

VILLAGE OF COXSACKIE
Local Law No. 2 for the Year 2026

Prohibition on Utility Scale Battery Energy Storage Systems
A LOCAL LAW AMENDING THE VILLAGE CODE TO PROHIBIT UTILITY SCALE
BATTERY ENERGY STORAGE SYSTEMS IN THE VILLAGE OF COXSACKIE

BE IT ENACTED by the Board of Trustees of the Village of Coxsackie as follows:

Section 1. Title.

A local law amending the Village of Coxsackie Code to prohibit certain Battery Energy Storage Systems (“BESS”), titled “Prohibition on Utility Scale Battery Energy Storage Systems.”

Section 2. Purpose.

Utility Scale BESS pose a unique safety hazard with regard to the technology used in such batteries and the tendency of the systems to catch fire. The Village of Coxsackie (the “Village”) relies upon volunteer firefighters operating out of two stations to combat fires in the Village as well as other volunteer first responders for mutual aid when needed. Most utility scale BESS systems are not staffed but rather are remotely monitored, which can increase response times and associated risks. For these reasons, this local law is adopted to advance and protect the public health, safety, and welfare of the Village by prohibiting Utility Scale BESS.

Section 3. Authority.

This local law is adopted pursuant to Sections 10, 20, and 22 of Municipal Home Rule Law. The Village Board of Trustees, after careful review, has determined that it is in the public health, safety, and welfare to prohibit Utility Scale BESS of any kind, including but not limited to those Utility Scale BESS associated with the electric transmission grid or with solar or wind projects.

Section 4. Definitions.

Village Code Chapter 155, Article II, Section 4(B) is amended to add definitions of “BATTERY(IES)”, “BATTERY ENERGY STORAGE SYSTEM, UTILITY SCALE” and “CELL” and to revise the definition of “PUBLIC UTILITY FACILITIES” by adding the underlined language below:

BATTERY(IES): A single cell or group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this definition, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE SYSTEM, UTILITY SCALE: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time with an

aggregate energy capacity greater than 600kWh or comprised of more than one storage battery technology in a room or enclosed area.

CELL: The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

PUBLIC UTILITY FACILITIES: Telephone, electric and cable TV lines, poles, appurtenances and structures; water or gas pipes, mains, valves or structures; sewer pipes, valves or structures, pumping stations; telephone exchanges; and other facilities, appurtenances and structures necessary for conducting a service by a government or public utility. Telecommunications facilities and telecommunications towers are not public utility facilities. Telecommunications facilities and telecommunications towers may be considered public utility facilities; however, nothing in this definition shall exempt wireless telecommunications from being subject to the telecommunications tower section of the Code. This definition does not include Utility Scale Battery Energy Storage Systems as they are defined in this Chapter.

Section 5. Amendment of Use Regulations.

Village Code Chapter 155, Attachment 1, Schedule A, Use Regulations for Residential Districts and Attachment 2, Schedule B, Use Regulations for Nonresidential/Mixed-Use Districts is amended to add the following:

Schedule A

Principal Uses	WR	RRA	MDR-1	MDR-2	MDR-3	MR
Battery Energy Storage System, Utility Scale	NP	NP	NP	NP	NP	NP

Schedule B

Principal Uses	WRC	VC	WD	NC	CC	CSR	I
Battery Energy Storage System, Utility Scale	NP	NP	NP	NP	NP	NP	NP

Section 6. Conflicting Standards.

When the requirements of this Local Law impose a different restriction or requirements than imposed by other sections of the Village Code of the Village of Coxsackie, the New York State Village Law or other applicable rules and regulations, the requirements of this Local Law shall prevail.

Section 7. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 8. Effective Date.

This local law shall take effect immediately upon its adoption and filing with the New York Secretary of State.