



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")
James Way Townhouses

From: Stephanie Tougas, Inspector

**STEPHANIE
TOUGAS**

Digitally signed by STEPHANIE
TOUGAS
Date: 2024.07.26 08:40:12
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Thru: Andrew Spejewski, Inspector

To: File

I. Facility Information

- A. *Facility Name:* James Way Townhouses
- B. *Facility Location:* 60 City Depot Road
Charlton, MA 01507
- C. *Facility Contacts:* Jay Gadoury, Owner
J Jill Development LLC
Jayg.builds.homes@gmail.com
- D. *NPDES ID No(s):* MAR1004RG

II. Background Information

- A. *Date(s) of inspection:* June 27, 2024
- B. *Weather Conditions:* clear, 85 degrees F, rain day prior
- C. *US EPA Representative(s):*
Stephanie Tougas
Andrew Spejewski
- D. *State/Local Representative(s):*
None

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

F. Previous Enforcement Actions:
Expedited Settlement Agreement (Docket # CWA-01-2024-0004) for failure to obtain permit coverage for stormwater discharges.

III. Type and Purpose of Inspection

Evaluation

IV. Facility Description

The entrance to the development is off City Depot Road/RT-31 on the east side. A stream runs south across the site. The area between the road and the stream is fairly flat; it has several completed houses with grass lawns and no exposed soil at the time of the inspection.

East of the stream, the site slopes up steeply to the east. Two houses were near complete at the foot of the slope.

The north section of the slope was clear of trees and stumps with portions of exposed earth, . The slope behind the complete houses was hydroseeded with visible vegetation growth or wood mulch. Where the slope starts to level out, there is a 50-100 foot buffer of undisturbed vegetation before the edge of the property line along the east perimeter.

The stream flows from the north, under the paved site entrance southwardly for approximately 0.3 miles until it meets Cady Brook, which is a tributary of the Quinebaug River.

V. Inspection

I previously arranged this inspection with Mr. Gadoury the week prior. Mr. Gadoury granted us permission to access and said he would meet us on site.

We arrived at approximately 12:30 PM.

A. Opening Conference

I presented my credentials and explained the purpose of the inspection. I explained that we had received continued concerns about the site from the Conservation Commission regarding sediment still being discharged into the wetlands as well as the detention basin being at capacity. Mr. Gadoury expressed frustration over what he described as conflicting inspection reports from the Conservation Commission contractors and said he was trying to control the flow on the site.

B. Facility Tour

We began the tour by heading counterclockwise, upslope. Mr. Gadoury pointed out the swale, saying it was working well at controlling water flow on site. Mr. Gadoury pointed to an inlet at the base of the swale and said it discharged into the detention pond south of it. We continued walking upslope, and Mr. Gadoury pointed out the area beyond the silt fence towards the wetland area where EcoTec, Inc. seeded that was now vegetated. We observed some areas along the silt fence where the wattles were being breached by sediment, and we conveyed to Mr. Gadoury that these needed to be reinforced. We came to a portion of the slope along the swale that was not sufficiently stabilized. Mr. Gadoury said that they plan to remove a lot of this sediment in the coming weeks and are bringing the grade down by a couple of feet when they build the access road. We explained that portions of slopes that are not being worked on for 2 weeks or more need to be stabilized.

We continued upslope. We discussed the large, exposed slope that dominates the back portion of the site. Mr. Gadoury said that he had this slope hydroseeded last winter, but that the hydroseed would not take due to it being glacial till. We suggested that he use mulch to stabilize it, and Mr. Gadoury claimed that the Conservation Commission told him that he could not mulch it. We continued walking upslope and south, walking along another swale. Inspector Spejewski pointed out that parts of this swale were starting to fill with sediment and needed to be cleaned out. Inspector Spejewski also suggested that check dams be installed to dissipate and slow the flow. Mr. Gadoury claimed that he had installed check dams in this swale, but that the Conservation Commission asked him to remove the check dams.

We stood at the top of the section of the slope behind the completed house that was successfully hydroseeded and had portions stabilized by mulch. Mr. Gadoury said that this slope is not at the final grade and the plan is to cut it down a few more feet.

We walked downslope towards the detention basin at the southeast section of the site. There was a large, long basin with a smaller pit to the south. Mr. Gadoury said that the slopes of the basin had been vegetated but then he was instructed to remove the vegetation by the Conservation Commission. Mr. Gadoury showed us photos of the basin from the inspection reports written by the Conservation Commission. Inspector Spejewski said that the photos showed the basin looking very full and that the basin appeared to not be doing its job at detaining since when the basin is full, the water runs right out.

The pit to the south had no outlet or control structures with bare dirt walls. Mr. Gadoury said he had just started rebuilding it and it would include perforated pipe discharging to the southwest.

We walked behind the basin, closer towards the wetland area and noted an outlet from the pond discharging water. Mr. Gadoury said that there had been sediment discharged into this area, but he had since removed it.

B. Closing Conference

Mr. Gadoury continued to express frustration saying he was receiving conflicting instructions on how to manage the site and that he was not doing anything wrong. Inspector Spejewski reiterated that even if the plan is to remove a large portion of the sediment from the slopes that are not stabilized in a few weeks, the permit says that the slopes need to be stabilized if not worked on for two weeks or more. We told Mr. Gadoury that we would have a meeting with the town and would be in touch with a copy of the inspection report. Mr. Gadoury gave us copies of the inspection reports from the conservation commission as well as a site plans. We observed two workers hydroseeding the area around the detention basin as we left.

We thanked Mr. Gadoury for his time and departed at 1:15 PM.

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.

Picture List:

IMG_0011.JPG – swale along southwest part of site / future access road
IMG_0012.JPG – inlet at bottom of swale
IMG_0013.JPG – slope that could use more stabilization
IMG_0014.JPG – gulleys in large slope
IMG_0015.JPG – sediment accumulation over the wattles
IMG_0016.JPG – looking downslope at future access road
IMG_0017.JPG – area with sediment accumulation and silt fences needing attention
IMG_0018.JPG – swale along back side of the site above the large slopes
IMG_0019.JPG – area of slope with hydroseed behind completed home
IMG_0020.JPG – swale with water / sediment accumulation
IMG_0021.JPG – area in swale that needs to be cleaned out
IMG_0022.JPG – swale leading down to detention basin
IMG_0023.JPG – detention basin
IMG_0024.JPG – water discharge through outlet from basin into wetland area
IMG_0025.JPG – basin with inlet
IMG_0026.JPG – silt fence downslope of basin needing attention
IMG_0027.JPG – same photo as IMG_0026.JPG
IMG_0028.JPG – silt fence needing attention

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