

Disclaimer

These minutes reflect the actions taken by the Commission during its January 24, 2017 meeting. Although these minutes have been approved by the Commission, no action authorized by the Commission during this meeting, as reflected in these minutes, shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of these minutes has been delivered to the Governor for review, unless prior to expiration of the review period the governor approves same, in which case the action shall become effective upon such approval. These minutes were delivered to the Governor on February 13, 2017.

PINELANDS COMMISSION MEETING

St. Ann's Parish Centre  
22 Trenton Road  
Browns Mills, New Jersey

MINUTES

**January 24, 2017**

Commissioners Present

Alan W. Avery Jr., Bob Barr, Bill Brown, Giuseppe Chila, Paul E. Galletta, Frank Hays, Jane Jannarone, Mark Lohbauer, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Lisa LeBoeuf and Deputy Attorney Generals (DAG) Sean Moriarty and Timothy Malone.

Commissioners Absent

Candace Ashmun, Ed Lloyd, D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:38 a.m.

DAG Moriarty read the Open Public Meetings Act Statement.

Ms. Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 12 Commissioners present.)

The Commission and public in attendance pledged allegiance to the Flag.

Commissioner Prickett asked if the meeting was being recorded so the Commissioners not in attendance could listen to the audio of the meeting.

Ms. Wittenberg said that the meeting is being recorded and the stenographer will produce a written record of the meeting.

#### Minutes

Chairman Earlen presented the minutes (open and closed session) from the December 9, 2016 Commission meeting. Commissioner McGlinchey moved the adoption of the minutes. Commissioner Chila seconded the motion.

The minutes of the December 9, 2016 Commission meeting were adopted by a vote of 12 to 0.

#### Oath of Office

DAG Moriarty administered the Oath of Office to Commissioner Frank Hays from the National Park Service.

#### Committee Chairs' Reports

There were no Committee meetings to report on this month.

#### Executive Director's Reports

Ms. Wittenberg updated the Commission on the following:

- The Pinelands Municipal Council meeting is scheduled for January 25<sup>th</sup> in Bass River Township. Mr. Ed Wengrowski will attend the meeting and provide a presentation on the Rapid Landfill Assessment data.

Mr. Chuck Horner updated the Commission on the following:

- A pre-application meeting was held with a property owner in Maurice River Township. The property consists of 2,400 acres. The owner has no specific plans for development at this time.
- Staff is working with Pemberton Township regarding an interest the town has in developing a park for recreational uses. Staff has notified the town that there are wetland issues. A site meeting has been scheduled.

#### South Jersey Gas proposed natural gas pipeline presentation

Ms. Wittenberg said South Jersey Gas is proposing to construct a 22-mile gas pipeline to repower the electric generating facility BL England from coal to natural gas. She said eight of the 22 mile proposed pipeline are within the State-designated Pinelands Area. She said the proposed pipeline will be connected to an existing pipeline that was approved in 1990. Ms. Wittenberg reviewed a map displaying the project route. She said the pipeline will be buried along an existing road and road shoulder. She reviewed the history of the

application from the time it was received in the summer of 2012 through the present. She discussed the Appellate Division's decision to remand the Certificate of Filing back to the Commission for a final decision. In that decision, the Commission was required to afford the public an opportunity to be heard, which leads us to today. She noted that the application is consistent with the following standards of the Comprehensive Management Plan (CMP): threatened and endangered species, cultural resources and wetlands. (See presentation slides for additional information.)

Public Comment on Agenda Items, Pending Public Development Applications and Remanded items: Superior Court of New Jersey, Appellate Division – South Jersey Gas Company (Application No. 2012-0056.001)

130 people provided oral comment on the South Jersey Gas Pipeline (Application # 2012-0056.001). A copy of the meeting transcript can be obtained by contacting the Commission.

Ordinances Not Requiring Commission Action

Chairman Earlen asked if any Commissioners had questions regarding the ordinances not requiring Commission action:

- Town of Hammonton Ordinance 12-2016
- Stafford Township Ordinance 2016-24

No members of the Commission had questions.

Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities

No members of the public spoke.

Adjournment

Commissioner Prickett said after listening to the hours of comments that there were few public comments on the process, which is why the Court remanded the application back to the Commission. He questioned whether the Commission needed to do more to address the remand.

Commissioner Lohbauer suggested extending the public comment period for the members of the public who could not get into the meeting room earlier in the day. He also said that he felt there should be an opportunity to ask the applicant (South Jersey Gas) questions.

Chairman Earlen welcomed Commissioner Hays and apologized for rushing through his introduction.

Commissioner Hays said he serves as Associate Regional Director for Resource Stewardship and Compliance in the National Park Service's Northeast Regional Office. He said he looks forward to serving as a Commissioner.

Commissioner Lohbauer moved to adjourn the meeting. Commissioner McGlinchey seconded the motion. The Commission agreed to adjourn at 5:27 p.m.

Certified as true and correct:

  
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Jessica Noble, Executive Assistant

Date: February 8, 2017