
19 frustrated fashion repeatedly that he didn't
20 want to bring bodies of people together to
21 develop a water front plan, again, only for it
22 to become a lovely plan on paper that sits up
23 on the shelf along with some other plans. And
24 the problem has always been the resources to
25 implement that plan.

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2 Well, first of all, you're on a fast
3 track. And I'm just wondering, and I don't
4 know that you can honestly answer this, but I
5 am just wondering, is it the intention now,
6 even on this fast track, that some of the
7 resources or the primary resources to develop
8 this new water front plan would come from the
9 casinos? Because if not, then why are we on
10 the fast track if we don't have the resources
11 to implement? Thank you.

12 MR. GREENBERG: On the first one, I
13 would go so far as to say I think you may have
14 understated the problem. With the CED
15 becoming essentially a moot process. We will
16 be taking that plan and going to the casinos

17 and saying, please comply with this, this
18 makes sense. But it will be a please and not
19 any sort of regulatory authority. But it will
20 become a guideline. And at least to the
21 extent of what they said so far the casinos
22 have by and large agreed to go with that.

23 Even if -- and to some extent, the
24 timing works for us in that the extent they
25 want to start construction in January or

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2 February and just planning already, they have
3 been planning in a CED world. But --

4 MS. GOODWIN: Right. And I will
5 respect you in the morning.

6 MR. GREENBERG: And as I said, you
7 may have understated it.

8 With respect to the second one, the
9 Mayor has repeatedly said just that, that this
10 doesn't work if we don't have the resources to
11 do it. And the plan has to sing and bring
12 resources to bear. We have reason to believe
13 there's going to be substantial foundation
14 support, not just for the plan, but for the
15 implementation. We believe that our
16 legislative leaders will, if they see a
17 wonderful plan, find resources to help us

18 implement it both at the state and at the
19 local level. But the plan has to -- it has to
20 sing for its supper, essentially. And the
21 plan is to do that.

22 In terms of going on a fast track, I
23 don't think we're on that much of a fast
24 track. I mean, we're going fast. The idea of
25 using Penn Praxis and the foundation money to

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2 do this is to allow us to do it in a year
3 rather than five.

4 But I think the reason we're on a
5 fast track is if we wait five or three years a
6 lot of this development will have already
7 happened. So it's not a question of getting
8 the resources, it's a question of getting this
9 done before it happens through market forces
10 without any sort of planning.

11 MR. DOUGHERTY: I'd like State
12 Representative Taylor to respond and then
13 we'll go to Flip Renzi.

14 REPRESENTATIVE TAYLOR: This is a
15 question for Kevin, John.

16 Unfortunately, we need to act
17 tomorrow, tonight. Can you give me your
18 opinion based on our discussion that in the

19 event that we were able to strip out of this
20 bill things like the billboard provisions, the
21 utility/sewage provisions, the associated area
22 provisions, the riparian rights, a lot of the
23 new things that were in there. But if was
24 retained in that, and let's say we can't get
25 rid of the total preemption zoning, but added

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2 the commercial entertainment district
3 language, would the extraction of those things
4 that you think trump the commercial
5 entertainment district language, would that
6 make it a better bill or make no difference?

7 MR. GREENBERG: The Mayor has always
8 said that we do not expect as the city of
9 Philadelphia to pick where these sights go.
10 The legislature has made very clear that the
11 Gaming Control Board gets to pick which two
12 sights get these casinos. What we are focused
13 on is how they get built.

14 We do not try, and we have never
15 tried, to preempt. In fact, the version of
16 the commercial entertainment legislation
17 amendments that are pending in front of City
18 Council now, that Councilman DiCicco
19 introduced in a cooperative effort with the

20 Administration, say just that, that we expect
21 the Gaming Control Board to pick where this
22 goes and we do not ever assert that.

23 I'm not sure why much more than that
24 is needed beyond that, frankly, Representative
25 Taylor. I'll direct your question to the

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2 Mayor. I'm not in a position to say what
3 would be a deal or no deal or good or bad.

4 Clearly, you're focusing on things
5 that need fixing. But whether or not the city
6 would think it's a good deal or, as Matt
7 pointed out, deal breakers, there's a lot of
8 deal breakers in this deal and that's why I
9 don't think the Mayor's ever wanted to have
10 this discussion because there's just so many
11 deal breakers embedded in this piece of
12 legislation.

13 MR. DOUGHERTY: Flip Renzi.

14 MR. RENZI: Flip Renzi, former and
15 future flood recipient from the 100 block of
16 McKean Street. And I also have a
17 family-sustaining job on the Philadelphia
18 water front.

19 You keep talking about your plan.
20 And it seemed like to me that your plan that

21 you presented to the casino people, they just
22 took it and wrote whatever they felt like it.
23 As far as you didn't want billboards so high,
24 you didn't want anything to light it up and
25 all this other stuff. And the casinos just

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2 went, nah, we're going to have rotating
3 billboards.

4 You also said that the casinos are
5 allowed to dump their water into the Delaware
6 River. And any other future business will
7 have to make up for what the casinos are
8 doing. I don't know why the residents
9 couldn't take their water and dump it into the
10 Delaware River and make the casinos build a
11 new sewer system.

12 But what I see in the City's plan
13 is you really don't have a plan. You could
14 ride down Delaware Avenue on a Friday
15 afternoon at 5 o'clock without the 300 new
16 condominiums or the casinos and you ain't
17 getting down Delaware Avenue. So as far as
18 your plan is, you don't have it.

19 What I'm saying is, taking into
20 consideration -- or left out of the
21 consideration, have been the residents and the

22 laborers on the Philadelphia water front.
23 Once your plan goes into effect, my
24 unprofessional opinion, is the casinos have
25 carte blanche. And they're going to do

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2 anything they feel like. So as far as holding
3 up bill 862, that's a good thing. But you
4 keep saying your plan and I don't think you
5 have a plan.

6 MR. GREENBERG: Mr. Renzi, I think I
7 may have either misspoke or you may have
8 misunderstood me. The city has, at this point
9 I guess, some analysis and we have a process
10 to create this plan that's not there yet.

11 To the extent we're talking about
12 casino regulation, we have a law, the problem
13 is that bill 862, which we are all sort of
14 faced with the reality of the legislature
15 considering in the next week or so, intends to
16 gut that law and make it moot. We don't like
17 that. That's part of why -- I know I have
18 spoken as strongly on this as I have. And I
19 know all three members of the legislature up
20 here have spoken as strongly as they have both
21 here and in other forums. And I know that's
22 what a lot of our local officials want. There

23 are state officials who want otherwise.

24 But if, to the extent that you are

25 right, that we cannot protect residents the

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2 way -- we are regulating residents in a way we

3 are not regulating the casinos, that is the

4 reality if the legislature says the city

5 cannot regulate casinos.

6 If the city can regulate casinos

7 they will not be allowed to dump water in a

8 way that's inconsistent with other

9 development, they will not be able to build

10 unsafe buildings in a way that's inconsistent

11 with other development. We're going to hold

12 them up to the same process of development

13 that we use for other large development and do

14 it right. We're going to walk them through it

15 and we're going to move fast. But we're going

16 to make sure they go through the same set of

17 processes that other major developments do and

18 then streamline it once they're clear, once

19 they're doing what they need to do to be

20 responsible members of Philadelphia's

21 community.

22 We don't like casinos, we don't hate

23 casinos, we haven't picked to have them, we

24 aren't opposing them, they're coming. And so
25 our goal here is to regulate them like we

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2 regulate every other business. Knowing in
3 reality that the state has a definitive
4 interest in getting these up fast, and,
5 frankly, so do we. The city is going to get
6 about \$30 million dollars a year from these
7 casinos. Not going to solve all these
8 problems by any stretch, but that does go into
9 the General Fund. And we have an interest in
10 starting that in 2009 just like the casinos
11 did. The casinos get a lot more than
12 \$30 million, but --

13 MR. DOUGHERTY: What I'll do is I'll
14 go to this young woman up front, then I'll
15 come back to Jimmy Paylor.

16 MS. THORPE: My name is Sarah
17 Thorpe, I have two questions, actually. My
18 first was about riparian rights, but I'm going
19 to go to my second question because something
20 that Kevin just said reminded me of something.

21 The \$30 million dollars from the --
22 the host fee that's coming from the state as a
23 part of gaming, we have heard that that is
24 already earmarked to go to expansion of the

25 Convention Center and that that money is not

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2 at all in any way going to supplement city
3 services that we're going to need once these
4 facilities come. So my question is, how is
5 that money going to be spent? And then if I
6 could ask a second question about riparian
7 rights, that would be great.

8 MR. GREENBERG: First of all, Sarah,
9 congratulations on your new job.

10 MS. THORPE: Thank you.

11 MR. GREENBERG: The \$30 million
12 dollars or the \$26 to \$30 million is the range
13 we're talking about host fees, actually what
14 it is, it's a payment to the General Fund.
15 And so it goes into the General Fund and out
16 of the General Fund we spend money. There's
17 not an earmarked fund for it. So, no, it is
18 not dedicated to the Convention Center. It
19 goes into the General Fund.

20 What goes to the Convention Center?
21 Under the Gaming Act, 52 cents on every dollar
22 the casino makes gets paid into taxes.
23 30-some cents of it goes to lower our
24 individual Philadelphia wage taxes, around the
25 state property taxes. 13 cents, give or take,

2 goes to the race tracks for reasons of
3 legislative compromise. Four percent goes to
4 the host municipalities, which is the \$26 to
5 \$30 million dollars. And five percent goes to
6 a fund for economic development. Of that
7 five percent the legislature has said for the
8 first ten years in all but two counties of the
9 state can be spent on any sort of economic
10 development. In Pittsburg and in Philadelphia
11 it's use is -- in Allegheny County and
12 Philadelphia County it's uses are very
13 constrained. In Philadelphia it's only for
14 the Convention Center for the first ten years.
15 So that's that five percent.

16 The four percent that is the host
17 fee goes into the General Fund and like other
18 General Fund money is spent on services or
19 whatever else gets spent that way.

20 MR. DOUGHERTY: Yes. Riparian
21 rights.

22 MS. THORPE: Thank you. The second
23 question on riparian rights.

24 We've discussed a little bit in S.B.
25 862 about the riparian rights issue that is in

2 the current amendment. But with respect to
3 riparian rights on a larger scale with the
4 river front, if we are having this increased
5 push for public access to the river front and
6 public green space along the river front, why
7 would we give away riparian rights that are
8 already in the public realm and sell those or
9 give those to private developers when we
10 really don't even have enough public space on
11 the river front already?

12 Is there talk in Harrisburg about
13 riparian rights and the Governor's moratorium
14 that nobody really understood six months ago
15 about these riparian issues?

16 REPRESENTATIVE KELLER: I've always
17 said I never understood the Governor's
18 moratorium because the Governor has veto
19 power. Just to say there's a moratorium
20 doesn't stop any one of us in the legislature
21 from putting a riparian rights bill in. We
22 put it in, and as I explained, it goes through
23 the normal legislative process, public
24 hearings everybody has access to.

25 We believe that system has worked.

2 We had testimony yesterday from DEP that it's
3 not only worked, it's worked for 300 years.
4 It's one of the oldest licenses granted in the
5 United States. It does work.

6 As far as 862? Just ripping it all
7 out and just giving whoever wins the casino
8 license in Philadelphia, only in Philadelphia,
9 whoever wins the casino license wins all their
10 problems with riparian rights will go away.

11 We are opposed to that. We are
12 trying to get it out of the bill. We don't
13 know why it's in the bill. We didn't put it
14 in the bill. It just showed up in the House
15 two weeks ago? It came out of the Senate, it
16 was amended in the Senate with all these
17 things in it, came back to the House. We've
18 been fighting it ever since it came back to
19 the House. We're-- I don't know why it's in
20 there. I don't believe it should be in there.
21 We're doing everything we can to get it out of
22 there.

23 MS. THORPE: I think my question was
24 more focused on not necessarily the S.B. 862
25 for the casinos, but riparian rights for other

2 development, not necessarily casinos.

3 REPRESENTATIVE KELLER: Like I said,
4 they've always been the same. We've always
5 worked with them, they have public comment,
6 we've done a number of them that. It's intact
7 now. The way it is now the public has to come
8 and have their comments. If 862 passes just
9 for the casinos, not only the legislators, we
10 don't have anything to say about it, the
11 public doesn't have anything to say about it.

12 REPRESENTATIVE TAYLOR: Sarah, I
13 don't know, except for those licensed
14 properties, if you will, the riparian rights
15 have not changed. But for those that get a
16 license on that particular property, they
17 have, for all intents and purposes, are given
18 riparian rights.

19 Now it's a much more complicated
20 explanation now with these credits that they
21 get and all that. There's no legislative
22 process at all involved in those particular
23 rights. And there's virtually, the way it was
24 drafted, there would be virtually no cost by
25 the time they're done.

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2 But is it going to affect north of

3 the site, south, it would be the same way.
4 Which we also think is unfair to anybody else
5 that has to go through this long and
6 sometimes, you know, expensive legislative
7 process. But we're just giving it to them.

8 And this is just -- the riparian
9 rights bill is one of many elements that were
10 just put in that bill that gives complete full
11 range of authority to just the casinos. It
12 just strips any ability to stop them. And
13 they'll tell you that that's why it's in
14 there. It's not really magic. They'll say,
15 We don't want anybody putting a stop sign up
16 for us in any way. And they strip every
17 single thing out of there.

18 MR. DOUGHERTY: Jim Paylor.

19 MR. PAYLOR: John, before I go on, I
20 might have taken two weeks to give you a
21 history of the port so I know I can't do that.
22 So I wrote my notes on my jacket. So I
23 thought it would be shorter, I think.

24 First of all, let me thank the whole
25 panel. I mean that sincerely.

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2 I've been a union official now for
3 25 years, this is the first time that I

4 attended a meeting that allowed input, okay,
5 from what I'll refer to the working class
6 people and the people voting along the river
7 ports. Most of them are familiar that the
8 demographics of the river ports are changing
9 drastically which creates a situation that
10 causes us to talk about the subject that we're
11 talking about right now.

12 My comments, however, probably
13 should have been made yesterday but I wasn't
14 aware that this was happening. And that's not
15 anybody else's fault, I'm not blaming you.

16 But my concern is we have been
17 speaking here for two hours, and with the
18 exception of what the state officials have
19 raised, along with yourself, John, the
20 discussion has been casino entertainment
21 district.

22 Okay. Now, if you look this way or
23 we look that way, okay, this was industrial
24 port and still is an industrial port. It
25 hasn't been talked about for two hours. Now,

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2 again, that might have part of yesterday's
3 meeting.

4 But my concern is, I just heard,

5 well, one of the attractive things that
6 casinos is going to generate \$30 million
7 dollars of revenue for the city. It's
8 displacing, it's not new, it's displacing
9 other revenues that existed on the water front
10 at one time. And if you assess that, you
11 probably find out there was \$30 million or
12 more.

13 My concern is right now when I
14 listen to the Planning Commission, and I can't
15 pretend to know about city planning and state
16 planning, okay, I know how to negotiate a
17 contract, I know about the impacts of what
18 you're considering doing will have on what I
19 see is the elimination of working class
20 families along the river water district.

21 Our members have a right, if not an
22 obligation, to be part of that commission that
23 helps develop water front property for this
24 reason, they've already invested their money,
25 okay. They're the lowest paid longshoremen on

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2 the East Coast. They make \$40,000 to \$50,000
3 less than every other longshoreman from Maine
4 to Texas and including the West Coast. They
5 have the lowest paid pensions on the East

6 Coast. That was all done, okay, with the
7 attempt to keep cargo coming in through the
8 port of Philadelphia.

9 Now, at one time this port had
10 3.7 million man hours, and through automation
11 it was reduced to 1.2 million man hours.
12 Through the sacrifices that these people have
13 made it's now back up to 200 million man
14 hours. That's I.L.A. member hours alone. We
15 are the smallest component, believe it or not,
16 of the logistical chain of moving cargo from a
17 ship across this country.

18 Give you an example. There's
19 approximately 400,000 containers that go
20 through Packer Avenue Marine Terminal. Every
21 one of those containers is taken out and every
22 one of those containers can stay. That's
23 8,000 truckloads a year. Okay. So think of
24 how many truck drivers are involved in that.
25 Every one of those containers are stripped and

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2 stuffed, sometimes long distance, sometimes
3 they're in their own immediate area. How many
4 warehouse people are in there?

5 Those are the jobs, okay, that were
6 created years ago. They did a change now to

7 create the environment where we can limit it
8 to Packer Avenue Marine Terminal.
9 Tioga Marine Terminal, which is
10 north of the Ben Franklin Bridge, now has a
11 serious obstacle because the new vessels can't
12 get under the Ben Franklin Bridge, so that's
13 been eliminated.

14 My concern is, when do we start
15 talking to you about how to replace not
16 displace those who took industrial type jobs.
17 Because what I understand is that Philadelphia
18 still consists of a lot of blue collar people,
19 okay. It's not just, you know, the people who
20 are educating themselves and moving into our
21 area because they find Penn's Landing
22 attractive or Society Hill attractive.

23 I've had many disagreements over the
24 years with Bill Keller. Today I sit here and
25 I'm on the same page with him because he said

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2 something I've been saying a long time ago but
3 never been recognized a long time ago, for the
4 industry to survive you're going to have
5 residential, you're going to have commercial,
6 didn't never think that you were going to have
7 casinos, okay, on the Delaware River.

8 Now, what I'm going to say is a
9 suggestion to our state officials. I
10 understand, I appreciate all your efforts. I
11 mean that again sincerely. One way to balance
12 this out might be what they did in the West
13 Coast, okay. And I looked into it because
14 years ago I had to try to do some more
15 research. But they introduced a bill when
16 they started to change the San Francisco water
17 front into a commercial area, they introduced
18 a bill that said for every dollar that went
19 into making an industrial site a commercial
20 site you have to put an equal dollar into the
21 industry.

22 All of our kids are not going to go
23 to college. They're still going to need those
24 industrial based jobs. Something like that
25 has to be considered. And I'm asking the

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2 legislators to consider drafting some type of,
3 although it might be a simplified version, me
4 just throwing it out here today, but it might
5 help balance this other bill that you're
6 concerned about and the impact that it would
7 have on it. Okay.

8 So Flip already asked, Why isn't

9 labor involved? Labor is not just a partner
10 who negotiates on behalf of working class
11 people, we've taken a different step here. We
12 actually had went out and analyzed what it
13 takes to bring cargo into this facility.

14 And once we did what's called cost
15 per ton analysis, we actually went back to the
16 membership and we said, Here's what it's going
17 to take, this is what's going to be required
18 of you to bring that cargo into the water
19 front. And they did that.

20 So based on their sacrifice and
21 based on their investment, okay, and based on
22 the stake of the 2000 pensioner bills along
23 this area, they should be involved in the
24 Planning Commission because they still live in
25 the area that you're all representing.

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2 MR. DOUGHERTY: Jim is an
3 International Vice-President who grew up in
4 the Pennsport/Whitman area, International
5 Vice-President of the I.L.A.

6 I'll get you copies of what went on
7 yesterday too. You know, and there's still
8 some of the information flying around.

9 MR. RUBEN: Could I just say

10 something briefly?

11 MR. DOUGHERTY: Yes, sir. Matt.

12 MR. RUBEN: We get occupied a lot

13 with really, really, really local development

14 issues in this city, and I guess other cities.

15 And we sometimes forget that we're -- a lot of

16 us are unconsciously living at a time when

17 there's a religion about urban development and

18 that religion says -- and it's a false

19 religion -- that industry is dead and that

20 what cities are supposed to do is develop as

21 hospitality destination entertainment centers.

22 And while that is certainly a major component

23 of modern cities, it's not the only thing.

24 And I think that, as I said

25 yesterday, this has always been a working city

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2 and that we need to maintain our mixed use

3 certainly for employment and jobs and good

4 jobs that are -- you know, we should encourage

5 all jobs, but I think it's fair to say that a

6 lot of the industrial jobs offer better

7 benefits and wages and a more dignified

8 working experience than some of the more

9 low-end service jobs, including at least some

10 of the jobs that the casinos will bring. And

11 I think we need to stand up for those.

12 And I think that we have an
13 opportunity when so many other kinds of
14 manufacturing have left Philadelphia and are
15 difficult, if not impossible, to bring back,
16 we have viable current thriving type of
17 industry here and it would be shameful of us
18 as a city and a state to discourage that
19 because of this fake idea that all
20 manufacturing is dead. And that it's not
21 fashionable and it's not passe.

22 And you're probably not going to see
23 photos of longshoremen in Philadelphia Style
24 magazine. But it doesn't mean that they're
25 not equal members of this community and that

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2 they're not part of the thriving economic base
3 of this city.

4 MR. DOUGHERTY: If it wasn't, I
5 wouldn't be here.

6 MR. PAYLOR: John, if I just may add
7 one more thing to that?

8 If you look at the competing ports,
9 New York, they have a pretty kind of smart
10 industrial and style wise in New York. Go
11 down to Norfolk, Virginia, which is a little

12 less stylish, okay, they're spending not
13 millions, but billions of dollars in this
14 industry because, as you say, other
15 manufacturing jobs are disappearing, okay.
16 But the projections are that cargo is going to
17 multiply 300 percent over the next 15 years,
18 definitely multiply, double in the next three
19 years.

20 MR. DOUGHERTY: What we're going to
21 do is we're going to take a little break here
22 in about two minutes. Any questions
23 concerning the Planning Commission. Then
24 we're going to keep Ron around a little bit to
25 talk about the process of development from the

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2 large developers' point of view. I have a
3 couple hands that want to follow up on that.

4 And just that to finish up our
5 conversation with our friends from the I.L.A.
6 here, just so you know, conversation about
7 this type of input. I don't believe if we
8 didn't have this little symposium in place,
9 and the object was some of the neighborhood
10 and city's control over our own development,
11 we still wouldn't have been able to come up
12 with the fact that that location of roads and

13 things like that which will split up a lot of
14 your work forces.

15 You have two hands. Gentleman right
16 there in the sweater. Then I will go back to
17 Mark Stier who hasn't had the floor yet. And
18 then we'll wrap it up with Rene. Then we'll
19 break and then we'll have a little discussion
20 with casinos.

21 MR. GOLDEN: My name is Henry
22 Golden, I work in the I.L.A. Look, I just
23 want everybody to listen to this, and a lot of
24 my friends know this, I'm a gambler. But
25 besides that, and I'm going to shock a lot of

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2 them, I love my city.

3 And I'm going to tell you something,
4 I and a lot of people who are in this room or
5 who know people on a whim will drive an hour,
6 hour and-a-half to Atlantic City to go
7 gambling. Now, you're going to put casinos
8 ten, 15 minutes away from my house. You know
9 what this is going to do? This is going to
10 cause wives and husbands to blow their
11 mortgage payments. It's going to destroy
12 marriages. It's going to destroy savings for
13 children.

14 And as far as that \$30 million goes,
15 these casino owners don't give a shit about
16 thanking the community. Go to Atlantic City.
17 You got billion dollar casino, beautiful
18 billion dollars buildings, you go a block away
19 there's homeless people starving on Pacific
20 Avenue. So that's how much they care about
21 people.

22 So I just want you to think about
23 this, this is going to destroy what good
24 neighborhoods we got left in this city. We
25 have 300-something plus murders a year. This

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2 city in certain areas is horrible. We only
3 have the strong points left to help build up
4 the horrible sections.

5 So if you're going to put casinos
6 here, like I said, it's going to destroy
7 marriages, it's going to destroy future
8 savings for children, it's going to ruin our
9 city. And I just wanted you to know that.

10 MR. DOUGHERTY: Yesterday we had
11 some concerns about the social issues, some of
12 the family members of the gentlemen who kept
13 it are in the audience today. And right now
14 we're just trying to not even get to the

15 point -- the answer so far to us has been,
16 Hey, well, we'll throw money at it. We're
17 trying to make sure we get all these
18 guidelines on where they're at and how they
19 get built, the safeguards, before we even get
20 to the social concerns.

21 Mr. Stier.

22 MR. STIER: I'm Mark Stier,
23 Neighborhood Networks.

24 Three quick comments. One is, one
25 of the problems with 862 is there's no reason

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2 to think that this imperial viceroy, as Matt
3 calls it, is going to be concerned at all
4 about our industrial jobs or jobs in the port
5 and the piece that, controls of the city. And
6 people in the city have the ability to go
7 lobby our local officials. This is creating a
8 government entirely out of touch with the
9 people who want to control it.

10 Second point is, Representative
11 Taylor said he wishes Chestnut Hill would get
12 involved in this fight. I just want you to
13 know that my organization is opposing 862.
14 We're starting a lobbying campaign in the next
15 couple of days. We have lots of folks in

16 Chestnut Hill and Mt. Airy and we're
17 contacting all of our State Representatives.

18 Third point I want to make quickly
19 is, if the city is really serious about
20 stopping this, lawsuit is one avenue to take.
21 It seems to me another avenue to take is for
22 the city to pass an ordinance that says it
23 will not provide water, sewer, fire
24 protection, police protection or access to the
25 streets for any part of the city that the city

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2 does not have regulatory control over. You
3 know, if they want to get people to these
4 casinos, let them fly them in with
5 helicopters.

6 MR. DOUGHERTY: Rene.

7 MS. GOODWIN: I want to in
8 particular -- I want to thank all the
9 panelists and I want to thank all of you for
10 being here, there should be thousands of us
11 here, thousands of us.

12 But to the three Representatives in
13 particular, all right, now we've had two days
14 or a day and-a-half of learning lots of
15 things, some of which we knew, a lot of which
16 we didn't know. I don't want to leave here --

17 a couple of my colleagues who have worked for
18 the coalition here like Chris Mett, who
19 devoted a lot of time and effort, to Ed
20 Kirlin. And we don't want to leave here with
21 information and feeling hopeless and helpless.
22 So what can we do to help you help us? Please
23 help us.

24 REPRESENTATIVE KELLER: You could do
25 what constituents and citizens are supposed to

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2 do. We've got, as you can see, we've known --
3 this has been a learning experience and a
4 great experience for everybody that's been
5 here. But if you take notice, no press, you
6 haven't seen any press on this. You haven't
7 seen press one time say that 862 is going to
8 destroy everything we're trying to build.
9 Call the press, call your local
10 Representatives, call us, call your state
11 Senators. People have to know that this
12 cannot just go by the way it is. Call the
13 leadership in both the House and the Senate.
14 Believe it or not, I mean, when they
15 were closing down the Navy Yard one of the, I
16 don't want to say tricks, one of the tricks we
17 used were we got a dozen cell phones, and back

18 then they were the thing -- wasn't a common
19 thing. And we broke down every worker in the
20 Navy Yard and we broke down their Congressman,
21 their State Senator and their State
22 Representative, and we had them call right
23 there, we had guys go around on the job site,
24 Here, Call. They made them call right then
25 and there.

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2 When I walked up to Harrisburg they
3 were screaming, What are you doing? Stop
4 having them call me. Why are you doing that?
5 I said, I'm doing it because their losing
6 their jobs, that's why we're doing it. It is
7 effective. I mean, it's just a good old,
8 which people have gotten away from, just
9 picking up the phone, calling your
10 Representatives and saying, What are you
11 doing? You're killing us. You're doing the
12 opposite of what your job is. You're supposed
13 to be out there helping us and protecting us.
14 And according to what you're doing here in
15 this bill, you're hurting us. It's effective.

16 If you could just go out there and
17 just those blast e-mails, I mean, I'm not a
18 tech guy, that works, it's effective. We've

19 got to do it. We're not going to get
20 cooperation from the press. They're going to
21 ignore us. We've had, which is a decent
22 amount of people the last two days, of course
23 not enough, not enough that we want, spread
24 the word, we don't have much time. We're
25 going to have to go back and fight this

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2 starting Monday, tomorrow morning we're going
3 to go and fight this.

4 MS. GOODWIN: Thank you.

5 MR. DOUGHERTY: Can I handle if we
6 have any questions relevant to the Planning
7 Commission? Then we're going -- and
8 Mr. Greenberg. We're going to break for 15
9 minutes and then jump back in. And then we'll
10 talk a little bit about gaming, we had some
11 cancellations, we'll talk about that. I'm not
12 so sure that's a bad thing as of right now. I
13 think it means you were effective. I think
14 you were effective yesterday and asked the
15 tough questions that needed tough answers and
16 when you don't have answers, you don't show
17 up. Okay.

18 So questions relevant?

19 Yes, Christina.

20 AUDIENCE MEMBER: Can I just make
21 one really quick comment in response to
22 Representative Keller?
23 Right before the Senate voted on the
24 bill Hallwatch was very kind in setting up a
25 fax thing where individuals could fax their

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2 comments and requests not to pass this
3 legislation. The Senate obviously ignored
4 those requests from the over 300 residents of
5 Philadelphia requesting that they do not strip
6 zoning. They voted 50 to zero, it was
7 unanimous. So it doesn't feel like -- I mean,
8 people are doing things, they are trying to
9 reach out and talk to our legislators and it
10 doesn't feel like they're listening. So I
11 don't know how effective that is.

12 MR. DOUGHERTY: Well, listen, I'll
13 handle that one. They listen. 90 percent of
14 your elected officials listen. Some have
15 become above even public approach. That's why
16 you have election processes.

17 MR. LEVINS: John, if I could just
18 follow up one comment to what Representative
19 Keller said. And people lose sight of the
20 fact that with respect to the investors on

21 these casinos, there's a lot of people in the
22 background who have made their fortunes, if
23 you will, in Philadelphia who are investors.
24 And people like Richard Sprague, people like
25 Daniel Keating who built the Hyatt and then

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2 did the stadiums. Our former City Solicitor
3 Kent Jagrio, I butchered that name. Former
4 Supreme Court Justice in Pennsylvania Bill
5 Lamb. I think the head of the Parking
6 Authority. There's a number of people out
7 there.

8 And I'm going to urge the Mayor to
9 kind of put the spotlight on them to think
10 that, Hey, you've made your wealth in this
11 city and maybe you should support our efforts
12 to, you know, address these significant issues
13 and failures with respect to this Senate bill.
14 And I think if the Mayor comes out swinging
15 with those people he may have an ally that has
16 a lot of influence up in Harrisburg.

17 REPRESENTATIVE KELLER: I think Rich
18 makes a point that probably has not been made.
19 And maybe it is, people think that the casinos
20 are coming to town. They're going to be owned
21 by people in Philadelphia. I think it's only

22 Pinnacle that's a publicly traded company.
23 Other than that, I believe the casinos are
24 only coming in to operate. They're going to
25 own somewhere, you know, 30 percent. These

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2 casinos are owned by individual people in the
3 city of Philadelphia, that's who owns it, not
4 the casinos, they're the operators.

5 So Richie, I guess that's a point
6 that has not been out and I guess it should be
7 out.

8 REPRESENTATIVE TAYLOR: Absolutely.
9 The folks coming in who are owners are not
10 going to have like cowboy hats and getting off
11 planes from Nevada and things, it's local.
12 But I think whatever, in fact, in Rene's
13 question, whatever we can do with the
14 mainstream media and our local papers that
15 would get beyond the city of Philadelphia and
16 penetrate to the leaders that this is backroom
17 dealing that is damaging without -- you know,
18 at least in the House we have to convince our
19 leadership that they don't want to have this
20 on their hands and on their records and just
21 pass this.

22 And the difficulty is is that if it

23 pertains to Philadelphia people just close
24 their ears, they don't really care. Sometimes
25 they works to our advantage and sometimes it

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2 doesn't. But in this case it will not.

3 So we've had numerous press
4 conferences, meetings with editorial boards
5 and things and you've seen very little in the
6 papers still about the negative effects of
7 this version of 862. So whatever all of you
8 can do to get your opinion out through those
9 mainstream outlets, that would be very
10 helpful.

11 MR. DOUGHERTY: One of the questions
12 that was submitted yesterday on a card was
13 that when we make the packets available could
14 we break down the ownership of the casinos.
15 So even though that's online we'll put it in
16 hard copy and make sure that that's part of
17 the packets on the follow-up to this
18 symposium. So you'll have access to that.

19 This gentleman right up front has
20 been here for both days, this is the first
21 time he raised his hand. And then we'll thank
22 Mr. Knapton and Mr. Greenberg.

23 MR.HIM: Actually, she answered the

24 question, how do we get it out to the people?

25 You said 600,000 fliers were out and this is

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2 what we got? I mean a lot of people don't
3 even know of this stuff. So maybe we have a
4 Million Man March to Harrisburg and they can
5 hear us. But how we get it to the people
6 through the media is going to be key.

7 MR. DOUGHERTY: Small developer in
8 the neighborhood turns around and says, How
9 come I have to pay to hook up water and they
10 don't? Simple question. Simple question and
11 we're going to let you know after we break
12 here, that people don't want to answer it.

13 Kevin Greenberg, Dave Knapton, thank
14 you. How about a little hand for --

15 Take a break. We'll be back in ten
16 minutes.

17 (Short break.)

18 MR. DOUGHERTY: Again, I'd like to
19 thank everyone for participating this morning.
20 The fact that we had community groups and
21 activists and just flat out neighbors from all
22 over the water front today, along with our,
23 some of our union leadership that have some
24 serious questions about, you know, keeping the

25 port vital as a key to industry in this

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2 community.

3 We had City Planning here this
4 morning, along with part of the Mayor's legal
5 team, to give us a little insight into their
6 views of Penn Praxis and exactly what was
7 going on. I think there was some interesting
8 information come out of that.

9 As we wind down here I can tell you
10 from my own person that I am really excited
11 about what developed and the amount of input
12 and the high quality of questions. And I
13 believe that not only has this symposium
14 achieved its initial goals, but I think that
15 it's going to go way beyond that. I think our
16 follow-up and our, you know, the information
17 we've gathered and the questions that have
18 been submitted.

19 In fact, I have one question and I
20 I'm glad that they signed this so it didn't
21 look like I wrote it, it said, Please address
22 the issues of campaign contributions by casino
23 interests to state legislatures. Have any
24 financial disclosure statements revealed PACs,
25 et cetera, formed by developers, land

2 speculators, et cetera? Pat Lowe, 427 West
3 Jewitt Street. And we will put that in the
4 packet, we will follow-up with that.

5 We've had about 25 questions
6 submitted to us throughout the end of the
7 session yesterday and early this morning. And
8 they're all questions that might have only
9 been partially answered or not answered at
10 all. And we think we're doing really well
11 here in this little two-day symposium. But
12 there's still that much out there to be
13 digested and discussed. So I appreciate Pat
14 for that.

15 REPRESENTATIVE TAYLOR: Just for the
16 record, the questions about contributions from
17 gaming entities or investors, they are
18 completely prohibited from doing that. The
19 thorny part becomes, as we said in a prior
20 session, a lot of the owners of the sites
21 throughout, up and down the river, are not
22 foreigners, they're not from different states,
23 they're from here in Philadelphia. And who
24 all had prominent roles in many, many business
25 institutions and politics prior to their

2 involvement with their gaming interests.

3 So while they can't contribute now,
4 many of them were, to be right up front, very
5 active in the political contribution business
6 prior to that. But since they are investors
7 they can no longer do that. And they don't.
8 I don't know if that solves the problem, but
9 they don't.

10 REPRESENTATIVE KELLER: Just another
11 way they're saving money.

12 REPRESENTATIVE TAYLOR: You can add
13 that to the list.

14 MR. DOUGHERTY: I appreciate it.

15 What we'd like to do here is, this
16 afternoon we were supposed to have two of our
17 four casinos. Now we're not going to put some
18 empty chair up there with a casino name on it.
19 This has been completely productive.

20 And the initial response, we have
21 one of the local consultants here, okay, but
22 there has not been included on behalf of the
23 entity that she represents or anyone here, she
24 just stopped in to digest what was going on.
25 So I'm not going to ask Barbara Grant, who

2 does some work for Pinnacle, to do anything
3 other than acknowledge the fact that she was
4 here and the people that were being made
5 contact with were not Barbara.

6 We had some understanding and
7 initial commitments that Pinnacle and
8 Riverwalk would have interest coming here and
9 participating. Initially we had Foxwoods and
10 the Sugarhouse tell us that it really wasn't,
11 in fact, quote, unquote, to their best
12 interests.

13 And I was surprised at that type of
14 response. Because I had no idea until I
15 walked in here this morning or yesterday
16 morning other than a very productive
17 neighborhood driven agenda, you know, any
18 other topics of conversation. You have driven
19 the symposium. That you have driven the
20 follow-ups.

21 So this afternoon I believe that on
22 one hand I would have appreciated having
23 someone from all four casinos here just to
24 hear our concerns.

25 The process has moved rather

2 quickly. You know, I will again speak in my

3 role as Pennsport President. I have been
4 approached for one or two meetings, that's it.
5 And the questions, I guess it's a mentality
6 inside the gaming industry, but it's sort of
7 everything is sort of if you do this, we can
8 do that for you.

9 One of my simple questions were
10 early on prior to the smoking ban and the
11 Senate bill 862, my questions were, Hey, we
12 have a lot of little community establishments.
13 Well, you're going to be giving away food and
14 beverage to start up, how does that affect --
15 and for no better word I used the one or two
16 places, For Pete's Sake is something that
17 transcends a lot of neighborhoods -- how does
18 that affect that? How can we talk about that?

19 You know the sewer problem. I told
20 you I don't care what title you have, what's
21 on your resume, water in the basement is the
22 same for everybody, okay. The amount of water
23 that's been in my basement and my neighbor's
24 basement is ridiculous. And I'm not believing
25 anything the Water Department says about

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2 global warming, okay. It's the one pipe
3 system.

4 When we get to the more serious of
5 concerns, the evasion. You know, the traffic,
6 when you leave here today if you really want
7 to see firsthand, make a left, go down
8 Delaware Avenue between the Reed
9 Street/Washington exit and the Ikea store, you
10 can count on being in traffic for 45 minutes.

11 The traffic no longer is just on
12 Delaware Avenue, it's on Front Street and 2nd
13 Street. If you decide to wander down Front
14 Street and 2nd Street, take a look at the
15 license plates of the cars in front of you.
16 Ikea is truly that field of dreams, if you
17 build it, people will come. The issues were
18 simple. They were quality of life
19 neighborhood issues.

20 Since gaming has been rumored in
21 that specific location we at the Pennsport
22 Civic Association have averaged three to four
23 hundred people at every meeting. Not 50, not
24 120. No exaggeration. Every meeting we have
25 two, three, four hundred people. I mean it

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2 has driven a lot of interest. All we wanted
3 was answers.

4 We've had -- and leading up until

5 today, one of the reasons why I'm really not
6 frustrated or annoyed or even upset, is that
7 we've listened to the DEP, we've listened to
8 the Delaware Valley Planning, we've listened
9 to PennDOT, we've listened to the Mayor's
10 office, everyone told us that it basically has
11 been a cavalier approach at best. You know,
12 here's our study, you know, we can generate
13 this amount of money.

14 Again, for full disclosure, I get
15 paid by the building, you know, we build
16 buildings. But in this specific case there's
17 a lot of locations where they should be built.
18 In the backyard of a neighborhood that has
19 these issues and concerns not answered is not
20 one of them.

21 Now, again, I'm here as my role as
22 Pennsport Civic Association so I am not
23 frustrated or annoyed because I don't believe
24 they could have told us anything today because
25 they're not telling the authorities in which

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2 they're going to reside. They're not telling
3 the DEP, okay, how they're going to handle
4 that. They want control of the riparian
5 rights, they want to build the buildings

6 outside of Philadelphia code.

7 And by the way, the Philadelphia
8 code is much stricter than state code. They
9 think that in certain cases you can come down,
10 you form some non-profit, you throw a million
11 dollars at somebody, you make somebody the
12 Executive Director and say, By the way, you
13 know, at the end of the day if there's some
14 money left you can take care of social woes
15 that are affected or created. We sit here and
16 we ask questions.

17 And the land wraps that are
18 associated. I'm surprised. I'm not a rookie
19 to the legislative process. Usually you hide
20 the big wraps like on Page 30 of a 40-page
21 bill. That was on Page 2 or 3 where it says
22 you get the continuous piece of land. I guess
23 people were so excited they figured they could
24 just run wild on the water front.

25 For all intents and purposes I just

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2 wanted to ask somebody, Hey, when it was laid
3 out to me in the Civic Association a year
4 and-a-half ago it was a little parlor that was
5 going to bring some restaurants and some
6 development. It was going to fit in to a much

7 bigger picture. Not the King of Prussia Mall

8 South on the water front.

9 This is the first time I took a

10 little personal privilege. Take a look out at

11 the water. Take a look from here. It's a

12 beautiful building. That's a beautiful river.

13 You know, like I said, and I've heard people

14 tell stories, I'll give you my family. Okay.

15 My grandparents came from Ireland,

16 they came here, my grandfather was a

17 longshoreman, was lucky enough to become a

18 State Legislator on the one side of the

19 family.

20 My mom's family came here, they got

21 off a boat, they went to work at the sugar

22 house. Eleven of my mother's aunts and uncles

23 lived in a two bedroom house on the 300 block

24 of Cross Street. I was lucky enough to raise

25 my baby in that house.

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2 So you see where it's a little bit

3 different? It's not political. It's more

4 personal. Okay. I have my mother being the

5 only -- because she had no father -- being the

6 only young kid living with eleven of her aunts

7 and uncles. And the old days until you got

8 your own house, when you came over you all
9 stayed someplace.

10 And you get two weeks vacation from
11 the sugar house. One, would they would go out
12 and have a week long binge someplace down the
13 shore. Or if you couldn't squeeze in there,
14 just in the neighborhood. But you did nothing
15 but just visit all the friendly establishments
16 in the neighborhood. Then the other week they
17 would all stay and paint the house and redo
18 the roof and, because that's what they did in
19 Ireland before they came over.

20 So that house there, it's a little
21 bit more personal when it comes to that.

22 So I'm not expecting somebody --
23 and, you know, State Representative Taylor
24 made a great point. We're not getting cowboys
25 getting off from Nevada bringing the casinos

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2 here, these are people in our own
3 neighborhoods, these are people that have
4 grown up in the same environment we have. So
5 it should be real easy to show up and talk to
6 people that you've made money off of.

7 You know, you got lawyers and
8 investment bankers and friends of mine in the

9 industry. I mean, they all got two pieces,
10 three pieces of these things. Okay. So I
11 mean, I think it would have been relatively
12 easy to show up here. And I think that it's
13 absolutely disrespectful, but it ain't going
14 to upset me. Okay. I think that it's
15 absolutely, as you have been saying all along,
16 arrogant.

17 REPRESENTATIVE LEDERER: And
18 obscene.

19 MR. DOUGHERTY: Obscene.

20 And then you understand why you get
21 bills like 862, because it's easier to pump an
22 extra million dollars into some committee to
23 put trees on certain blocks than it is to
24 answer a question on why you need that extra
25 land and why is somebody taking a good peek

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2 at, you know, the whiskey yard and other
3 places to move big box development so that you
4 could have future casino development.

5 We don't want the initial proposal
6 without safeguards for the neighbors. So we
7 most definitely do not want someone who's just
8 coming to, you know, continue to steamroll us
9 and say, Hey, sue me.

10 As we're going to lead into Ron
11 Patterson, he's even told us, in certain cases
12 we don't even have a judicial recourse here.
13 I mean in certain entities, and not just with
14 the state level, but some of the other casino
15 points, as for the first time some people
16 followed up, he pointed out earlier there are
17 specific venues and pieces of business that
18 just need Planning Commission and City Council
19 approval. And you really have no checks and
20 balances on that.

21 So that's why these symposiums are
22 needed. And that's why I really appreciate
23 all the people from the community to partake
24 and these three legislators who have admitted
25 that they had no idea early on the magnitude

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2 of what went on and how they stood here. And
3 in some cases have put themselves at the
4 forefront of future political discourse
5 because of this.

6 So I want to thank you. I think the
7 least that the casinos could have done was
8 show up here and talk to us. So that, you
9 know, when you get the International
10 Vice-President of the water front saying, Hey,

11 look, we expected to move north not have you
12 move south into our business. They could hear
13 that from him. Or the neighborhood group that
14 says, Hey, we want green space.

15 We know it's not easy. I mean, we
16 had the Water Department flat out tell us, you
17 know what, the one pipe system doesn't work,
18 we're probably going to outgrow it, but with
19 all the little streets and no money we don't
20 see any reason why we should handle it at this
21 present time. We'll just increase the amount
22 of sludge that the city facilities that handle
23 that stuff handle. You know, we'll hope that
24 the new places where we can open up bigger
25 pipe, we will. But basically, there was no

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2 answer for Mike O'Donnell who stood here and
3 said he had six floods in 18 months between 12
4 and 14 inches of water.

5 AUDIENCE MEMBER: Sewage.

6 MR. DOUGHERTY: Sewage. That's a
7 health issue, as I stated earlier.

8 So on one hand you're paying taxes
9 and you're being told you can't handle that.
10 On the other hand you're being told, who's
11 going to give control of that away in the

12 backyard? But we're going to let them hook up
13 to the water for free and not have to live by
14 any controls.

15 So I think it's disrespectful. But
16 I'll tell you what, it also proves that you've
17 been successful. It also proves the point
18 that in this room here -- and as you know,
19 every five minute break that we took was
20 loaded with discussion about the topics at
21 hand today. Nobody said -- look, I haven't
22 had an Eagles conversation yet. Okay.
23 Conversations about water, about
24 neighborhoods, about the road, about the --
25 you know.

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2 And it blows my mind, is that I've
3 asked the one question for a year and-a-half,
4 where -- I said I'm all for the fruit and
5 produce terminal movement, where is the
6 traffic going? And yesterday for the first
7 time we were told, it's all going on Delaware
8 Avenue, John. You know, there's really no
9 other avenue, we're going to build a road, a
10 temporary road, hopefully a permanent bridge,
11 at the back end and wrap it around to Delaware
12 Avenue.

13 It might not be politically correct
14 to take it down Broad Street. After this
15 symposium it's no longer politically correct
16 to take it down Delaware Avenue.

17 REPRESENTATIVE KELLER: I don't know
18 if John is not upset, but I guess I'm the one
19 that's been upset all weekend. I think we
20 should be upset. And I think we should be
21 angry and I think we should tell them, This is
22 the community getting together to ask them
23 questions. Two right off the get-go said no,
24 two said yes.

25 What happened? They heard what

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2 happened yesterday, that we're asking tough
3 questions, we're getting good answers and now
4 they don't show up. I think that's just a
5 precursor to what's going to happen when they
6 get into our neighborhoods.

7 They're saying they're going to be
8 good neighbors. Here's their opportunity to
9 show it. And not one of them showed up. I
10 think we should be a little more angry than we
11 are. That's not what this is about. They
12 have to answer to the neighborhoods. I guess
13 they're confident that 862 is going through

14 the way it is now and they don't have to
15 answer to anybody.
16 I'm not sure I'm that confident that
17 862 is going to go through in its current
18 form. And maybe they will have to come back
19 and answer us. And maybe we should remember
20 that they had a chance to come and they
21 didn't.
22 REPRESENTATIVE TAYLOR: Thank you,
23 Bill. I would just tend to agree with John,
24 that based on what happened yesterday, if you
25 don't have the answers, you don't show up to

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2 reveal that you don't.
3 And specifically, that is, when
4 PennDOT spent three hours here yesterday
5 morning basically outlining the fact that
6 there is absolutely no planning, they're not
7 engaged, there's no discussions, they're not
8 ready to do anything to accommodate traffic.
9 That there is 500 projects underfunded as
10 there is. I don't know how any representative
11 from any casino could answer that question, no
12 matter what plans they have.
13 Equally as true is the response by
14 the Philadelphia Water Department and the

15 Department of Environmental Protection. And
16 they said that they're not engaged at all on
17 the very pieces of the application that were
18 due to be required about how to handle sewage,
19 storm water and drinking water.

20 And for the Water Department to say
21 that if 862 as it now stands goes into effect
22 they will have absolutely no say to oversee
23 anything that the casinos do with those
24 connections. And that, I think, was as
25 frightening to us as anything else, if that's

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2 the case.

3 Equally, this morning we heard a
4 very good discussion from the City Solicitor's
5 Department about all the other meanings of 862
6 and particularly that the spin that the
7 commercial entertainment district added to 862
8 is good government and it's going to be a
9 better version of that bill is simply not
10 true, considering all the other provisions
11 that were put in that bill. All the other
12 provisions in that bill that we've talked
13 about ad nauseam completely trump the
14 commercial entertainment district provisions
15 that were put into the legislation.

16 So I don't think it's any wonder
17 that they're not sitting here. And it wasn't
18 until quarter after 9:00 this morning that we
19 found out that they weren't going to be here.

20 So I agree with you, John, if you
21 don't have the answer, you're not going to
22 show up to reveal that.

23 REPRESENTATIVE LEDERER: I only want
24 to say that part of the propaganda of the
25 casinos appeared in our local Fishtown

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2 newspapers, full page ads, Come to the
3 Fishtown Recreation Center, whatever night it
4 was last week, To fill out your application
5 for casino employment.

6 We don't know where the licenses are
7 going but you can get your application at
8 Fishtown Recreation Center.

9 MR. DOUGHERTY: Rene, if you
10 don't -- I just want to -- we'll take
11 questions in a minute.

12 What I'd like to do is introduce Ron
13 Patterson. Ron is here to give us an update
14 on the private sector's point of view. He was
15 also very helpful having him active in a
16 community group and talking about the ups and

17 downs of dealing with an entity as large as
18 the Post Office in a community that he's
19 involved in.

20 We had Carl Primavera scheduled and
21 Carl lost his dad last night, which we keep
22 him in your prayers, and we'll send that.

23 But Ron, on short notice, I really
24 appreciate you coming.

25 Can you talk about, you know, what's

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2 driving this market? The water front in
3 general, private development. And if you have
4 anything to add from, you were here long
5 enough this morning to hear some of our
6 conversations and see the direction that this
7 public forum is going.

8 MR. PATTERSON: You have to remind
9 me I'm still under oath.

10 MR. DOUGHERTY: You're still under
11 oath. We won't ask anything about Klehr
12 Harrison, I promise.

13 MR. PATTERSON: Just to comment on a
14 few things that were raised.

15 The Water Department and the issue
16 about the storm water and the sewer. And
17 maybe it was explained yesterday, but I wasn't

18 here. You know, there's the theory that you
19 have storm water which could be handled by a
20 separate pipe, and sewage, which is everything
21 from your house, your sinks, your toilets, to
22 go into a different pipe.

23 And some communities, townships in
24 Pennsylvania and New Jersey handle them
25 differently in terms of how they are treated.

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2 The sewage may go into a sewage treatment
3 plant. Storm water sometimes is allowed to be
4 generated and discharged into streams or the
5 river provided it meets certain discharge
6 standards.

7 The Water Department's answer now
8 that the system is being at over capacity is
9 to say, Well, if you're a new developer
10 consider this, consider putting green roofs on
11 your roofs. Which means if you have a flat
12 roof you can put certain amount of inches with
13 dirt and grass and therefore the theory is
14 that when it rains -- and it does work, I
15 think it's up to 50 percent -- that your water
16 will be retained on the roof and eventually
17 evaporate. So it therefore doesn't put a
18 burden onto the sewer system.

19 And the second thing they've been
20 doing, and this one and two is in lieu of
21 ripping up the streets and putting in larger
22 pipes, is to say, okay, we want you to put a
23 detention basin or if you have no land to put
24 in a pond to grab all the water and let it out
25 at a slower rate, is to put tanks underneath

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2 the ground to capture water and then let it go
3 into the sewer system.

4 One project we worked on at Broad
5 and South, the answer was that we had to put
6 125-foot long, four-foot in diameter pipe
7 beneath the sidewalk into which all the storm
8 water would be captured and retained until it
9 was discharged into the system.

10 So I don't know if that's the right
11 fix, but that's what they're doing in lieu of
12 updating the sewer system.

13 REPRESENTATIVE TAYLOR: Ron, just
14 let me comment that under 862 they don't have
15 to listen to the Water Department's
16 recommendations or restrictions.

17 MR. PATTERSON: Right. So who
18 knows what -- I mean, consider how much and
19 how many people will be there, what demand

20 that would put on the system. It could
21 continue the flooding.

22 Now, I've heard flooding happening
23 here at 100 Mifflin and the like. Where I
24 live down by the stadiums we have the same
25 thing. At certain times there are back-ups in

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2 some of the homes in Packer Park. Which you
3 think that's not in the direction where the
4 water is going, but yeah, it is, it's going
5 towards a different direction there. So we're
6 feeling the same impact.

7 And I don't know, if somebody had to
8 do a calculation, I bet they probably would
9 justify its own treatment system on site with
10 the amount of people that would be there. But
11 we're not seeing those numbers, we have no way
12 to engage it or handicap it.

13 REPRESENTATIVE KELLER: There were
14 estimates yesterday that they would have in
15 each site between 6 and 9 million people
16 visiting a year at each site.

17 MR. PATTERSON: And I think -- are
18 they proposing overnight stay there, hotel or
19 anything?

20 REPRESENTATIVE KELLER: They didn't

21 say, they just said that they would have
22 between 6 and 9 million people per year
23 visiting over the course of the year.

24 MR. PATTERSON: Well, at the very
25 least you take a toilet flush, which could be

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2 one to three to five gallons. If you add in
3 where you have hotel stays or overnight where
4 you have kitchens and sinks and bathrooms and
5 tubs, you're up to maybe 100, 200 gallons a
6 day per room. And that's really what the
7 formula is. So it's just staggering to think
8 that if you times that by 9 million what the
9 gallonage would be.

10 REPRESENTATIVE LEDERER: Don't
11 forget the 3,000 condos.

12 MR. PATTERSON: That's true.

13 So, you know, I represent developers
14 and we're result oriented. And, you know, we
15 like -- we're hired to give people their
16 development permits. Whether it's good or
17 bad, the River Front Moratorium, because of
18 riparian rights, put the brakes on a lot of
19 large projects. And maybe it's a good thing
20 because some of these issues weren't
21 considered and they surely weren't -- if they

22 were, which we did have to go through Water
23 Department and Streets Department review --
24 did not factor in the casino impact.

25 We did go through a whole litany of

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2 reviews and approvals. And I have to say that
3 the city agencies are very well staffed to the
4 most part and they're very smart. And we do
5 take our plans through Water Department for
6 review for sewer and storm water. We take
7 them to the Planning Commission for review of
8 the design layout. And then we take them to
9 the Streets Department for locations of curb
10 cuts, how parking garages and parking lots are
11 designed. And once we get all those
12 prerequisite stamps we then file with licenses
13 and inspection for zoning permits. Because
14 you need your zoning permit in order to get
15 your building permit.

16 And that process is you file your
17 plans and you do have review at the agency
18 level to determine whether the uses you're
19 proposing are permitted in the zoning district
20 in which the property is located.

21 And then there's a second set or
22 level of review, as I mentioned, that is a

23 dimensional review. What is the density? Do
24 you meet the set backs? Do you meet the
25 height? Do you meet the floor area? Do you

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2 meet the rear yard? Do you meet open space?
3 Do you meet landscaping? Do you meet the
4 minimal design for loading docks, for loading
5 spaces, for parking spaces, for drive aisles,
6 for approved landscaping and planning
7 materials?

8 And once all that is done, if you do
9 meet all that, what you get is a by-right
10 permit and it's issued over the counter
11 without any input from the civic group or
12 community or legislators because you're
13 entitled to have permitted uses if you meet
14 the code.

15 If you don't, then you could either
16 revise your plan to meet the code or you can
17 then seek relief from the Zoning Board of
18 Adjustment requesting variance relief from
19 what's required. And that of course is a
20 public process.

21 And there's really two elements to
22 that once you get to the Zoning Board. And
23 one is to show that the use you want to do

24 there is approvable because there's a hardship
25 on the property, that the property is in

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2 disrepair, that the zoning is changed, that
3 the character of the neighborhood is changed.

4 And the second, once you overcome
5 that burden, is that there's no adverse impact
6 on the public health, safety, welfare and
7 community. And that's really what opens the
8 door to the neighbors and civic groups and
9 elected officials to go into the hearing and
10 voice their opinion.

11 Which brings me back to what I heard
12 this morning, was that that last piece of the
13 puzzle is being removed from both the House
14 legislation and the city's legislation. So
15 that someone is going to sit down and write
16 the parameters and say, These are the uses
17 that are approved in this district and these,
18 if there are any, are the parameters for which
19 you can build a building.

20 And if you meet that, and it's
21 pretty much -- I still disagree, it's a check
22 off item -- you meet it you meet it, you get
23 your permit. You present it to City Council,
24 they review it, it sounds like it's a

25 non-discretionary type of event. It's a

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2 resolution, so to speak. You review it, it
3 meets it, you get your permit.

4 And yes, there would be public
5 hearings. But we all know public hearings
6 sometimes are just a forum to hear the views
7 and opinions of the public, but it doesn't
8 offer them a means to then challenge the
9 legislation unless certain events occur like
10 you would at the Zoning Board. I mean, the
11 Zoning Board has its good and bad points, but
12 it also affords the general public the
13 opportunity to speak their mind. And if they
14 don't like the outcome, to appeal a decision.

15 And this legislation, as I see it,
16 takes it out of that realm. If you meet the
17 criteria that's been established ahead of
18 time, everything goes through.

19 MR. SHALLCROSS: If I may ask a
20 question?

21 MR. PATTERSON: Sure.

22 MR. SHALLCROSS: For example, when
23 you say when the plans go to the Water
24 Department for approval. Now you take just
25 the example of North Delaware Avenue. There,

2 are -- you know, Bridge and Powerton's under
3 construction, well, one's completed, I think
4 it's -- no, it's under construction -- there
5 are several more that are already approved and
6 the promised ones are still in the approval
7 process. To what degree does the Water
8 Department take into account the aggregate of
9 these proposed projects that as yet aren't
10 using the system when they're evaluating the
11 next project?

12 MR. PATTERSON: That's a good
13 question because, you know, we apply for and
14 get approval for many projects. Not all of
15 them get built. Some of them get resold or
16 flipped, as we say. And now a lot of them
17 aren't getting built.

18 Now, what I don't know is that if
19 you come in and say, I have 3,000 units and
20 we're going to attribute 2,000 gallons for
21 each unit, if they then take that off and
22 factor that in to what the capacity of the
23 system is or do they wait until it actually
24 constructed and say, okay, now we know that
25 there's more discharge into the system. I

2 don't know that.

3 I think what they're saying is that
4 they look at what the system is and they say,
5 Here is your amount of discharge and if
6 there's still capacity, they approve it. I
7 don't know if they add in all the proposed
8 projects.

9 At a certain point the systems are
10 at capacity. And the state, I believe in the
11 middle of the summer, imposed a moratorium in
12 certain areas of the city saying that the
13 Water Department can no longer give approvals
14 to hook-up to the system because it's
15 incapacitated until someone gives them money
16 to install larger piping and additional
17 treatment systems they're not going to approve
18 any further discharges. And one of the areas
19 is in Manayunk and the other one is in
20 Northeast Philadelphia.

21 So in that respect, they do take a
22 closer look. But I do not think they're
23 taking a running tally of what the projects
24 are. But that's just my impression.

25 REPRESENTATIVE TAYLOR: Rene, you

2 got a question or a comment?

3 MS. GOODWIN: Yeah, I did. I have a
4 question on something else, but Mr. Patterson,
5 on the moratorium on those two areas are you
6 talking about moratorium as it relates to the
7 sewage aspect or is it also a concern about
8 the supply or is it just the sewage?

9 MR. PATTERSON: Just discharge
10 sewage.

11 MS. GOODWIN: Just discharge, okay.

12 My issue is that it has come to my
13 attention that on June 2nd the community
14 groups had a deadline by which they had to
15 submit additional written testimony to the
16 Pennsylvania Gaming Control Board. However,
17 that deadline did not hold for the casino
18 applicants, it was, in fact, Friday,
19 October 13th. That seems unfair.

20 Also it has also come to my
21 attention, and I have sort of known part of
22 this, that two of the four casino applicants
23 along Columbus Boulevard have in their traffic
24 studies looked at a broader area, a broader
25 impact than right in front of their nose. Why

2 is that relevant?

3 Well, I'll tell you why. One of the
4 things that's come out of this whole symposium
5 for me, and as Chair of River Front
6 Communities United, was been primarily
7 focussed on Foxwoods. I now wish to broaden
8 my focus somewhat because it's now painfully
9 clear, particularly because of Bill 862, that
10 there can be no boundary lines. It doesn't
11 matter where the casino goes on Columbus
12 Boulevard, we must, the communities along the
13 water front, really band together because we
14 are all going to be affected by this.

15 I still don't want Foxwoods. But as
16 somebody put it eloquently just a little while
17 ago during the lunch break, it doesn't matter
18 even if we win this one and get Foxwoods not
19 approved, we haven't really won at all because
20 there's going to be one and we are all going
21 to be affected. So we really need to
22 recognize that and act on that in a very
23 aggressive sort of way. That's all.

24 REPRESENTATIVE TAYLOR: I think,
25 Rene, on the public input I think a lot

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2 they've depended upon 862 being passed,

3 they're dependent upon 862 being passed in its
4 current form. I'm certainly confident that
5 that is not going to happen. But if to the
6 extent that we can delay it for some time and
7 must rework their entire schedule.

8 And I think you were here when we
9 described, Bill and Mary and I, that, you
10 know, a letter has already been drafted to the
11 Secretary of Transportation as well as the
12 Chairman of the Gaming Board based on
13 PennDOT's testimony here yesterday. I don't
14 know how they can possibly issue a license
15 when there's no plan even considered.

16 PennDOT testified here yesterday
17 that they're not changing anything. And all
18 the rhetoric about temporary ramps that the
19 casinos are putting out just flat out is not
20 true. So that's alarming enough. To ask that
21 the entire process be slowed down, not to
22 mention the number of additional amendments
23 that we'd like to do to the bill.

24 As you know, there is stuff in 862
25 that anybody concerned about good government

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2 would be for. Our job in the next five
3 legislative days is to convince them, if you

4 are concerned about any version of good
5 government, there's plenty in 862 that should
6 make you very, very concerned. And I think
7 we've started that process. So let's hope
8 that that time line that you spoke about will
9 be very flexible.

10 MS. GOODWIN: Thank you.

11 REPRESENTATIVE TAYLOR: Other
12 questions or concerns for Mr. Patterson?

13 Step right up, Mark.

14 Do me a favor, Mark, just come on up
15 and use the mike so everybody will hear you.

16 MR. STIER: Mark Stier of
17 Neighborhood Networks.

18 One thing that we haven't really
19 talked about is what's the purposes of 862?
20 Now, part of me is political scientist and I'd
21 like to stay with fact that, you know, part of
22 me is community activist. And community
23 activists tend to exaggerate a little bit.
24 But I want to look ahead just a moment. What
25 would be the purpose of putting in place

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2 something which really undermines the whole
3 planning process that we're talking about?

4 Interesting enough, this morning we

5 had really two very different conversations,
6 one about a plan process being developed in
7 the city that many of us think is long
8 overdue, and that might actually be a good
9 process and lead to a good result. On the
10 other hand, we're talking about a bill that
11 makes this process impossible, that basically
12 gives the Gaming Commission the authority to
13 really determine everything that happens up
14 and down the river.

15 Now, I'm sitting here thinking, why
16 would anyone want that? And when you look at
17 things like the enormous size of the buildings
18 they're talking about, when you look at the
19 billboards they're talking about with the
20 flashing lights and the animation and the neon
21 and all that stuff, that the city of
22 Philadelphia prohibited, but the Gaming
23 Commission would allow.

24 When you look at the fact that this
25 is really a cancerous kind of a situation

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2 where you have a casino that has authority
3 over, I mean, a Gaming Commission that has
4 authority over one area that can be extended
5 up and down the river, it seems to me that

6 what people are thinking about in the future
7 is recreating a Las Vegas strip along our
8 water front. With the big hotels, that's why
9 they need the highrises. With all the
10 billboards, that's why they need to do away
11 with the billboard laws, without access to the
12 water front, which is why they need to narrow
13 the bike path and pedestrian path from 50 feet
14 to 20 feet.

15 I think what may happen in the House
16 of Representatives in the next week is going
17 to determine the future of this water front.
18 And this is the choice we're going to have
19 right now between Las Vegas strip or something
20 that, even if we don't like the casinos, at
21 least puts the casinos in a context that makes
22 the water front an attractive place for all
23 Philadelphians.

24 So I hope we can find some way to
25 make clear to the rest of this city and to the

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2 legislators that this is really a -- this is a
3 critical week for the history of this city.

4 REPRESENTATIVE TAYLOR: Mark, keep
5 in mind, just from the legislative side, and
6 I'll let Ron respond, that our challenge is

7 that we've focussed on what we feel are very
8 damaging provisions of 862. The challenge is
9 is that there's a lot of other provisions that
10 aren't so damaging. Matter of fact, would be
11 helpful, that a lot of people want to see
12 cleaned up. It's not unusual to have a bill
13 with good and evil in the same bill. Therein
14 lies the dilemma for the Governor as well.

15 So there's a lot of politics being
16 played here too for people who really are
17 never going to see a casino face to face in
18 their life. I would venture to guess that
19 90 percent of the legislature will never
20 actually see a casino in Pennsylvania, will
21 never run into one, will never go to one.
22 They don't care, but they want the tax relief.

23 So the problem is, if that bill does
24 -- even if the bill was pushed forward then
25 you have a Governor in the dilemma of not --

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2 of either being for good government or bad
3 government and he's going to get criticized
4 either way no matter how he votes. As will
5 we. But I think that, you know, our goal will
6 be to open it up, do surgery and extract those
7 damaging parts, put it back together and keep

8 the good parts in it, and hope we can move
9 forward in that regard.

10 But you're absolutely right. What
11 the City Solicitor and the Planning
12 Commissioner described this morning was a
13 planning process that would be absolutely moot
14 the minute that 862 hits the desk of the
15 Governor if it's in this form and if he signs
16 it. You can plan all you want, it's not going
17 to matter.

18 REPRESENTATIVE KELLER: And Mark, as
19 you know as a political scientist, this
20 started out as a good government bill. It was
21 amended. I mean, this bill didn't start out
22 in the form it's in now. It was amended with
23 all this stuff. So like I said, we've got our
24 work cut out for us. And we really have a lot
25 of hard work to do within the next five days.

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2 REPRESENTATIVE TAYLOR: Ron, you
3 want to respond to anything Mark said?

4 MR. PATTERSON: Yeah. I mean, to do
5 planning and zoning this way by doing that
6 bill or that ordinance, that really cuts
7 against the logical way that cities are laid
8 out and how planning is supposed to evolve.

9 And that's why you have industrial districts
10 which primarily are near the water, and then
11 you build out from there with buffers. You
12 have industrial, then you have light
13 industrial, then you have commercial, then you
14 have light commercial, then you have
15 residential, but maybe multi-family
16 apartments, then you go into row houses, then
17 you go into single family attached or detached
18 homes and then green space and parks and
19 schools.

20 So that there's a reason for that.
21 There's an orderly fashion. And one is
22 supposed to buffer the other. That's why you
23 don't see or you're not supposed to see or a
24 code doesn't allow that you have residential
25 in a manufacturing district or an industrial

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2 district. And there's considerations for
3 that. Because once you get into the
4 industrial areas you're supposed to have wider
5 streets and residential you have smaller
6 streets. And you're supposed to -- if you do
7 run up against a competing use district you're
8 supposed to have buffers with landscaping and
9 the like.

10 So what this does, it just takes, it
11 carves out a piece and says, we're going to
12 forget all about the planning and orderly
13 fashion and we're going to put it here. And
14 doing it that way it really puts the burden on
15 you guys as the legislators to, hopefully,
16 you're going to place your own thoughts about
17 protecting the impact to the neighborhood
18 because of that. And you may not be able to
19 do that.

20 MR. DOUGHERTY: Just so you know,
21 besides being a lawyer, he's also an
22 environmental engineer.

23 Sandy.

24 MS. SHEA: Hi, Sandy Shea from the
25 Daily News.

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2 Representative Taylor, you were
3 talking before about the surgery that's
4 required for these new evil amendments in 862.
5 However, the zoning preemption was in part of
6 the original bill which you all three
7 supported originally and it's not an issue in
8 this particular one. So can you talk a little
9 more about -- because I'm still a little
10 confused about you're either or all of your

11 support of the zoning preemption piece of this
12 bill.

13 REPRESENTATIVE TAYLOR: Probably,
14 and every time we spoke about this, whether
15 it's a press conference, community group or
16 even with you, Sandy, at the Editorial Board,
17 we described the fact that, yes, we had a
18 decision to make when it was put forth whether
19 or not we wanted to allow the age-old version
20 of one councilman has total veto power over
21 anything that goes on in his or her district
22 versus the state being able to bypass that.

23 That's a tough call. It was part of
24 a larger bill, and, yes, at least in my case,
25 I supported that.

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2 The difference now is that what has
3 come back in an 862 goes beyond that times
4 100. And almost to the point that I said
5 publicly in the last few weeks that if I get a
6 chance to see the attitude and the arrogance
7 and the greed that's coming from those
8 proponents of this type of legislation, it's
9 so disrespectful, and that if I get a chance
10 to knock out the entire preemption, I'll do
11 it. So that's all part of the amendments

12 we're going to try to put forth to do that.
13 And we had a good discussion this
14 morning when Kevin Greenberg from the City
15 Solicitor's Office said that this city is
16 willing and able and ready to accept this
17 challenge and move forward. We hope that they
18 do move forward in a way that is not
19 historical and does not adhere to the age-old
20 version of having one councilman be able to
21 tie up a project indefinitely, you know,
22 similar to what they did on many, many times.
23 And the legislature wasn't willing to do that.
24 But now with all this other stuff
25 going in, and it's beyond, Sandy, I think what

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2 we heard yesterday is beyond what even Bill
3 and Marie and I felt that was in the bill.
4 Instead of us feeling better after this
5 symposium I think that in my case I feel a
6 whole lot worse when the Water Department says
7 not only are the utility hook-ups for
8 basically free, but now there is absolutely no
9 ability for the Philadelphia Water Department
10 or the DEP to oversee anything that happens in
11 terms of the sewer system here in Philadelphia
12 if 862 would go forward.

13 And he had offered a lot of other
14 provisions that you weren't here for that
15 would indicate that even the commercial
16 entertainment district language that has been
17 put in 862 now that has been used as the good
18 government version and an improved version,
19 it, in fact, is meaningless because of all the
20 other provisions that we have cited.

21 The commercial entertainment
22 district provision was allegedly put in the
23 bill to give some parameters to the Gaming
24 Control Commission. When, in fact, all those
25 other items completely exempt that very

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2 provision that they're talking about being
3 good government.

4 So I certainly admit to the fact
5 that, yes, I voted for that. I won't vote for
6 it again. And, you know, on balance it looks
7 like that wasn't even good enough for these
8 guys.

9 REPRESENTATIVE KELLER: Sandy, I
10 know you keep going back to that and you point
11 it out to us all the time, but 862 that we
12 have voted for no longer exists. I don't know
13 where they go, bill heaven somewhere, I don't

14 know, bill limbo, wherever they go.

15 AUDIENCE MEMBER: Bill hell.

16 REPRESENTATIVE KELLER: But that no
17 longer exists. And if we keep saying, you
18 know, but you did this. Yeah, we did it,
19 okay. But we are here now saying that this
20 version of the bill is absolutely, we cannot
21 vote for it, we have to change it, this is
22 wrong for everybody. I hope that some day the
23 newspapers would get in line with us and
24 say -- besides saying that we voted for
25 something that doesn't exist anymore, maybe

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2 somebody could say, Hey, they're on to a good
3 thing here, they caught this in time. We're
4 doing everything we can to change it. We're
5 making the right moves, we're talking to the
6 neighborhood groups. I think we're doing good
7 things here.

8 MS. SHEA: For the record, we did
9 say that.

10 REPRESENTATIVE KELLER: Oh, we did?

11 Well, now we can talk about this
12 bill and how bad this bill is, that would be
13 helpful.

14 MR. LEVINS: Earlier on I mentioned

15 many of the very successful Philadelphians who
16 are investors in these casinos. And one of
17 the names that I omitted is Brian Tierney who
18 has a controlling interest in the Inquirer and
19 Daily News. So I hope people like Brian
20 Tierney would realize that this Senate Bill
21 862 really takes away the power of visionaries
22 of the future, if you will.

23 I mentioned visionaries of the past
24 who were responsible for the Parkway,
25 Schuylkill Water Front and Old City. This

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2 bill strips the ability of future visionaries
3 to come to the surface. And I would hope
4 people like Richard Sprague and Brian Tierney
5 fight along with us to make sure that this
6 bill never gets signed by the Governor.

7 MR. DOUGHERTY: Sandy, did you have
8 anything else that you wanted to talk about?
9 I only introduced you as Sandy, you said that
10 you worked for the Daily News, that adds a
11 different twist in here. Do you have any
12 other questions or concerns?

13 MS. SHEA: No, thank you.

14 MR. DOUGHERTY: I appreciate you
15 taking the time out to come down here today

16 too. Thank you.

17 Dr. Moylan.

18 DR. MOYLAN: Just as a curiosity,
19 casinos or not new, casinos are in many urban
20 areas and rural areas. But have they ever
21 tried to put them in as urban or congested
22 area as they are here? And is that why it's
23 explaining some of the extra apparent
24 confusion that we're having? Why there's so
25 many problems.

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2 And by no means am I in favor of
3 them just being thrust upon us. But if they
4 have no history of trying to put it in such a
5 congested area, that may explain why we're
6 having all these problems and that's where the
7 lack of communication is. So I don't know if
8 that's something that's been discussed or
9 addressed.

10 REPRESENTATIVE KELLER: I don't
11 think we're having problems. We know what
12 this bill says, we know what the bill takes
13 away from the community and we're saying
14 that's wrong.

15 DR. MOYLAN: And I'm in full
16 agreement with that. I'm just saying from

17 their perspective they're just used to walking
18 in and saying, We're here, Now welcome us.
19 And we're now offering such a unique
20 situation.

21 REPRESENTATIVE KELLER: You know,
22 this is where maybe I have -- here I go again,
23 when did they get a vote? When did they get a
24 chance to put -- when do they get a chance to
25 do that? They do what gets passed, they don't

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2 get in. I mean, as the city has said, we'll
3 work with them, we'll make sure it works,
4 we'll make sure we do it right. But you just
5 don't take away all their problems and forget
6 any community involvement in it. That's what
7 this is about.

8 MR. MULLIGAN: I can answer your
9 question. Pat Mulligan.

10 MR. DOUGHERTY: Pat Mulligan, how
11 about you answering that question?

12 MR. MULLIGAN: I sat on the Mayor's
13 Gaming Task Force and we found out that
14 there's never been or no casino has ever been
15 plopped into an urban environment such as
16 Philadelphia ever before. We are the test
17 case. We are truly the test case. All right.

18 And I want to make a statement and I
19 want to follow-up on something this gentleman
20 said.

21 Now, I was involved in the stadium
22 process early on in building this -- in
23 helping getting those stadiums built in South
24 Philly. Okay. And the city was actively
25 involved. And when the city decided with the

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2 community and the community agreed to have
3 these things housed in South Philly the city
4 worked with the community on building
5 restrictions around their neighborhoods to
6 prevent this volume of traffic that comes down
7 Broad Street and go into their neighborhoods
8 when they have game day, when they have large
9 events, it protects the community.

10 I have seen every single traffic
11 study that these casinos have put out. I know
12 there's supplemental stuff being put out that
13 I haven't seen yet that's been produced in the
14 last couple weeks.

15 What really concerns me -- and I'm
16 not a native Philadelphia, all right. I
17 didn't grow up in the city, I wasn't born here
18 and all that, but I love the city.

19 What really concerns me is that not
20 one of those traffic studies -- they all
21 address about traffic on Delaware Avenue, they
22 all address how it's going to come off 95 and
23 into their front door, they don't address how
24 they're going to protect the community. Not
25 one of them has addressed in any of their

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2 traffic studies how they're going to protect
3 the community. How they're going to keep that
4 traffic, other than signs, out of the
5 community.

6 And I think as our legislative body
7 and all, you know, 862 kills us because the
8 city does not have a say anymore. We can't
9 come to that developer and say, how are you
10 going to protect this community from your
11 development, from your overflow of traffic?

12 And I think as a community we got to find a
13 way to do that.

14 MR. DOUGHERTY: Rene.

15 MS. GOODWIN: Yes. John, we
16 focussed a great deal on the negative aspects
17 of 862, as that should be. But as the day
18 wears on and we are almost overwhelmed with
19 information, I wonder if the legislators can

20 just briefly restate the positive aspects of
21 862 and its original intention lest we do not
22 forget them as the amendments move forward.

23 REPRESENTATIVE TAYLOR: Rene, in
24 862, and I don't have it in front of me so, I
25 mean, the bill is this thick, but I know that

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2 a lot of the backroom controversy with regard
3 to suppliers and manufacturers and legislative
4 dictates about who is going to be suppliers.
5 And in fact, many of the political connected
6 people like are involved in the casino
7 investment or involved in these suppliers,
8 there was a mandate that the casinos had to
9 use suppliers before they could purchase slot
10 machines. There was dictates on who was going
11 to be the manufacturer who was allowed to sell
12 certain percentages and things. Definitions
13 about who was a public official. Percentages
14 of ownership. And there's a couple other ones
15 that I'm not remembering. But all those
16 things that smack of backroom self-preserving,
17 self-protection of the investors who are
18 involved in the political process is due to be
19 removed.

20 So it is curious, while we'll do

21 that -- but none of that really, if you think
22 about it, a lot of that benefits the casinos
23 as well as the other negative provisions too.

24 So in addition to being, those
25 provisions being good government, for example,

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2 there's no longer a mandate for the use of
3 suppliers. They're going to phase that out.
4 Not only are they going to phase that out, but
5 they're going to create a slush fund, pardon
6 the use of that term, but they're going to
7 create monies to pay the suppliers when they
8 sue because they are already in.

9 So if you look at the overall theme,
10 not only did they straighten out ostensibly
11 some shaky dealing, but along with what we
12 think are the negative provisions, now you got
13 complete sweeping off the table of any
14 restrictions whatsoever.

15 Some of those restrictions were not
16 good about what they -- how they could buy,
17 who they had to buy through. But you add to
18 it the riparian rights, the billboards, the
19 associated areas, the no smoking, the no
20 utility oversight. And they make no bones
21 about it, we do not want any obstacles

22 whatsoever. Not only do we want no land use
23 oversight that would cause lawsuits, we don't
24 want anything.

25 So some of those things actually

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2 work for many legislators that they're going
3 to feel good about because the rest of these
4 provisions that we find negative not only just
5 deal with Philadelphia but in truth only deal
6 with this section of Philadelphia.

7 So our first challenge is to really
8 invigorate our fellow legislators in the city,
9 and then to extend it to beyond to say, you
10 shouldn't feel good about this at the end of
11 the day that you're casting a positive vote
12 for this.

13 So there's already a built-in number
14 of pure anti-gaming votes. Add to that the
15 Philadelphians who were pro gaming in general,
16 there may be an exception or two to that, but
17 I don't think there was, and then maybe you
18 form a coalition enough to beat all this back.

19 MS. GOODWIN: But wasn't it a
20 Philadelphia legislator that helped craft this
21 bill?

22 REPRESENTATIVE TAYLOR: Certainly

23 there's a Philadelphia legislator that's
24 defending this bill.

25 MS. GOODWIN: Thank you.

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2 MR. DOUGHERTY: Gentleman.

3 And then we'll come back to you,
4 Sandy.

5 MS. SHEA: I just wanted to add a
6 point of information.

7 MR. DOUGHERTY: Well, why don't we
8 take -- before the question we'll take a point
9 of information.

10 MR. PAPPACHOHN: It seems that so
11 much of Act 71 and S.B. 862 have been written
12 and enacted to really further gaming in
13 Philadelphia, obviously. But more protecting
14 the interests of gambling operators rather
15 than residents of the adjacent neighborhoods
16 where these things will go.

17 And I think while you've properly
18 identified some of the merits of 862, there's
19 some other things that could go in there which
20 would make it even better for people along the
21 river, specifically legislating CBAs and
22 special service districts for the
23 neighborhoods that will be affected.

24 REPRESENTATIVE TAYLOR: Identify

25 CBA, Matt.

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2 MR. PAPPAJOHN: I'm Matthew

3 Pappajohn.

4 REPRESENTATIVE TAYLOR: No, identify

5 what CBA means.

6 MR. PAPPAJOHN: Oh, Community

7 Benefits Agreement. Just identify --

8 legislate and identify a source of funding or

9 a fund that will be set up to enrich

10 neighborhoods and at the same time mitigate

11 the harms that will be inflicted by these

12 things. And there will no doubt be harms, as

13 we all know.

14 And the special services district,

15 it is something that could be modeled after

16 what goes on down at the stadium.

17 And I think the big part of it is

18 the state's taking responsibility for some of

19 this financially. You're a 54 percent partner

20 in the enterprise. That's a lot to ask a

21 casino to do after they're already ponying up

22 54 percent. So somehow between the state's

23 share, the city's share and the operators'

24 share of the proceeds there's got to be

25 something done for the neighborhoods. And it

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2 should be legislated and not left to chance, I
3 think.

4 I think another really important
5 thing would be to legislate that there can't
6 be two casinos within two miles of each other
7 anywhere along the river front or anywhere in
8 Philadelphia, for that matter, anywhere in
9 Pennsylvania. Act 71 says you can't have two
10 casinos within ten miles of each other to
11 protect operators' interests. Why not do the
12 same for neighbors?

13 And I think that's it. I think
14 those are --

15 REPRESENTATIVE TAYLOR: And just for
16 the record, that ten-mile provision was in
17 there to protect the racing industry so that
18 somebody wouldn't plop a casino right next to
19 a race track.

20 MR. PAPPACHOHN: There are slot
21 parlors in race tracks. So really it's --

22 REPRESENTATIVE TAYLOR: It was to
23 protect that entity. And you know, for the
24 record, the discussion about slot machines all
25 began with saving the racing industry, which

2 is a very big -- that plays well in
3 Pennsylvania because it brings in the
4 agricultural community, and therefore, a lot
5 of legislators.

6 MR. PAPPAJOHN: I think slot parlors
7 at race tracks are not necessarily a bad idea.
8 I doubt that most of them are plopping them
9 down next to the neighborhood.

10 MR. DOUGHERTY: Can you put your
11 name into the record for me, please?

12 MR. PAPPAJOHN: My name is Matt
13 Pappajohn. I live in Fishtown.

14 MR. PATTERSON: Matt raises a good
15 point. Because oftentimes when if I go to the
16 Zoning Board with a matter and I'm opposed,
17 it's not because people are against the use,
18 they want to try to minimize the impact. And
19 which leads you to a developer's agreement or
20 proviso conditions that are attached to the
21 permit. It could vary from the hours of
22 operation to the changing of traffic
23 circulation and the like.

24 And you know, they often work very
25 well and sometimes result in deed

2 restrictions. What it does is also takes the
3 enforcement away from the city or adds to the
4 city's enforcement by empowering the people
5 who signed on to the agreement, which could be
6 a civic group, to have the ability to enforce
7 privately if the city no longer has the
8 resources or L & I inspectors, as the case
9 would be, to go out.

10 So the developer's agreement
11 would -- that kind of thing would be nice if
12 there was an opportunity to do that. Then
13 it's surrounding impact to communities could
14 have their concerns addressed. If they get
15 over the threshold of saying that we're okay
16 with the use.

17 MR. DOUGHERTY: Sandy, you had a
18 point of information?

19 MS. SHEA: Oh, I just wanted to
20 point out, the Representatives were very good
21 in acknowledging and bringing to light all the
22 bad stuff of 862. The one good thing was it
23 eliminated the one percent ownership that
24 legislators and elected officials could have,
25 and now they can't have any ownership at all.

2 So that's one of the other positives.

3 MR. DOUGHERTY: And also, initially,
4 most of one discussion, Act 71, I mean, you
5 very infrequently had any conversation about
6 Act 71 without a great emphasis on the wage
7 tax reduction and property tax relief. And
8 they're just things that people have a lot --
9 I mean, it just seemed that any conversation
10 initially somewhere along the line there was a
11 serious discussion about that. And rightfully
12 so. People, you know, have interests in that.

13 But it just seems that right now our
14 symposium is not only about the next six
15 months, our symposium is about the next
16 decade, okay. Our symposium here understands
17 that there has to keep an industrial base,
18 okay. We understand that we have, what I
19 refer to as a working to stay middle class
20 group of neighbors along a big portion of that
21 water front, okay.

22 But we also have a very different
23 approach to some of the other neighborhoods.
24 The condo explosion, okay, the loft explosion,
25 the need for green space. The fact that, you

2 know, I have been lucky enough to visit a few

3 other water front locales, you know, the open
4 amphitheater, the better use of Penn's
5 Landing, the better use of marinas, the
6 dredging of the river. I mean, these are
7 topics that are serious points of discussion
8 that will develop over a period of time.

9 With all due respect, we sung a lot
10 of praises about the executive order of the
11 Mayor. But the last election process didn't
12 go too well that he had. And so what happens
13 is we don't want things to either get tied up
14 in court or become some thought process that
15 takes forever.

16 We had questions and concerns about
17 things that are being done like the traffic
18 from the Food and Produce Center. We had the
19 sewerage overflow. The, you know, the lack of
20 green space. We hear all the time, well, it's
21 difficult, you can't get to Penn's Landing,
22 I-95 separates it.

23 In fact, in one of the arguments one
24 of the makers of the bill had with some of our
25 elected officials, what do you care, it's so

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2 far from the neighborhoods? It's really not.
3 Okay. Anybody ever walk across the South

4 Street Bridge? Talk to the close to 2 million
5 people that visit the ice skating rinks. I'm
6 down there three or four times a year. We
7 have an ice skating program for the Variety
8 Club. And that's prior to Ikea and movie
9 theaters and Long Horns and things along them
10 lines.

11 So these are issues that are big
12 picture issues. We just don't want it stuck
13 in that normal long term Philadelphia process.
14 You heard some of our speakers here talk about
15 Ed Bacon on one hand and then talk about our
16 inability to get anything done on either side
17 of the water, the Schuylkill or the Delaware.

18 We believe that for a lot of years
19 there wasn't as many people in them
20 neighborhoods, and now there are and there's a
21 lot of interests. So we just tried to channel
22 that, focus in in the right direction.

23 It just happens that we have
24 something called Bill 862 that has brought all
25 neighborhoods together, normally where we

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2 might have a little difference, we put that
3 aside for the big picture.

4 Not everybody in the room doesn't

5 have the same view of gaming. We have the
6 same view of lack of input in gaming.

7 MR. PATTERSON: I think it brings an
8 awareness to how all the pieces of the puzzle
9 fit. And I think that's really what the
10 catalyst probably has been in terms of uses
11 and in traffic and in design. And I think,
12 like you said, I think the traffic impact is
13 probably a larger issue. And you're limited
14 by geography and the physicalities of the
15 street in order to address the traffic.

16 You know, the example that I gave
17 about the Post Office facility, we were able
18 to at least get them to agree that all
19 industrial traffic to and from the facility
20 would go on a new street that they were going
21 to dedicate off of Island Avenue. But it's
22 awfully difficult to put a dedicated street
23 here on Delaware Avenue to say all the traffic
24 coming or going to the casino can take it's
25 own dedicated ramp exit off of I-95.

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2 MR. DOUGHERTY: Let's stay right
3 there. We had the Delaware Valley Planning.
4 If you want to get some federal funding you
5 have to let them know what you're doing, okay,

6 the process.

7 We had PennDOT. We got a Governor
8 that transcends bi-partisan, gets along with
9 everybody, gets along with people in
10 Washington. So it's not -- in some cases we
11 have some people in office that are paralyzed
12 by their specific party affiliation. Okay.
13 We got a Speaker and a Governor both from the
14 region, two different parties but from the
15 area, they communicate.

16 We got agencies that aren't talking.
17 We got a game plan, we got transportation, you
18 know, TIP program that doesn't have any of
19 these locations on any of their -- in their
20 game plan. They're telling us they got \$900
21 million dollars worth of money and that will
22 get them to Vine Street at best. And they're
23 saying that they're not sure that I-95 can
24 handle the additional traffic it's taking
25 right now from a structural standpoint.

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2 So if the pipes can't handle the
3 water and the roads can't handle the traffic,
4 thank God the skies can handle the clouds.
5 You know what I mean?

6 REPRESENTATIVE KELLER: Maybe we

7 better check 862.

8 MR. DOUGHERTY: That's why we're
9 here. This isn't -- I don't want anybody to
10 think -- this is only the beginning. This is
11 the first of what we expect to be many.

12 Now, if it's all right we'll start
13 to wind up a little bit. And I'm going to go
14 around, we'll get questions, final statements.
15 Okay. Ladies before gentlemen.

16 HER HER: You're making a good point
17 with, you know, lack of communication and the
18 lack of organization. I was just wondering
19 what your next step is and what the panel's
20 next step is in dealing with some of these
21 issues that we're bringing up and addressing
22 over the last few days.

23 MR. DOUGHERTY: I can tell you what
24 my immediate role will be, communicate with my
25 brothers and sisters from the Whitman

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2 Association, some of the other civic
3 associations, to see how we can gather the
4 information and get it out. We will try to
5 gather this, answer some of the pending
6 questions, get some of the copies of the
7 traffic reviews. A lot of people haven't had

8 access to them. And we want to make sure that
9 everything that went on here we have some
10 accessibility.

11 I believe that the dialogue that has
12 not only been opened up between us and the
13 legislature, but between some of you and
14 legislature. We'll never be able to -- you
15 can't -- there's no price put on that. We had
16 people in the room in the last two days
17 talking to each other that I never thought
18 would happen, productive conversations, I just
19 never thought your paths would cross. They're
20 now working together.

21 And I believe that you already heard
22 State Representative Taylor say he's going to
23 shoot off something to the Gaming Commission
24 first thing tomorrow stating that, Yo, you
25 have people in this area, the water front

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2 development process, who have not
3 communicated. How can you give them a gaming
4 application at this time without this
5 communication being kept?

6 So I think that you have a series of
7 things. You have us from a civic association,
8 civic body, continuing to gather information,

9 help facilitate the answers to questions,
10 trying to transcend each other's concerns and
11 visions and try to continue to move forward
12 and also prepare for the next one of these.
13 And where do we do it, and how do we do it,
14 and on and on and on.

15 I believe that the legislature has a
16 much more obvious problem. They have their
17 Senate bill right in front of them, it could
18 be any day this week. So they're going to go
19 back later tonight, tomorrow and start to
20 handle their -- I don't know what the proper
21 wording is -- reworking of it.

22 Also, they're going to file off some
23 letters that, you know, obviously come with a
24 little bit more drag, right, wrong, or how we
25 think, you know, than we have at this present

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2 time. Saying, Hey, this is what we picked up
3 here. The first question -- the first letter
4 or two they had they were working on this
5 morning together. That's all good.

6 We have a lot of the community
7 newspapers are here. We have a lot of the
8 community groups are here. We have some of
9 the think tanks here, some of -- you know, we

10 have the newspapers here, we have the media
11 here yesterday.

12 You know, it was funny, I had
13 somebody talk to me, he was joking with me,
14 said, Yo, I thought about running for office,
15 I'm thinking about moving now. And we were
16 joking in the back, it's sort of like one of
17 the Batman movies, the later Batman movies
18 where it's dark and the fog is coming from
19 manholes and, you know, that's the perception.
20 And if you listen to some of the people here
21 that are the people in position to talk to us.

22 And there's also, there's a little
23 bit of a -- there's still people lobbying
24 hard, as much as we're here saying, Hey, we
25 don't want this, there's still people in the

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2 background saying, They don't need anything,
3 push it.

4 I can tell you there was one or two
5 speakers I had conversations with in
6 preparation for this who kind of went soft on
7 me between now and then. I didn't want to put
8 them in an awkward spot. One day he's telling
9 me how bad the sewer system is, and the other
10 day he's trying to convince me that there's a

11 possibility that a lot of it is because of the
12 additional flood. I said, try to tell that to
13 Mike O'Donnell.

14 And I've had conversations with the
15 Mayor, the Managing Director and the Water
16 Commissioner about this. I've sent letters
17 off two and a half years ago about these
18 issues. I'm just glad that -- but I did that
19 in three or four different hats. This one's
20 purely about generating some sort of game
21 plan.

22 And in the last six weeks since
23 we've been marketing this, dropped off 600,000
24 fliers, an executive order was signed. I'd
25 like to think that we had just a little bit to

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2 do with that executive order being signed.

3 And then the Governor sent a letter
4 out, by the way, pretty detailed, which will
5 also be in the packets we put out opposing
6 this.

7 Our friends from the longshoremen
8 union are understanding how they might be
9 saving one industry by plopping a road, but it
10 might be separating them from future growth.
11 We have International Officers who have roots

12 in the neighborhood here representing them.

13 And staying the whole day.

14 That's not me closing, that's

15 somebody's phone.

16 Any other quick questions? Mark?

17 Rene? Eddie? How about we start to try to

18 bring this to a -- my mom's birthday, she

19 ain't feeling good, I got to get down the

20 shore.

21 MR. STIER: I just want to say that

22 as we move forward I hope we think a little

23 bit about an agency that's not here and the

24 solution that we haven't talked too much

25 about, and that's using public transit.

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2 You know, we have a -- I made a

3 proposal about three weeks ago about using

4 public transit to move parking off site. And

5 I'm working with a transit guide to try to

6 make it a little bit more detailed to get more

7 information to release it publicly.

8 But my understanding is the Port

9 Authority has been studying transit on the

10 water front for a while. And that there's

11 some study there, I can't get my hands on it,

12 I can't get anyone to tell me whether it's

13 real or not, but I would like someone with a
14 little more authority like some of the folks
15 up there to investigate it.

16 Because, you know, when you build a
17 transit solution the most expensive thing is
18 track. We have the track up and down Columbus
19 Boulevard. We have an abandoned train track
20 from Tasker that goes down almost to the
21 sports arenas. And we can put parking off
22 site and move people up and down on trolleys.
23 And I think that would dramatically improve
24 the impact of those casinos on the local
25 neighborhood. So I hope you can consider that

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2 as a possibility as well.

3 MR. DOUGHERTY: We appreciate that.
4 Just tongue and cheek, we're outside
5 yesterday, we had Joe Brooks here from Penn's
6 Landing, and we were saying that the traffic
7 we were going to try to have the River Ferry
8 run back and forth to SuperFresh on Sunday
9 afternoons. Okay. I mean -- but there's --
10 you know, we joke and laugh, but you're right,
11 we have the tracks, you've made that point.

12 MR. STIER: That's 80 percent of the
13 cost. And we get federal money because the

14 existing track would count as the local
15 contribution. So we go right to the top of
16 the federal list of getting money for things
17 like this.

18 MR. DOUGHERTY: Eddie Kirlin.

19 MR. KIRLIN: Yeah. Ed Kirlin,
20 Pennsport.

21 I hope from here on out we can stop
22 calling these community benefit agreements,
23 call them casino community destruction
24 mitigation agreement, because that's what they
25 are. And at the end of the day, what do we

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2 know?

3 We know that we got a sewer system
4 that's clogged now and we're going to add
5 sewage of 12 million to 18 million more
6 people.

7 We know we got Delaware Avenue
8 that's clogged now, it's gridlocked, and we're
9 going to add the traffic from 12,000 to 18,000
10 million more people a year.

11 We do know that we have three State
12 Representatives that give a damn. They're
13 smart and they're doing their job.

14 And we also know that they're

15 proposing to build casinos on land that they
16 don't own or else the riparian rights stuff
17 wouldn't be in the legislation 862.

18 And the last time up it was an
19 \$800 million project. So we're giving away
20 \$300 million dollars. I would encourage you
21 fellows to tell your state legislators to
22 don't give up there, it's a huge give away,
23 it's just as good as a payoff. Thank you.

24 MR. DOUGHERTY: Rene.

25 MS. GOODWIN: Mr. Patterson, you

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2 were talking a little earlier about the
3 certain ratio or the guide of water disposal
4 per person, I'm not as intimately acquainted
5 with the other casino applicants as I am with
6 Foxwoods' application, in their Phase 3 of
7 their program they are proposing two 500-foot
8 high structures, one would be a condominium or
9 some sort of residential towers, rental or
10 condominium, the other one is a hotel. I
11 don't know what the other dimensions are, so I
12 don't know how many living units, but I just
13 wanted you to know that.

14 And the other thing, one day I was
15 kind of fooling around and I was looking at

16 the map of Philadelphia in relation to this
17 whole casino issue. And it occurred to me
18 that if you start with Chester Downs in
19 Chester and you go to at least one casino on
20 the water front, the other casino either being
21 on the water front or East Falls, and then the
22 fourth location, Philadelphia Park, you have a
23 stunning four large gambling opportunities
24 within about a 50 to 55-mile area. Is that
25 the way to move this city forward?

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2 MR. DOUGHERTY: One interesting
3 piece of conversation we picked up yesterday,
4 Philadelphia Park, a lot of their water comes
5 into the Philadelphia system, until this point
6 has not had any conversation with the
7 Philadelphia Water Department.

8 Okay. Thank you. Thank you. Thank
9 you. I want to thank not only our
10 legislators, our community leaders, but all
11 the professionals that came down and you,
12 yourself. We'll see you in a couple months.
13 Thank you.

14 (End of Sunday, October 15, 2006
15 session.)

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