

# Green Building Standards for Zoning

New Hampshire Office of Energy and Planning  
Annual Fall Planning & Zoning Conference

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Mountain Club on Loon, Lincoln, NH

John L. McGowan, Esq., LEED AP  
Donahue, Tucker & Ciandella, PLLC

225 Water Street

Exeter, NH 03801

603-430-3738

[jmcgowan@dtclawyers.com](mailto:jmcgowan@dtclawyers.com)

# The Issue

Municipalities increasingly attempt to address compelling, modern day public health and environmental objectives through their building codes and land use regulations.

# The Question

Does the State of New Hampshire adequately enable these municipalities with the statutory authority to efficiently and effectively do this?

# The Answer

Yes / No

# Who Are You?

## Voters & Taxpayers

(individuals, households, businesses, institutions)

## Creature of the State

## A Municipal Corporation

# Public, Health, Safety & General Welfare

## Private Land Use Regulation

Building Codes

Zoning Ordinances

Site Plan Review Regulations

Subdivision Regulations

# The Municipality's Leverage

1. Building Permit

2. Certificate of Occupancy

How do you use this leverage?

A built environment that is:

high-quality

low-impact

energy-efficient

Site Selection

Water Efficiency

Materials & Resources

Indoor Air Quality

Energy Efficiency

# U.S. Green Building Council

**LEED®**

(Leadership in Energy and Environmental Design)

Incentives

vs.

Mandates

Building Codes

vs.

Land Use Regulations

# Practically Speaking

1. Administrative Feasibility
2. Advancing the Public Good

# Legally Speaking

1. Preemption
2. Due Process

# Babylon, NY

## Article 8

# Boston, MA

## Article 37

# Epping, NH

## Article 22

# Gaithersburg, MD

Ordinance No. 0-11-08

# York, ME

Article 11 (proposed)

Incentives

vs.

Mandates

[www.usgbc.org](http://www.usgbc.org)

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Resources

v

Government Resources

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See The Full List

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Municipal/City/County Initiatives

[www.usgbc.org](http://www.usgbc.org)

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Directories

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LEED Projects and Case Studies

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Certified/Registered Project List

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New Hampshire