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OF REGIONAL PLANNING  
COMMISSIONS

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10 Water St. Suite 225  
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# NHARPC Meeting

## Wednesday, September 23, 2026

### 1:00 PM to 3:00 PM

## Agenda

|                                                                                                                                                                                                                                                                                                                                                                                                                                                      |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>1. Welcome and Introductions</b>                                                                                                                                                                                                                                                                                                                                                                                                                  | 1:00-1:05 |
| <b>2. Action items</b><br>a. Approval of the June 24, 2026 Minutes                                                                                                                                                                                                                                                                                                                                                                                   | 1:05-1:10 |
| <b>3. Regional Coordinating Council Districts</b> <ul style="list-style-type: none"> <li>Jay Minkarah, NHARPC Representative to the State Coordinating Council</li> <li>Fred Butler, NHDOT Public Transportation Administrator</li> </ul> <i>Discussion around the proposal to shift the RCC boundaries to follow counties rather than "transit-sheds."</i>                                                                                          | 1:10-1:30 |
| <b>4. NHMA Legislative Priorities</b> <ul style="list-style-type: none"> <li>Brodie Deshaies, NHMA, Legislative Advocate</li> </ul> <i>NHMA has completed its Legislative Policy Process to set member adopted policies for the 2027-2028 biennium. NHMA is seeking feedback from affiliate members. Broadly, are there topics we would like to track, educate our members on, and/or provide feedback to NHMA as they carry out their advocacy?</i> | 1:30-1:45 |
| <b>5. Discussion:</b> <ul style="list-style-type: none"> <li>a. Spring 2027 Convening</li> <li>b. Marketing/ Potential NHARPC Podcast</li> <li>c. Developing 501c3 Foundations</li> <li>d. Multi Year Strategic Plan for NHARPC</li> <li>e. Data Center Resource Guide Update</li> </ul>                                                                                                                                                             | 1:45-2:40 |
| <b>6. NHARPC - NHMA Partnership</b><br>a. Town & City Articles and Webinars                                                                                                                                                                                                                                                                                                                                                                          | 2:40-2:45 |
| <b>7. RPC Updates</b><br>a. Please plan to share current activities of interest from your region                                                                                                                                                                                                                                                                                                                                                     | 2:45-2:55 |
| <b>8. Public Comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                             | 2:55-3:00 |
| <b>9. Adjourn</b>                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3:00      |

**NHARPC FY2027 Meeting Schedule**

| <b>Date</b>    | <b>Potential Topics</b> | <b>Notes</b> |
|----------------|-------------------------|--------------|
| Dec. 9, 1-3PM  |                         |              |
| Mar 17, 1-3PM  |                         |              |
| Jun. 23, 1-3PM |                         |              |

New Hampshire Association of Regional Planning Commissions  
Meeting Minutes  
June 24, 2026  
1:00-3:00PM  
John Andrews Room  
NH Municipal Association Building  
25 Triangle Park Drive  
Concord, NH

Meeting Minutes

**1. Welcome and Introductions**

At 1:00PM, Chair Peter Griffin called the meeting to order and asked for introductions.

Present: Peter Griffin, SNHPC; Jen Czysz, SRPC; Shanna Saunders, LRPC; Sandy Crystall, CNPC; Paul Rasmussen, SRPC; Dave Kerr, LRPC; Sarah Wrightsman, SRPC; Noah Hodgetts, Principal Planner, NHOPD; James Steel, NCCRPC; Katrin Kasper, SRPC; Mike Tardiff, CNHRPC; Tim Moore, Jerry Coogan, UVLSRPC; Sandy Crystall, CNHRPC; Ray Clement, SNHPC; Nate Miller, SNHRPC; Shanna Saunders, LRPC; Christine Robidoux, SWRPC

Zoom: Meghan Butts, UVLSRPC

**2. Action items**

**Approval of the March 25, 2026 Minutes**

T. Moore moved to approve the March 25, 2026 minutes. S. Wrightsman seconded the motion. A roll call vote was taken with all members voting in favor. J. Coogan and Nate Millar abstained from the vote. The motion passed.

**3. Legislative Updates with Noah Hodgetts, NHOPD, Tim Moore, NHARPC  
Legislative Liaison**

Noah Hodgetts reviewed his top bills that affecting regional planning commissions:

1. [HB 244](#) - moves all references to building codes and adoption of local building code enforcement authority from the planning and zoning statutes into RSA 155-A. Doesn't make any substantive change to any planning or zoning statutes, but local building officials/inspectors and building code board of appeals will no longer be considered local land use boards. *If signed by the governor, it would take effect July 1<sup>st</sup>.*
2. [HB1010](#) - amends RSA 674:80 to clarify how planning boards should assess where adequate road infrastructure, water infrastructure, or sewage infrastructure is present when evaluating applications for multi-family dwelling units on commercially zoned land. Adds language for when a planning board may deny an application for multi-family dwelling units on commercially zoned land. *If signed by the governor, it would take effect July 1<sup>st</sup> at 12:01 AM.*
3. [HB1103](#) - amends RSA 79-E to give municipalities the option of using RSA 79-E Community Revitalization Tax Relief for conversion of industrial and commercial structures to residential use, and to allow 79-E tax relief in Housing Opportunity Zones, without any prescribed affordability requirements. In municipalities which already have adopted 79-E, it would

have to adopt these other provisions separately and designate new boundaries for these 79-E districts. *If signed by the governor, it would take effect 60 days after the signing date.*

4. [HB1588](#) - clarifies that under RSA 674:16, VII municipalities can't require that residential parking spaces be garaged. It also amends RSA 674:80, IV to only allow municipalities to regulate frontage, setback, and height of multi-family dwelling units on commercially zoned land, where adequate infrastructure is present. Municipalities would be liable for legal fees if an applicant is denied an application for multi-family housing on commercially zoned land based on regulations other than frontage, setback or height. *If signed by the governor, it would take effect 60 days after the signing date (there would be a two-month window from July 1<sup>st</sup> when 674:80 takes effect to when the stricter requirements in HB1588 take effect).*
5. [HB1195](#) - amends RSA 674:16, VI to require that home-based childcare for up to 12 children be allowed in primary residential or existing accessory structures on lots where residential uses are permitted and not be subject to site plan review, if the family or group family childcare meets DHHS childcare licensing requirements ([He-C 4002](#)). This is an expansion of 2024 HB1567 which gave municipalities the option of subjecting family or group family childcare to a conditional use permit. It also establishes a new requirement that childcare centers be allowed by right on commercially zoned land if the center meets all DHHS childcare licensing requirements, and exempts centers with licensed capacity up to 30 children from site plan review. *If signed by the governor, it would take effect July 1<sup>st</sup>.*
6. [HB1468](#) - amends RSA 674:2, III to allow planning boards to adopt a separate flood resilience section in their master plan (in addition to the existing natural hazards, and coastal management sections). *Signed June 19, Effective August 18th.*

7. [HB1681](#) - creates new definition of innovative housing structures, which include tiny houses, tiny houses on wheels, and yurts in RSA 674:81, and gives municipalities the option of allowing them on a single-family lot or as an ADU but doesn't require them to be allowed. It also standardizes the requirements in the state building code and fire code for permitting innovative housing structures. *If signed by the governor, it would take effect 60 days after signing.*
8. [HB2026](#) - adopts the 10-year 2026 – 2027 transportation plan, with additional projects added back in Albany, Manchester (293 Exit 6/7), Bow-Concord (93 widening), Randolph, Enfield, Plymouth, Marlborough, Hillsborough, Madbury, Hooksett, Plaistow, Nashua, Dover-Somersworth-Rochester, and Dunbarton. Also creates two different toll schedules for NH EZ-Pass holders and non-NH EZ-Pass holders, which the governor has said she doesn't support. There is a separate bill, [SB627](#) which creates the same two-tiered toll schedule effective 1/1/27, but doesn't adopt the 10-year plan or add back projects. *If signed by the governor, most of the bill would take effect upon signing with the toll increases taking effect Jan. 1, 2027.*
9. [SB502](#) - changes all references to the office of planning and development to the division of planning and community development at BEA for the purpose of delineation of RPC boundaries (RSA 36:45, 36:46, I-II), soliciting comments on consistency of each regional plan with the state development plan, and other references to OPD in RSA 36:47. *Signed June 19, Effective August 18<sup>th</sup>.*
10. [SB564](#) - Creates 674:21-b, which would (1) prohibit municipalities from limiting road length if the road complies with the state fire code, (2) removes the ability for municipalities to cap the number of housing units on dead streets unless the cap is in compliance with the state fire code and NFPA standard 1141, and (3) allows for the placement of utilities within permitter buffers and "open space areas" of subdivisions. There is also conflicting language which says that utilities in "conservation areas" of subdivisions shall be subject to a conditional use permit or special exception. It also adds a retroactive requirement that municipalities shall not impose additional restrictions or requirements regarding building or lot size for affected properties before the effective date of the bill. *If signed by the governor, it would take effect April 1, 2027.*
11. [SB592](#) - adds responsibilities for habitat strongholds and wildlife corridors to RPC responsibilities in RSA 36:45 and RSA 36:47, I. It also would amend RSA 36-A:2 requiring municipal conservation commissions to include an inventory of habitat strongholds and wildlife corridors in their Natural Resource Inventories for information purposes for RPCs and gives the Fish & Game Executive Director authority to consult with the RPCs about wildlife corridors. It also creates a commission to study transferring ownership of the Winnepesaukee River Basin Program (DES owned sewer system through several Lakes Region communities) program to an alternative authority which supports municipalities served by the WRBP. *If signed by the governor, it would take effect 60 days after signing.*

Tim Moore reviewed his list of top ten bills:

HB1010: This bill repeals the statewide mandate for municipalities to permit multi-family residential development on commercially zoned land.

HB1079: This bill expands the definition of accessory dwelling units to allow them to be built within nonconforming structures.

HB1089: This bill extends the authorization of the department of environmental services for the evaluation and mitigation of new community water system contamination risks.

HB1369: This bill allows the warrant for a special town meeting to be posted on the town's website in lieu of in a newspaper of general circulation.

HB1425: This bill simplifies wetland permitting for small projects and gives the department of environmental services the authority to create an alternative adaptive permitting process for emergency or natural disaster response.

HB1588: This bill establishes special assessment districts and expands the housing infrastructure grant program to allow for municipal upgrades linked to new housing.

HB1594: This bill changes the annual registration fees for electric vehicles from a flat fee to one based on type and weight.

HB1681: This bill establishes standards for innovative housing structures such as tiny houses, tiny houses on wheels, and yurts, allowing their use as single-family or accessory dwellings, setting inspection and permitting requirements, authorizing municipal property tax assessments, regulating transport, and permitting grey water disposal systems.

HB1738: This bill changes the carbon dioxide emissions budget allowances for 2027 through 2030 and thereafter, and creates 2 cost containment allowance levels and the trigger price at which the department releases allowances for years 2027 through 2030 and thereafter.

HB1742: This bill requires electric utilities to restore customer-generators who are inadvertently enrolled in a third-party electricity supply program to default service and apply net metering credits retroactively for up to 6 months.

HB2026: This bill adopts the state 10-year transportation plan for 2027-2036.

SB440: This bill modifies the requirements for adoption of energy efficient and clean energy districts by municipalities.

SB538: This bill establishes long-term eligibility for certain customer-generators to receive net energy metering compensation under alternative tariffs approved by the public utilities commission. This bill also outlines conditions for transitioning to future tariffs.

SB541: This bill makes an appropriation to the department of environmental services to fund regional drinking water infrastructure. (\$16,500,000).

SB590: This bill authorizes municipalities to use revolving funds to support energy services under approved electric aggregation plans.

SB592: This bill enables regional, conservation, and energy resource planning for habitat strongholds and wildlife corridors.

There was discussion on house Bill 244, which rewrites building code enforcement references, and House Bill 1010, which makes changes to multifamily and commercial zone regulations, both taking effect July 1st. Tim explained House Bill 1195, which allows home-based childcare for up to 12 children in residential structures and exempts licensed childcare centers from site plan review, also taking effect July 1st.

The group discussed House Bill 2026 regarding the 10-year transportation plan, which includes a bifurcated toll rate for in-state and out-of-state drivers, though the governor has said she doesn't support the toll increase portion and said she would veto it.

#### **4. Discussion: Data Centers—How to Support Municipalities, Planning & Legal Framework**

Brodie Deshaies join the group to provide some clarification on New Hampshire's approach to regulating data centers, following Senate Bill 439. Participants noted municipalities already have the power to regulate or prohibit data centers through their zoning ordinances.

Brodie explained that the bill was originally intended to address concerns about data center development but was amended in a way that may have expanded where data centers could be permitted. They noted that New Hampshire currently has very few data centers, with only one significant large-scale proposal, in Nottingham, which was ultimately withdrawn after strong public opposition. The group talked about how data centers represent a relatively new land use for many communities.

The group discussed the RPC's role and to provide guidance on issues such as environmental impacts, water use, energy consumption, and infrastructure demands, while preserving local control over land-use decisions; draft a white paper to help municipalities evaluate data center proposals, including considerations such as water demand, electrical capacity, noise, and vibration impacts.

Overall, they emphasized that data centers represent a relatively new land use for many communities and that local officials would benefit from clear, balanced technical guidance and asked what threshold do you call it a data center; how many computers does it take to make a data center?

Nate Miller offered to head the project with help from NHMA(Brodie), BEA, (Noah), Matt Monahan, regional planning commissions, planners, the New Hampshire Planners Association and other interested groups to coordinate on a resource.

J. Czysz volunteered to reach out to the New Hampshire Department of Environmental Services (DES).

## **5. Annual Business Meeting Items**

### **a. FY2026 Financial Report**

M. Taylor-Fetter provided a brief review of the FY2026 financials and stated there is nothing unusual and the transactions remain minimal to include dues payments and the website/social media and administrative services agreement payments.

### **b. Annual Dues Assessment (\$1,000/RPC?)**

S. Saunders motioned to approve the FY dues as proposed at \$1000.00 per RPC. N. Miller stated that there is a \$500.00 shortfall. S. Saunders amended the motion to say the dues will be increased at \$1,050.00 per RPC, which includes an additional \$50.00 per RPC to cover the anticipated expenditures and to approve the FY27 Budget with the additional dues added. N. Miller seconded the motion. A roll call vote was taken with all members voting in favor. The motion passed.

### **c. Contracts for Services**

S. Saunders motioned to approve the contracts as presented:

- Administrative Support Services Agreement with SRPC at \$8,000.00 for FY2027
- Website and Social Media Support Services Agreement with CNHRPC for \$1,500.00 for FY2027

J. Coogan seconded the motion. A roll call vote was conducted with all members voting in favor. The motion passed.

### **d. Election of Officers**

T. Moore motioned to approve the slate of officers for FY 27:

Peter Griffin, Chairperson  
Christine Robidoux, Vice Chairperson  
Sarah Wrightsman, Treasurer

J. Coogan seconded the motion. A roll call vote was conducted with all members voting in favor. The motion passed.

## **6. Priorities for FY 2027**

### **a. Spring 2027 Convening**

The group discussed when to hold the convening and agreed that April would be a good time. By then, each region will have completed its regional plan updates and will have an opportunity to discuss implementation and next steps. April is also a good fit because it is not too close to the annual meetings.

At the April NHARPC meeting Peter Griffin, Jay Minkarah, and Paul Rasmussen, volunteered to form a subcommittee.

The group discussed potential themes and ideas for the convening:

- Highlight the value of regional planning and make the case for restoring RPC funding in the state budget.
- Invite Patricia Quinn, Executive Director of NNEPRA, to provide a regional transportation perspective, including the Downeaster service in New Hampshire.
- Showcase each RPC's success stories.
- Invite the press to attend.
- Focus on implementation and project results.

#### **b. Marketing**

J. Coogan stated that Jay Minkarah was recently on WMUR's New Hampshire Business to talk about the planning commissions. It was agreed that someone from a different commission should offer to appear on the show. Peter and Jerry volunteered to make contact with their connections with the press.

### **7. NHARPC-NHMA Partnership, Town and City Articles and Webinars**

J. Czysz provided a quick update on upcoming articles.

- **Jul/Aug: Transportation Safety** – SS4A, RSAs, HSIP and more? RPC – Dave Walker, SRPC – Colin Lentz, SNHPC – Adam/Dave
- **Sep/Oct: HOP Grants Results and Impacts – Funding Yields Results.** NRPC – Cassie Cashin, SRPC – Mark Davie/Blair Haney, SNHPC – Cam Prolman
- **Nov/Dec 9/25/2026 Household Hazardous Waste-** UVLSRPC – Tim, NRPC – Mary Brundage, RPC – Jill Longval, LRPC – Shanna

#### **Potential 2027 Articles:**

- **Jan/Feb: C-PACER** –LRPC, CleanEnergyNH

### **8. RPC Updates**

- SRPC: J. Czysz reported that SRPC's annual meeting was scheduled for the following evening, featuring the three state agency commissioners as guest speakers and Steve Pesci as emcee.
- CNHRPC: M. Tardiff reported continued work on multiple master plans, circuit-rider assistance, and other local planning projects.
- N. Miller highlighted Manchester's \$400 million CSO project, a major infrastructure investment that will use an underground tunnel to separate stormwater and sewage systems and improve Merrimack River water quality.
- North Country: Demand for local planning services, including master plans, circuit riding, and zoning audits, continues to grow. Local service revenue exceeded federal and state funding for the first time.
- SWRPC: The annual meeting honored retiring board chair Tom Mullins for 29 years of service and included updates on transit projects, hazard mitigation efforts, and community support initiatives.
- Lakes Region: The annual meeting featured a presentation on charrettes and a review of the commission's accomplishments over the past year.

- UVLSRPC: Reported a successful annual meeting and discussion of the Croydon Game Park as a topic of regional interest.
- Windham: A proposed private school sports complex remains controversial, with the applicant seeking 18 variances. The project has generated strong public interest, and additional hearings are pending.
- K. Kasper shared that New Hampshire Energy is currently conducting an Environmental Justice Assessment and would greatly value partnering with the RPCs. Your organizations have a unique understanding of the region and can help us connect important pieces of the puzzle better than anyone else.

**9. Public Comment**

There was no public comment

**10. Adjourn**

Following a motion and a second, a roll call followed with all members voting in favor. The meeting adjourned at 2:50PM.

Respectfully submitted,

Megan Taylor-Fetter

# NHARPC/NHMA

## Planning Education Partnership

### Schedule for Town & City Articles

#### CY2027 List

| Issue          | Due Date   | Topic                                                 | Authors                                                                        |
|----------------|------------|-------------------------------------------------------|--------------------------------------------------------------------------------|
| <b>Nov/Dec</b> | 9/25/2026  | Household Hazardous Waste                             | UVLSRPC – Tim<br>NRPC – Mary Brundage<br>RPC – Jill Longval<br>LRPC-Shanna     |
| <b>Jan/Feb</b> | 11/27/2026 | C-PACER                                               | LRPC – Shanna<br>CleanEnergyNH – Sarah                                         |
| <b>Mar/Apr</b> | 1/29/2027  | Transportation Funding Beyond the Ten-Year Pan        | RPC – Dave<br>SRPC – Colin<br>UVLSRPC – Meghan/John<br>LRPC – Glenn            |
| <b>May/Jun</b> | 3/26/2027  | CDBG, NBRC grants and their economic benefits         | SWRPC –<br>NCC – Michelle<br>UVLSRPC – Tim<br>LRPC –                           |
| <b>Jul/Aug</b> | 5/28/2026  | Data Centers and Land Use Planning                    | CNHRPC – Matt<br>SNHPC – Nate<br>SRPC – Jen<br>NCC – Liz<br>OPD, NHMA partners |
| <b>Sep/Oct</b> | 7/30/2027  | Watershed Planning                                    | NRPC –<br>SWRPC –<br>SRPC – Kyle                                               |
| <b>Nov/Dec</b> | 9/24/2027  | Intermunicipal Agreements to Further Regional Efforts | SRPC – Mike, Climate<br>RPC – Scott, rail trail<br>NRPC – Jay, HHW             |

#### Procedures

- Megan at SRPC will send out reminders to authors, their directors 1 month and 2 weeks before the due date. Miranda will be copied on these reminders.
- When submitting your article, send it to Miranda Augustine ([maugustine@nhmunicipal.org](mailto:maugustine@nhmunicipal.org)) and copy Megan Taylor-Fetter ([mtaylorfetter@straffordRPCnh.gov](mailto:mtaylorfetter@straffordRPCnh.gov))

# **NHARPC/NHMA**

## **Planning Education Partnership**

### **Schedule for Town & City Articles**

#### **2026 Articles**

- Natural Resource Inventories and Assessments
- Grants, Grant Writing to create change for communities
- Innovative Affordable Housing Solutions
- Transportation Safety – SS4A, RSAs, HSIP and more?
- HOP Grants Results and Impacts – Funding Yields Results
- Household Hazardous Waste

#### **2025 Articles**

- Housing Navigator Success Stories
- Why Engagement is Important in the Planning Process
- How Investing in Regional Planning gets Results
- The Ten Year Plan
- Brownfields and Affordable Housing
- Investment in Transit and Mobility Management
- Resources for Volunteer Planners

#### **2024 Articles**

- Why do we Plan? The Importance of Planning
- Hazard Mitigation and Home Elevations
- Complete Streets
- NH's Changing Demographics
- Sidewalks: Walkability and Accessibility

#### **2023 Articles**

- Municipal Natural Resource Inventories
- Community Transportation
- Final RHNA Products and HOP Implementation
- Solid Waste, HHW
- Climate resiliency

#### **2022 Articles**

- Community Power/ Electricity Aggregation
- Data Collection – SADES, etc.
- Hazard Mitigation Planning
- Regional Housing Needs Assessment
- Economic Resiliency Planning

<https://www.nharpc.org/educational-materials/>

# **Data Centers and their Land Use Regulation in NH**

*White paper/NH specific guidance document draft outline.*

1. What is a Data Center?
  - a. Activity
  - b. Scales
  - c. Definitions
2. What are the Impacts?
  - a. Energy Use
  - b. Water Use
  - c. Noise
3. What are the Benefits?
  - a. Economic
  - b. Other?
4. How are data centers already regulated?
  - a. NHDES permits
  - b. NH Site Evaluation Committee
  - c. Zoning vs. Site Plan Regulations
5. How do you regulate Data Centers as a Land Use?
  - a. Permissive versus prohibitory Zoning Ordinances
  - b. Examples of definitions
  - c. Site design considerations
  - d. Top 3 ordinance tweaks you can make to your ordinance
  - e. Seek local legal counsel...
6. Annotated Bibliography

# Data Centers Resources

## What is a Data Center?

### Maps

**Are Data Centers Considering NH:** [Clean View's Data Center Tracker](#) presents a comprehensive view of where serious data center proposals are proceeding. You'll note that NH and VT are notably blank. Regardless, since we're in a regional market, data centers in ME, RI, CT and MA can impact our electricity rates.

### Other Good Sources:

- Map of Data Centers with climate risk/water stress based on location: [US Data Center Map — 4,761 Facilities Tracked](#)
- Data center impact dashboard: [Data Center Impact Dashboard](#)

## General Information

[Data Centers 101](#) written by Taubman College of Architecture and Planning, presents an excellent resource for decision makers and planners. The white paper describes types of data centers and their components, dives into multiple options for energy and water sourcing, reviews issues around land use, environment, and quality of life, describes economic benefits and situations where a community may benefit from a data center compared to other industrial uses.

[New Evidence on Data Center Employment Effects](#), published by Brookings and a synopsis of a larger paper, investigates the trade-offs presented by data centers. Recognizing that data centers are highly impactful on local energy and water supplies, the authors explore the counter arguments that such facilities yield high-paying jobs, construction activity, and tax revenue. Ultimately, the authors found that employment benefits vary widely dependent on type and scale of data center with a mix of job gains and losses.

### Other Good Sources:

- Detailed overview of data centers, including types, sizes, resources used, etc.: [The future of data centers | Brookings](#)
- Data centers and potential positive local impacts: [Turning the data center boom into long-term, local prosperity | Brookings](#)

- Data centers discourse for local and regional considerations: [Why are communities pushing back against data centers? — Harvard Gazette](#)
- Community Benefit Agreements: [Why community benefit agreements are necessary for data centers | Brookings](#)
- The States Forum published [States Can Leverage Tax Incentives to Make Data Centers Better Grid Citizens](#) by NH Native Jane Flegal, which is worth a read about making Data Centers Good Citizens, though it's not super relevant to NH since we don't tend to offer tax breaks to these entities.

## Data Center Impacts

### Energy

**Data Centers and Energy Rates:** The Lawrence Berkeley National Laboratory has issued two studies about what is driving up electricity rates ([2025 study](#), [2026 update](#)). There is no short and easy answer, and the causes vary widely by state and by region. But what the studies make clear is that data centers CAN drive down electricity rates (see page 50 of the 2026 update) or drive-up electricity rates (see page 54 of the 2025 study). It comes down to details of market and regulatory environments of each state/region. Given the similarities between ISO-NE and PJM Interconnection, it can be expected that the New England experience may be more similar to the Mid-Atlantic Experience.

**Rate Payer Protections:** The White House has issued the [Ratepayer Protection Pledge](#). Related, on September 16, 2026, the [House passed bipartisan federal legislation](#) based on making this pledge binding. The legislation would protect consumers from rate increases resulting from data center construction, while preserving state power to regulate electricity markets. States would need to establish large-load standards.

### Other Good Sources:

- From Energy Use to Air Quality, the Many Ways Data Centers Affect US Communities: <https://www.wri.org/insights/us-data-center-growth-impacts>
- FERC [has issued a rulemaking](#) about how to make large loads flexible, which will require state's develop large load tariffs that will encourage data centers to operate in ways that keep capacity costs low.
- Eaton (a for profit consultancy) has put out [a series of widely cited white papers](#) on being a Good Grid Citizen.

## Land and Water

**Data Drain: The Land and Water Impacts of the AI Boom**: The Lincoln Institute of Land Policy takes a non-biased approach to analysis of the benefits and adverse impacts of data centers. The article recognizes tax revenues and initial job creation, data centers, at a massive scale, pose significant impacts to water resources and air pollution. The article lays out the varied ways in which water consumption may be reduced but not eliminated. The issue is complicated by national interests in staying ahead of other nations in the development of AI, as well as the national security concerns of international data storage. Recognizing the land use is not likely to go away, planners are challenged with finding suitable locations and establishing land policy that balances competing interests such as water, land, and energy consumption; business and technology growth; and public health and climate impacts. The article provides numerous links to other research.

### Other Good Sources:

- Environmental and Energy Study Institute: [Data Centers and Water Consumption](#)
- National League of Cities: [Data Centers and Local Environmental Considerations](#)

## State and Federal Regulation

Like any other land use, data centers, depending on their air, water, and land impacts will be subject to state and federal permitting requirements. There are no state or federal permits that are specific exclusively to data centers.

### NH DES

- Alteration of Terrain
- Wetlands and Shoreland
- Subsurface system
- Groundwater withdrawals
- Surface water withdrawals
- Public water system connection
- Water conservation/water use registration and reporting
- Groundwater discharges
- Surface water discharges

- Sewer connection
- Air discharge

### Public Utilities Commission

- Site Evaluation Committee review

### Federal

- [US Army Corps of Engineers wetlands permit and/or rivers and harbors act](#)
- [EPA NPDES Permits](#)

**Other Good Sources:**

- Maine's Data Center Advisory Council: [Executive Order 5: An Order Establishing the Maine Data Center Advisory Council | Office of Governo...](#)

## Land Use Regulation of Data Centers

**Local Guidelines for Data Center Development:** The Urban Land Institute's white paper takes a national look at the basics of data centers and presents planning strategies to help regulate data centers, which are essentially a new land use. The paper breaks down data center functions and types and explains the forces driving demand. Like other resources identified here, it looks at the potential benefits and discusses how impacts might be mitigated, including long term planning strategies and key missteps to avoid. Lastly, the paper presents options for local regulations and model zoning ordinance language.

**Penn Future's Data Center Model Ordinance:** This model ordinance implements the Chester County and Montgomery Planning Commission, April 2026 Data Center Ordinance Guide report. It is a 26 page, Pennsylvania specific model that would need notable revisions to be NH-friendly. This example contains elements that are typically part of zoning ordinances in NH, but also site plan regulations and may be excessive for small communities to administer. This model provides good specifics on the Data Center Ordinance Guide (below) concepts.

**Chester County and Montgomery County Planning Commissions' Data Center Ordinance Guide:** This detailed document includes suggested zoning provisions as well as provides definitions for 3 types of data centers (retail, wholesale, and hyperscale). Larger data centers typically exceed 100,000 square feet ranging upward to six million square feet, needing 50 megawatts to 1 gigawatt of energy. Various ordinance definitions are provided, including for "data center." The main concerns discussed are water, noise, and electricity usage, though some benefits include economic impacts, jobs, and low traffic with proposed ordinance language offered for each. The document recommends allowing data centers via conditional use, and the consideration of accessory data center uses.

**Other Good Sources:**

- Detroit: Energy and Water Benchmarking Ordinance [Energy and Water Benchmarking Ordinance | City of Detroit](#)
- Western Resource Advocates: [Policy Solutions for Mitigating Data Center Growth](#)
- [National Database of Data Center Ordinances](#)