

To: City of Bay St. Louis Planning & Zoning Commission

From: Joshua Magee, 419 Webster St., Bay St. Louis, MS 39520

Re: Public Comment on Proposed Developments – 450 Webster Street Development Company
Major Site Plan Review

Date: 10/12/2026

Dear Commissioners,

I am submitting this formal letter of opposition regarding the proposed development at 450 Webster Street, Parcel No. 149E-0-29-014.002. My property at 419 Webster Street has been on Webster for over 100 years. It has survived both Camille and Katrina. Located less than 100 feet from the proposed development. Proceeding with this project as currently depicted would cause indirect harm to my property. The project raises significant concerns related to floodplain impacts, infrastructure capacity, and procedural transparency, and should therefore be voted down. After reading the administration letter of approval I have to strongly oppose. Condos are allowed by right, but there are many variances being requested and little documentation provided.

- **Hidden Variances Request.** The claim that no variances are being requested for this project is incorrect and misleading. Several variances are identified in the packet but have not been addressed, or appear to have been circumvented or overlooked—particularly those related to Erosion and Sediment Control Ord. No. 441, Stormwater Management Ord. No. 442, and Flood Damage Prevention Ord. No. 615-04-2017. No fill is allowed SFHA Floodway. This project implies an enormous amount of fill, enough to raise the BFE 10-foot encroaching into SFHA floodway.
- **The submitted drainage plan does not comply with the Bay St. Louis Stormwater Ordinance.** It fails to consider or depict four (4) items required under Ordinance 442. Additionally, multi-family developments larger than four units and one acre or more must submit a stormwater management plan as defined by MDEQ under the NPDES Phase I or Phase II program. This requirement has not been met.
- The drainage problems occur downstream and exacerbated by the fill placed in and along the floodway. Any attempt to “improve” drainage upstream risks causing even greater harm if the longstanding strain on the system is not addressed. Both this development and prior fill activities have further burdened an already fatigued and undersized drainage network. A natural drainage swale—once more than 35 feet wide and capable of rapidly and organically conveying stormwater back toward the bay—have been choked off and reduced in size, until it is only to 32-inch culverts and buried beneath nearly 10 feet of fill. Where does the water go from there? This artificial constriction has severely

compromised the system's ability to handle hurricane-driven flows and routine storm events alike.

- **No Due Diligence.** The presence of wetlands on the site was first questioned by Amy Kramer of Louisiana Environmental Technical Service in a letter dated February 5, 2026, identifying wetlands and stating that a 404 permit would be required before any land disturbance. Multiple correspondences dating back to 2016—including from the U.S. Army Corps of Engineers and other environmental engineers—recognize this parcel as wetland based on vegetation, habitat, hydrology, soil characteristics, and most importantly its function within a coastal watershed. These determinations were made through physical, on-site surveys, not satellite imagery. Even a basic topographic map suggests water conveyance features, but on-site inspection makes the wetland and water conveyance characteristics unmistakable. As noted in the packet, the NWI Mapper application should not be interpreted as confirming the presence or absence of wetlands.
- The past packet states that the Bay St. Louis Fire Department will be able to provide fire protection for the buildings, yet no additional information is provided. The condominium buildings are said to be equipped with a fire suppression system, but no documentation was submitted.
- An NAI (No Adverse Impact) letter **should be submitted before permits are approved or submitted** to the Planning Commission. This is one of the most important analyses and certifications required.

1. Lack of Publicly Available Documentation

The public notice sign directs residents to the city's meeting webpage; however, only the agenda is posted. Site plans, engineering reports, drainage studies, floodplain documentation, and application materials are only partially available and often change up to the date of the meeting. Although this time information only trickled into the packet slowly over time.

This project has been submitted multiple times—denied by the Planning Commission, revoked by the City Engineer, begun work without proper permits, resubmitted, postponed, and revised. These tactics discourage and wear down public opposition. This raises the question: **What has actually changed since the last submission?** The developer proceeded without a permit, disturbed land, and continued improvements without review, beginning work over the veil of July 4th weekend. The developer has even proven that it does not comply with their own documentation of erosion control and best practices.

“(a) Permit required for land disturbance. No land owner or land operator shall receive any zoning compliance certification, building, grading or other land development permits required for land disturbance activities without first meeting the requirements of this article prior to commencing the proposed activity. (d) Application requirements for multi-family complexes greater than three

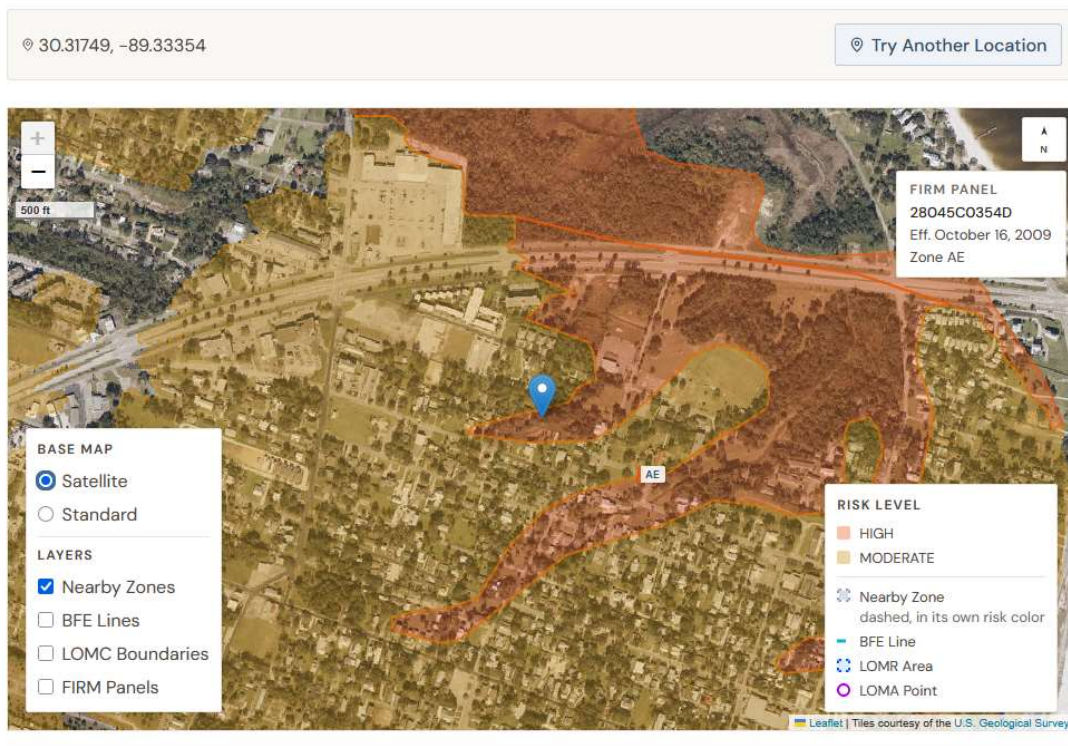
units... Landowners proposing the development of commercial or multi-family units of four or more units and on a site under one acre... shall submit a stormwater management plan... a stormwater maintenance agreement, and a nonrefundable permit review fee..." (Ord. No. 441, § 3, 1-4-2005)

For projects of this scale—especially those within a Special Flood Hazard Area (SFHA)—the public must have access to the full application file in advance. Without this information, residents cannot meaningfully participate, and the Commission cannot demonstrate compliance with FEMA NFIP requirements or local ordinances.

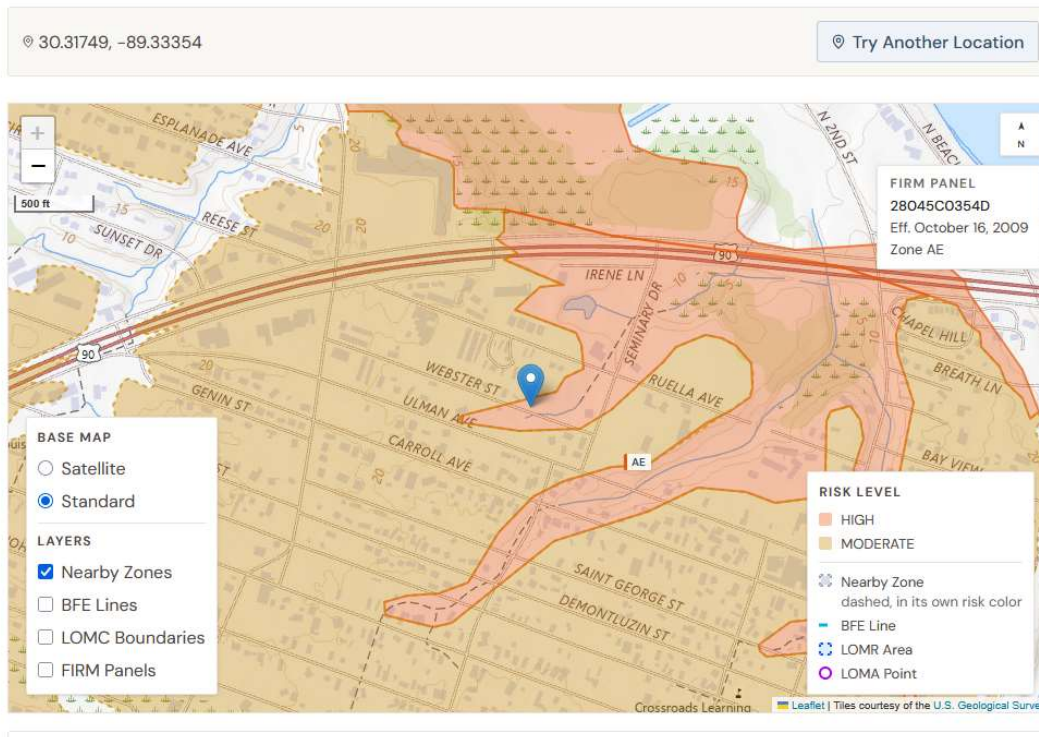
U.S. Geological Survey Quadrangle Map confirms 450 Webster is an SFHA floodway.

SFHA Status: **YES** Flood Zone: **AE** Risk Level: **HIGH**

Flood Zone Results



Flood Zone Results



2. Floodplain and Fill Concerns

The 450 Webster site lies within a major floodplain and SFHA. Over the years, the city has allowed significant fill and development in this area without adequate compensatory storage or drainage mitigation, increasing flood risk to existing homes—including mine.

Before any approval is considered, the Commission should require:

- A detailed floodplain development plan
- A No-Rise or No-Adverse-Impact analysis (the applicant states the NAI will be provided **after** approval)
- Appropriate stormwater management and drainage study
- Documentation of compensatory storage for the **10 feet of proposed vertical fill**
- Confirmation of compliance with the city's flood ordinance and FEMA NFIP standards

The packet contains a hydrologic analysis, but it relies on the Rational Method, which is improper and not valid for floodways influenced by tidal surge events. More appropriate hydrologic and hydraulic modeling is required.

“No fill will be allowed in wetlands without prior approval from the U.S. Army Corps of Engineers and/or the Department of Environmental Quality.” (Ord. No. 615-04-2017, art. 5(§ A), 4-13-2017)

This development proposes **10 feet of vertical fill**.

Floodways are extremely hazardous due to velocity, debris, and erosion potential. Encroachments—including fill—are **prohibited** unless certified by a registered professional engineer demonstrating **no increase in flood levels**. (Ord. No. 615-04-2017, art. 5(§ B), 4-13-2017)

3. Infrastructure Capacity Issues

Webster Street and the surrounding area already experience strain on:

- Road capacity and traffic flow
- Sewer and wastewater systems
- Limited fire hydrant availability
- Stormwater infrastructure

Any additional development must demonstrate that existing systems can support increased load or that improvements will be made.

4. Clarification Needed on “Major Site Plan Review”

The agenda references a “Major Site Plan Review,” yet this term does not appear in the city’s published ordinances. The ordinances reference sketch plats, initial site plans, preliminary plats, and final plats—but not this category.

Before proceeding, the Commission should clarify:

- Where “Major Site Plan Review” fits within the official approval process
- What standards apply
- Whether this process is properly codified

A development cannot be reviewed under a process not defined in ordinance.

5. Request for Full Disclosure and an End to Procedural Gamesmanship

Given the absence of required documentation and the significant potential impacts on nearby residents, I respectfully request that—after a year of delays, incomplete submissions, and repeated procedural maneuvering—this project be halted.

Full application files should be made publicly available prior to any vote. Poorly vetted, incomplete, or continually shifting submissions should not be championed.

6. Stormwater Deficiencies

Ord. No. 442, § 7, 1-4-2005 states:

Sec. 22-38. Requirements for stormwater management approval.

(a) Stormwater management plan required for all developments. (2) Multi-family units larger than four units and under one acre must submit a stormwater management plan. (3) Multi-family units larger than four units and **one acre or over** must submit the stormwater management plan required by MDEQ under NPDES Phase I or Phase II. (*The property is listed at 1.73 acres; developer documents list 1.69 acres.*)

(b) Stormwater management plan requirements include:

- Existing conditions shown on a topographic map with two-foot contours
- Location, size, and slope of stormwater conduits and drainage swales — **Not identified**
- Delineation of upstream and downstream drainage features — **Not identified**
- Base flood elevation (BFE) and floodways — **Not identified**
- Environmental features including wetlands — **Not identified**

(Ord. No. 442, § 7, 1-4-2005)

Conclusion

I am not opposed to responsible development. However, it must be transparent, compliant with ordinance, and protective of existing homeowners—especially in sensitive floodplain areas. I urge the Commission to require full documentation, ensure compliance with all floodplain and infrastructure standards, and provide the public with the information necessary to participate meaningfully in the process.

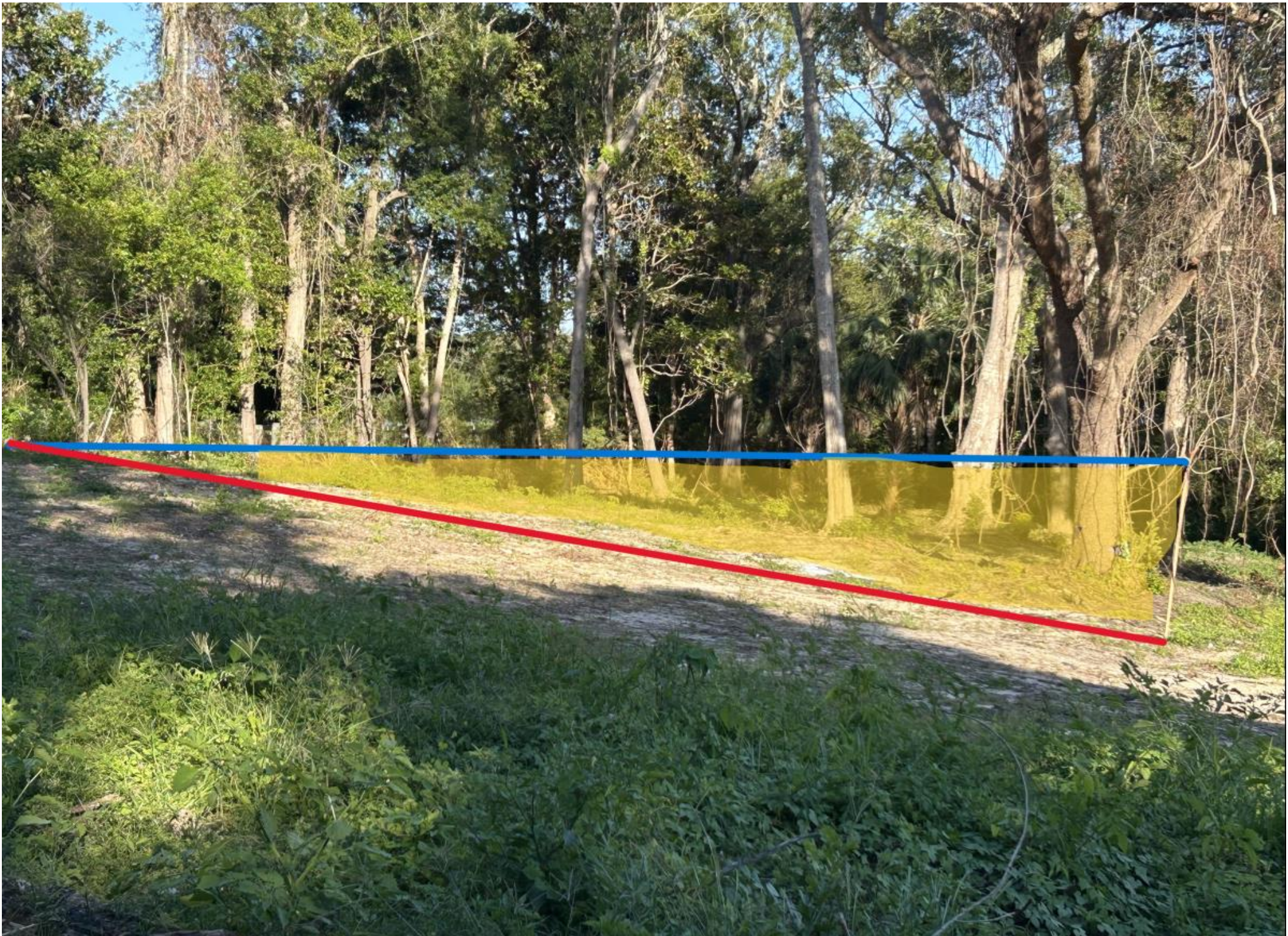
Thank you for your time and consideration.

Sincerely,

Joshua Magee

419 Webster St.

Bay St. Louis, MS 39520



TO: Planning and Zoning Board
City of Bay St. Louis

RE: 0 Webster Street
Parcel No. 149E-0-29-014.002
PT 276 1ST WARD BSL

HEARING DATE: February 11, 2026

I have reviewed the application for Major Site Plan Review submitted by Forge & Field, LLC. The property in question is located at 0 Webster Street and is identified as parcel number 149E-0-29-014.002, with the legal description PT 276 1ST WARD BSL. The property is zoned C-3 Highway Commercial District and R-3 Multi-Family.

The proposed development consists of three (3) two-story buildings containing a total of twenty (20) condominium units.

The administration recommends denial of the Major Site Plan.

- Condominiums are allowed by-right in this zoning district
- The developer has submitted the drainage analysis for this site plan, but it has received three comments/questions that need to be addressed, as outlined in a letter dated 2/10/2026 from BSL City Engineering.
- No variances are being requested for this project
- The developer has been in communication with Public Works regarding improvements to the main drainage ditch to improve drainage upstream.

If I can be of any further assistance in this matter, please feel free to call my office.

Jeremy L. Burke
Zoning Administrator

TO: Planning and Zoning Board

City of Bay St. Louis

RE: 450 Webster Street

Parcel No. 149E-0-29-014.002

PT 276 1ST WARD BSL

HEARING DATE: September 9, 2026

I have reviewed the application for Major Site Plan Review submitted by Trifecta. The property in question is located at 450 Webster Street and is identified as parcel number 149E-0-29-014.002, with the legal description PT 276 1ST WARD BSL. The property is zoned C-3 Highway Commercial District and R-3 Multi-Family.

The proposed development consists of two (2) two-story buildings containing a total of fourteen (14) condominium units. One building will have 6 units the other building will have 8 units.

The administration recommends table of the Major Site Plan.

- Condominiums are allowed by-right in this zoning district
- The developer has submitted the drainage analysis for this site plan, but as of 9/3/2026, the drainage plan is under review
- No variances are being requested for this project
- The developer has been in communication with Public Works regarding improvements to the main drainage ditch to improve drainage upstream.
- No wetland are present on the site
- An NAI letter will be submitted before a construction permit is issued

If I can be of any further assistance in this matter, please feel free to call my office.

Jeremy L. Burke

Zoning Administrator

TO: Planning and Zoning Board

City of Bay St. Louis

RE: 405 Webster Street

Parcel No. 149E-0-29-014.002

PT 276 1ST WARD BSL

HEARING DATE: October 14, 2026

I have reviewed the application for Major Site Plan Review submitted by Trifecta. The property in question is located at 405 Webster Street and is identified as parcel number 149E-0-29-014.002, with the legal description PT 276 1ST WARD BSL. The property is zoned C-3 Highway Commercial District and R-3 Multi-Family District.

The proposed development consists of two (2) two-story buildings containing a total of fourteen (14) condominium units. One building will contain 6 units, and the other building will contain 8 units.

The administration recommends approval of the Major Site Plan.

- The proposed condominium development is allowed by right in the applicable zoning districts.
- No variances are being requested for this project.
- The submitted drainage plan complies with the Bay St. Louis Stormwater Ordinance, provided that no wetlands are present on the site.
- No wetlands are present on the site.
- The Bay St. Louis Fire Department will be able to provide fire protection for the buildings. The condominium buildings will be equipped with a fire suppression system.
- An NAI letter will be submitted before a construction permit is issued.

If I can be of any further assistance in this matter, please feel free to call my office.

Jeremy L. Burke
Zoning Administrator

Executive Summary — Opposition to Proposed Fill and Drainage Plan

Purpose This summary highlights key technical, regulatory, and process concerns about the proposed fill and drainage changes within the Special Flood Hazard Area (SFHA) and floodway swale. Two sentences from the submitted document: **“The Rational method is not appropriate because it assumes that runoff is directly proportional to rainfall intensity.” This area is tied to tidal surges for storms like Katrina. “The rational method does not account for storage in the drainage area.” The whole if webster near the development is a storage structure in the floodplain.**

Variances may only be issued when there is good cause, exceptional hardship, and no increase in flood heights or public risk. None of those conditions are met here. **There are alternatives that require no variances and maintain the same building footprint**—closer to what the developer advertises on its billboard. **But are not considered here.**

Key Technical Concerns

1. **Inappropriate hydrologic method.** The project relies on the Rational method, which is limited to small watersheds with no significant storage and produces only a peak discharge (no hydrograph or volume). The site’s flooding is influenced by tidal surge and floodplain storage, conditions the Rational method does not represent. The proposed grading will result in erosion, pooling and water redirected to joining properties. The Stormwater plan is not adequate according to the City Engineer in a letter dated Sept 18, after the land was disturbed.
- **Floodplain storage ignored.** The submitted analysis does not account for existing floodplain storage or the effect of proposed fill reducing that storage; time-varying hydrograph methods are required when storage and tidal interactions matter.
- **Observed site changes and erosion.** Recent land disturbance (July 4) altered topography before completed Stormwater Plan: the rear of the lot has become a pit, buildable area above BFE has been reduced, and new depressions (2–3 ft) and erosion/pooling locations were created. No erosion control methods in place to date.

Regulatory and Ordinance Issues

- **Fill in the floodway.** Plans indicate raising site elevations from roughly 10–11 ft to a BFE of 19.5 ft (≈9–10 ft of fill). City ordinance prohibits encroachments and dirt fill in a designated floodways unless an engineer certifies no increase in base flood levels.
- **Permitting noncompliance.** Land disturbance appears to have occurred without required permits, stormwater management plan, or erosion controls as required by city code for multi-unit developments.

Process and Transparency Concerns

- **Lack of public engagement.** The developer held workshops without inviting affected neighbors; documentation and review materials have not been made transparent.
- **Undefined review pathway.** The agenda references a “Major Site Plan Review” that is not defined in the city’s published ordinances; the Commission should clarify the legal basis and standards before acting.

Requested Actions (Summary)

1. Require a **(hydrograph) analysis** that includes floodplain storage and tidal influences.
2. **Deny permits or approvals** that would allow fill in the floodway until a No Adverse Impact (NAI) analysis is completed and accepted.
3. Require **immediate erosion and sediment controls** and remediation of unauthorized disturbances.
4. Provide **transparent documentation** of the review process and invite affected residents and experts to participate.
5. Clarify the legal status and standards and path forward for **“Major Site Plan Review”** before any approvals.

Conclusion Given the technical shortcomings, apparent ordinance conflicts, and lack of transparent process, the Commission should pause approvals, require the analyses and controls above, and ensure the project cannot increase flood risk to neighboring properties or public infrastructure.

Sincerely, Josh Magee