**TOWN OF EVANS**
**PLANNING BOARD**
**WORK SESSION AGENDA**

**Wednesday, October 28, 2026, at 6:00 P.M.**

**Work Session will take place in the**
**EVANS COURTROOM**
**8787 Erie Rd., Angola, NY**
**and virtually by ZOOM**

**Visit the Town of Evans website at townofevans.org for instructions on how to join via web or phone.**

1. **Site Plan –** proposal to review and confirm existing use of a storage/marshalling yard, housing materials and equipment on a 13.5± acre portion of a 29.8± acre parcel located on Eden Evans Center Road, Angola, NY, 14006 (SBL# 222.00-4-13). Property owner: Union Concrete & Construction Corporation. Petitioner: National Grid.

2. **Rezone Application –** proposal to rezone a 6.9-acre electrical utility substation from Rural Agriculture (RA) to Light Industrial (LI). Located at 8175 Delamater Rd., Angola, NY 14006 (SBL# 221.00-4-38). Property Owner: Niagara Mohawk Power Corporation d/b/a National Grid.

3. Any other business that may presently be before the Planning Board.

Further information regarding agenda items is available from the
Planning Office, Email: planning@townofevans.org / Phone: 716-549-0945 and on the
Town Website: www.townofevansny.gov

**1. Site Plan -** 1864 Eden Evans Center Rd.
Petitioner: National Grid

BARCLAY DAMON LLP

**Ari M. Goldberg**
*Counsel*

August 14, 2026

**VIA ELECTRONIC MAIL**
**VIA HAND DELIVERY**

Town of Evans
Zoning Board of Appeals
Planning Board
8787 Erie Road
Angola, New York 14006

Re: Niagara Mohawk Power Corporation d/b/a National Grid –
1864 Eden Evans Center Road
Site Plan and Public Utility Use Variance Application

Dear Members of the Zoning Board of Appeals and Planning Board:

Barclay Damon LLP represents Niagara Mohawk Power Corporation d/b/a National Grid ("Applicant" or "National Grid"), contract vendee and lessee of 1864 Eden Evans Center Road, Tax ID: 222.00-4-13, ("Property") in the Town of Evans (the "Town"). The approximately 30-acre Property is dual zoned General Business (GB) and Rural Agricultural (RA).

Applicant originally obtained approval to utilize a portion of the southern part of the parcel, zoned GB, as a marshalling yard for its Gardenville-Dunkirk 141/142 ("GD 141/142") Northern Section Rebuild Project (Case 18-T-0561), since it was approved by the New York State Public Service Commission (PSC), by Order Approving Environmental Management and Construction Plan Part A Subject to Conditions, effective March 17, 2022, as part of an Article VII transmission project. The Property is improved with two fenced-in gravel areas. With the GD 141/142 project having concluded, National Grid now proposes to affirm the use of the Property as a marshalling yard to store equipment needed for the construction, repairs, rebuilds, or expansions of transmission lines and substations within the area.

National Grid provides an essential service to the Community—your electricity. To enhance grid resiliency, follow state climate targets, and meet growing demand, National Grid constantly improves its properties, stations, and infrastructure holdings throughout its service territory. In Western New York, National Grid's service territory includes Niagara, Erie, Chautauqua, and Cattaraugus County.

The Property is immediately adjacent to the New York State Thruway, making it a perfect candidate for continued use as a marshalling yard to support National Grid's continued provision of essential services. However, under the GB zoning, a marshalling yard is not a permitted use.

Applicant therefore seeks a use variance from the Town Zoning Board of Appeals ("ZBA") to affirm use of the Property as a marshalling yard. Additionally, Applicant seeks a Site Plan determination from the Town Planning Board. Applicant also anticipates that the Planning Board will serve as lead agency pursuant to the State Environmental Quality Review Act ("SEQRA").

Enclosed, please find the following exhibits:

1. Town of Evans Building Permit/Planning Board Site Plan Application Form
2. Town of Evans Zoning Board of Appeals Application Form
3. Site Plans
    a. C-100 Cover Sheet
    b. C-200 Site Plan
    c. L-100 Landscape Plan
    d. L-200 Landscape Details
4. Full Environmental Assessment Form
5. National Grid Improvement Projects – 15 Mile Radius Map
6. Office of Parks, Recreation and Historic Preservation Letter of No Impact
7. New York State PSC Order Approving Environmental Management and Construction Plan Part A Subject to Conditions, dated March 17, 2022

## Planning Board Site Plan Review

Under the Zoning Regulations for the Town of Evans, Chapter 200, Section 42, Applicant respectfully requests that the Planning Board conduct its required site plan review of the Project concurrently with the ZBA's review of the use variance. As detailed below, it is anticipated that the Planning Board will act as lead agency in a coordinated environmental review and initiate the required county referral.

## State Environmental Quality Review Act & General Municipal Law

Pursuant to Article 8 of the New York Environmental Conservation Law and 6 NYCRR Part 617 (SEQRA), state and local governments are required to consider environmental impacts of proposed actions during discretionary decision-making. National Grid anticipates that the Planning Board will serve as the Lead Agency in a coordinated review of this action. Enclosed as Exhibit 4 is a full environmental assessment form (FEAF), which comprehensively evaluates the potential environmental impacts of the proposed action. The scope of the proposed action has been defined broadly to encompass all associated site work and activities; however, there is no disturbance proposed. Additionally, a SEQRA determination must be rendered prior to any action by the ZBA.

Pursuant to General Municipal Law ("GML") § 239-m, please refer a full statement of the proposed action to the Erie County Department of Environment and Planning. Please also note that GML § 239-m referral must be complete before any decision by the Planning Board and ZBA.

## Application of the Public Utility Variance Standard and Zoning Board Review

### New York State Case Law

Under New York State Town Law § 267-b, a four-part test is generally applied to use variance applications for most commercial uses. However, as this ZBA may be aware, this test has been adapted for public utility uses that meet a public need, such as electrical generation facilities, allowing the expansion of these essential services. The New York State Court of Appeals has recognized that certain uses are so fundamental and location specific that they cannot be subject to local zoning restrictions. This recognition established the Public Utility Variance Standard ("PUV Standard") for public utility uses.

The PUV Standard requires an applicant providing an "essential service," to demonstrate:

**(1)** the relief is "a public necessity in that it is required to render safe and adequate service," and

**(2)** there are "compelling reasons, economic or otherwise," that make it more feasible to seek that variance than to seek alternative locations.

*Consolidated Edison Co. of New York v Hoffman*, 43 NY2d 598, 611 (1978) (concerning nuclear power). Notably, the Court also emphasized that "where the intrusion or burden on the community is minimal, the showing required by the utility should be correspondingly reduced." *Id.*

As public need required more essential services, the Court of Appeals confirmed that the PUV standard "applies to entirely new siting of facilities." *Cellular Tel. Co. v. Rosenberg*, 82 NY2d 364, 372 (1993) (concerning telecommunications tower). It is also well established that the PUV standard applies to private companies who help meet a public need. *See id.* at 371; *see also Site Acquisitions, Inc. v Town of New Scotland*, 2 AD3d 1135, 1136-1137 (2003) ("Since Site, Cingular and Independent are wireless phone service providers they are each treated as a public utility for zoning purposes and, thus, the general principles governing variances sought by private individuals or entities do not govern their application.").

Undeniably, "electricity is an essential service." Patricia E. Salkin and Robert Burgdorf, *Siting Wind Farms in New York: Applicability of the Relaxed Public Utility Standard*, New York Zoning Law and Practice Report vol. 7, No. 1. National Grid provides an essential service in the form of electricity; therefore, the marshalling yard, which is part of the provision of public utility, electric service and National Grid's variance is subject to review under the PUV Standard.

### Property Site Selection

"There is no legal requirement that [an applicant] analyze each and every possible parcel of land before obtaining a variance; such a requirement would be unworkable." *Matter of Freepoint Solar LLC v Town of Athens Zoning Bd. of Appeals*, 234 AD3d 127, 134 (3d Dept 2024), quoting *Horvath Communications, Inc. v Town of Lockport Zoning Bd. of Appeals*, 2018 NY Slip

Op 33830[U] at *5 (Niagara County Supreme 2018). The Property was carefully selected based on its proximity to existing National Grid infrastructure, including major electric transmission lines and electrical substations, as well as consideration of site topography, site shape/size, slopes, vegetation, wetlands, forested areas, proximity to threatened or endangered species, adjacent uses, and site history—including history as a marshalling yard aiding in provision of National Grid's essential service.

Proximity to electrical infrastructure is paramount. National Grid is required to provide safe and reliable electric service in New York. This mandate spurred National Grid to originally use the Property as a marshalling yard as part of its GD 141/142 project. *See* Exhibit 7. Prior approval by the PSC in the Article VII process indicates this location is strategic and beneficial to National Grid's essential mission.

Having a permanent marshalling yard allows National Grid to adequately service many Western New York lines and upgrade aging infrastructure. In the coming years, staging at this marshalling yard will allow National Grid to commence needed upgrades on at least 33 projects within a 15-mile radius of the Property. *See* Exhibit 5. Given the location adjacent to the thruway on and off ramps, National can use the marshalling yard for more than just the infrastructure and projects identified within the 15-mile radius.

The Property under the PUV Standard

For entitlement to a use variance under the PUV standard, an applicant must demonstrate that the facility provides an essential service, and the variance relief permitting the essential service is required in order to provide safe and adequate service. Further, the applicant must show that there are compelling reasons, economic or otherwise, that make it more feasible to seek the variance than to use alternative locations. Notably, when the community intrusion is minimal, the burden by the applicant should be correspondingly reduced.

Applying the PUV Standard, the electricity that the marshalling yard helps become a reality is an essential service. However, the Zoning Law of the Town ("Zoning Law") prohibits the essential service at the Property. Therefore, the relief of the use variance is:

**(1)** a "public necessity" because absent the use variance, the cannot "render safe and adequate [electrical] service" as it is prohibited under the Zoning Law at the Property. Absent the ability to manage its dynamic flow of project materials from a reliable and strategic location, National Grid will not have the ability to consistently, safely, and conveniently upgrade or maintain its facilities; and

**(2)** there are "compelling reasons" that make it more feasible to seek this use variance than to seek alternate locations. Such compelling reasons include:

**a. The Marshalling Yard is necessary.** National Grid serves the majority of Western New York. To serve this large geographic region, National Grid requires strategically placed marshaling yards that house necessary electrical

infrastructure and replacement equipment. The marshalling yard was first constructed upon approval by the PSC, who regulates all electric service providers in the State. Under the Public Service Law, the PSC approved the Property to serve as a marshalling yard to support National Grid's GD 141/142 project. *See* Exhibit 7. Prior approval by the PSC in the Article VII process indicates this location is strategic and beneficial to the logistics of completing National Grid's essential mission. Having a permanent marshalling yard in the Town allows National Grid to adequately service many Western New York lines and upgrade aging infrastructure. The Property is ideally situated for just that due to its proximity to over 33 pending National Grid improvement projects. *See* Exhibit 5. Given the location adjacent to the thruway on and off ramps, National can use the marshalling yard for more than just the infrastructure and projects identified within the 15-mile radius. Improved infrastructure supports orderly development, health and safety, while also facilitating the adequate provision of essential electricity services in the Town and larger region.

**b. There are no existing viable alternatives.** The Property is located next to National Grid's 3-phase distribution circuit. This allows National Grid to quickly respond to any outages or repairs on this line. The Property is also located near many other western NY lines and substations. As discussed above, proximity to 33 pending projects means National Grid can stage and improve electrical infrastructure across its western New York footprint. Further, the Property is already cleared/disturbed with sufficient open land. The Property was strategically selected given the Property's topography, existing vegetation, suitable open land and proximity to National Grid infrastructure. Finally, the Property has historically been used as a marshalling yard and is situated in a low-development area.

**c. Community intrusion is minimal.** "[W]here the intrusion or burden on the community is minimal, the showing required by the [applicant] should be correspondingly reduced." *Consolidated Edison Co. of New York v Hoffman*, 43 NY2d 598, 611 (1978). The Property minimizes potential environmental impacts as there is no contamination history at the project site, no unique geological features, it is not located in a floodplain, and it will have no impact on any archaeological or historic sites. Applicant's minimal proposed land disturbance on site includes the installation of vegetative screening. Grading (except for the filling of a few potholes and ruts) and below grade disturbance is not anticipated. While the existing yard is an impervious gravel area with permanent fencing and gates, Applicant does expect that a few perimeter controls may be needed as part of the site upgrades. Importantly, the marshalling yard complies with all underlying setback requirements.

As noted, the only additional site work outside of the discussed site upgrades comes from Applicant's proposed landscaping package. The proposed vegetative maintenance areas will screen the marshalling yard from neighboring properties. The landscaping includes 600 linear feet of new plantings with 60 total deciduous and trees evergreen trees of various species, with 38 shrubs of varying heights, all planted across three strategically selected, 25' wide planting rows. *See* Exhibit 3, sheets L-100, L-200.

In sum, electricity provided by National Grid is an essential service. The marshalling yard, if approved, will help National Grid render safe, adequate, and reliable electrical service to the electric grid. The marshalling yard is a critical component in the provision of essential service. Therefore, National Grid respectfully requests the ZBA grant the use variance, under the PUV standard, and affirm use of the Property as a marshalling yard.

## Conclusion

The marshalling yard is in the public interest as it allows National Grid to continue servicing and enhancing the local power grid. We look forward to discussing this with the Planning Board and ZBA at their next meetings. If any additional material is required, please let us know. Thank you for your consideration.

Very truly yours,



Ari M. Goldberg

AMG:dpk
Exhibits

cc: TRC, project engineers
National Grid

# Exhibit 1 – Town of Evans Site Plan Review Application Form

Docusign Envelope ID: F4549145-8198-8D82-8187-EFF08223CEDC


# TOWN OF EVANS

8787 Erie Road • Angola, New York 14006-9600 • www.townofevans.org

**WILLIAM B. SMITH**
*Director of Planning and Community Development*
Telephone: (716) 549-0945 / Fax: (716) 549-0456
wsmith@townofevans.org


## APPLICATION FOR SITE PLAN REVIEW

DATE 8/14/2026 FILE # _____

PROJECT NAME Eden-Evans Marshalling Yard
LOCATION 1864 Eden Evans Center Road, Evans, NY 14057
SBL# 222.00-4-13 ZONING DISTRICT RA and GB
APPLICANT Niagara Mohawk Power Corp. d/b/a National Grid PH/FAX 716-862-5167
ADDRESS 330 Erie Blvd West, Syracuse, NY 13202 Attn: Chris Hughes EMAIL christopher.hughes2@nationalgrid.com
PROPERTY OWNER Union Concrete & Construction Corp PH/FAX 716-822-5755
ADDRESS 435 Meyer Road, West Seneca, NY 14224 EMAIL _____
ENGINEER/ARCHITECT TRC Companies Inc. Project Engineer: Pat Martin, P.E. PH/FAX _____
ADDRESS 63 Marginal Way, 4th Floor, Portland, ME 04101 EMAIL PMMartin@trccompanies.com
PROJECT DESCRIPTION National Grid plans to use the existing marshalling yard with minimal site improvements.
The existing marshalling yard was originally approved as part of NYS DPS Matter 18-T0561.
SITE ACREAGE 29.80 ACREAGE TO BE DEVELOPED 0
EXISTING LAND USE(S) Industrial use - commercial marshalling yard
EXISTING STREET FRONTAGE(S) _____
PROPOSED LAND USE(S) Marshalling Yard
PUBLIC SEWER – YES/NO No PUBLIC WATER – YES/NO
VARIANCES OR OTHER APPROVALS REQUIRED Yes - Local: Use Variance

**APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN AND A PRE-SUBMITTAL APPOINTMENT WITH THE TOWN PLANNING OFFICE. (549-0945)**

**TOWN TO COMPLETE THE FOLLOWING:**

DATE RECEIVED _____ BY _____

APPLICATION DEADLINE _____ SUBMITTAL APPT. _____
WORK SESSION DATE _____
PLANNING BOARD MEETING DATES _____ _____ _____ _____
PLANNING BOARD APPROVAL DATE _____
SITE PLAN EXPIRATION DATE _____

FILING FEES: NON-REFUNDABLE $_____
*(Payable to Town of Evans)*

Docusign Envelope ID: F4549145-8198-8D82-8187-EFF08223CEDC

## SITE PLAN REVIEW

## APPLICANT INSTRUCTIONS

4. Please complete and submit the application, check lists, plans and drawings, as follows.
   _____ 1 copy of site plan review application and checklist
   _____ 6 copies of plans, **folded to 8 ½" x 11" ****
   _____ 1 original (with signature) and 12 copies of fully completed SEQRA EAF
   _____ 3 sets of building plans and elevations, **folded to 8 ½" x 11"**
   _____ 2 copies of Site Plan Engineering Report
   _____ Fees (paid in full, payable to Town of Evans)

5. The application package will be provided to the Planning Board for their review. Only complete applications will be placed on the Planning Board agenda. As a courtesy, meeting notices will be published in our local Penny Saver. Applicants will be notified by mail of the status of their application. All applicants and/or their representatives are required to attend the Planning Board meeting, where the Board will decide on the application. Following the Planning Board meeting, the applicant will also be provided written notification of the Board's decision by mail.

6. The last day to file a site plan review submittal package is approximately 30 days prior to the next scheduled Planning Board meeting. Please check with the Planning Office to determine the submittal deadline dates. Due to the time required for public notice filings and departmental reviews, no site plan application will be placed on the Planning Board agenda after the deadline has closed. Your cooperation in this matter is greatly appreciated.

**PLEASE NOTE:** Building Permits will not be issued prior to site plan approval by the Planning Board. No site clearing or demolition may be conducted without a building permit.

****Should include individual site plan, topographic boundary survey, utility plan, lighting plan, landscaping plan, grading plan and drainage plan. Only folded plans will be accepted.**

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# APPLICANT CHECKLIST FOR SITE PLAN REVIEW

The following information should be included in the materials submitted with a site plan review application, unless waived in writing by the Town. Failure to provide all required information may prolong the approval process. See Chapter 175, 178 and 200 of the Town of Evans Code and attached appendices for additional guidance.

**I.** **SITE PLAN** – All Site Plan drawings shall be prepared, signed and sealed by a licensed engineer or architect, drawn to scale, and must include the following elements:

A. X Title of drawing.

B. X Name, address and telephone number of applicant, owner of record and person who prepared the drawing. If owner of record is different from applicant, a letter of authorization from owner or a contract of sale is required.

C. X North arrow, scale, revision block and date (including all revision dates).

D. X Site location map.

E. X Name, location, width and jurisdiction of existing streets and sidewalks.

F. X Show curb cuts on adjacent properties (including properties across the street) and project site.

G. X Location of all pertinent features, including structure(s), paving, curbs and sidewalks. Proposed and existing structure(s) should be easily distinguished.

H. N/A Asphalt pavement grades should be at least 1.5%, preferably 2.0% to drain properly, minimize public safety concerns and avoid liability issues. These grades must be shown on the drainage plan with flow arrows showing the direction of water flow.

I. N/A Show a cross section of the proposed sidewalk on the plans.

J. N/A Show a cross section of the proposed asphalt pavement on the plans. It is suggested that a heavier asphalt section be used for high traffic travel areas (i.e. where the dumpster is located or where deliveries will occur).

K. N/A On the asphalt pavement cross section, show the use of filter fabric (Marafi 500X or equal) under the pavement sub-base.

L. N/A If connections to cross access driveways are being made with adjacent sites, a detail must be shown on the plans for the proposed connection. The pavement transition detail must include a V-shaped saw cut into the existing pavement and tack coat.

M. X Show all zoning setback dimensions and zoning classifications for all adjacent properties (including across the street). If a portion of the site is being rezoned, the new zoning district(s) should be shown.

N. X Zoning data block comparing existing and proposed requirements, including greenspace and parking calculations. (See Appendix D)

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O. N/A Location of any areas for proposed outdoor display and sale of merchandise (if applicable).

P. N/A Layout of all off-street parking areas showing access drives, parking spaces (measuring 9'x19' minimum), handicapped spaces and loading areas (conforming to all Code requirements in Section 200-27 of Town Code). A cross-section of proposed paving must be provided.

Q. N/A Proposed easements and location of areas to be in common ownership or to be offered for dedication.

R. N/A Location of lighting facilities, fences, screenwalls, street furniture, screened dumpster, snow storage areas, directional signs and other free standing signs.

S. X Existing and proposed watercourses and direction of flow, including wetlands and flood plain boundaries. (This information should also appear on the drainage plan and erosion control plan – See Sections IV and V below.)

T. N/A Location of all proposed signage (designed in accordance with Section 200-29 of the Town Code).

U. X Location of all lands to be landscaped or kept in natural condition, and means of monitoring such.

## II. BOUNDARY SURVEY

A. Included A topographic boundary survey, sealed and signed by a licensed land surveyor, and a written legal (metes and bounds) description of the property.

## III. UTILITY PLAN

**No utilities are required for the Project. Therefore, this section is not applicable.**

A. A utility plan showing the existing layout of the following (with pipe sizes, material, inverts, and direction of flow):

N/A i. Sanitary Sewer
_____ ii. Storm Sewer
_____ iii. Waterlines

B. A utility plan and details (as required) illustrating the proposed layout, extension and routing of all on-site utilities, including the following:

_____ i. Points of tie-in
_____ ii. Water line
_____ iii. Valves
_____ iv. Hydrants
_____ v. Sewer lines
_____ vi. Gas line
_____ vii. Electric
_____ viii. Profiles of all proposed water and sewer lines
_____ ix. Provide profiles for utility crossings, sanitary sewer system and storm sewer system.
_____ x. Provide profiles for any utilities as deemed necessary by the engineer for construction.
_____ xi. All profiles provided must be drawn so that the horizontal scale is no more than 1" = 10' horizontal, and 1" = 5' vertical.

C. _____ Written confirmation that the process has been initiated to secure a County or State permit for tie-in to an existing storm water drainage system.

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D. _____ Written confirmation that the permitting process has been initiated with County or State Highway Departments for sanitary sewer connection, curb cuts, work permits, etc. (Applicant must furnish a letter from the appropriate County or State agency indicating their approval of the proposal prior to issuance of a Building Permit.)

E. _____ Add a note to the plans that states "A minimum of 10.0 feet of horizontal and 18 inches of vertical separation must be maintained between all sanitary sewer and water service lines."

F. _____ Add a note to the plans that states "Erie County Water Authority is to be notified a minimum of 48 hours prior to starting the connection for the new water service."

G. _____ Add a note to the plans that states "Select backfill is required for all utilities (gas, water, storm, sanitary) that cross through any pavement area." The limits of the select backfill must be shown on the utility plan.

H. _____ All notes on the plans must reference the "Erie County Water Authority."

I. _____ The plans must clearly state the type of proposed connection to the existing waterline to be made, i.e. Will it be saddle with corporation stop or tapping sleeve and valve?

J. _____ All existing utilities, grading, etc. must be shown use a grey line type.

K. _____ All proposed utilities, grading, etc. must be shown use a black line type.

L. _____ Provide a trench detail for the proposed waterline installation. The detail must show the depth of cover and stone bedding and indicate the use of underground waterline marker tape.

M. _____ Provide a trench detail for the proposed sanitary sewer lateral. The detail must show the depth of cover, stone bedding and indicate the use of underground waterline marker tape. When connecting to the Erie County Sewer District No.2 system, their details must be provided.

N. _____ Provide a profile for the proposed sanitary sewer service showing the connection to the existing system and connection at the facility.

## IV. GRADING PLAN

**Grading Plan is not required for the Project as minor site modifications are being proposed. Therefore, this section is not applicable.**

A. N/A Existing and proposed grade elevations, with contour lines at 1-foot intervals.

B. _____ Finished floor elevations for all proposed and adjacent structures.

C. _____ All elevations must reference the actual elevation of the site and proposed building. Setting a base elevation at the centerline of the road to use as reference is not acceptable.

D. _____ All profiles provided must be drawn so that the horizontal scale is no more than 1" = 10' horizontal, and 1" = 5' vertical.

E. _____ Profiles be provided for utility crossings, the sanitary sewer system, and storm sewer system.

F. _____ Profiles for any utilities as deemed necessary by the engineer for construction.

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## V. DRAINAGE PLAN

**Drainage Plan is not required for the Project as minor site modifications are being proposed. Therefore, this section is not applicable.**

A. N/A All catchbasins, line size and proposed construction materials. No storm water shall drain onto adjoining properties. All downspouts shall be connected to the storm water collection system.

B. _____ Systems shall be designed for a minimum 10-year storm. Detention basins shall be designed for a minimum 25-year storm (see Appendix B).

C. _____ Stormwater Calculations, prepared by a person licensed to design a storm drainage system.

D. _____ The stockpile area for topsoil and fill must be shown on the grading and erosion control plans.

E. _____ Spot elevations for adjacent properties must be provided on the grading plan.

F. _____ A minimum of 6-inches of cover is required for all storm sewer pipes in grass areas. A minimum of 12-inches of cover is required for all storm sewer pipes in pavement. Storm sewer pipe located within the sub-base of the pavement area is not allowed.

G. _____ Invert elevations must be shown for all culverts under driveways.

H. _____ Provide stone rip rap at the pipe outlets from the detention pond.

I. _____ Provide emergency overflow for the detention pond for the 100-year storm elevation.

J. _____ All culverts under driveways must be shown with galvanized end sections.

K. _____ Diameter, material type, and inverts of all roof leader downspouts must be shown on the plan.

L. _____ Diameter, material type, and inverts of all stormsewer pipes must be shown on the plan.

M. _____ For sites with less than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

N. _____ For sites with greater than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm, **AND** comply will all NYSDEC Stormwater Phase 2 regulations and design guidance (see Appendix B).

O. _____ Site Plan Engineering Report (refer to requirements in Appendix B).

P. _____ The applicant must provide two (2) copies of the site plan engineering report. This report must contain (at a minimum), the following sections:

- General project description
- Project location map
- Water system calculations
- Sanitary sewer system calculations
- Storm water calculations

Q. _____ Provide the following information related to the proposed waterline for the facility in the design report.

- Domestic water demand (include calculations)
- Static waterline pressure (at the waterline at the right-of-way)
- Anticipated pressure at the facility (include headloss calculations through the water service and backflow preventer/RPZ and meter)

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- The design engineer must comment on the need to provide a sprinkler system for the facility
- Provide fireflow calculations for the facility (if applicable)

R. _____ Provide the following information related to the proposed sanitary sewer system for the facility in the site plan engineering report:

- Total number of proposed employees at the facility
- Sanitary sewer demand and lateral pipe sizing (include calculations)

S. _____ Provide the following information related to the storm water calculations for the facility in the design report. This would include the following:

- Soil types of the site
- Permeability and depth of water table
- Description/dialogue on existing grading and stormwater runoff
- Description/dialogue on proposed grading and stormwater runoff
- Comment on the presence and show location of any NYSDEC or federal wetlands, or 100-year floodplain boundary.
- For sites with less than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm (calculations must be provided)
- For sites with greater than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm, **AND** comply will all NYSDEC Stormwater Phase 2 regulations (calculations must be provided)
- All calculations to be provided must include all assumptions, time of concentration, detention pond sizing, and stormwater pipe sizing
- All existing headwater and tailwater conditions must be considered for the design calculations

Refer to **Appendix B** "Design of Stormwater Detention Facilities" for further design guidance

T. _____ Any proposed project that will involve one or more acres of soil disturbance is required to comply with the NYSDEC SPDES General Permit requirements for stormwater discharges. A copy of the Notice of Intent (NOI) and Stormwater Pollution Prevention Plan (SWPPP) must be provided with the Site Plan Engineering Report.

**VI.** **LANDSCAPING PLAN**– to include the following elements (see Appendix C):

A. X All trees, shrubs and other plantings with appropriate labeling.

B. X Planting schedule data block with legend key, species name (botanical and common names), quantity, size and spacing.

C. X Planting details for trees and evergreens must illustrate the crown of root ball at 6 inches above Finished grade; 3 inches for shrubs.

D. X See Section 200-28 of Town Code for all other applicable landscaping requirements.

**VII.** **CLEARING, STRIPPING & SOIL EROSION CONTROL PLAN**– to include the following elements:

A. N/A Site preparation and clearing shall be designed to fit with the vegetation, topography and other natural features of the site and shall preserve as many of these features as possible.

B. _____ Show clearing limits, stock pile area, and all temporary and permanent drainage facilities.

**E&S Plans are not required for the Project as minor site modifications are being proposed. Therefore, this section is not applicable.**

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C. _____ Erosion and sediment control facilities must also be shown.

D. _____ A time schedule that is keyed to the operations must be provided.

E. _____ Include a note on the plan to indicate that stumps and brush may not be buried in the Town and that topsoil may not be removed from the work site without a permit.

**VIII. LIGHTING PLAN**– to include the following elements: **Lighting Plan is not required for the Project as no permanent site lighting is being proposed. Therefore, this section is not applicable.**

A. N/A Location of all lighting fixtures and standards on property and structures, including a fixture schedule.

B. _____ Photometric data for site illumination.

**IX. BUILDING HEIGHT AND DESIGN** **No buildings are proposed. Therefore, this section is not applicable.**

A. N/A Building elevations and floor plans of all non-residential structures and all residential structures containing three (3) or more dwelling units (including net floor area calculations).

**X. AGENCY COMMENTS**

A. N/A Approval from County or State agencies. Where a County or State permit is required for a tie-in to an existing highway, public water, public sewer, or storm drainage system, or where other work within an ROW is required, the applicant must furnish letter(s) from the appropriate County or State agency indicating their approval of the proposed project.

B. Included SEQRA form EAF (Part I – signed original)

C. Included Information concerning wetlands (delineation reports, non-jurisdictional letter, soils map, etc.) Provide letter from NYSDEC or ACOE describing any requirements or restrictions.

**XI. COASTAL CONSISTENCY** **Project is not located within a LWRP. Therefore, this section is not applicable.**

A. N/A If property is located within the Local Waterfront Revitalization Area Boundary, the applicant must complete a Waterfront Assessment Form.

James Zuccolotto, Authorized Signatory for
National Grid-Lessee & Contract Vendee

I, _____ as ~~owner/developer~~ or designee of 1864 Eden Evans Center Road, Evans, NY 14057 Town of Evans, to the best of my knowledge am submitting a completed package for Site Plan Review.

Signed DocuSigned by: James Zuccolotto 16A4E87584044DE... Date 8/14/2026

# Exhibit 2 – Town of Evans Zoning Board of Appeals Application Form

# TOWN OF EVANS

CODE ENFORCEMENT / ZONING OFFICE
8787 Erie Road • Angola, New York 14006-9600
(716) 549-5753 • Fax (716) 549-0456


## TOWN OF EVANS ZONING BOARD OF APPEALS APPLICATION

**SBL#:** 222.00-4-13 **ZONING OF ADDRESS:** GB and RA **DATE:** 08/14/2026

Niagara Mohawk Power Corp. d/b/a National Grid c/o Barclay Damon LLP (716) 858-3878
**Name of Applicant** **Phone Number**

The Avant Building, 200 Delaware Avenue Suite 1200, Buffalo, New York 14202
**Mailing Address**

1864 Eden Evans Center Road
**Location of Property where variance is needed**

Please answer the below ***as accurately as possible with exact measurements.*** This information provided will be used in accordance with the rest of the paperwork to decide on the proposed variance. Only fill out the lines that apply to your application. If you are unsure which apply, please call us at (716) 549-5753. Please put the below measurements in Feet & Inches.

**Length & Width of Current Structure:** n/a **Length & Width of NEW:** n/a

**Measurement from Property Line:** n/a **Measurement from Other Structure:** n/a

**Measurement from Front Yard:** _____ **Measurement from Side Yard:** _____ **Measurement from Rear Yard:** _____

Applicant seeks a use variance to allow for a permanent marshalling yard on the southern half of the property, currently zoned General Business (GB). The northernmost portion of the parcel is zoned Rural Agricultural (RA), and will remain undeveloped.

## FOR OFFICE USE ONLY

**Has there been an application submitted for this address prior? Yes No**

**Outcome:** _____ **Date:** _____

**Type of Appeal: Use Area**

**Town Code Violation:** _____

**Decision:** _____ **Expiration Date:** _____ **Conditions? Yes No**

# AREA VARIANCE QUESTIONNAIRE

**Why will the requested variance not cause an undesirable change to the character of the neighborhood or be detrimental to the surrounding properties?**

Please see attached cover letter detailing how Applicant satisfies the Public Utility Variance Standard.

**Why are you unable to do what you want without requiring a variance? (could you make the structure smaller or build in another location?)**

No, as detailed in the attached cover letter Applicant cannot site this marshalling yard elsewhere. Please see attached cover letter detailing how Applicant satisfies the Public Utility Variance Standard.

**If your improvement has already been constructed, state in detail why it was constructed without a permit and/or a variance?**

Applicant was using this portion of Property for temporary storage of materials related to National Grid's Gardenville-Dunkirk 141/142 Northern Section Rebuild Project (Matter No. 18-T-0561). Applicant now seeks this use variance to allow for a permanent marshalling yard. Please see attached cover letter for more information.

Exhibit 3 – Site Plan

# NIAGARA MOHAWK POWER CORPORATION D/B/A
# NATIONAL GRID
# EDEN EVANS CENTER ROAD
# 1864 EDEN EVANS CENTER ROAD
# TOWN OF EVANS, ERIE COUNTY, NEW YORK
# SITE PLAN APPLICATION DRAWINGS

| DRAWING NUMBER | SHEET NUMBER | TITLE |
|---|---|---|
| C-100 | 1 | COVER SHEET |
| C-200 | 2 | SITE PLAN |
| L-100 | 3 | LANDSCAPE PLAN |
| L-200 | 4 | LANDSCAPE DETAILS |

ISSUE FOR PERMITTING

EDEN EVANS CENTER ROAD
1864 EDEN EVANS CENTER ROAD
TOWN OF EVANS, ERIE COUNTY, NEW YORK
COVER SHEET

ORIGINAL ISSUE DATE: 07/23/26
FILE/ PAGES: X.X-XX-M
DRAWING NUMBER: C-100
SHEET NUMBER: 1

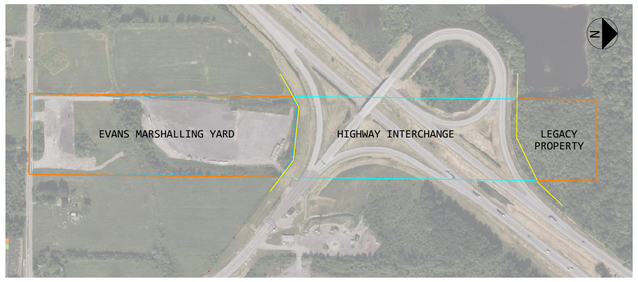
PREPARED BY

nationalgrid

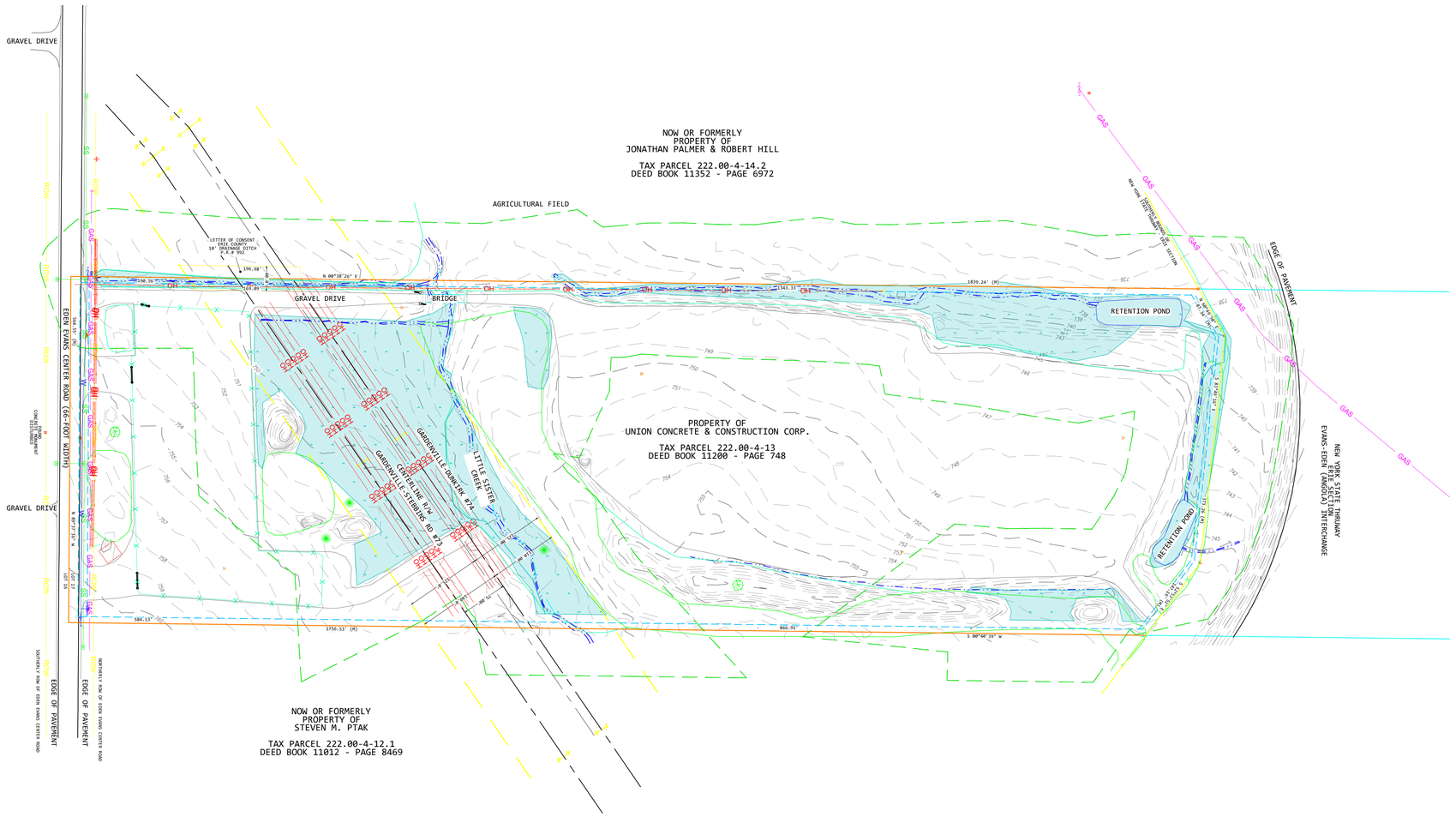
ACCOUNT NUMBER

| | DES. | DR. | Ck. | APP. |
|---|---|---|---|---|
| | TRC | TRC | PMM | PMM |

| DATE | DESCRIPTION OF ISSUE OR REVISION | DR. | CK. | APP. |
|---|---|---|---|---|
| 07/26 | ISSUED FOR PERMITTING | TRC | PMM | PMM |




OVERALL PLAN MAP
N.T.S.




ISSUED FOR PERMITTING




100 50 0 100 200

SCALE: 1" = 100'-0"

LEGEND

- UTILITY POLE
- SIGN
- IRON PIPE W/ CAP
- IRON ROD W/ CAP
- TRANSMISSION WOOD STRUCTURE
- DISTRIBUTION WOOD STRUCTURE
- CONCRETE MONUMENT
- CB — CATCH BASIN
- CONTROL POINT
- FIRE HYDRANT
- W — WATER VALVE
- GAS LINE MARKER
- G — GAS VALVE
- GATE
- EXISTING DECIDUOUS TREE
- EXISTING CONIFEROUS TREE
- EDGE OF WOODS
- EDGE OF BRUSH
- EDGE OF WATER
- EDGE OF GRAVEL
- EDGE OF PAVEMENT
- DRAINAGE DITCH
- CREEK/STREAM
- SURVEYED PROPERTY
- PROPERTY LINE (LEGACY)
- NMPC EASEMENTS
- PROPERTY LINE SETBACKS
- DISTRIBUTION LINE CL
- TRANSMISSION LINE CL
- COMMUNICATION WIRE
- W — WATER LINE
- FENCE
- OH — ELECTRIC LINE
- ROW — RIGHT-OF-WAY
- SS — STORM SEWER
- GAS — GAS LINE
- 757 — 1' GROUND CONTOUR
- 755 — 5' GROUND CONTOUR
- 100' WETLAND SETBACK
- DELINEATED WETLAND

SURVEY NOTES:

1. SURVEY PROVIDED BY: THEW ASSOCIATES LAND SURVEYORS (PROJECT NO. 5111-04-26; DATED 06/10/2026)
2. THIS SURVEY IS REFERENCED HORIZONTALLY TO THE NORTH AMERICAN DATUM OF 1983, 2011, ADJUSTMENT (NAD83/2011), PROJECTED ON THE NEW YORK STATE PLANE COORDINATE SYSTEM (WEST ZONE), AND VERTICALLY TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

TOWN OF EVANS, NY ZONING INFORMATION

ZONE: GENERAL BUSINESS (GB)

| | REQUIRED | PROVIDED |
|---|---|---|
| MINIMUM LOT AREA: | NONE | NA |
| MINIMUM LOT WIDTH: | 100' | 465' |

MINIMUM YARD SETBACKS:

| | STRUCTURES | PARKING, LOADING, STACKING AREAS |
|---|---|---|
| **FRONT** | 30' | 15' |
| **SIDE** | NA | 10' |
| **REAR** | 15' | 10' |

ORIGINAL ISSUE DATE: 07/23/26
FILE INDEX: X - X - X
DRAWING NUMBER: C-200
SHEET NUMBER: 2

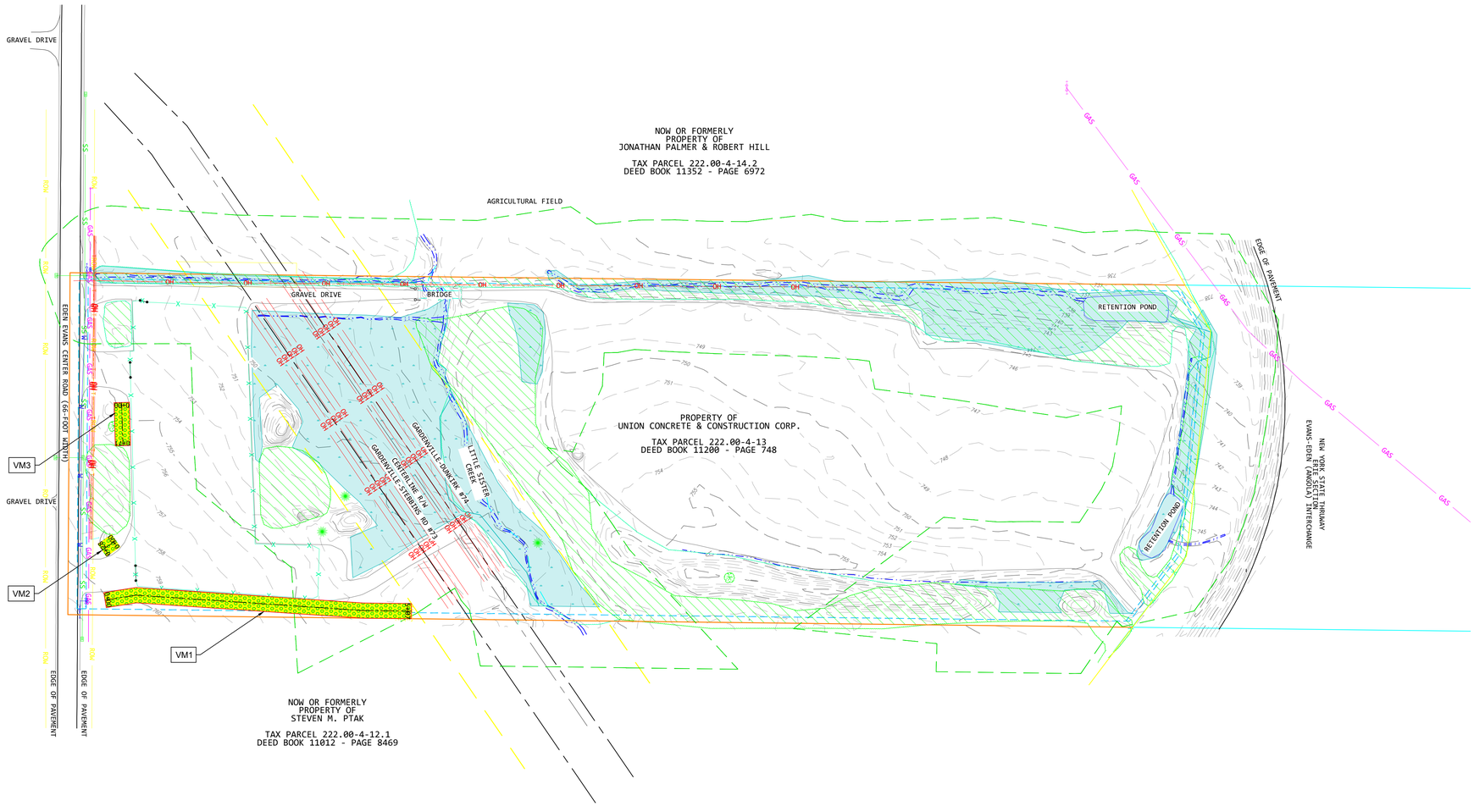
EDEN EVANS CENTER ROAD
1864 EDEN EVANS CENTER ROAD
TOWN OF EVANS, ERIE COUNTY, NEW YORK
SITE PLAN

PREPARED BY: nationalgrid
ACCOUNT NUMBER

| | DES. | DR. | CK. |
|---|---|---|---|
| APPROVED | | | |
| APPROVED | | | |
| APPROVED | | | |
| APPROVED | | | |

| APP. | CK. | DR. |
|---|---|---|
| PWM | TRC | TRC |

| DATE | DESCRIPTION OF ISSUE OR REVISION |
|---|---|
| 07/26 | ISSUED FOR PERMITTING |




N

100 50 0 100 200

SCALE: 1" = 100'-0"

LEGEND

- SIGN
- TRANSMISSION WOOD STRUCTURE
- DISTRIBUTION WOOD STRUCTURE
- CATCH BASIN
- FIRE HYDRANT
- WATER VALVE
- GAS LINE MARKER
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- WATER LINE
- FENCE
- ELECTRIC LINE
- RIGHT-OF-WAY
- STORM SEWER
- GAS LINE
- 1' GROUND CONTOUR
- 5' GROUND CONTOUR
- 100' WETLAND SETBACK
- DELINEATED WETLAND
- 25'-WIDE VISUAL MITIGATION (VM) PLANTINGS (15,150 SF)
- EXISTING VEGETATION TO REMAIN (217,344 SF)

LANDSCAPE CALCULATIONS

TOTAL LOT SIZE SOUTH OF HWY 90 = 1,045,451 SF

TOTAL LANDSCAPED AREA = 232,494 SF
= 22% OF TOTAL LOT SIZE SOUTH OF HWY 90

ISSUED FOR PERMITTING

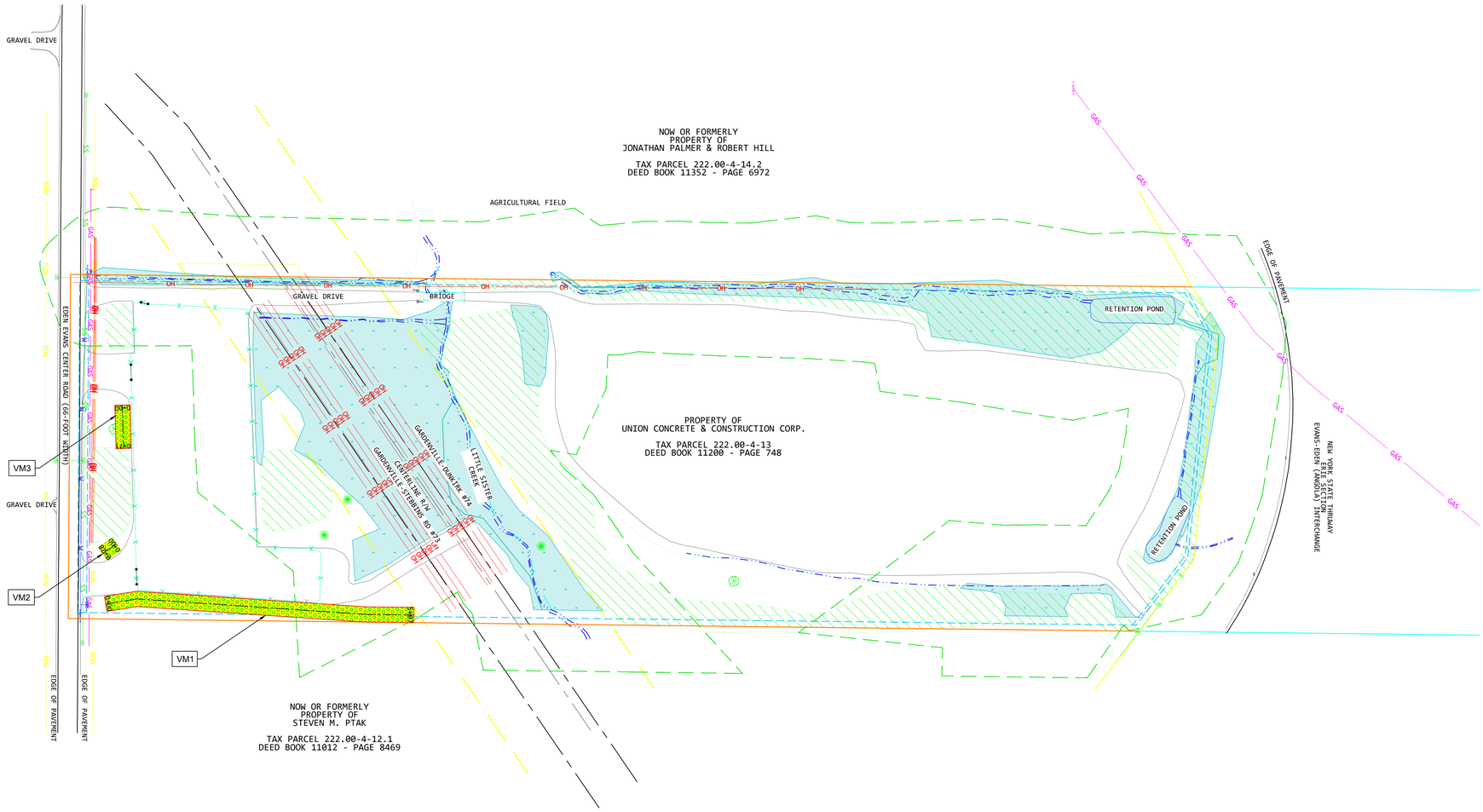
ORIGINAL ISSUE DATE: 07/23/26
FILE INDEX: X - X - X
DRAWING NUMBER: L-100
SHEET NUMBER: 3

EDEN EVANS CENTER ROAD
1864 EDEN EVANS CENTER ROAD
TOWN OF EVANS, ERIE COUNTY, NEW YORK
LANDSCAPE PLAN

PREPARED BY: nationalgrid
ACCOUNT NUMBER

| | DES. | DR. | CK. | APP. |
|---|---|---|---|---|
| APPROVED | | | | PWM |
| APPROVED | | | | TRC |
| APPROVED | | | | TRC |

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N

100 50 0 100 200

SCALE: 1" = 100'-0"

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ORIGINAL ISSUE DATE: 07/23/26
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EDEN EVANS CENTER ROAD
1864 EDEN EVANS CENTER ROAD
TOWN OF EVANS, ERIE COUNTY, NEW YORK
LANDSCAPE PLAN

PREPARED BY: nationalgrid
ACCOUNT NUMBER

| | DES. | DR. | CK. |
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| | APPROVED | APPROVED | APPROVED |

| DATE | DESCRIPTION OF ISSUE OR REVISION | DR. | CK. | APP. |
|---|---|---|---|---|
| 07/26 | ISSUED FOR PERMITTING | TRC | TRC | PWM |

## GENERAL LANDSCAPE AND SEEDING NOTES

1. THE LANDSCAPE PLAN AND DETAILS ARE FOR LANDSCAPING INFORMATION ONLY. PLEASE REFER TO THE SITE LAYOUT PLAN, GRADING PLAN AND/OR UTILITIES PLAN FOR ALL OTHER INFORMATION.

2. THE CONTRACTOR SHALL MONITOR AND GUARANTEE THAT ALL PLANTS, TREES, AND SHRUBS SHALL BE HEALTHY AND FREE OF DISEASE FOR A PERIOD OF (1) ONE YEAR AFTER SUBSTANTIAL COMPLETION AND ACCEPTANCE BY THE OWNER. CONTRACTOR SHALL REPLACE ANY DEAD OR UNHEALTHY PLANTS AT CONTRACTOR'S EXPENSE. FINAL ACCEPTANCE SHALL BE MADE IF ALL PLANTS MEET THE GUARANTEE REQUIREMENTS INCLUDING MAINTENANCE. MAINTENANCE RESPONSIBILITIES INCLUDE INVASIVE SPECIES MONITORING, REMOVAL, AND SUPPLEMENTATION. MONITORING OF THE PROJECT SITE SHALL OCCUR IN THE SPRING AND THE FALL TO DETERMINE THE PRESENCE OF INVASIVE SPECIES. SHOULD ANY INVASIVE SPECIES BE IDENTIFIED WITHIN THE PROJECT SITE, THE INVASIVE SPECIES SHALL BE REMOVED ACCORDING TO METHODS MOST LIKELY TO BE EFFECTIVE IN CONTROLLING THAT SPECIES AND SUPPLEMENTING ITS REPLACEMENT WITH APPROPRIATE VEGETATION AND SEED MIX IDENTIFIED (AND APPROVED) ON THIS PLAN AND/OR AN APPROVED EQUAL. ADDITIONAL MAINTENANCE RESPONSIBILITIES INCLUDE: APPROVED CULTIVATING, SPRAYING, WEEDING, WATERING, TIGHTENING OF TREE STRAP GUYS, PRUNING, FERTILIZING, MULCHING, AND ANY OTHER OPERATIONS NECESSARY TO MAINTAIN PLANT VIABILITY. MAINTENANCE SHALL BEGIN IMMEDIATELY AFTER PLANTING AND CONTINUE FOR THE DURATION OF SOLAR ARRAY USE BY THE OWNER/OPERATOR AFTER FINAL ACCEPTANCE. WATERING DURING THE ESTABLISHMENT PERIOD SHALL BE PERFORMED USING A WATER TRUCK OR OTHER APPROVED METHOD AS REQUIRED FOR SUCCESSFUL ESTABLISHMENT.

3. THE CONTRACTOR SHALL SUPPLY ALL LABOR, PLANTS, APPROVED SEEDING MIX, AND MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE WORK SHOWN ON THE DRAWING(S) AND LISTED IN THE PLANT SCHEDULE(S) AND/OR SEEDING TABLE(S). IN THE EVENT OF A DISCREPANCY BETWEEN QUANTITIES SHOWN IN THE PLANT SCHEDULE AND/OR SEEDING TABLE AND THOSE REQUIRED BY THE DRAWINGS, THE LARGER SHALL APPLY. ALL PLANTS SHALL BE ACCLIMATED BY THE SUPPLY NURSERY TO THE LOCAL HARDINESS ZONE AND BE CERTIFIED THAT THE PLANTING MATERIAL HAS BEEN GROWN FOR A MINIMUM OF (2) TWO YEARS AT THE SOURCE AND OBTAINED WITHIN 200 MILES OF PROJECT SITE UNLESS OTHERWISE APPROVED BY OWNER, CERTIFIED LANDSCAPE INSPECTOR, OR LANDSCAPE ARCHITECT.

4. THE LOCATIONS FOR PLANT MATERIAL ARE APPROXIMATE AND ARE SUBJECT TO FIELD ADJUSTMENT DUE TO SLOPE, VEGETATION, AND SITE FACTORS SUCH AS THE LOCATION OF ROCK OUTCROPS. PRIOR TO PLANTING THE CONTRACTOR SHALL ACCURATELY STAKE OUT THE LOCATIONS FOR ALL PLANTS. THE OWNER, CERTIFIED LANDSCAPE INSPECTOR, OR LANDSCAPE ARCHITECT SHALL APPROVE THE FIELD LOCATIONS OR ADJUSTMENTS OF THE PLANT MATERIAL.

5. ALL SHRUB MASSING SHALL BE MULCHED TO A DEPTH OF 2" AND SHREDDED HARDWOOD BARK MULCH SHALL BE USED FOR SHRUB MASSING AREAS.

6. NO PLANT SHALL BE PLACED IN THE GROUND BEFORE ROUGH GRADING HAS BEEN COMPLETED AND APPROVED BY THE OWNER, CERTIFIED LANDSCAPE INSPECTOR, OR LANDSCAPE CONTRACTOR. STAKING THE LOCATION OF ALL TREES AND SHRUBS SHALL BE COMPLETED PRIOR TO PLANTING FOR APPROVAL BY THE OWNER, CERTIFIED LANDSCAPE INSPECTOR, OR LANDSCAPE ARCHITECT. STAKING OF THE INSTALLED TREE MUST BE COMPLETED THE SAME DAY AS IT IS INSTALLED. ALL TREES SHALL BE STAKED OR GUYED AS PER THE DETAIL. SEE LANDSCAPING PLAN(S) FOR PLANTING DETAILS.

7. COORDINATE PLANT MATERIAL LOCATIONS WITH SITE UTILITIES. SEE SITE LAYOUT, GRADING AND/OR UTILITY PLANS FOR STORM, SANITARY, GAS, ELECTRIC, TELEPHONE AND WATER LINES. UTILITY LOCATIONS ARE APPROXIMATE. EXERCISE CARE WHEN DIGGING IN AREAS OF POTENTIAL CONFLICT WITH UNDERGROUND OR OVERHEAD UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE DUE TO CONTRACTOR'S NEGLIGENCE AND SHALL REPLACE OR REPAIR ANY DAMAGE AT CONTRACTOR'S EXPENSE.

8. LANDSCAPE PLANTING PITS MUST BE FREE DRAINING. PAVEMENT, COMPACTED SUBGRADE, AND BLASTED ROCK SHALL BE REMOVED TO A DEPTH OF 2' OR TO A GREATER DEPTH IF REQUIRED BY PLANTING DETAILS OR SPECIFICATIONS. REPLACE SOIL WITH MODERATELY COMPACTED LOAM OR SANDY LOAM FREE FROM STONES AND RUBBISH 1" OR GREATER IN DIAMETER AND ANY OTHER MATERIAL HARMFUL TO PLANT GROWTH AND DEVELOPMENT. PLANTING INSTALLATION SHALL BE AS DETAILED AND CONTAIN PLANTING MIX AS SPECIFIED UNLESS RECOMMENDED OTHERWISE BY SOIL ANALYSIS.

   PLANTING SOIL MIXTURE:
   2 PARTS PEAT MOSS
   5 PARTS TOPSOIL
   MYCORRHIZA INOCULANT - "TRANSPLANT 1-STEP" AS MANUFACTURED BY ROOTS, INC. OR APPROVED EQUAL. USE PER MANUFACTURER'S RECOMMENDATIONS FOR TREES AND SHRUBS.
   FERTILIZER/LIME APPLY AS RECOMMENDED BY SOIL ANALYSIS

   - TREES, AND SHRUBS: TREES AND SHRUBS SHALL BE NURSERY GROWN UNLESS OTHERWISE NOTED AND HARDY UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCATION OF THE PROJECT. THEY SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY, WITH NORMAL HABIT OF GROWTH. THEY SHALL BE SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL BE FREE OF DISEASE, INSECT PESTS, EGGS OR LARVAE. THEY SHALL HAVE HEALTHY AND WELL-DEVELOPED ROOT SYSTEMS. ALL TREES SHALL HAVE STRAIGHT SINGLE TRUNKS WITH THEIR MAIN LEADER INTACT UNLESS OTHERWISE STATED. THE OWNER, CERTIFIED LANDSCAPE INSPECTOR, LANDSCAPE ARCHITECT SHALL ONLY PERMIT SUBSTITUTIONS UPON WRITTEN APPROVAL. THEIR SIZES SHALL CONFORM TO THE MEASUREMENT SPECIFIED ON THE DRAWINGS. PLANTS LARGER THAN SPECIFIED ON THE DRAWINGS MAY BE USED IF APPROVED. THE USE OF SUCH PLANTS SHALL NOT INCREASE THE CONTRACT PRICE. ALL TREES AND SHRUBS SHALL BE MULCHED IN ACCORDANCE WITH THE RESPECTIVE PLANTING DETAIL(S) PROVIDED IN THE LANDSCAPING PLAN.

   - ALL PRUNING SHALL CONFORM TO THE TREE CARE INDUSTRY ASSOCIATION (TCIA) ANSI A300 (PART 1) - 2017 PRUNING STANDARDS. PRUNING STANDARDS SHALL RECOGNIZE BUT, ARE NOT LIMITED TO, THE FOLLOWING PRUNING OBJECTIVES: MANAGE RISK, MANAGE HEALTH, DEVELOP STRUCTURE, PROVIDE CLEARANCE, MANAGE SIZE OR SHAPE, IMPROVE AESTHETICS, MANAGE PRODUCTION OF FRUIT, FLOWERS, OR OTHER PRODUCTS, AND/OR MANAGE WILDLIFE HABITAT. DEVELOPING STRUCTURE SHALL IMPROVE BRANCH AND TRUNK ARCHITECTURE, PROMOTE OR SUBORDINATE CERTAIN LEADERS, STEMS, OR BRANCHES; PROMOTE DESIRABLE BRANCH SPACING; PROMOTE OR DISCOURAGE GROWTH IN A PARTICULAR DIRECTION (DIRECTIONAL PRUNING); MINIMIZE FUTURE INTERFERENCE WITH TRAFFIC, LINES OF SIGHT, INFRASTRUCTURE, OR OTHER PLANTS; RESTORE PLANTS FOLLOWING DAMAGE; AND/OR REJUVENATE SHRUBS. PROVIDING CLEARANCE SHALL ENSURE SAFE AND RELIABLE UTILITY SERVICES; MINIMIZE CURRENT INTERFERENCE WITH TRAFFIC, LINES OF SITE, INFRASTRUCTURE, OR OTHER PLANTS; RAISE CROWN(S) FOR MOVEMENT OF TRAFFIC OR LIGHT PENETRATION; ENSURE LINES OF SIGHT OR DESIRED VIEWS; PROVIDE ACCESS TO SITES, BUILDINGS, OR OTHER STRUCTURES; AND/OR COMPLY WITH REGULATIONS.

   - TOPSOIL SHALL BE INSTALLED AT A MINIMUM DEPTH OF 4 INCHES. CONTRACTOR SHALL SUBMIT TOPSOIL TO A CERTIFIED TESTING LABORATORY TO DETERMINE PH, FERTILITY, ORGANIC CONTENT AND MECHANICAL COMPOSITION. THE CONTRACTOR SHALL SUBMIT THE TEST RESULTS FROM REGIONAL EXTENSION OFFICE OF USDA TO THE OWNER, CERTIFIED LANDSCAPE INSPECTOR, OR LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL. CONTRACTOR SHALL INCORPORATE AMENDMENTS FOR GOOD PLANT GROWTH AND PROPER SOIL ACIDITY RECOMMENDED FROM THE TOPSOIL TEST.

   - NO PHOSPHOROUS SHALL BE USED AT PLANTING TIME UNLESS SOIL TESTING HAS BEEN COMPLETED AND TESTED BY A HORTICULTURAL TESTING LAB AND SOIL TESTS SPECIFICALLY INDICATE A PHOSPHOROUS DEFICIENCY THAT IS HARMFUL, OR WILL PREVENT NEW LAWNS/GRASSES AND PLANTINGS FROM ESTABLISHING PROPERLY.

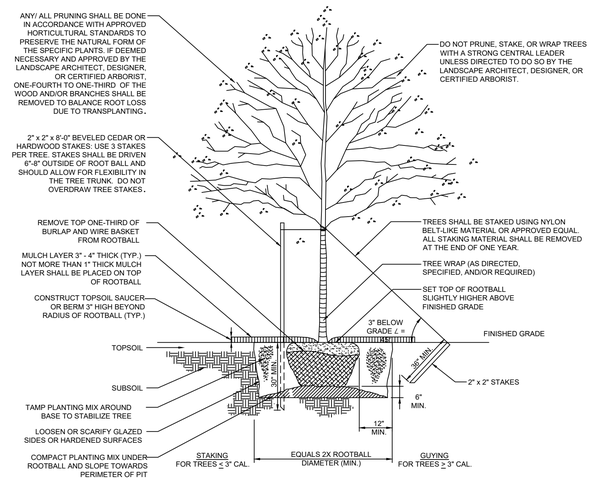
   - IF SOIL TESTS INDICATE A PHOSPHOROUS DEFICIENCY THAT WILL IMPACT PLANT AND LAWN ESTABLISHMENT, PHOSPHOROUS SHALL BE APPLIED AT THE MINIMUM RECOMMENDED LEVEL PRESCRIBED IN THE SOIL TEST FOLLOWING ALL APPLICABLE STANDARDS, REQUIREMENTS, AND/OR REGULATIONS.

   - ALL SLOPES GREATER THAN 3:1 RECEIVING A WILDFLOWER, WETLAND, AND/OR GRASS SEEDING MIXTURE SHALL BE COVERED WITH AN EROSION CONTROL BLANKET.

   - ALL WILDFLOWERS AND GRASSES SOWED SHALL BE ALLOWED TO GROW TO THEIR NATURALLY OCCURRING HEIGHTS WHENEVER POSSIBLE. NATIVE WILDFLOWERS AND/OR GRASSES CAN BE MOWED/MAINTAINED (WITHIN ACCEPTABLE AREAS IDENTIFIED AND/OR APPROVED BY APPROPRIATE REGULATORY AGENCIES) AS OFTEN AS NEEDED TO KEEP THE VEGETATION AT A DESIRED AND/OR MANAGEABLE/MANICURED HEIGHT.

9. INVASIVE SPECIES SHALL NOT BE PERMITTED.

10. ALL PLANT MATERIAL SHALL CONFORM TO THE PLAN SIZE SPECIFICATIONS AS ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK LATEST EDITION.

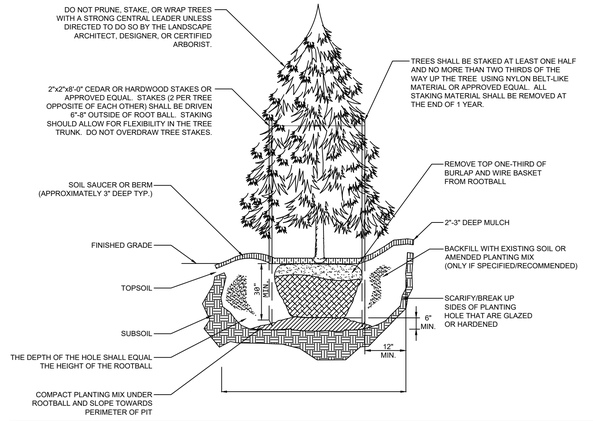



### NATIVE/DECIDUOUS TREE PLANTING DETAIL

N.T.S.

**NOTES:**

- TREE PLANTING SHALL BEAR SAME RELATIONSHIP TO FINISH GRADE AS IT WAS PRE-DUG IN THE NURSERY.
- NEVER CUT THE PRIMARY LEADER.
- IT IS NOT RECOMMENDED TO AMEND THE EXISTING SOIL BEFORE BACKFILLING THE HOLE UNLESS SOIL CONDITIONS ARE POOR FOR PLANTING.
- WATER THOROUGHLY TO HELP ENSURE THE REMOVAL OF AIR POCKETS AND PROPERLY SET THE TREE.

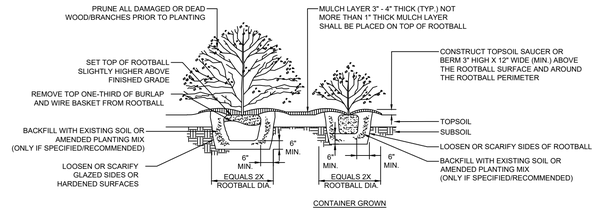



### EVERGREEN TREE PLANTING DETAIL

N.T.S.

**NOTES:**

- TREE PLANTING SHALL BEAR SAME RELATIONSHIP TO FINISH GRADE AS IT WAS PRE-DUG IN THE NURSERY.
- NEVER CUT THE PRIMARY LEADER.
- IT IS NOT RECOMMENDED TO AMEND THE EXISTING SOIL BEFORE BACKFILLING THE HOLE UNLESS SOIL CONDITIONS ARE POOR FOR PLANTING.
- WATER THOROUGHLY TO HELP ENSURE THE REMOVAL OF AIR POCKETS AND PROPERLY SET THE TREE.



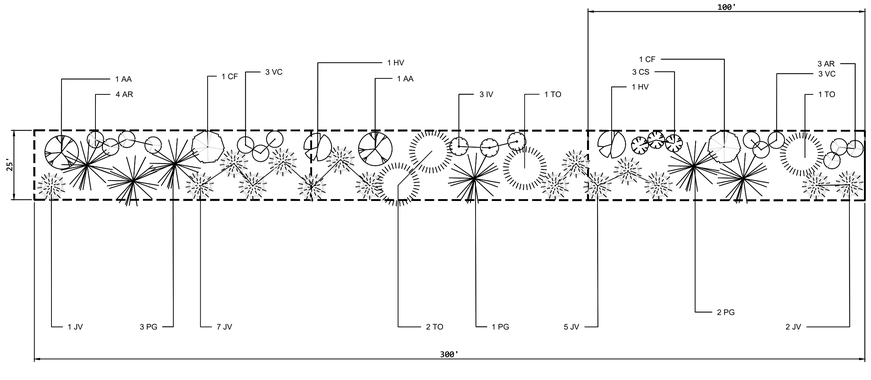

### SHRUB PLANTING DETAIL

N.T.S.

**NOTE:**

- IN AREAS WITH MASS PLANTINGS, CONTINUOUS EXCAVATION AND MULCHING PRACTICES SHALL BE IMPLEMENTED WHENEVER POSSIBLE
- IT IS NOT RECOMMENDED TO AMEND THE EXISTING SOIL BEFORE BACKFILLING THE HOLE UNLESS SOIL CONDITIONS ARE POOR FOR PLANTING.
- WATER THOROUGHLY TO HELP ENSURE THE REMOVAL OF AIR POCKETS.

ISSUED FOR PERMITTING




### VISUAL MITIGATION PLANTING TEMPLATE

N.T.S.

## LEGEND

VISUAL MITIGATION PLANTING TEMPLATE

LANDSCAPE PLANTING SCHEDULE (TYPICAL VISUAL BUFFER/SCREENING EFFORT)

DECIDUOUS AND EVERGREEN TREES

| SYMBOL | BOTANICAL NAME/ COMMON PLANT NAME | QUANTITY | SIZE | ROOT | MATURE HEIGHT |
|---|---|---|---|---|---|
| AA | AMELANCHIER ARBOREA DOWNY SHADBUSH | 2 | 6'-8' HT. CLUMP | B&B | 15'-20' HT. |
| CF | CORNUS FLORIDA FLOWERING DOGWOOD | 2 | 1" CAL. MIN. | B&B | 15'-25' HT. |
| JV | JUNIPERUS VIRGINIANA EASTERN RED CEDAR | 15 | 5'-6' HT. | B&B | 40'-50' HT. |
| PG | PICEA GLAUCA WHITE SPRUCE | 6 | 5'-6' HT. | B&B | 40'-60' HT. |
| TO | THUJA OCCIDENTALIS NORTHERN WHITE CEDAR | 4 | 5'-6' HT. | B&B | 40'-50' HT. |

SHRUBS

| SYMBOL | BOTANICAL NAME/ COMMON PLANT NAME | QUANTITY | SIZE | ROOT | MATURE HEIGHT |
|---|---|---|---|---|---|
| AR | ARONIA ARBUTIFOLIA RED CHOKEBERRY | 7 | 24"-30" HT. | #3/5 CONT. | 7'-10' HT. |
| CS | CORNUS SERICEA RED TWIG DOGWOOD | 3 | 24"-30" HT. | #3/5 CONT. | 7'-9' HT. |
| HV | HAMAMELIS VIRGINIANA COMMON WITCH HAZEL | 2 | 3'-4' HT. | B&B | 15'-25' HT. |
| IV | ILEX VERTICILLATA COMMON WINTERBERRY | 3 | 24"-30" HT. | #3/5 CONT. | 10'-12' HT. |
| VC | VACCINIUM CORYMBOSUM HIGHBUSH BLUEBERRY | 6 | 24"-30" HT. | #3/5 CONT. | 6'-12' HT. |

## LEGEND

VISUAL MITIGATION PLANTING TEMPLATE

VM1, VM2 AND VM3 = 606 LINEAR FEET

DECIDUOUS AND EVERGREEN TREES

| SYMBOL | BOTANICAL NAME/ COMMON PLANT NAME | QUANTITY | SIZE | ROOT | MATURE HEIGHT |
|---|---|---|---|---|---|
| AA | AMELANCHIER ARBOREA DOWNY SHADBUSH | 6 | 6'-8' HT. CLUMP | B&B | 15'-20' HT. |
| CF | CORNUS FLORIDA FLOWERING DOGWOOD | 4 | 1" CAL. MIN. | B&B | 15'-25' HT. |
| JV | JUNIPERUS VIRGINIANA EASTERN RED CEDAR | 29 | 5'-6' HT. | B&B | 40'-50' HT. |
| PG | PICEA GLAUCA WHITE SPRUCE | 14 | 5'-6' HT. | B&B | 40'-60' HT. |
| TO | THUJA OCCIDENTALIS NORTHERN WHITE CEDAR | 7 | 5'-6' HT. | B&B | 40'-50' HT. |

SHRUBS

| SYMBOL | BOTANICAL NAME/ COMMON PLANT NAME | QUANTITY | SIZE | ROOT | MATURE HEIGHT |
|---|---|---|---|---|---|
| AR | ARONIA ARBUTIFOLIA RED CHOKEBERRY | 17 | 24"-30" HT. | #3/5 CONT. | 7'-10' HT. |
| CS | CORNUS SERICEA RED TWIG DOGWOOD | 3 | 24"-30" HT. | #3/5 CONT. | 7'-9' HT. |
| HV | HAMAMELIS VIRGINIANA COMMON WITCH HAZEL | 3 | 3'-4' HT. | B&B | 15'-25' HT. |
| IV | ILEX VERTICILLATA COMMON WINTERBERRY | 6 | 24"-30" HT. | #3/5 CONT. | 10'-12' HT. |
| VC | VACCINIUM CORYMBOSUM HIGHBUSH BLUEBERRY | 9 | 24"-30" HT. | #3/5 CONT. | 6'-12' HT. |

### VISUAL MITIGATION PLANTING TOTALS

N.T.S.

EDEN EVANS CENTER ROAD
1864 EDEN EVANS CENTER ROAD
TOWN OF EVANS, ERIE COUNTY, NEW YORK
LANDSCAPE DETAILS

ORIGINAL ISSUE DATE: 07/23/26
FILE INDEX: X - X - X
DRAWING NUMBER: L-200
SHEET NUMBER: 4

PREPARED BY: nationalgrid
ACCOUNT NUMBER

| | DES. | DR. | CK. | APP. |
|---|---|---|---|---|
| | APPROVED | APPROVED | APPROVED | APPROVED |
| | | TRC | TRC | PWM |

| DATE | DESCRIPTION OF ISSUE OR REVISION |
|---|---|
| 07/26 | ISSUED FOR PERMITTING |

# Exhibit 4 – Full Environmental Assessment Form (FEAF)

Docusign Envelope ID: 0533D2F9-82ED-8823-8164-657BA77D727C

# *Full Environmental Assessment Form*
# *Part 1 - Project and Setting*

## Instructions for Completing Part 1

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies that would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No." If the answer to the initial question is "Yes," complete the following sub-questions. If the answer to the initial question is "No," proceed to the next question. Section F allows the project sponsor to identify and attach additional information. Section G requires the name and signature of the applicant or project sponsor to verify the information in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

| | | |
|---|---|---|
| Name of Action or Project:<br>Edens-Evans Marshalling Yard | | |
| Project Location (describe and attach a general location map):<br>Address: 1864 Eden Evans Center Road, Town of Evans, Erie County, New York, 14057. Tax Parcel ID: 222.00-4-13 | | |
| Brief Description of Proposed Action (include purpose or need):<br>This site was previously used by National Grid as a marshalling yard for the Gardenville-Dunkirk 141/142 Northern Section Rebuild Project (Matter No. 18-T-0561). National Grid plans to use the existing marshalling yard with minimal site improvements. The current conditions include an existing gravel area which comprises the marshalling yard is approximately 13.5 acres in size and is crossed by 73/74 transmission lines owned by National Grid. For the Proposed Action, National Grid is proposing to make minor updates to the site to use the yard as a permanent National Grid storage/marshalling facility. Grading (except for the filling of a few potholes and ruts) and below grade disturbance is not anticipated. While the existing yard is an impervious gravel area with permanent fencing and gates, National Grid expects that a few perimeter controls may be needed as part of the site upgrades. | | |
| Name of Applicant/Sponsor:<br>National Grid | Telephone: n/a<br>E-Mail: n/a | |
| Address: 330 Erie Boulevard West | | |
| City/PO: Syracuse | State: NY | Zip Code: 13202 |
| Project Contact (if not same as sponsor; give name and title/role):<br>Chris Hughes, Project Manager | Telephone: 716-862-5167<br>E-Mail: christopher.hughes2@nationalgrid.com | |
| Address: 144 Kensington Ave | | |
| City/PO: Buffalo | State: NY | Zip Code: 14214 |
| Property Owner (if not same as sponsor):<br>Union Concrete & Construction Corp | Telephone: 716-822-5755<br>E-Mail: n/a | |
| Address: 435 Meyer Road | | |
| City/PO: West Seneca | State: NY | Zip Code: 14224 |

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|---|---|---|
| a. City Council, Town Board, or Village Board of Trustees ☐Yes ☑No | | |
| b. City, Town or Village Planning Board or Commission ☑Yes ☐No | Site Plan Application (Town of Evans Planning Board) | August 2026 |
| c. City, Town or Village Zoning Board of Appeals ☑Yes ☐No | Use Variance (Town of Evans Zoning Board of Appeals) | August 2026 |
| d. Other local agencies ☐Yes ☑No | | |
| e. County agencies ☐Yes ☑No | | |
| f. Regional agencies ☐Yes ☑No | | |
| g. State agencies ☐Yes ☑No | | |
| h. Federal agencies ☐Yes ☑No | | |

i. Coastal Resources.

*i.* Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway? ☐ Yes ☑ No

*ii.* Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑ Yes ☐ No

*iii.* Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☑ No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☐ Yes ☑ No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☑ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas:West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☑ No

If Yes, identify the plan(s):

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☑ No

If Yes , identify the elements of the plan that are relevant to the action:

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

General Business (GB) for the portion of the Parcel that the Project activities will be on and Rural Agricultural (RA) for the northernmost portion of the Parcel, north of I90, that will remain undeveloped.

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes, what is the proposed new zoning for the site?

**C.4. Existing community services.**

a. In what school district is the project site located? Eden Central School District

b. What police or other public protection forces serve the project site?

Town of Evans Police Department, New York State Police

c. Which fire protection and emergency medical services serve the project site?

Evans Center Volunteer Fire Department and Erie County EMS - Evans Quarters

d. What parks serve the project site?

Evans Town Park (6-miles to the west) and Evangola State Park (10 miles southwest)

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial

b. a. Total acreage of the site of the proposed action? 29.80 acres
b. Total acreage to be physically disturbed? 0.33 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 29.80 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? %_____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
*i.* Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

*ii.* Is a cluster/conservation layout proposed? ☐ Yes ☑ No
*iii.* Number of lots proposed? _____
*iv.* Minimum and maximum proposed lot sizes? Minimum_____Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No

*i.* If No, anticipated period of construction: 1 months

*ii.* If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month_____year
- Anticipated completion date of final phase _____ month_____year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

| | One Family | Two Family | Three Family | Multiple Family (four or more) |
|---|---|---|---|---|
| Initial Phase | | | | |
| At completion of all phases | | | | |

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

*i.* Total number of structures _____

*ii.* Dimensions (in feet) of largest proposed structure:_____height;_____width; and_____length

*iii.* Approximate extent of building space to be heated or cooled:_____square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No

If Yes,

*i.* Purpose of the impoundment: _____

*ii.* If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:

*iii.* If other than water, identify the type of impounded/contained liquids and their source.

*iv.* Approximate size of the proposed impoundment. Volume:_____million gallons; surface area:_____acres

*v.* Dimensions of the proposed dam or impounding structure: _____ height;_____length

*vi.* Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☑ No

If Yes:

*i* .What is the purpose of the excavation or dredging? _____

*ii.* How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

*iii.* Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

*iv.* Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe. _____

*v.* What is the total area to be dredged or excavated?_____acres

*vi.* What is the maximum area to be worked at any one time?_____acres

*vii.* What would be the maximum depth of excavation or dredging?_____feet

*viii.* Will the excavation require blasting? ☐ Yes ☐ No

*ix.* Summarize site reclamation goals and plan: _____

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b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

*i.* Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g., excavation, fill, placement of structures, or alteration of channels, banks, and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

*iii.* Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

*iv.* Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

*v.* Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☑ No

If Yes:

*i.* Total anticipated water usage/demand per day: _____ gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

*iii.* Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: _____

*vi.* If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☑ No

If Yes:

*i.* Total anticipated liquid waste generation per day:_____gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

*iii.* Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

*iv.* Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

*v.* If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

*vi.* Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction? ☐ Yes ☑ No

If Yes:

*i.* How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or_____acres (impervious surface)

_____ Square feet or_____acres (parcel size)

*ii.* Describe types of new point sources.

*iii.* Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

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f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☑ No

If Yes, identify:

*i.* Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

*ii.* Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

*iii.* Stationary sources during operations (e.g., process emissions, boilers, electric generation, surface coating)

_____

g. Will any air emission sources named in D.2.f (above), require an Air Facility Registration, Air State Facility Permit, Title IV Permit or Title V Permit? ☐ Yes ☑ No

If Yes:

*i.* Is the proposed action subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231? ☐ Yes ☐ No

*ii.* As calculated in the air permit application, the proposed action has the potential to emit:

- _____Tons/year (short tons) of carbon monoxide (CO)
- _____Tons/year (short tons) of oxides of nitrogen (NOx)
- _____Tons/year (short tons) of particulate matter (PM-10, PM-2.5)
- _____Tons/year (short tons) of volatile organic compounds (VOC)
- _____Tons/year (short tons) of sulfur dioxide ($SO_2$)

*iii.* Will emissions of air contaminants from the proposed action described above exceed the corresponding major source thresholds? ☐ Yes ☐ No

*iv.* Does the proposed action have the potential to emit 10 tons/year or more of any one designated hazardous air pollutant or 25 tons/year or more of any combination of such hazardous air pollutants (6NYCRR 200.1(ag))? ☐ Yes ☐ No

If Yes, provide the total potential to emit hazardous air pollutants in short tons/year: _____

h. Will the proposed action generate or emit annual direct and indirect greenhouse gas emissions, such as carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, or perfluorocarbons in excess of 10,000 metric tons of total carbon dioxide equivalents per year at any point in the lifetime of the proposed action (estimated using the carbon dioxide equivalent definition and global warming potentials provided in 6 NYCRR Part 496)? ☐ Yes ☑ No

If Yes:

*i.* Estimate the proposed action's metric tons of carbon dioxide equivalents in tons/year (metric): _____

*ii*. Describe any greenhouse gas capture, control, or elimination measures included in project design: _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☑ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☑ No

If Yes:

*i.* When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of_____to_____.

*ii.* For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks):

_____

*iii.* Parking spaces: Existing_____Proposed_____Net increase/decrease _____

*iv.* Does the proposed action include any shared use parking? ☐ Yes ☐ No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

*vi.* Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

*vii* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

*viii*. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐Yes ☑No
If Yes:
*i.* Estimate annual electricity demand during operation of the proposed action: _____

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

*iii.* Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐No

l. Hours of operation. Answer all items which apply.

*i.* During Construction:
- Monday - Friday: 7am - 7pm
- Saturday: 7am - 7pm
- Sunday: 7am - 7pm
- Holidays: 7am - 7pm

*ii.* During Operations:
- Monday - Friday: 7am - 7pm
- Saturday: 7am - 7pm
- Sunday: 7am - 7pm
- Holidays: 7am - 7pm

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☑No
If yes:
*i.* Provide details including sources, time of day and duration:

*ii.* Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No
Describe:

n. Will the proposed action have outdoor lighting? ☐Yes ☑No
If yes:
*i.* Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

*ii.* Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No
Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☑No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☑No
If Yes:
*i.* Product(s) to be stored _____
*ii.* Volume(s)_____ per unit time_____(e.g., month, year)
*iii.* Generally, describe the proposed storage facilities:_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☑No
If Yes:
*i.* Describe proposed treatment(s):

*ii.* Will the proposed action use Integrated Pest Management Practices? ☐Yes ☐No

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐Yes ☑No

If Yes:

*i.* Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction:_____tons per_____(unit of time)
- Operation : _____ tons per_____(unit of time)

*ii.* Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:

- Operation:

*iii.* Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:

- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐Yes ☑ No

If Yes:

*i.* Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

*ii.* Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

*iii.* If landfill, anticipated site life:_____years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐Yes ☑No

If Yes:

*i.* Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

*ii.* Generally describe processes or activities involving hazardous wastes or constituents:

*iii.* Specify amount to be handled or generated_____tons/month

*iv.* Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

*v.* Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐Yes ☐No

If Yes: provide name and location of facility:_____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

## E. Site and Setting of Proposed Action

### E.1. Land uses on and surrounding the project site

a. Existing land uses.

*i.* Check all uses that occur on, adjoining and near the project site.

☐Urban ☒Industrial ☒Commercial ☐Residential (suburban) ☒Rural (non-farm)
☒Forest ☒Agriculture ☐Aquatic ☐Other (specify):

*ii.* If mix of uses, generally describe:

Existing land use for the Project Site is an industrial marshalling yard. Adjoining and nearby land uses are a mix, including those checked above. Most notably is that an Interstate-90 off-ramp is directly adjacent to the Project Site. See Figure 1 for the land use map.

b. Land uses and cover types on the project site.

| Land use or Cover type | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|---|---|---|---|
| • Roads, buildings, and other paved or impervious surfaces (total) | - | - | - |
| • Industrial or manufacturing | 11.95 | 11.95 | 0 |
| • Commercial | 0 | 0 | 0 |
| • Residential | 0 | 0 | 0 |
| • Forested | 2.48 | 2.48 | 0 |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 4.77 | 4.44 | -0.33 |
| • Agricultural (includes active orchards, field, greenhouse, etc.) | 0 | 0 | 0 |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | 0.08 | 0.08 | 0 |
| • Wetlands (freshwater or tidal) | 4.72 | 4.72 | 0 |
| • Non-vegetated (bare rock, earth, or fill) | 0 | 0 | 0 |
| • Other, Describe: Landscaping for Visual Mitigation | 0 | 0.33 | +0.33 |

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c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No

*i.* If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No

If Yes,

*i.* Identify facilities:

e. Does the project site contain an existing dam? ☐ Yes ☒ No

If Yes:

*i.* Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

*ii.* Dam's existing hazard classification: _____

*iii.* Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property that is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No

If Yes:

*i.* Has the facility been formally closed? ☐ Yes ☐ No

- If Yes, cite sources/documentation: _____

*ii.* Describe the location of the project site relative to the boundaries of the solid waste management facility:

*iii.* Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No

If Yes:

*i.* Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No

If Yes:

*i.* Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

*ii.* If site has been subject of RCRA corrective activities, describe control measures: _____

*iii.* Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No

If Yes, provide DEC ID number(s): _____

*iv.* If Yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If Yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? 5 feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☒No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

| | |
|---|---|
| Brockport silty clay loam 0-8% slope | 34.6 % |
| Orpark silt loam 0-8% slope | 26.9 % |
| Remsen silty clay loam 0-3% slope | 17.2 % |

d. What is the average depth to the water table on the project site? Average: 2.5 feet

e. Drainage status of project site soils:
☐ Well Drained: ____% of site
☐ Moderately Well Drained: ____% of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 94.26 % of site
☑ 10-15%: 3.69 % of site
☑ 15% or greater: 2.05 % of site

g. Are there any unique geologic features on the project site? ☐Yes ☒No
If Yes, describe:

h. Surface water features.
*i.* Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds, or lakes)? ☒Yes ☐No
*ii.* Do any wetlands or other waterbodies adjoin the project site? ☒Yes ☐No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.
*iii.* Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒Yes ☐No
*iv.* For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 838-6 Classification C
- Lakes or Ponds: Name n/a Classification n/a
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 11.6, see Wetland Report
- Wetland No. (if regulated by DEC) _____

*v.* Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☒No
If Yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☒No

j. Is the project site in the 100-year Floodplain? ☐Yes ☒No

k. Is the project site in the 500-year Floodplain? ☐Yes ☒No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☒No
If Yes:
*i.* Name of aquifer: _____

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m. Identify the predominant wildlife species that occupy or use the project site:

White-tailed deer | Squirrels | Eastern Cotton Rabbit

Red-winged blackbirds | American Robins

n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No

If Yes:

*i.* Describe the habitat/community (composition, function, and basis for designation): _____

*ii.* Source(s) of description or evaluation:

*iii.* Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No

If Yes:

*i.* Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No

If Yes:

*i.* Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No

If Yes, give a brief description of how the proposed action may affect that use: _____

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No

*i.* If Yes: acreage(s) on project site? _____

*ii.* Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No

If Yes:

*i.* Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

*ii.* Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No

If Yes:

*i.* CEA name: _____

*ii.* Basis for designation: _____

*iii.* Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYSOffice of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐Yes ☒No

If Yes:

*i.* Nature of historic/archaeological resource: ☐Archaeological Site ☐Historic Building or District

*ii.* Name: _____

*iii.* Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? ☐Yes ☒No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐Yes ☒No

If Yes:

*i.* Describe possible resource(s): _____

*ii.* Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? ☒Yes ☐No

If Yes:

*i.* Identify resource: Great Lakes Seaway Trail (Rt. 5)

*ii.* Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): NYS National Designated Scenic Byway

*iii.* Distance between project and resource: 4 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐Yes ☒No

If Yes:

*i.* Identify the name of the river and its designation: _____

*ii.* Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐Yes ☐No

**E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75**

a. Is the project located within, or within ½ mile of, a disadvantaged community? ☐Yes ☒No

If No, could impacts(see examples below in E.4.b) from the project affect a disadvantaged community? ☐Yes ☒No

If Yes to either question in E.4.a, answer the remaining questions in this section.

b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? ☐Yes ☒No

i. new noise sources or expansions/modification of existing noise sources;
- noise from operational sources
- noise from construction activities

ii. emissions of air pollutants including, mobile emissions;

iii. wastewater discharges;

iv. generation of odors;

v. light pollution;

vi. new or modified radiation sources;

vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts:

c. Do any of the State agency approvals identified in question B.g include any of the following DEC permits?

| | |
|---|---|
| State Pollutant Discharge Elimination System (SPDES) | ☐Yes ☒No |
| Solid Waste Management Facility | ☐Yes ☒No |
| Hazardous Waste Management Facility | ☐Yes ☒No |
| Air Pollution Control (Title V or Air State Facility) | ☐Yes ☒No |
| Water Withdrawal over 20 MGD for Cooling Water | ☐Yes ☒No |
| Waste Transporter | ☐Yes ☒No |

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**E.5 Future Physical Climate Risks**

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No

b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No

c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☒ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

i. drought? ☐ Yes ☒ No

ii. temperature extremes (hot or cold)? ☐ Yes ☒ No

iii. extreme storms, including high winds? ☐ Yes ☒ No

iv. landslides? ☐ Yes ☒ No

v. coastal erosion? ☐ Yes ☒ No

vi. stormwater flooding? ☐ Yes ☒ No

vii. other climate or weather hazards? ☐ Yes ☒ No If Yes, describe: _____

## F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

## G. Verification

I certify that the information provided is true to the best of my knowledge.

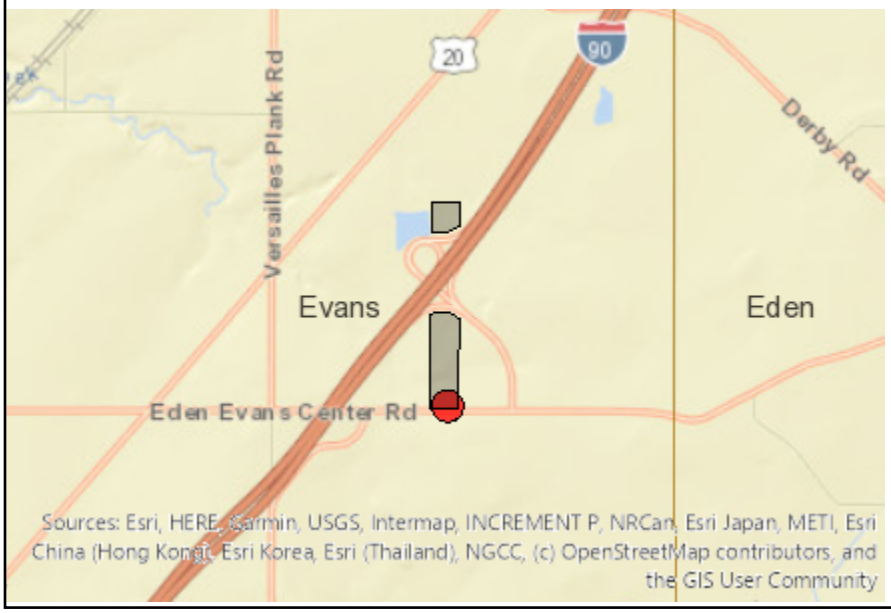
Applicant/Sponsor Name National Grid, by: James Zuccolotto Date 8/13/26

Signature DocuSigned by: James Zuccolotto 16A4E87584044DE... Title Director, Land Management

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# EAF Mapper Summary Report

Thursday, July 23, 2026 12:13 PM




**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.

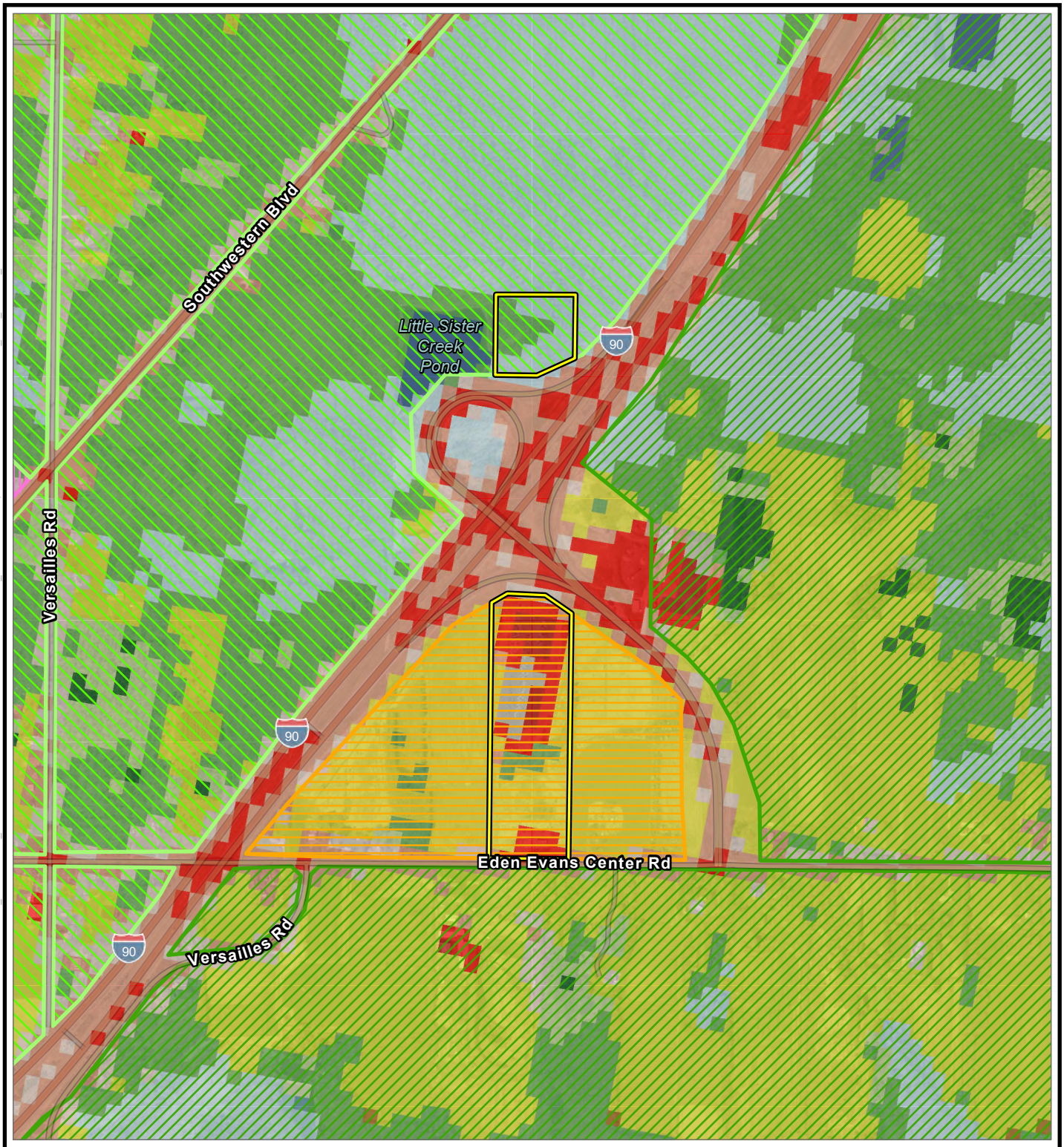



| | |
|---|---|
| B.i.i [Coastal or Waterfront Area] | No |
| B.i.ii [Local Waterfront Revitalization Area] | Yes |
| C.2.b. [Special Planning District] | Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook. |
| C.2.b. [Special Planning District - Name] | NYS Heritage Areas:West Erie Canal Corridor |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | No |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook. |
| E.2.h.ii [Surface Water Features] | Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook. |
| E.2.h.iii [Surface Water Features] | Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook. |
| E.2.h.iv [Surface Water Features - Stream Name] | 838-6 |
| E.2.h.iv [Surface Water Features - Stream Classification] | C |
| E.2.h.iv [Surface Water Features - Wetlands Name] | Federal Waters |

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| | |
|---|---|
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | No |
| E.2.n. [Natural Communities] | No |
| E.2.o. [Endangered or Threatened Species] | No |
| E.2.p. [Rare Plants or Animals] | No |
| E.3.a. [Agricultural District] | No |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | No |
| E.3.i. [Designated River Corridor] | No |
| E.4.a [Disadvantaged Community] | No |

Docusign Envelope ID: 0533D2F9-82ED-8823-8164-657BA77D727C




PROJECT PARCEL

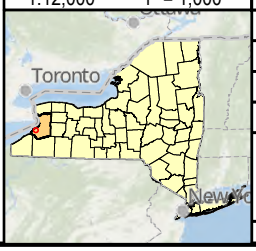
TOWN ZONING
- AGRICULTURE & OPEN SPACE (AOS)
- GENERAL BUSINESS (GB)
- LIGHT INDUSTRIAL
- RURAL AGRICULTURE (RA)

NLCD CLASSIFICATION
- 11 OPEN WATER
- 21 DEVELOPED, OPEN SPACE
- 22 DEVELOPED, LOW INTENSITY
- 23 DEVELOPED, MEDIUM INTENSITY
- 24 DEVELOPED HIGH INTENSITY
- 31 BARREN LAND (ROCK/SAND/CLAY)
- 41 DECIDUOUS FOREST
- 42 EVERGREEN FOREST
- 43 MIXED FOREST
- 81 PASTURE/HAY
- 82 CULTIVATED CROPS
- 90 WOODY WETLANDS

BASE MAP: ESRI WORLD IMAGERY
DATA SOURCES: USGS, ESRI, NGRID, TOWN OF EVANS, TRC

N

0 500 1,000
FEET
1:12,000 1" = 1,000'




PROJECT:
**EDEN-EVANS MARSHALLING YARD**
**TOWN OF EVANS, ERIE COUNTY, NY**

TITLE:
# LAND USE AND ZONING MAP

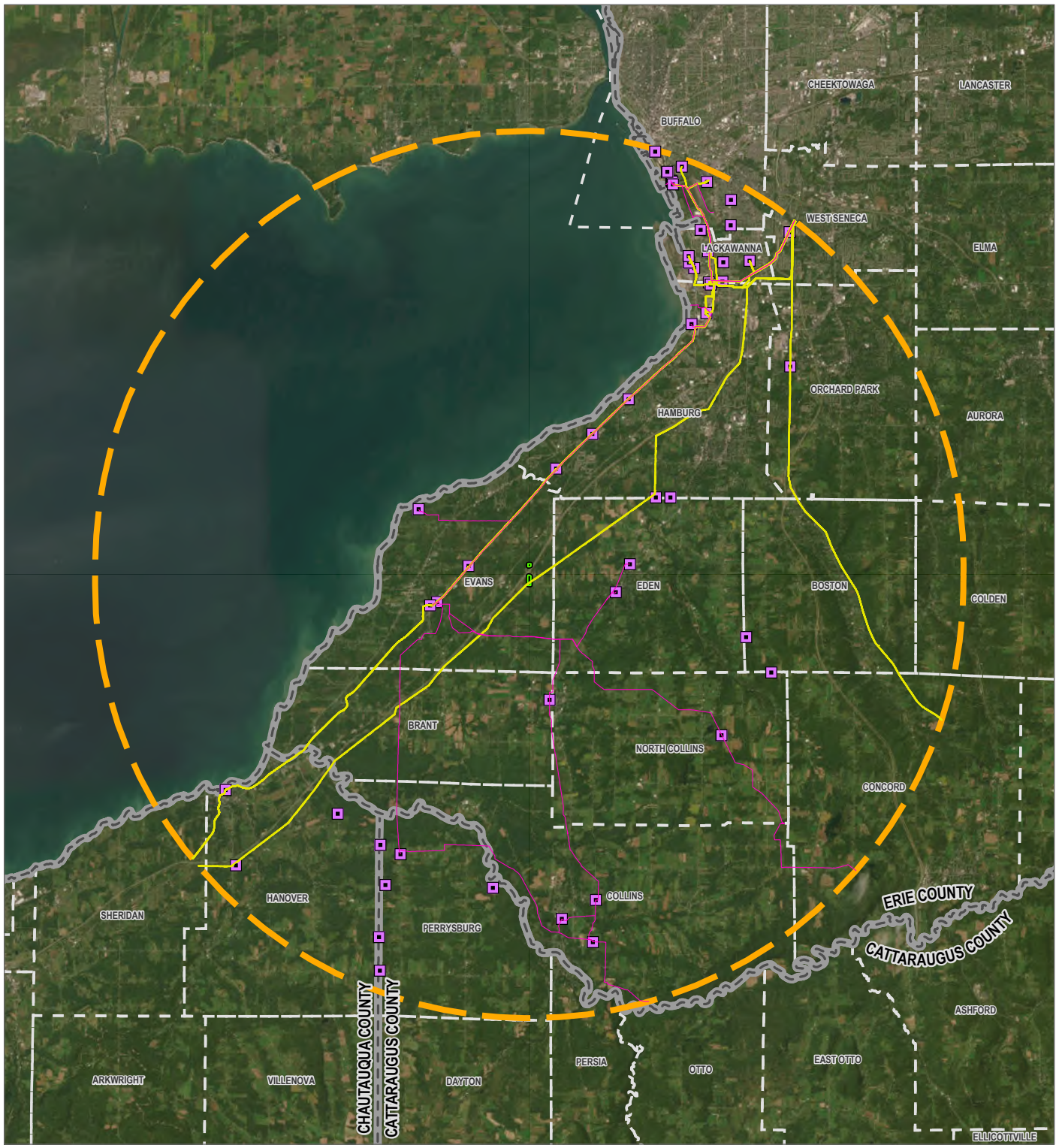
| | | | |
|---|---|---|---|
| DRAWN BY: | A. KAILAS | PROJ. NO.: | 717205 |
| CHECKED BY: | C. PEARCE | | |
| APPROVED BY: | C. PEARCE | | **FIGURE 1** |
| DATE: | APRIL 2026 | | |

TRC
3 CORPORATE DRIVE
SUITE 202
CLIFTON PARK, NY 12065

FILE: EVANSROAD_SCRATCH

COORDINATE SYSTEM: NAD 1983 2011 STATEPLANE NEW YORK WEST FIPS 3103 FT US; MAP ROTATION: 0
-- SAVED BY: AKAILAS ON 4/2/2026 12:34:56 PM; -- FILE PATH: \\EMPLOYEES\GIS\ARCGIS\PROJECTS\NATIONAL_GRID\717205_EVANSROAD\MARSHALLINYYARD\APRX\EVANSROAD_SCRATCH.APRX; -- LAYOUT NAME: EDENEVANS_FIG1_ZONING_8X11P

Exhibit 5 – National Grid Improvement Projects – 15 Mile Radius Map




EXISTING NATIONAL GRID SUBSTATIONS

EXISTING NATIONAL GRID TRANSMISSION LINES

EXISTING NATIONAL GRID SUB TRANSMISSION LINES

MARSHALLING YARD LOCATION

15 MILE BUFFER

MUNICIPAL BOUNDARY

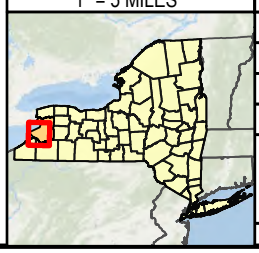
COUNTY BOUNDARY

BASE MAP: ESRI WORLD IMGARY BASEMAP
DATA SOURCES: USGS, ESRI, NGRID, TRC

N

0 2.5 5

MILES
1" = 5 MILES



PROJECT:
**EDEN-EVANS MARSHALLING YARD**
**TOWN OF EVANS, ERIE COUNTY, NY**

TITLE:
**EXISTING NATIONAL GRID INFRASTRUCTURE WITHIN 15-MILES OF THE PROJECT**

| | | | |
|---|---|---|---|
| DRAWN BY: | A. KAILAS | PROJ. NO.: | 717205 |
| CHECKED BY: | C. PEARCE | | |
| APPROVED BY: | C. SMITH | | **FIGURE 1** |
| DATE: | JUNE 2026 | | |

TRC
215 GREENFIELD PKWY
STE 102
LIVERPOOL, NY 13088
PHONE: 315.671.1600

FILE: EVANSRD_WDR

COORDINATE SYSTEM: NAD 1983 STATEPLANE NEW YORK WEST FIPS 3103 FEET; MAP ROTATION: 0
-- SAVED BY: AKAILAS ON 6/22/2026, 11:38:57 AM; FILE PATH: \\EMPLOYEES\GIS\ARCGISPRO\1-PROJECTS\NATIONAL_GRID\717205_EVANSROADMARSHALLINYYARD\APRX\EVANSRD_WDR.APRX; LAYOUT NAME: EVANSRD_WDR_FIG_1_15MILES_8X11P

Exhibit 6 – Office of Parks, Recreation and Historic Preservation Letter of No Impact

NEW YORK STATE OF OPPORTUNITY. Parks, Recreation, and Historic Preservation

**ANDREW M. CUOMO**
Governor

**ERIK KULLESEID**
Commissioner

June 24, 2021

Ms. Karen E Mack
Senior Archaeologist/Project Manager
TRC
71 Oak St
Ellsworth, ME 04605

Re: USACE
Gardenville-Dunkirk 141/142 Northern Rebuild and Reconductor Project
Angola, Blasdell, Evans, Hamburg, Lackawanna & West Seneca, Erie County, NY
18PR00145

Dear Ms. Mack:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the Second Addendum Phase IB Archaeological Investigation report prepared by TRC. (Mack, April 28, 2021; 19SR00190) in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources.

As per our September 11, 2019 letter, the SHPO noted that tower height changes for Segment 1 are significant at 41-feet. However, there are few historic resources in the identified area of potential effect. Additionally, the SHPO has no concerns for the use of the newly proposed marshaling yard at 1864 Eden Evans Center Road, Town of Evans, or the marshaling yard south of Bayview Road and east of Structures 94 and 95 in the Town of Hamburg.

Therefore, it is the SHPO's opinion that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be affected by this undertaking, and the SHPO concurs with the report's conclusion that no further archaeological investigations are warranted. This recommendation pertains only to the Area of Potential Effects (APE) examined during the above-referenced investigation. Should the project design change, the SHPO recommends further consultation with this office.

If you have any questions, I can be reached via e-mail at Josalyn.Ferguson@parks.ny.gov.

Sincerely,

Josalyn Ferguson, Ph.D.
Scientist Archaeology

*via email only*

c.c. Matthew Hyland, Rachel Silva & Tim Sara, TRC

# Exhibit 7 – New York State Public Service Commission Order Approving Environmental Management and Construction Plan Part A Subject to Conditions, dated March 17, 2022

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held in the City of Albany on March 16, 2022

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
Diane X. Burman
James S. Alesi
Tracey A. Edwards
John B. Howard
David J. Valesky
John B. Maggiore

CASE 18-T-0561 - Application of Niagara Mohawk Power Corporation d/b/a National Grid for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for its Gardenville-Dunkirk Lines 141/142, Northern Section Rebuild Project in Erie County.

ORDER APPROVING ENVIRONMENTAL MANAGEMENT AND CONSTRUCTION PLAN PART A SUBJECT TO CONDITIONS

(Issued and Effective March 17, 2022)

BY THE COMMISSION:

## INTRODUCTION AND BACKGROUND

On May 14, 2020, the Public Service Commission (Commission) issued a Certificate of Environmental Compatibility and Public Need (Certificate) to Niagara Mohawk Power Corporation d/b/a National Grid (National Grid or Certificate Holder). The Certificate authorizes, pursuant to the requirements of Article VII of the Public Service Law (PSL), the rebuild of two existing 115 kilovolt (kV) transmission lines, the Gardenville-Dunkirk 141 and 142 lines, from the North Angola Substation to existing structure 4 (just south of the

Gardenville Substation), for a distance of approximately 20.31 miles, in the Village of Angola, Town of Evans, Town of Hamburg, Village of Blasdell, City of Lackawanna, and the Town of West Seneca, all in the County of Erie (the Project).

The Project, as proposed and subsequently authorized by the Commission, was expected to be grouped into one Environmental Management & Construction Plan (EM&CP) filing. As explained further below, the EM&CP is now expected to be grouped into two or more filings. The first phase pertains to the establishment of a marshalling yard located at Eden-Evans Center Road, in the Town of Evans. This filing will be known as the "EM&CP Part A." All other construction will be covered in subsequent EM&CP filings. This Order is only for the work described in the EM&CP Part A filing.

The Certificate Conditions contain several requirements for compliance, including a requirement that the Certificate Holder submit for public review and Commission approval plans detailing the Facility design, construction and environmental controls.[1]

On August 30, 2021, the Certificate Holder submitted its proposed EM&CP filing for approval. Public notice of the EM&CP filing for review and comment was served on each party on the Service List and on landowners and/or residents of property crossed by, or abutting, the Project right-of-way (ROW) and made available at the public repositories listed on the Service List, in accordance with Certificate Conditions 23 and 24. As further required by Certificate Conditions 24, the Certificate Holder published notice in three local newspapers of general circulation. On August 31, 2021, the Certificate Holder filed

[1] Case 18-T-0561, Order Granting Certificate of Environmental Compatibility and Public Need (issued May 14, 2020), Certificate Conditions 18-27.

affidavits of service. On September 14, 2021, the Certificate Holder filed affidavits of publication. The 38-day comment period, required by Certificate Condition 39(g), ended on October 12, 2021. No public comments were received during the 38-day comment period; however, comments were submitted by the New York State Thruway Authority generally advising the Certificate Holder that the Project will be subject to Authority Occupancy and Work Permit Accommodation Guidelines. Informal comments were submitted by the Staff of the Department of Public Service (DPS Staff) and the Department of Environmental Conservation to the Certificate Holder on the overall EM&CP. The Certificate Holder is expected to address those comments on the overall EM&CP in its anticipated subsequent EM&CP filing, and those comments are not germain to the Part A filing at issue here. No further comments from community members, the various Parties, or Municipalities have been received at this time.

Subsequent to filing the August 30, 2021, EM&CP filing, the Certificate Holder determined that it required approval for the use of the Eden-Evans Center Road marshalling yard as soon as possible in order to begin receiving materials including insulators, Optical Ground Wire ("OPGW") and OPGW hardware, conductors, anchor bolts, steel poles and other hardware. The Certificate Holder explained that if it could not begin receiving deliveries, it may face construction delays and potential costs associated with those delays.

In light of this need, on February 11, 2022, the Certificate Holder filed a revised EM&CP Part A pertaining to only the Eden-Evans Center Road marshalling yard. The Certificate Holder addressed informal comments provided by DPS Staff in its EM&CP Part A filing that were specific to the Part A filing.

This Order approves the EM&CP Part A filing so that the Certificate Holder may begin establishment of the Eden-Evans Center Road marshalling yard pursuant to the Certificate.

## THE EM&CP, COMMENTS AND RESPONSES

As filed on August 30, 2021, and revised on February 11, 2022, the Certificate Holder's EM&CP Part A identifies and defines the Part A marshalling yard, including construction access and protective measures for wetlands. The standards for the EM&CP are described in the Joint Proposal and its appendices.

### DPS

With respect to EM&CP Part A, Staff provided informal comments requesting additional information or clarifications, including the need for the marshalling yard, installation of erosion and sediment controls, whether culverts would be needed, and clarification on other aspects pertaining to fencing and guard structure installation. The Commission is advised that the Certificate Holder adequately addressed all DPS Staff comments in its February 11, 2022, revised EM&CP Part A.

### NYS Thruway Authority

NYS Thruway Authority filed comments advising the Certificate Holder that the Project will be subject to Authority Occupancy and Work Permit Accommodation Guidelines. The Certificate Holder states that the comments are unrelated to the EM&CP Part A. DPS Staff concurs.

## DISCUSSION AND CONCLUSION

As noted above, DPS Staff raised various concerns and suggestions regarding details of the proposed EM&CP Part A. The Certificate Holder submitted a revised EM&CP Part A containing

revised text and a revised Plan and Profile drawing sheet on February 11, 2022, to reflect its revised request and addresses the concerns raised by DPS Staff specific to that filing.

To avoid unnecessary costs that could result from construction delays, it is appropriate for the Commission to approve the use of the Eden-Evans Center Road marshalling yard as Part A of the overall EM&CP at this time. Further, no environmental impacts will occur as a result of using the site and only minor improvements may be needed (e.g., spot fill or fencing).

Based on the foregoing, the Commission finds that the Certificate Holder has adequately addressed the informal concerns raised by DPS Staff. Based on a review of all the documents submitted, responses received, and supplemental filings made by the Certificate Holder, the EM&CP Part A for the Project is approved.

The Commission orders:

1. The revised Environmental Management and Construction Plan Part A submitted by Niagara Mohawk Power Corporation d/b/a National Grid on February 11, 2020, is approved subject to the following condition.

2. The Certificate Holder shall not commence construction until it has received a "Notice to Proceed with Construction" letter sent by the Director of Facility Certification and Compliance, or their designee, of the Office of Electric, Gas and Water.

3. This proceeding is continued.

By the Commission,

(SIGNED) MICHELLE L. PHILLIPS
Secretary

NEW YORK STATE OF OPPORTUNITY. Department of Public Service

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

**Public Service Commission**
**Rory M. Christian**
Chair and
Chief Executive Officer

**Diane X. Burman**
**James S. Alesi**
**Tracey A. Edwards**
**John B. Howard**
**David J. Valesky**
**John B. Maggiore**
Commissioners

March 23, 2022

*Via Electronic E-Mail:*

Mr. Kevin M. Bernstein
Management Committee Chairman
Environmental and Energy Practice Group
Bond Schoeneck and King, PLLC
One Lincoln Center
Syracuse, New York 13202-1355
kbernstein@bsk.com

RE: CASE 18-T-0561 – Application of Niagara Mohawk Power Corporation d/b/a National Grid for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII for its Gardenville-Dunkirk Lines 141/142, Northern Section Rebuild Project in Erie County

# Notice to Proceed with Construction

Dear Mr. Bernstein:

The Application submitted by Niagara Mohawk Power Corporation d/b/a National Grid (National Grid) to rebuild the 141/142 Transmission Lines was approved on February 11, 2019. The Eden-Evans Center Road Marshalling Yard is a replacement for "Marshalling Yard 2" that was approved in Exhibit 23 of Order adopting the Joint Proposal, issued on May 14, 2020. Part A of The Environmental Management and Construction Plan, submitted by National Grid, was approved by the New York State Public Service Commission on March 17, 2022. Ordering Clause 2 of that March 17th Order stated:

"*The Certificate Holder shall not commence construction until it has received a "Notice to Proceed with Construction" letter sent by the Director of Facility Certification and Compliance of the Office of Electric, Gas and Water….*"

Staff of the Department of Public Service has determined that the information provided in your letters on behalf of National Grid, dated March 22, 2022, sufficiently meets the requirements of the Orders issued in the above referenced case.

On the date of March 23, 2022, you are hereby authorized to begin receiving materials at the Eden-Evans Marshalling Yard. This Part A entails the installation of a temporary chain-link fence, installation of erosion and sediment controls, and the storage of construction materials.

If you have any questions, please contact Lilly Schelling of the Environmental Compliance Staff, at (518) 801-6038 or by email at Lilly.Schelling@dps.ny.gov.

Sincerely,

Jason Zehr
Chief, Environmental Certification and Compliance
Office of Electric, Gas and Water

cc: Case File, NYSDPS
Lilly Schelling, NYSDPS

**2. Rezone -** 8175 Delamater Rd. Substation
Petitioner: National Grid

BARCLAY DAMON LLP

**Ari M. Goldberg**
*Counsel*

October 19, 2026

**VIA HAND DELIVERY**

Town of Evans
Town Board
c/o William Smith, Director of Planning
8787 Erie Road
Angola, NY 14006
wsmith@townofevans.org

**Re: Niagara Mohawk Power Corporation d/b/a National Grid**
**Delameter Road Substation | 8175 Delamater Road**
**Petition to Rezone from Rural Agriculture (R-A) to Light Industrial (LI)**

Dear Supervisor Ashton and Honorable Members of the Town Board:

Barclay Damon LLP represents Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid"), record owner of 8175 Delamater Road, SBL 221.00-4-38 ("Property"), in the Town. National Grid operates its Delameter Road Substation on the Property. National Grid petitions the Town Board to rezone the Property from Rural Agriculture (R-A) to Light Industrial (LI) and to amend the Official Zoning Map of the Town.

The rezoning supports the measured growth the Evans-Angola Comprehensive Plan ("Plan") envisions. The Plan directs growth to "key locations, especially where utilities exist, are underutilized, or could be expanded with minimal effort." Plan p. 38. The Plan also asks the Town to ensure utilities are "positioned to support desired development in key areas." Plan p. 51, Goal #4. Rezoning lets National Grid upgrade the station on land it already uses, keeping service reliable now, and ready for future growth of the Town and electrical demand the Plan invites.

The rezoning also brings the Property's zoning in line with its long-standing use. The substation has operated on the Property for decades, but the R-A District does not list public utility stations among its permitted uses. The substation is therefore nonconforming. While no expansion is proposed as part of this rezoning, under Zoning Law § 200-30.C(1), a nonconforming use may not be "enlarged or increased," and no structure devoted to that use, conforming or not, may be "enlarged, extended, constructed, reconstructed or moved."

Meanwhile, the LI District permits "public utility stations or exchanges" as of right. Zoning Law § 200-24.B(1)(f). Rezoning to LI, would make the existing use conforming without introducing a new use. And, under Zoning Law § 200-42, future site improvements would be subject to site plan review.

Enclosed, please find the following:

- Exhibit 1 – Application for Rezoning
- Exhibit 2 – Zoning Law § 200-41.B Narrative
- Exhibit 3 – Property Survey
- Exhibit 4 – Tax Map
- Exhibit 5 – Property Deed
- Exhibit 6 – Environmental Assessment Form
- Filing fee check of $800, payable to the Town of Evans

We look forward to discussing this rezoning with the Town. Please contact me with any questions. Thank you for your consideration.

Very truly yours,

Ari M. Goldberg

Exhibits

cc (via email): Alexandra Kane, Town of Evans Planning and Development Associate
John Flading, Town of Evans Code Enforcement Officer
Brittany Penberthy, Town of Evans Town Attorney
National Grid

# Exhibit 1

# Application for Rezoning

# TOWN OF EVANS

8787 Erie Road • Angola, New York 14006-9600 • www.townofevans.org

**WILLIAM B. SMITH**
*Director of Planning and Community Development*
Telephone: (716) 549-0945 / Fax: (716) 549-0456
wsmith@townofevans.org


## APPLICATION FOR REZONING

Date _____ FILE # _____

**TO BE COMPLETED BY APPLICANT:**

APPLICANT Niagara Mohawk Power Corp. d/b/a National Grid PH/FAX (929) 928-0966
ADDRESS 300 Erie Boulevard West, Syracuse, NY 13202 (Attn: Craig Buell, Project Manager)
PROPERTY OWNER Same as Applicant PH/FAX _____
ADDRESS Same as Applicant
CONSULTANT Barclay Damon LLP (Ari M. Goldberg, Esq.) PH/FAX (716) 858-3878
ADDRESS 200 Delaware Avenue, Suite 1200, Buffalo, NY 14202
PROJECT LOCATION (include address and distance to nearest intersection)
8175 Delamater Road, Angola, NY 14006 (Delameter Road Substation)

ROAD NAME(S) AND LENGTH OF FRONTAGE ON EACH Delamater Road – 862.78 ft ± (centerline)

SBL# 221.00-4-38
TOTAL SITE ACREAGE 7.217 ac ± ACREAGE TO BE REZONED 7.217 ac
EXISTING ZONING R-A PROPOSED ZONING LI (Light Industrial)
EXISTING USE(S) Electric substation PROPOSED USE(S) Electric substation (no change)
ZONING AND USE OF LANDS SITUATED WITHIN 500 FEET OF THE SUBJECT PROPERTY

PREVIOUS APPROVALS, VARIANCES, PERMITS, ETC., IF ANY Site plan waiver, File No. 26-18
(approved May 13, 2026 – foundation pads, fire wall footer, and conduits within existing station footprint)

PUBLIC WATER – YES/(NO) PUBLIC SEWER – YES/(NO)

**APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS HEREIN AND A PRE-SUBMITTAL APPOINTMENT WITH THE TOWN PLANNING OFFICE, 549-0945.**

**TOWN TO COMPLETE THE FOLLOWING:**

DATE RECEIVED _____ BY _____ NON-REFUNDABLE FEE $_____
*(Payable to Town of Evans)*
APPLICATION DEADLINE _____ SUBMITTAL APPOINTMENT _____
WORK SESSION DATE _____
PLANNING BOARD MEETING DATE(S) _____ _____ _____
TOWN BOARD PUBLIC HEARING DATE _____ RESOLUTION DATE _____

# APPLICANT INSTRUCTIONS and CHECKLIST for REZONING

1. Please read the entire application and review the zoning and other codes, as appropriate.

2. Please make a pre-submittal appointment prior to completing and submitting the rezoning application package outlined below. Appointments can be scheduled by calling the Planning Office at (716) 549-0945.

3. Please complete and submit the application, checklists, plans and other materials, as follows. Please label all items with the name of applicant or company, as applicable.

_____ A formal letter to the Evans Town Board outlining the proposed rezoning and requesting their consideration of the matter.

_____ 1 copy of Rezoning Application and checklist.

_____ A legal description, including easements, covenants, deed restrictions.

_____ 8 copies of an up-to-date survey of the entire site showing existing structures, improvements, and rights of way, prepared by a licensed land surveyor.

_____ 8 copies of a statement of planning objectives to be achieved by the rezoning. (See Section 200-41b.(1)(f) of the Evans code - attached).

_____ 8 copies of a site development plan containing a site location map and the minimum information listed in section 200-41-b. of the zoning code (attached), appropriate for the intended, rezoned use of the land.

_____ 1 original (with signature) and 8 copies of a SEQRA long environmental assessment form.

_____ A list of names and addresses of all property owners located within 500 feet of any portion of the property to be rezoned. These properties shall also be identified on a county tax map, which is available from the town assessor's office, to be attached to this application.

_____ 8 copies of sketches or other representatives of typical structures and improvements sufficient to relay the basic architectural intent of the proposed improvements.

_____ All additional requirements as specified in section 200-41-b. of the attached Evans zoning code.

_____ Fee: $_____ (See attached Fee Schedule. Checks made payable to Town of Evans)

4. The application package will be reviewed by the Planning Office for completeness. Only complete applications will be placed on the Planning Board agenda.

5. Should the rezoning petition be accepted by the Town Board, it will be referred to the Planning Board for a recommendation.

Docusign Envelope ID: 95299353-00D9-8037-803E-3A167CDA7F87

6. Upon referral, the application package will be provided to the Planning Board for their review. As a courtesy, meetings notices will be published in our local Penny Saver. Applicants will be notified by mail of the status of their application. All applicants and/or their representatives are required to attend the Planning Board meeting, where the Board will make a recommendation. Following the Planning Board meeting, the applicant will be provided written notification of the Board's decision by mail.

7. The last day to file a rezoning application submittal package is approximately 30 days prior to the next scheduled Planning Board meeting. Please check with the Planning Office to determine the submittal deadline dates. Due to the time required for public notice filings and departmental reviews, no rezoning application will be placed on the Planning Board agenda after the deadline has closed. Your cooperation in this matter is greatly appreciated.

James Zuccolotto, Director-Land Managment &
Authorized Signatory for National Grid

I, [Name, Title] as owner/developer of Delameter Road Substation

(SBL 221.00-4-38), located at 8175 Delamater Road, Angola, NY 14006,

Town of Evans, to the best of my knowledge, am submitting a completed package for a Rezoning Review.

Signed DocuSigned by: James Zuccolotto 16A4E87584044DE... Date 10/16/2026

# Exhibit 2

# Zoning Law § 200-41.B Narrative

**B. Application for rezoning.** The petition shall contain the information described in Subsection B(1) and (2) below and shall be verified before a person authorized by law to administer oaths. The number of copies shall be determined by the Building Inspector, who shall approve the form of the petition before it is accepted for filing by the Town Clerk.

(1) Documents. The following information shall be provided:

(a) Name, address and telephone number of the applicant and, if he is not the owner, his interest in the Property.
(b) Name, address and telephone number of owner(s) of the property proposed for rezoning.
(c) A legal description and existing street address of the total site proposed for rezoning.
(d) A survey of the total site, prepared by a licensed surveyor.
(e) Identification of existing and proposed zoning.
(f) A statement of planning objectives to be achieved by the rezoning. This statement should include a description of the character of the proposed development, the rationale behind the assumptions and choices made by the applicant and a statement of how the development meets the objectives of the Comprehensive Plan.
(g) A general statement as to how open space is to be owned and maintained, if relevant.
(h) A development schedule indicating the approximate date when construction can be expected to begin and be completed and any stages thereof.
(i) A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the proposed development.
(j) Quantitative data for the following:
[1] Total number and type of dwelling units, indicating distribution by dwelling unit type.
[2] Calculation of the residential density and dwelling units per gross acre for the entire development.
[3] Total amount of open space.
[4] Proposed nonresidential floor area.
(k) A development plan, if required by the Planning Board, in order to assure that the proposed zoning is consistent with the Comprehensive Plan and the intent and objectives of this chapter.

(2) Development plan. The development plan must contain the following minimum information, unless waived by the Planning Board as not being applicable. Maps shall be drawn to scale.

(a) The existing site conditions, including property lines, contours, watercourses, floodplains, unique natural features and tree cover.
(b) Proposed land use arrangement.
(c) The location of all existing and proposed structures and other improvements, including maximum heights, types of dwelling units and location of nonresidential floor area.
(d) The location and size, in acres or square feet, of all use areas and areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas, school sites and similar public and semipublic uses.
(e) The existing and proposed traffic circulation system of arterial, collector and local streets, including off-street parking, loading and stacking areas and major points of ingress and egress to the development. Notations of proposed ownership, public or nonpublic. Should be included where appropriate.
(f) The existing and proposed pedestrian circulation system, including interrelationship with the vehicular circulation system.
(g) The existing utilities systems, including sanitary sewers, storm sewers, stormwater retention area and waterlines.
(h) Information, including zoning, ownership and use, concerning all lands within five hundred (500) feet of the perimeter of the area proposed to be rezoned.
(i) Sketches or other representations of typical structures and improvements sufficient to relay the basic architectural intent of the proposed improvements.
(j) Any additional information as might be required by the Planning Board to evaluate the character and impact of the proposed rezoning.

**Zoning Law § 200-41.B**
**Rezoning Justification**

**Delameter Road Substation | 8175 Delamater Road**
**Rezone from Rural Agriculture (R-A) to Light Industrial (LI)**

Town of Evans Zoning Law ("Zoning Law") § 200-41.B sets out the information a petition for rezoning must contain. The Applicant responses are listed below.

**Zoning Law § 200-41.B(1) – Documents**

**(a)** Name, address and telephone number of the applicant and, if he is not the owner, his interest in the property.

*Applicant Response*: Niagara Mohawk Power Corporation d/b/a National Grid, 300 Erie Boulevard West, Syracuse, New York 13202.

**(b)** Name, address and telephone number of owner(s) of the property proposed for rezoning.

*Applicant Response*: National Grid owns the Property. Liber 8184 of Deeds at page 535. See Exhibit 4.

**(c)** A legal description and existing street address of the total site proposed for rezoning.

*Applicant Response*: 8175 Delamater Road, Angola, New York 14006, SBL 221.00-4-38. See Exhibit __ for a legal description.

**(d)** A survey of the total site, prepared by a licensed surveyor.

*Applicant Response*: See Exhibit 3, the Rezoning Map (prepared by Mark J. Andrews, L.S.), showing the Property's boundaries, existing structures and improvements, rights-of-way, utilities, adjoining owners, and existing and proposed zoning.

**(e)** Identification of existing and proposed zoning.

*Applicant Response*: See Exhibit 3. Request is from Rural Agriculture (R-A) to Light Industrial (LI). The R-A District does not list public utility stations among its permitted or specially permitted uses, so the substation is nonconforming. Zoning Law §§ 200-8.2.B; 200-30.C(1). The LI District permits "public utility stations or exchanges" as of right. Zoning Law § 200-24.B(1)(f). The Property exceeds the LI minimum lot area of one acre and minimum lot width of 100 feet, with 7.217 acres and 823.70 feet of lot width at the street. Zoning Law § 200-24.C(1), (2).

**(f)** A statement of planning objectives to be achieved by the rezoning. This statement should include a description of the character of the proposed development, the rationale behind

the assumptions and choices made by the applicant and a statement of how the development meets the objectives of the Comprehensive Plan.

*Applicant Response*: The Evans-Angola Comprehensive Plan ("Plan") envisions a community that grows in measured steps. "[H]igh quality development will be encouraged in strategic locations," while "[a]griculture will continue to be supported and preserved." Plan p. 30. Each part of that vision depends on reliable electric service. The rezoning lets the Town and National Grid work together to keep the electric system ahead of the growth the Plan invites, on land already committed to utility use.

The rezoning introduces no new use. The Property holds National Grid's Delameter Road Substation. The substation adjoins an electric transmission corridor to the southeast and is reached by existing gravel drives from Delamater Road. It generates only periodic maintenance traffic and uses no public water or sewer service.

The rezoning will also accommodate future upgrades to the station. The engineering and electrical design, scope, and timing of that work are not yet final. Any upgrade will be subject to site plan review under Zoning Law § 200-42, the LI design regulations, and the performance standards of Zoning Law § 200-26.

The rezoning meets several objectives of the Comprehensive Plan:

- *Infrastructure growth*: The Plan directs the Town to "focus growth in key locations, especially where utilities exist, are underutilized, or could be expanded with minimal effort." Plan p. 38. It asks the Town to "[i]dentify opportunities for growth that take advantage of infrastructure and key locations" and to "promote approaches to growth that better conserve infrastructure, open space and natural resources." *Id.* pp. 31, 33. The Property is already dedicated to utility use and has an existing substation.

- *Infrastructure Reliability*: The Plan recognizes the foundational importance of infrastructure. It explains that water system improvements are "important to continuing to provide safe and reliable water to existing users," and it calls on the Town to "consider the investment in infrastructure to foster economic development." *Id.* p. 34. The Plan also seeks a Town of Evans that attracts young families, sustains itself as a year-round destination, revitalizes Main Street, and draws new light industrial and commercial development. *Id.* pp. 32-34. Those goals each add electric demand. The rezoning supports infrastructure to enhance reliability to meet that growing demand.

- *Utility Partnerships*: Town relies on utility partners like the Erie County Water Authority, Erie County Sewer (District No. 2), and National Grid, who "provides electric service throughout the Town and Village with two transmission lines traversing the Town." *Id.* p. 26. In calling for "a coordinated effort" toward "a unified vision for the future," the Plan directs the Town to "[d]evelop a plan to extend utility services as needed to support development"

and to "[e]nsure utilities are available/positioned to support desired development in key areas." *Id.* pp. 1, 51. National Grid funds, builds, and maintains the station. The Town's part is to zone the site so the station can grow with the community, as outlined in the Plan, and to review any future upgrades to the station and Property through site plan approval.

- *Preserve Agricultural Resources*: The Plan seeks "[t]o preserve a viable agricultural economy within the Town as well as the agricultural character it brings." *Id.* p. 33. While a R-A zoned property is changed to LI, the rezoning takes no farmland out of production, because the Property has long been devoted to utility use. It is limited to National Grid's parcel and extends industrial zoning to no neighboring property. The Plan describes light industrial areas as "designed to fit inconspicuously with the surrounding land," protected by "[d]esign standards such as landscaping, buffering, and building design." *Id.* p. 46. Future site plan review applies those standards to any upgrade.

- *Maximize Tax Revenue without Community Burden*: The Plan observes that industrial uses "have a greater return to the community as opposed to residential development" and are "better neighbors as they typically have interior operations and have more limited hours compared to residential." *Id.* pp. 38-39. A substation has no on-site staff, no deliveries, and minimal traffic, and it places almost no demand on Town services.

- *Zoning Alignment*: The Plan recommends that the Town "[e]nsure an adequate compatibility between neighboring uses through a review of the allowable uses and extent of zoning districts." *Id.* p. 51, Goal #3. Parcels to the east are zoned LI , and this rezoning reasonably extends that LI district. Likewise, placing a long-standing substation in the district designed for utility stations is an appropriate using of the rezoning power. The Plan also asks that its goals be "viewed as a whole," so that "one goal shall not be pursued at the exclusion of others." *Id.* p. 32. This rezoning advances growth and infrastructure goals without costing the community agricultural or rural character.

In addition to meeting Plan Goals, the rationale for rezoning is simple: the rezoning to LI supports growth. The Zoning Law lists public utility stations in only one the LI district. Zoning Law § 200-24.B(1)(f). LI is intended for "selective uses that do not adversely impact the environment and quality of life of the residents and property owners of the Town." Zoning Law § 200-24.A. A substation, with no manufacturing process and minimal traffic, that has been at this Property for decades, fits that description.

A rezoning also serves the Town better than piecemeal relief within the R-A District. It aligns the Zoning Map with an existing, permanent utility use. It lets the Planning Board review any upgrade under the same site plan standards that govern every industrial development. And it avoids the need for new relief each time the station must be modified to meet demand.

The rezoning advances the purposes of the Zoning Law, which include "establish[ing] zoning patterns that ensure economic extensions for sewers, water supply, waste disposal and other public utilities" and "bring[ing] about the gradual conformity and continuity of land and building uses in accordance with the objectives of the Comprehensive Plan." Zoning Law § 200-2.J, K. Rezoning the Property brings a nonconforming utility use into conformity and positions the Town's electric infrastructure to serve future growth.

The Plan stresses that zoning changes, "whether simply regulations and intent or actual boundary changes, will need to be consistent with the Plan." Plan p. 40. That consistency is what separates a legitimate rezoning of a single parcel from spot zoning, which singles out a small parcel "for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners." *Rodgers v. Village of Tarrytown*, 302 N.Y. 115, 123 (1951). This rezoning is not spot zoning. Parcels immediately east are zoned LI, so the zoning designation exists in the immediate proximity. Moreover, the rezoning recognizes a use that has existed on the Property for decades, carries out express goals of the Plan, and benefits all users of electricity in the Town.

**(g)** A general statement as to how open space is to be owned and maintained, if relevant.

*Applicant Response*: The rezoning creates no common or dedicated open space. National Grid will continue to own and maintain the entire Property, including the areas outside the station fence.

**(h)** A development schedule indicating the approximate date when construction can be expected to begin and be completed and any stages thereof.

*Applicant Response*: No construction is proposed as part of this rezoning.

**(i)** A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the proposed development.

*Applicant Response*: National Grid owns the Property. National Grid does not intend to sell or lease the Property or any part of it.

**(j)** Quantitative data for the following: [1] Total number and type of dwelling units, indicating distribution by dwelling unit type. [2] Calculation of the residential density and dwelling units per gross acre for the entire development. [3] Total amount of open space. [4] Proposed nonresidential floor area.

*Applicant Response*:

| | |
|---|---|
| [1] Dwelling units | None. |
| [2] Residential density | Not applicable. |

| | |
|---|---|
| [3] Open space | None dedicated. See the response to (g). |
| [4] Nonresidential floor area | Existing metal clad structure, approx. 14 x 35’ |

**(k)** A development plan, if required by the Planning Board, in order to assure that the proposed zoning is consistent with the Comprehensive Plan and the intent and objectives of this chapter.

*Applicant Response*: National Grid asks that the Planning Board accept the Rezoning Map (Exhibit 3) as the development plan and waive the remaining items in § 200-41.B(2). The Rezoning Map shows the Property’s boundaries, topography, existing structures and utilities, adjoining owners, and existing and proposed zoning. The rezoning introduces no new use. While the rezoning would accommodate a future station upgrade, the engineering and electrical design, scope, and timing of that work are not yet final. Any upgrade would require independent site plan review under Zoning Law § 200-42.

In support of its waiver request, National Grid responds to each item required under Zoning Law § 200-41.B(2):

| | |
|---|---|
| (a) Existing site conditions | Property lines, topography, drainage ditch, and culverts are shown on Exhibit 3. |
| (b) Proposed land use arrangement | No change. The Property will remain an electric substation. |
| (c) Existing and proposed structures; maximum heights | Existing station equipment, fencing, garage, and transmission structures are shown on Exhibit 3. |
| (d) Use areas; lands conveyed, dedicated, or reserved | No land will be conveyed, dedicated, or reserved. |
| (e) Traffic circulation; parking; ingress and egress | Access is by existing gravel drives from Delamater Road. No new parking, loading, or stacking areas are proposed. |
| (f) Pedestrian circulation | The substation is a secured facility closed to the public. |
| (g) Existing utilities | Existing underground and overhead electric lines, the water main in Delamater Road, and storm culverts are shown on Exhibit 3. The substation does not use public water or sewer. |
| (h) Lands within 500 feet | See Exhibit 5. |
| (i) Sketches of typical structures | To be submitted with any site plan application. |
| (j) Additional information | Acknowledged. |

# Exhibit 3

# Property Survey

LANDS NOW OR FORMERLY
MELANIE A. RUSHFORTH
B: 11360 ; P: 723
TAX PARCEL: 221.00-4-40

LANDS NOW OR FORMERLY
JOHN P. WELL
B: 11155 ; P: 9532
TAX PARCEL: 221.00-4-39

LANDS NOW OR FORMERLY
BD LAND AND ENERGY
B: 11312 ; P: 365
TAX PARCEL: 211.00-4-1.2

LANDS NOW OR FORMERLY
NIAGARA MOHAWK POWER CORPORATION
B: 8184 ; P: 535
TAX PARCEL: 211.00-4-38

GREAT LOT LINE

H.L.C.S. LOT 38

H.L.C.S. LOT 37

R.O.W.

DELAMATER ROAD (66' WIDE)

NE SECTION OF UG. COMM. BASED ON GIS

NORTHWESTERLY LINE OF THE LANDS CONVEYED TO NIAGARA & HUDSON POWER COMPANY (PARCEL 9) B: 1454 ; P: 57

RAILROAD TRACK

GRID NORTH

DATUM
U.S. SURVEY FEET
NYSPCS WESTERN ZONE
HORIZONTAL: NAD 83 (2011)
VERTICAL: NAVD 88 (GEOID 18)

0' 50' 100' 150'
HORIZONTAL SCALE: 1"=50'

LEGEND

- PROPERTY LINES ADJOINERS
- HIGHWAY BOUNDARY (APPROXIMATE)
- FENCE LINE
- U/G WATER MAIN
- U/G ELECTRIC LINE
- O/H ELECTRIC WIRE
- STORM SEWER
- CULVERT
- CENTERLINE OF ROAD
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- EDGE OF CONCRETE
- BUILDING
- FOUND PIPE
- FOUND REBAR
- FOUND SPIKE
- EXISTING GUY
- EXISTING DISTROBUTION POLE
- SIGN
- TRANSFORMER
- WATER VALVE
- MISC. VALVE

NOTES

1. UNDERGROUND UTILITIES SHOWN HEREON BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES.

2. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE STRUCTURES, ARE FOR A SPECIFIC PURPOSE AND USE; THEREFORE, THEY ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES, OR ANY OTHER IMPROVEMENTS.

3. EASEMENTS AND/OR SUBSURFACE STRUCTURES RECORDED OR UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF THE SURVEY.

4. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS, AND RESTRICTIONS OF RECORD.

5. SUBJECT TO ANY STATE OF FACTS AND UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.

| DATE | DESCRIPTION OF ISSUE OR REVISION | DR. | CK. | APP. |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

DES. APPROVED
DR. APPROVED
CK. APPROVED
APPROVED

PREPARED BY
GPI Engineering Design Planning Construction Management
(716) 633-4844 GPINET.COM
Greenman - Pedersen, Inc.
4950 Genesee Street, Suite 100
Buffalo, NY, 14225

ACCOUNT NUMBER SURVEY #5087

DELAMATER RD
DELAMATER SUBSTATION REBUILD
90000219682

ORIGINAL ISSUE DATE 08/06/2024
FILE INDEX
DRAWING NUMBER
SHEET NUMBER 1 OF 1

5087-1.dgn 9/26/2024 10:46:23 AM

# Exhibit 4

# Tax Map




PREPARED BY

**DIVISION OF REAL PROPERTY TAX SERVICES**

**ERIE COUNTY, NEW YORK**

MAP CONVERTED TO GIS FORMAT BY BERGMANN ASSOCIATES (2011)
ORIGINAL MAP PREPARED BY AERO SERVICE (1981)

## NOTES

THIS MAP WAS PREPARED FOR TAX PURPOSES ONLY AND IS NOT TO BE REPRODUCED OR USED FOR SURVEYING OR CONVEYANCING.

MAP PREVIOUSLY CONVERTED TO AUTOCAD DIGITAL FORMAT BY ANALYTICAL SURVEYS INC. IN COOPERATION WITH WEILER MAPPING INC. (1999)

## REVISION TABLE

| DATE | MADE BY | CHANGES OR ADDITIONS |
|---|---|---|
| 7/8/2024 | LMO | BLK. 5; 1.1 INTO 1.11 & 1.12 |
| 2/10/2023 | JCS | BLK. 4; 1 INTO 1.1 & 1.2 |
| 8/17/2022 | JCS | BLK. 5; 26.1 INTO 26.11 & 26.12 |
| 6/14/2022 | JCS | BLK. 4; ADJ 1 & 38 |
| 6/10/2022 | JCS | BLK. 5; 36 INTO 36.1 & 36.2 |

## SPECIAL DISTRICTS

| | |
|---|---|
| SCHOOL | DRAINAGE |
| FIRE | SEWER |
| WATER | |

## LEGEND

PROPERTY LINE
ORIGINAL SUBLOT LINE
RAILROAD
STREAM OR DITCH
ROAD OR RAILROAD BNDY
COUNTY LINE

TOWN LINE
VILLAGE LINE
BLOCK LIMIT
GREAT LOT LINE
SCHOOL DISTRICT LINE
WATER DISTRICT LINE
SEWER DISTRICT LINE

FIRE DISTRICT LINE
DENOTES COMMON OWNER
TAX MAP BLOCK NO.
TAX MAP PARCEL NO. 116.00-1-11
FILED PLAN LOT NO. 14
GREAT LOT NO. (9)

CALCULATED ACREAGE 7.5 A(C)
DEED ACREAGE 17.5 A
SCALED DIMENSION 225 (S)
SCALED DIMENSION (CHECKED) 743.25(S)
DEED DIMENSION 173.33
DEED DIMENSION (CENTER LINE) 173.33 ℄
COORDINATE LOCATOR ●

| | | |
|---|---|---|
| 205.00 | 206.00 | 207.00 |
| 220.00 | | 222.00 |
| 235.00 | 236.00 | 237.00 |

SHEET INDEX

TAX MAP
TOWN OF EVANS
ERIE COUNTY, NEW YORK

GRAPHIC SCALE
1" = 400'

221.00
TOWNSHIP 08
RANGE 09

MAP DATE: 3/3/2025

powered by Landmax Data Systems April 2025

# Exhibit 5

# Property Deed with Legal Description

101–DEED–Warranty with lien covenant (Individual).

Sanders Legal Publishers
Prudential Bldg.,Buffalo,N.Y. 14202

# This Indenture,

*Made the* 5th *day of* July *Nineteen Hundred and* seventy-four

**Between**

WILLIAM J.C. GRUPP, residing at 7975 Delameter Road, Derby, New York,

*party of the first part, and*

NIAGARA MOHAWK POWER CORPORATION, a corporation of the State of New York, with its principal office and place of business at 300 Erie Boulevard West, in the City of Syracuse, County of Onondaga and State of New York,

*party of the second part,*

**Witnesseth,** *that the party of the first part, in consideration of* ONE AND MORE---------- *Dollar* s ($1.00 & more) *lawful money of the United States, paid by the party of the second part, do hereby grant and release unto the party of the second part,* its successors *and assigns forever,*

**All that Tract or Parcel of Land,** situate in the Town of Evans, County of Erie, State of New York, being part of Lot 37, Township 8, Range 9 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the west line of Lot 37, being also in the center line of Delameter Road, said point being 187.00 feet southerly measured along said lot line from the northwest corner of said Lot; thence easterly at a right angle 730.60 feet, more or less, to the northwesterly line of lands conveyed to Niagara and Erie Power Company by deed dated April 28, 1920, recorded in Erie County Clerk's Office in Liber 1454 of Deeds at page 57; thence southwesterly along the northwesterly line of said conveyance 1126.07 feet, more or less, to a point in the said west line of Lot 37; thence northerly along the west line of said lot, 856.89 feet, more or less, to the point of beginning.

Containing 7.186 acres of land, more or less.

SUBJECT to the rights of the public in and to that portion of the above described premises lying within Delameter Road.

SUBJECT ALSO to a lease to Iroquois Gas Corporation dated May 1, 1958, and recorded in Liber 6297 of Deeds at page 609 and a Right of Way to Iroquois Gas Corporation, dated July 8, 1966, recorded in Liber 7256 of Deeds at page 477.

This is a correcting deed correcting a deed between the parties hereto dated March 1, 1974 recorded in Erie County Clerk's Office in Liber 8142 of deeds at Page 587.

FILED
JUL 9 2 15 PM '74
ERIE COUNTY
CLERK'S OFFICE

BMK

ERIE COUNTY
15043

REAL ESTATE TRANSFER TAX
Dept. of Taxation & Finance
JUL-8'74
STATE OF NEW YORK
00.00
PB. 10523

LIBER 8184 PAGE 535

LIBER 8184 PAGE 536

**Together** *with the appurtenances and all the estate and rights of the party of the first part in and to said premises,*

**To have and to hold,** *the above granted premises unto the said party of the second part,* its successors *and assigns forever.*

**And** *said* WILLIAM J.C. GRUPP, party of the first part, *covenant as follows:*

**First,** *that the party of the second part shall quietly enjoy the said premises:*

**Second,** *that said* WILLIAM J.C. GRUPP, party of the first part, *will forever* **Warrant** *the title to said premises.*

**Third,** *that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.*

**In Witness Whereof,** *the party of the first part has hereunto set* his *hand(s) and seal(s) the day and year first above written.*

**In Presence of**

William J.C. Grupp ls

_____ ls

_____ ls

_____ ls

**State of New York**
**County of** ERIE } ss.

*On this* 5 *day of* July *Nineteen Hundred and* seventy-four
*before me, the subscriber, personally appeared*

WILLIAM J.C. GRUPP

*to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (~~she~~) (~~they~~) acknowledged to me that he (~~she~~) (~~they~~) executed the same.*

Theodore J. Finnigan

THEODORE J. FINNIGAN
Notary Public State of New York
Qualified in Erie County
My Commission expires Mar. 30, 19 76

**State of New York**
**County of** } ss.

*On this day of Nineteen Hundred and*
*before me, the subscriber, personally appeared*

*to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.*

_____

Bond & Mtg. Covenant

IMMEDIATE

DEED

Warranty with Lien Covenant (Individual)

WILLIAM J.C. GRUPP

to

NIAGARA MOHAWK POWER CORPORATION

109

Dated July 5th 1974

STATE OF NEW YORK
ERIE CO. CLERK'S OFFICE
Recorded in Liber 8184
page 535 of Deeds
on the 8
day of July AD. 1974
at 1:15 O'clock P.M.
and examined.
ROBERT W. GRIMM, County Clerk

CLERK

56
1-47-4

# Exhibit 6

# Environmental Assessment Form

# *Short Environmental Assessment Form*
## *Part 1 - Project Information*

**Instructions for Completing**

**Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

**Part 1 – Project and Sponsor Information**

Name of Action or Project:
Delamater

Project Location (describe, and attach a location map):

Brief Description of Proposed Action:
Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid"), is the record owner of 8175 Delamater Road, SBL 221.00 4 38 ("Property"), in the Town of Evans, where National Grid operates its Delameter Road Substation on the Property. National Grid petitions the Town Board to rezone the Property from Rural Agriculture (R-A) to Light Industrial (LI) and to amend the Official Zoning Map of the Town. The rezoning brings the Property's zoning in line with its long-standing use. The substation has operated on the Property for decades, but the R A District does not list public utility stations among its permitted uses. The substation is therefore nonconforming. No expansion is proposed as part of this rezoning. However, under Zoning Law § 200 30.C(1), a nonconforming use may not be "enlarged or increased," and no structure devoted to that use, conforming or not, may be "enlarged, extended, constructed, reconstructed or moved." The LI District permits "public utility stations or exchanges" as of right. Zoning Law § 200 24.B(1)(f). Rezoning to LI, would make the existing use conforming without introducing a new use. Note site work is proposed; under Zoning Law § 200 42, future site improvements would be subject to site plan review.

| Name of Applicant or Sponsor: | Telephone: (716) 858-3878 |
|---|---|
| National Grid by Barclay Damon LLP as agent/attorney. | E-Mail: agoldberg@barclaydamon.com |

Address:
200 Delaware Avenue, Suite 1200

| City/PO: | State: | Zip Code: |
|---|---|---|
| Buffalo | NY | 14202 |

| | NO | YES |
|---|---|---|
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2. | ☐ | ☑ |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: | ☑ | ☐ |

3. a. Total acreage of the site of the proposed action? 6.78 acres
   b. Total acreage to be physically disturbed? 0.00 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/- 19.85 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   ☐ Urban ☒ Rural (non-agriculture) ☒ Industrial ☐ Commercial ☒ Residential (suburban)
   ☐ Forest ☒ Agriculture ☐ Aquatic ☒ Other(Specify): solar, water tower, railroad, cell tower
   ☐ Parkland

| | NO | YES | N/A |
|---|---|---|---|
| 5. Is the proposed action, | | | |
| a. A permitted use under the zoning regulations? | ☐ | ☑ | ☐ |
| b. Consistent with the adopted comprehensive plan? | ☐ | ☑ | ☐ |

| | NO | YES |
|---|---|---|
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | ☐ | ☑ |

| | NO | YES |
|---|---|---|
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? | | |
| If Yes, identify: | ☑ | ☐ |

| | NO | YES |
|---|---|---|
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | ☑ | ☐ |
| b. Are public transportation services available at or near the site of the proposed action? | ☑ | ☐ |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | ☑ | ☐ |

| | NO | YES |
|---|---|---|
| 9. Does the proposed action meet or exceed the state energy code requirements? | | |
| If the proposed action will exceed requirements, describe design features and technologies: | ☐ | ☑ |

| | NO | YES |
|---|---|---|
| 10. Will the proposed action connect to an existing public/private water supply? | | |
| If No, describe method for providing potable water: No potable water on-site. | ☑ | ☐ |

| | NO | YES |
|---|---|---|
| 11. Will the proposed action connect to existing wastewater utilities? | | |
| If No, describe method for providing wastewater treatment: No wastewater produced. | ☑ | ☐ |

| | NO | YES |
|---|---|---|
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | ☑ | ☐ |
| b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | ☑ | ☐ |

| | NO | YES |
|---|---|---|
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | ☐ | ☑ |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? | ☑ | ☐ |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: Parcel is approximate to little sister creek tributaries but will not impact any nearby waterbodies or wetlands. No site disturbance is proposed as part of the action. | | |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☒ Early mid-successional

☐ Wetland ☐ Urban ☒ Suburban

| | NO | YES |
|---|---|---|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | ☑ | ☐ |
| 16. Is the project site located in the 100-year or 500-year flood plain? | ☑ | ☐ |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, | ☑ | ☐ |
| a. Will storm water discharges flow to adjacent properties? | ☐ | ☐ |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? | ☐ | ☐ |
| If Yes, briefly describe: | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: | ☑ | ☐ |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: | ☑ | ☐ |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: | ☑ | ☐ |
| 21. Is the project located within, or within ½ mile of, a disadvantaged community? | ☑ | ☐ |
| If No, could impacts from the project affect a disadvantaged community? | ☑ | ☐ |
| If Yes to either question in 21, answer the following question. | | |
| a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management): | | |

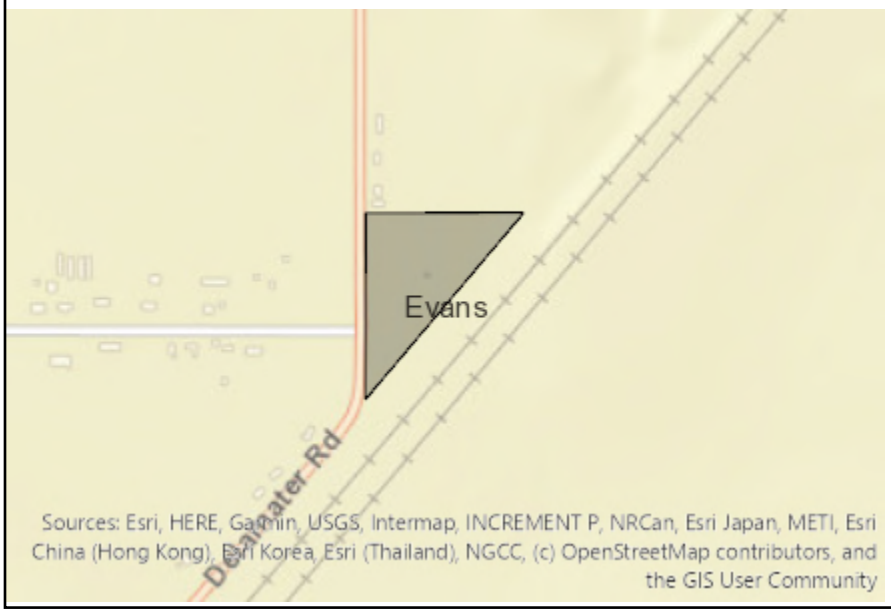
**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Niagara Mohawk d/b/a National Grid by Barclay Damon LLP Date: October 13, 2026

Signature: /s/ Ari M. Goldberg Title: attorney/agent

# EAF Mapper Summary Report

Tuesday, October 13, 2026 10:10 AM




**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.




| | |
|---|---|
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No |
| Part 1 / Question 12b [Archeological Sites] | No |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | No |
| Part 1 / Question 16 [100 or 500 Year Floodplain] | No |
| Part 1 / Question 20 [Remediation Site] | No |
| Part 1 / Question 21 [Disadvantaged Community] | No |