

May 22, 2026

VIA EMAIL

Town of Manheim
6356 State Rte. 167
PO Box 32
Dolgeville, NY 13329
Attn: Kenneth L. Ayers, Town Attorney

Re: *National Grid Transmission Line Rebuild
Inghams to St. Johnsville Transmission Line- Structure 440
Tax Map No.: 115.2-1-70*

Dear Mr. Ayers:

As you are aware, Niagara Mohawk Power Corporation d/b/a National Grid (“National Grid”) is upgrading the Inghams - St. Johnsville 115 kilovolt (“kV”) #6 Transmission Line (“Inghams Line”). The Inghams Line is a rebuild of the 115 kV overhead electric transmission line that will run from the existing Inghams Substation, located north of County Route 108 in the Town of Manheim (the “Town”) to the existing St. Johnsville Substation located south of State Route 5 at 44 Hough Street in the Village of St. Johnsville, for a distance of approximately 7.3 miles (the “Project”). *See Attachment 1-Transmission Line Map & Erosion Control and Environmental Resource Map.*

The Inghams Line traverses 0.12 miles in the Town of Manheim. The Project involves only one (1) existing transmission line structure (Structure 440) in the Town, located at 118 Inghams Mills Road (Tax Map No. 115.2-1-70), which is to be replaced. The structure is located within the Town’s Industrial Zoning District. *See Attachment 2- Zoning Map of Town of Manheim and Attachment 1- Erosion Control and Environmental Resource Map.*

Based on our recent discussions, Structure 440 would not trigger site plan review before the Town’s Planning Board, because the structure is not subject to a building permit, and accordingly is not subject to review by the Town’s Code and Zoning Enforcement Officer.

Public utility electric structures-including transmission line structures such as Structure 440- are regulated by the National Electric Safety Code and are not regulated by the 2025 New York State Uniform Fire Prevention and Building Code (the “Uniform Code”).

Chapter 1 (§101.2) of the 2025 NYS Fire Code provides that structures, such as radio and television transmission, communication and wind generation towers, and ground-mounted photovoltaic arrays that are neither a building appurtenance nor are attached to a building shall not be subject to this code. Further, Chapter 12 (§1201.1) of the 2025 NYS Fire Code which discusses energy systems, provides for the exemption for any equipment associated with the transmission or distribution of energy installation that is under the exclusive control of an electric utility.

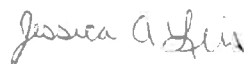
Chapter 1 (§101.2) of the 2025 NYS Building Code similarly provides that structures, such as radio and television transmission, communication and wind generation towers, and ground-mounted photovoltaic arrays that are neither a building appurtenance nor are attached to a building are subject to the code. Though transmission line structures are not specifically stated, the intent behind the Uniform Code is to only regulate tower structures when they are built in connection with an occupiable building or structure. This is supported by New York Executive Law §378(1), which provides that “[t]he uniform code shall address the following subjects: Standards for the construction of all buildings or classes of buildings, or the installation of equipment therein, including standards for materials to be used in connection therewith, and standards for safety and sanitary conditions. New York Executive Law §372.3 defines a “building” as “a combination of any materials, whether portable or fixed, having a roof, to form a structure affording shelter for persons, animals or property.” As such, transmission line structures that are not built as a building appurtenance or attached to a building do not fall under the regulations of the Uniform Code.

As additional support, please see the attached letter from the New York State Office of General Services (“NYS OGS”), dated March 14, 2002, which provides that electric substation equipment falls outside of the scope of the Uniform Code and does not require a construction permit. *See* Attachment 3. The letter cites outdated regulations; the current relevant sections are 19 NYCRR §1204.3 & 19 NYCRR §1201.2(d) (as LIPA is a government entity), and the appropriate regulation for the Town to reference would be 19 NYCRR §1201.1, which provides that towns administer the Uniform Code.

Accordingly, based on the above, I would respectfully submit that Structure 440 does not fall within the realm of the Uniform Code, and accordingly would not trigger review by the Code and Zoning Enforcement Officer, thereby not triggering site plan review.

Thank you for your time in considering this matter. If you have any questions or concerns, please do not hesitate to contact me by phone or email.

Regards,



Jessica A. Leis

Enclosures

cc: Bond, Schoeneck & King, PLLC