



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Date: *Dated as shown on electronic signature(s)*

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
Peacock Hill

From: Andrew Spejewski, Inspector

ANDREW SPEJEWSKI Digitally signed by
ANDREW SPEJEWSKI
Date: 2022.12.06
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Thru: Stephanie Tougas, Inspector

To: File

I. Facility Information

- A. *Facility Name:* Peacock Hill
- B. *Facility Location:* 105 East Sutton Road
Sutton, NH 03278
- C. *Facility Contacts:* Gary Fitzgerald
603-325-3112, Hotrodda57@hotmail.com
- D. *NPDES ID No(s):* None

II. Background Information

- A. *Date(s) of inspection:* November 8, 2022
- B. *Weather Conditions:* Clear
- C. *US EPA Representative(s):*
Andrew Spejewski
- D. *State/Local Representative(s):* None
- E. *Federally Enforceable Requirements Covered During the Inspection:* EPA
construction general permit for stormwater

F. Previous Enforcement Actions: None

III. Type and Purpose of Inspection

Unannounced Evaluation of Construction Stormwater compliance

IV. Facility Description

The site is a residential construction project, lying west of East Sutton Road. [Note that the site is physically in Sutton, NH; the street address may show up as Warner, NH].

The site entrance on East Sutton Road is about in the center of the east side of the site. The area is fairly flat, sloping down to the south at the southeast corner. The terrain is slightly above East Sutton Road north of the entrance, and somewhat below it to the south of the entrance.

It is planned for seven single-family houses on large lots, with a short access road running straight west and some common open space/play field. [See picture 2796 for a site plan].

At the time of the inspection, the main road, driveways and small areas of each lot had been logged and stumps removed, but only minor grading; the rest of the site is mostly undisturbed woods.

The area off the main road, from near the entrance to the west end, was being used as a logging staging area.

V. Inspection

Mr. Spejewski arrived unannounced at the site at about 11:30 AM. Logging activities were underway near the entrance. Mr. Spejewski spoke with one worker, who said they were only the logging crew, and were not the developer. Mr. Spejewski then called Mr. Fitzgerald, identified himself and the purpose of the inspection. Mr. Fitzgerald said he was the developer, was on the back of the site, and would arrive at the entrance in about 20 minutes. Mr. Spejewski said that, if OK, he would walk around the site while waiting for Mr. Fitzgerald, who agreed. Mr. Spejewski walked through the north part of the site, and met Mr. Fitzgerald towards the rear of the site; after an opening conference, the two walked the site together, stopping at Mr. Fitzgerald's truck to view site plans.

A. Opening Conference

Mr. Spejewski presented his credentials, provided a copy of the Small Business Resources Information Sheet, and explained the purpose of the inspection.

Mr. Fitzgerald said the project was a residential housing development of seven lots, each lot over an acre. He said the western part of the project was logging only, with no stumps being removed. Mr. Fitzgerald said that the lots would mostly remain wooded, with only

the house footprint and immediate area cleared (along with driveways). According to Mr. Fitzgerald, the clearing (and stumping) for the houses was roughly complete [during the tour, he pointed out that lot 7 would need to be cleared more to make room for the septic field].

B. Facility Tour

The site entrance on East Sutton Road had gravel along one side of the road, but bare dirt (with small woody debris) along the other side. Tire tracks were visible on the dirt side leading onto East Sutton Road. There was no sign of sediment on the road.

The entire area of the main site road was being used as a staging area for logging. Skidders were bringing logs from the west and depositing them in piles, while other vehicles loaded logs onto trucks for transport off site. A dirt road led off to the west from this area, actively used by logging equipment.

The lots both north and south of the site road had only the central area and driveway cleared, with undisturbed woods surrounding the cleared areas. The cleared area was only slightly larger than a typical house footprint. Stumps had been removed from the cleared areas; there was only minor or no grading or excavation. Stump piles were located at intervals; there was one small pile of dirt in one site.

There was about 20 yards of woods between the clearing at lot 7 and East Sutton Road, with the terrain sloping very gently down to the road. Except for lot 1, all areas were fairly flat with no signs of channelized flow at any point. Lot 1 sloped slightly down to the south. The lot appeared to drain into undisturbed woods without a major channelization, and no signs of sediment carried into the woods (lot 1 was not yet completely cleared, with debris piles and rocks still present).

A length of silt sock was in place just north of the site road/logging staging area. The terrain was fairly flat here and there was no sign of significant flow across the sock.

C. Records Review

At Mr. Fitzgerald's truck, he showed site plans. Mr. Fitzgerald said he had an engineer preparing a SWPPP (Mr. Spejewski confirmed he meant a Stormwater Pollution Prevention Plan), but the engineer had delays in completing it. Mr. Fitzgerald said he would begin site inspections when the SWPPP was ready.

D. Closing Conference

Mr. Spejewski noted that the site appeared to require federal construction stormwater permit coverage (including production of a SWPPP and submission of an NOI). Mr. Spejewski suggested that the site engineer contact him immediately to explain the current state of and plans for permit coverage. Mr. Spejewski also suggested Mr. Fitzgerald immediately begin site inspections and documenting them, in order to establish that he was following the requirements of the permit.

Mr. Spejewski thanked Mr. Fitzgerald for this time and departed at approximately 12:30 PM.

Picture List:

[Note: the camera clock was set to Eastern Daylight Time, while the inspection took place during Eastern Standard Time, therefore timestamps for photos are one hour later than actual local time]

IMG_2782.JPG	Facing south across site entrance
IMG_2783.JPG	Facing north along driveway to lot 7
IMG_2784.JPG	Facing west, from driveway to lot 7 towards driveway to 5 and 6
IMG_2785.JPG	Facing north over lot 7
IMG_2786.JPG	Facing north to lot 6
IMG_2787.JPG	Facing east towards road, from lot 7
IMG_2788.JPG	Facing north at lot 5
IMG_2789.JPG	facing west over lot 5
IMG_2790.JPG	facing south down driveway for lot 5
IMG_2791.JPG	Lot 4
IMG_2792.JPG	logging road just west of logging staging area
IMG_2793.JPG	Lot 3
IMG_2794.JPG	Silt sock, west side of logging staging area
IMG_2795.JPG	Site plan, with sediment pond
IMG_2796.JPG	Site plan showing lots
IMG_2797.JPG	Facing south over Lot 1

** END **

Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.