



REGION 1

BOSTON, MA 02109

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

Subj: Inspection Report – Clean Water Act (“CWA”)
National Pollutant Discharge Elimination System (“NPDES”)

From: Stephanie Tougas, EPA Inspector

**STEPHANIE
TOUGAS**

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STEPHANIE TOUGAS
Date: 2024.11.26 08:22:33
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Thru: Ray Putnam, EPA inspector

To: File

I. Facility Information

- A. *Facility Name:* Palmer Woods
- B. *Facility Location:* Stephen C. Savage Way
Plaistow, NH 03865
- C. *Facility Contacts:* Steve Doherty, Developer - DC Development and
Construction, LLC
3 Valerie Way Unit 1
Sandown, NH 0387
- Bill Hall, Engineer
Engineer - Civil Design Consultants, Inc
whall@civildci.com
- D. *ID No(s).:* NA

II. Background Information

- A. *Date(s) of inspection:* 11/19/2024
- B. *Weather Conditions:* 50 degrees F, sunny.

C. *US EPA Representative(s):* Stephanie Tougas
Ray Putnam

D. *State/Local Representative(s):* None

E. *Federally Enforceable Requirements Covered During the Inspection:*
2022 Construction General Permit

F. *Previous Enforcement Actions:* N/A

III. Type and Purpose of Inspection

Evaluation

IV. Facility Description

Palmer Woods is a planned residential development of 16 homes located on a 20 acre parcel, with approximately 6-7 acres of disturbance. All but 3 of the homes were completed at the time of the inspection. The site is located just north of Seaver Brook. The lowest point of the site is the southwest corner where the infiltration basin is located. Construction began in Spring of 2023 and anticipated completion time is Spring of 2025.

V. Inspection

I announced the inspection via a phone call to Mr. Doherty on November 18, 2024.

Inspector Putnam and I arrived at approximately 9:30AM. Mr. Doherty and Mr. Hall met us on site.

A. Opening Conference

I presented my credentials and explained the purpose of the inspection. I informed Mr. Hall and Mr. Doherty that EPA noticed a large clearing on aerial imagery in close proximity to a water of the U.S. as part of routine screening procedures, and could not locate a Notice Of Intent (NOI) for the site. Mr. Doherty explained that he had obtained a NHDES AOT permit as well as an Army Corps CWA 404 permit for the wetland crossing in order to construct Stephen C. Savage Way (the cul-de-sac the homes are located). I explained that for construction sites that disturb more than an acre of land that have the potential to discharge stormwater into a water of the US, an application (NOI) for coverage under the federal Construction General Permit is required in addition to local and state permits. Mr. Hall said he would check to see if they had applied for coverage at this site. They explained that they were maintaining erosion controls and conducting weekly inspections.

B. Facility Tour

We began the site walk starting at the wetland crossing, observing silt socks upslope of the wetlands. They said they followed all New Hampshire and Army Corp requirements for constructing the crossing.

We then walked clockwise starting along the perimeter in the northeast section of the site where there was active construction work on homes. They were in the process of building the leach field/subsurface wastewater disposal system behind the home. Inspector Putnam and I observed a narrow wetland band downslope of the home in the wooded, undisturbed area. Mr. Doherty said all clearing and cutting at the site was complete had and left a wooded buffer between the back of these homes and the wetlands.

As we continued walking, Inspector Putnam and I noted fill directly in wetland. Mr. Hall explained that this was permitted fill of approximately 250 square feet. I suggested that they install erosion controls to prevent the fill from encroaching further into the undisturbed portion of the wetland. Mr. Doherty made a phone call and requested additional silt socks to install in this area.

We made our way towards the infiltration basin at the southwest corner of the site. The basin was complete, and dry given the lack of rain the past few weeks. The sides of the infiltration basin were stabilized. Inspector Putnam and I observed a conveyance feature downslope of the infiltration basin that was connected to the wetlands where fill was permitted. I followed the conveyance to the edge of the property line. It appeared the conveyance feature continued towards Seaver Brook.

C. Records Review

We walked back to the cars and Mr. Doherty showed us some of the records he kept in his truck. I noted the folder where he kept his NHDES and Army Corps permit, and I flipped through two large binders that contained weekly inspection reports of the site erosion controls.

D. Closing Conference

I reiterated to Mr. Doherty and Mr. Hall the need to address the area downslope of the disturbed wetland with erosion controls. I explained that the conveyance feature downslope of the infiltration could convey stormwater to Seaver Brook, a water of the US, and that we would follow up regarding permit applicability. We departed at approximately 10:30AM.

Shortly after we left the site, Mr. Doherty emailed me a photo showing the installation of the silt socks downslope of the wetland and Mr. Hall emailed me a copy of the site plans.

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.