New York State Association of REALTORS®, Inc.

New York State Association of REALTORS®, Inc.
130 Washington Avenue | Albany, NY 12210-2220
P 518.463.0300 | F 518.462.5474
info@nysar.com | www.NYSAR.com

MEMORANDUM IN SUPPORT

S.7197-B by Senator Joseph Addabbo
Status: Senate Energy & Telecommunications Committee

A.6955-C by Assemblymember Jaime Williams
Status: Assembly Energy Committee

Date: March 2026
Contact: Michael Kelly

The New York State Association of REALTORS®, Inc. **supports A.6955-C(Williams)/S.7197-B(Addabbo)**, which would direct New York City's fire commissioner to establish setback requirements of 300 feet from residential property for the siting of battery energy storage systems 3 megawatts or greater, and direct the state's Department of Public Service (DPS) to establish model local laws and recommendations for setback requirements for battery energy storage systems in municipalities outside of New York City.

While battery energy storage systems are useful in ensuring communities undergoing energy transitions have access to clean power, various questions remain about the safety of these projects. Fires have taken place in communities where these battery energy storage sites have been located throughout the country, including Warick and Jefferson County, New York. While these fires have not resulted in damage to residential property, REALTORS® have concerns with the current placement of these systems in residential neighborhoods, as some projects have been in close proximity to housing. Furthermore, the fact that several localities throughout the state have implemented moratoriums on the placement of battery energy storage systems indicates that concerns around safety are mounting and need to be addressed.

This legislation would also require at least one public hearing within the community district of any New York City neighborhood where any such battery energy storage project is being proposed. This would provide residents with the opportunity to weigh in on the siting of these projects and ask questions related to the safety of the project. The bill would also aid municipalities seeking to gather information from the DPS prior to adopting any local laws and regulations related to the siting of any such battery energy storage system project.

Rather than continue the current practice of battery energy storage systems being sited absent state rules or guidance for locating these projects, this bill would lead to the development of state guidance on siting battery energy storage systems, as municipalities look to balance health and safety with the growing demand for clean energy. For these reasons, the New York State Association of REALTORS®, Inc. **supports A.6955-C/S.7197-B**.

The New York State Association of REALTORS® is a not-for-profit trade organization representing more than 60,000 of New York State's real estate professionals. The term REALTOR® is a registered trademark, which identifies real estate professionals who subscribe to a strict code of ethics as members of the National Association of REALTORS®. These REALTORS® are also members of the New York State Association of REALTORS® as well as their local board or association of REALTORS®.

Ron Garafalo President | **Dan Staley** President-Elect | **Anthony Domathoti** Treasurer | **Jacqlene Rose** Immediate Past President | **Duncan R. MacKenzie** Chief Executive Officer