Village of Lake Isabella

Planning Commission
Regular Meeting Agenda
July 14, 2026
7:00 PM

I. Call to Order

II. Roll Call of Members:

Amy Ervin, Chair — Mike Simon, Vice-Chair — Farzard Tafreshi, Secretary
Joe Lahti — Leo Wickert — Jeff Grey — Jason Benzinger

III. Agenda Approval

(Can be approved without Objection)

IV. Approval of Minutes

(Need a Motion to Approve)

V. Reports & Presentations

1. Chairperson
2. Village Manager
3. Village Council

VI. Public Hearing(s):

1. Proposed Ordinance 2026-03 – Park Entrance Adjacent Lots
2. Proposed Data Center Ordinance 2026-04

VII. Public Comment

VIII. Existing Business:

1. Proposed Ordinance 2026-03 – Park Entrance Adjacent Lots
   (Can be Approved by a Motion to recommend Ordinance to the Village Council After the Public Hearing)
2. Proposed Ordinance 2026-04 Data Center Ordinance
   (Can be Approved by a Motion to recommend Ordinance to the Village Council After the Public Hearing)
3. Housing Discussion

IX. New Business:

1. Rolland Road – Private Road Discussion – Richard's way

XI. Public Comments

XII. Member Comments

XIII. Announcements

XIV. Adjournment

Village of Lake Isabella

Planning Commission
June 9, 2026
Regular Meeting Minutes

Planning Commission Chairperson Ervin called the meeting to order at 7 p.m. The Pledge of Allegiance was recited by those present.

Members Present: Lahti, Wickert, Benzinger, Grey, Simon, & Tafreshi
Members Excused: Ervin

Agenda Approval:

Benzinger made a motion, seconded by Wickert, to approve the agenda as presented. VOICE VOTE: MOTION CARRIED 6-0-0.

Approval of Minutes:

Grey made a motion, seconded by Tafreshi, to approve the minutes from the February 10, 2026, meeting. VOICE VOTE: MOTION CARRIED 6-0-0.

Chairperson's Report: None

Village Manager Report:

Manley, Village Interim Manager, gave a brief report of the new employee structure and projects they are working on. She also gave an update on code enforcement.

Village Council Report:

Lahti, Grey, and Manley gave a report on the public safety millage that is being proposed.

Public Hearings: None

Public Comments:

Samuel Ellerman, Rolland Road - Oh, well, first of all, folks, I'm glad to meet you all. Really, mine's an easy one. Back in 2024, I met with Tim Wolff. We began a process of putting in a private road in honor of my dad's name. And we did everything that Mr. Wolff had. I have all the emails and everything going back, to the beginning of this process. The permit was filed, and everything asked for was done.

The original driveway that was going to be put in, we built with Tim. The original culvert that Mr. Wolff asked for was 8 inches, 15 foot long, but then once he found out he wanted to go a private road, he required us to put in a 15-inch diameter, 30 foot. He required the base to go from 14 inches to 24 inches. We met all of those requirements with him, and then he came back and then also asked for us to find out information from GIS, and even though we've had a recent survey done, he required us to do an additional survey and get a new survey so that we had GIS coordinates, so we can make Richard's Way.

We have met every one of those, and we got held up with the last part of the survey part of it because I've had two heart reconstructions. So that got held up with that. That was the reason it didn't get taken care of right away.

But in the process that he went on and passed this ordinance on it and said no private roads, I was already in the process and had everything already going and had met every requirement as

far as the additional culvert, the additional road, the additional cost, because it almost costed us an additional $40,000 between wood clearing, the road, the driveway or road from name, which we plan on calling Richard's Way, cost of use, additional log clearing with JD, wood clearing and everything else.

And I can verify everything what we're saying and welcome anybody out on the property to see what we're doing. We're not trying to do anything fancy. We're not trying to create any subdivisions or anything like this. Everybody, what everybody's all the Karens have been asking about.

It's just simply a road because it's our retirement property. Private road that was named after my father, who was Mr. Melville Consumers Power Company, Richard's Way. Nothing fancy, nothing more than that, simply for the reason of trying to honor my dad.

And what I'd really just like to ask is the fact that, look, especially now that I'm out of the house, I don't know how to back out of anything, but we have the survey set in place in regards to get done, which is the last thing that Tim was asking for.

I have all the emails going back to the beginning, and I have the original permit that was done back in June of '24 and shows the fact that even back then, I mean, we put in an additional $35,000 to make sure that we met every requirement that Mr. Wolff dictated to us. Every hurdle that he asked for, we did.

And then, to go and I'm a little disheartened in the fact that without any notification to us or anything else in July, even though, granted, I was down in Ann Arbor, and I can verify this through hospital records, that, he, passed an ordinance saying no private roads, but I'm like, look, this was already in process almost a year and a half beforehand.

And as soon as we bought the property, and Ms. Manley, who was here back then, can verify. Like I said, we've dealt with Ray, we've dealt with the Isabella County Road Commission, and met every requirement that Mr. Wolff put forward to put in a private road, we met.

Other than that we jumped through every hoop in regards to GIS to get everything he wanted, from measuring out the roads, cornering from river, you know, every measurement we got for Mr. Wolff, but then he's like, well, I still need a new survey. Well, I got tied up with heart reconstruction, and I can show you the rail tracks and everything else to prove.

So that being said, what I'd like to know is this, just to get your approval so that I can finish the process and get my dad's road name back. That's really all I'm asking. It's not trying to cause more with anything.

Mike Holcomb, 1023 Pyrenees: Requested clarification on the 0.40 public safety millage talked about under the Council Report.

Existing Business:

1. Park Entrance Adjacent Lots Ordinance:
   The Planning Commission reviewed the draft from the meeting packet. A brief overview was given by Manley. Manley stated the public hearing was scheduled for the April meeting but since the April meeting was cancelled a new public hearing needed to be established. A Public Hearing was scheduled for the June 14, 2026 meeting.

New Business:

1. Data Center Ordinance Discussion:
   The Planning Commission reviewed the draft from the meeting packet.

   A Public Hearing was scheduled for the June 14, 2026 meeting.

2. Housing Discussion:

   Manley introduced a discussion regarding future housing needs within the Village. She explained that the discussion coincides with the Village's recent adoption of the Land Bank Ordinance, creation of the Brownfield Redevelopment Authority, and previous conversations regarding future residential development opportunities.

   The Planning Commission discussed changing housing trends within Lake Isabella and noted a shift from primarily seasonal residents to more year-round families. Discussion included inquiries received regarding smaller homes, minimum dwelling sizes, garage requirements, and housing affordability.

   The Planning Commission reviewed current zoning regulations pertaining to minimum dwelling sizes within the LR-1 District. Discussion occurred regarding whether the minimum dwelling size for non-waterfront LR-1 lots should be reduced from 1,200 square feet to 1,000 square feet. Several Commissioners expressed concerns regarding reducing dwelling sizes below 1,000 square feet and the practicality of smaller home layouts.

   The Planning Commission also discussed current garage requirements within the LR-1 and LR-2 Districts. Discussion included whether detached garages should be permitted within the LR-1 District and whether the current definition of an attached garage and enclosed breezeway should be revisited.

   Discussion then shifted to future housing opportunities within the North Lake Isabella area and Village-owned property. Potential concepts included smaller single-family homes targeted toward first-time homebuyers, as well as housing options for residents seeking to downsize while remaining within the community.

   The Planning Commission discussed senior and retirement housing opportunities, including the possibility of encouraging housing designs that incorporate accessibility features such as wider hallways, ramps, and other aging-in-place accommodations.

   The possibility of duplex housing was discussed. It was noted that duplexes are not currently permitted within the LR-1 District and that lot widths and setback requirements may limit the feasibility of duplex development on many existing parcels. Commissioners discussed whether other areas of the Village may be better suited for this type of housing.

   Manley outlined how future residential development projects could potentially be completed through the Brownfield Redevelopment Authority and future Land Bank partnerships. Discussion included developer responsibilities, site preparation, soil testing, well and septic requirements, infrastructure considerations, and the approval process for any future development proposals.

The Planning Commission discussed the value of vacant lots within Lake Isabella North and the importance of understanding development costs associated with lot clearing, tree removal, and stump removal. Commissioners expressed interest in obtaining estimates for lot clearing activities to assist with future discussions regarding lot values and potential development projects.

Discussion also included the former pellet plant property as a potential future location for residential development, including duplexes, retirement housing, or similar projects.

Manley advised the Planning Commission that state legislation has been proposed that could temporarily limit local zoning authority and development approvals. The proposal remains under consideration and no action has been taken by the State.

The Planning Commission requested that Manley:

Invite representatives from MMDC to a future meeting to discuss county-wide housing initiatives.

Prepare a housing and zoning review plan identifying potential ordinance amendments and housing-related topics for future discussion.

Compile information and materials for Planning Commission review regarding potential housing development opportunities and ordinance changes.

The Planning Commission expressed its desire to continue the housing discussion at future meetings and further evaluate potential ordinance amendments and housing development opportunities within the Village.

Public Comments:

Mike Holcomb, 1023 Pyrenees: Mr. Holcomb provided written comments regarding the proposed Data Center Ordinance and indicated he would like the Planning Commission to review the materials prior to the July public hearing. He expressed concerns regarding the potential placement of data centers within the Village, including areas such as Lake Isabella North and the airport property.

Mr. Holcomb discussed concerns regarding micro data centers and their potential impacts on nearby residential properties. He shared his experience working with cooling systems and expressed concerns regarding cooling towers, chemical treatment requirements, noise generation, and proximity to residential development.

Mr. Holcomb also inquired about the proposed state legislation regarding zoning and sought clarification regarding whether the legislation being discussed was related to a broader zoning moratorium. Village Manager Manley indicated she would provide additional information regarding the legislation.

Mr. Holcomb commented on the housing discussion and expressed support for smaller, more affordable homes for residents seeking to downsize. He noted the importance of distinguishing such housing opportunities from subsidized housing programs.

Mr. Holcomb asked whether his written comments could be entered into the record and considered as part of the July public hearing. Village Manager Manley advised that the written comments could be included in the public hearing record if submitted for that purpose.

Samuel Ellerman, Rolland Road: Mr. Ellerman inquired about the proposed state legislation that may place a two-year moratorium on zoning permits and sought clarification regarding how such a moratorium would affect building permits. Village Manager Manley explained that her understanding was that building permits could not be issued without zoning permits and that she had only recently become aware of the proposed legislation and was still reviewing its contents.

Mr. Ellerman expressed concerns regarding the potential impacts of a statewide moratorium, including its effect on local development and tax revenues. He suggested that the Village review possible legal and economic implications associated with limiting local zoning and development activity.

Mr. Ellerman also spoke in support of the Village's efforts to increase public safety services and suggested exploring grant opportunities to assist with funding personnel and equipment costs. He noted that grant funding had been successfully utilized during his public service career and encouraged the Village to work with county resources and grant-writing programs to identify potential funding opportunities.

Mr. Ellerman encouraged the Village Council to consider formally opposing the proposed legislation and suggested communicating the Village's concerns to state legislators. He indicated that he would also be willing to contact state representatives and assist in obtaining additional information regarding the proposal.

Discussion followed regarding the proposed legislation, including questions regarding whether the moratorium would apply to residential and commercial development. Several participants noted uncertainty regarding the contents of the legislation and whether the proposal being discussed was the same legislation that others had reviewed.

Gina Holcomb, 1023 Pyrenees: Ms. Holcomb commented on the discussion regarding proposed state legislation and stated that, based on her research, she believed the information regarding a statewide two-year zoning moratorium was incorrect. She indicated that Senator Runestad had recently introduced legislation establishing a one-year moratorium related specifically to data centers and not to other types of development or construction projects.

Village Manager Manley clarified that the legislation she had referenced was not Senator Runestad's proposed bills. Ms. Manley explained that she was referring to a separate set of House Bills that she had recently received information on and was still reviewing.

Ms. Holcomb referenced several bills currently under consideration and noted that the legislation had only recently been introduced and would still need to proceed through the legislative process before becoming law. She emphasized the importance of accurately

presenting information regarding proposed legislation during public meetings, noting that residents could become concerned if incorrect information is shared.

Ms. Holcomb offered to provide copies of the legislation and related information to Village officials for review. Commissioner Grey also requested a copy of the information so that it could be forwarded for additional review. Additional discussion occurred regarding the distinction between Senate Bills and House Bills and the status of the proposed legislation.

Village Manager Manley agreed to distribute the information once received.

Samuel Ellerman, Rolland Road: Mr. Ellerman raised concerns regarding pedestrian safety on River Road between Golf Course Drive and Rolland Road. He noted that a resident with cerebral palsy frequently walks in the area with his mother and expressed concern regarding speeding vehicles, ATVs, golf carts, and side-by-side vehicles traveling over the hill. Mr. Ellerman asked whether a warning or slowdown sign could be installed in the area.

Village Manager Manley advised that River Road is under the jurisdiction of the Isabella County Road Commission and that any request for signage would need to be directed to the Road Commission.

Member Comments:

Grey sought clarification on our Sign Ordinance.

Benzinger sought clarification on who has jurisdiction over the bridge on Coldwater Rd north of Fairway. He noted that the bridge is narrow and that parked vehicles can create traffic safety concerns. Discussion occurred regarding whether parking restrictions similar to those implemented in other locations by the Isabella County Road Commission may be appropriate.

Adjournment:

With no additional business, the meeting was adjourned at 8:07 p.m.

_____ Carol Shannon, Village Clerk

LAKE ISABELLA
LAKE RESTORATION COMMITTEE

June 30, 2026
Meeting Minutes

Committee Chairperson Burmeister called the Joint Lake & River Restoration Committee to order at **4:00 p.m.** with the Pledge of Allegiance.

LIPOA Members Present: Dauffenbach, Burmeister, and Keelean
Village Members Present: Torgerson, Peavey, and Shannon
At-Large Members Present: Buchanan and Woodhull
Excused: Laraway, Nelson, and Peppel

A motion was made by **Torgerson**, seconded by **Keelean**, to approve the **March 10, 2026** and **May 21, 2026** meeting minutes as presented.

Motion carried 8-0-0.

Public Comments Submitted Before the Meeting: None

Comments from the Committee:

Shannon opened discussion regarding communication between the Committee, Village staff, and EGLE.

Burmeister stated that all future email communications with EGLE concerning the lake restoration project should include Village Interim Manager Manley so that all parties have access to the same information. Burmeister stated that if residents contact either the Village or Committee members with questions, everyone should be working from the same information and providing consistent answers.

Committee members discussed whether all Committee members should receive every communication regarding the project. Buchanan expressed concerns of multiple emails if all were to be copied in on the information. Other committee members expressed concerns about not always being aware of the current status of the project and, as a result, could not accurately answer questions from residents. It was also stated that residents should continue to be referred to the project map, Committee meeting minutes, and the Village website for the most current project information.

King stated that many of his communications with EGLE and other vendors occur by telephone and that he did not know an efficient way to document those conversations. Burmeister stated that King could continue communicating with EGLE by telephone; however, at the conclusion of each call, he should send an email to the EGLE representative summarizing everything that was discussed and copy (cc) Village Interim Manager Manley. Burmeister stated this would ensure the information was documented and that Village staff would have the same information regarding the status of the project.

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Village Interim Manager Manley stated she may be unable to attend every field meeting with EGLE, and would like Peavey to serve as the Village representative during those meetings. Burmeister stated that Peavey has experience with soils and the project and could relay information back to the Village and Committee.

Peavey stated that he was willing to serve in that capacity. The Committee discussed the importance of documenting communications with EGLE and ensuring information obtained during meetings and site visits is shared with LIPOA, Village of Lake Isabella, and the committee.

Burmeister stated that future communications with EGLE would include Village staff, and that Peavey would be included in communications and field meetings related to dredging activities when appropriate so the Village would remain informed of project progress.

Discussion then turned to the distribution of the draft meeting minutes. Burmeister, Dauffenbach, and Buchanan stated they did not recall receiving them. Keelean stated that he had received the draft meeting minutes. Interim Village Manager Manley stated that the draft meeting minutes had been emailed to all Committee members, along with King, immediately following the May meeting. The Committee agreed that future communications should continue to be distributed to all Committee members and that all Committee members would check for and read minutes as they come.

Overall Project Discussion

The Committee discussed communication regarding the lake restoration project. It was agreed that future communications with EGLE would include Village staff so all parties receive the same information.

The Committee discussed having Peavey attend field meetings with EGLE when Village staff are unable to attend.

King reported that sediment samples had been collected and delivered to the laboratory for testing. The Committee discussed the testing process and anticipated timeline for receiving results.

Burmeister stated that he would like to wait until after the drawdown before submitting a new permit application for additional river restoration work so the Committee can better evaluate the conditions. Burmeister stated that the permit application would cost approximately **$1,200**, compared to previous permit applications that cost approximately **$500**.

The Committee requested additional information regarding the difference between a major permit and a minor permit.

Keelean discussed concerns regarding cattails in several sediment-filled areas of the lake. Keelean stated that the cattails should be identified to determine whether they are an invasive species.

The Committee discussed contacting the appropriate division within EGLE to determine the proper process for identifying and addressing invasive cattails. It was also discussed that the Village's aquatic vegetation contractor may be able to determine whether their permit allows treatment of invasive cattails.

Public Comments: None.

Next Meeting:

The Committee scheduled its next meeting for **July 28, 2026, at 4:00 p.m.**

The meeting adjourned at 4:46 p.m.

Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, MI 48893

Village Council
June 23, 2026
Regular Meeting Minutes

At 7:00 p.m., Village President Torgerson called the meeting to order. The Pledge of Allegiance was recited by those in attendance.

Members Present: Barringer, Cueny, Laraway, Shannon, & Torgerson
Members Excused: Lahti and Peavey

Meeting Agenda:

The agenda was approved.

Consent Agenda:

Laraway made a motion, seconded by Shannon, to approve the Consent Agenda as presented. Motion carried unanimously by voice vote.

YEAS: Barringer, Laraway, Shannon, Cueny, & Torgerson
NAYS: None
Motion Carried 5-0-0.

Village President's Report:

Village President Torgerson thanked the Planning Commission for all of their hard work. At their last meeting, they covered a lot of important topics, including the data center, House bills moving through the Senate, and other state-level issues that directly affect our community.

I appreciate the time and effort they continue to put into these matters. I also want to thank everyone who completed a committee packet. Your willingness to get involved and serve the community is greatly appreciated.

Village Manager's Report:

Interim Village Manager Manley summarized her written report included in the meeting packet.

Code enforcement activity was reviewed. Regarding 1023 Cordoba, the van remains on the property, and staff is reaching out to the property owner to discuss removal. The remainder of the property has been significantly cleaned up. Several additional notices have also been sent for various code enforcement matters. Staff is also working on issuing a ticket for a parcel that has had multiple issues in the past and appears to be accumulating more items in the yard rather than removing them.

Manley also reported that there have been several recent anonymous complaints regarding sheds on vacant lots. Because the complaints were anonymous, staff was unable to follow up directly with the complainants. It was noted that sheds are permitted on vacant lots as long as they comply with the rules and regulations set forth in the Village ordinances. Information was posted

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on the Village Facebook page in an effort to clarify the matter. The two sheds that were the subject of complaints were reviewed and found to be in compliance, with zoning permits issued.

Zoning activity has slowed down, with one new home permit submitted last month. Council was also provided with statistics regarding Mount Pleasant City Police Department activity within the community.

Manley reported that the Village has hired Jonathan Davis as a part-time DPW Assistant. His experience and personality are expected to be a good fit for the Village and the community. It was noted that he has experience in municipal work, factory work, government work, and military work, and that he lives nearby.

The County Treasurer position remains open. The County has received two applications but has not yet conducted interviews.

The airport lease has not yet been finalized. However, the Airport Association has paid the Village $1,800 for the insurance policy as a good-faith payment while lease language continues to be finalized.

Manley reported that, although the packet listed fireworks revenue at approximately $3,956, the Village has collected $4,800 to date.

The next Lake Committee meeting is scheduled for June 30 at 4:00 p.m.

A Planning Commission meeting will be added next month to address several public hearings.

The Village received its insurance asset distribution from MMRMA in the amount of $1,828. This is approximately $330 more than last year. It was noted that, in years when the Village does not have a claim, the amount should continue to increase.

Manley also discussed Senate Bill 985, which is currently in committee. The bill would place a two-year pause on certain municipal residential zoning controls. If passed, it could impact the Village's ability to enforce requirements such as setbacks, size requirements, and residential zoning limitations, including multifamily housing placement. It was noted that the bill is not currently expected to move forward, but if it advances out of committee, the Village may want to consider sending a formal letter of opposition. The Michigan Municipal League is opposed to the bill.

LIPOA Report:

No Report

Public Hearings: None

Public Comments: None

Existing Business:

1. Fireworks Committee Creation:

   Manley reviewed the creation of a Fireworks Committee, noting that Council had previously discussed establishing a committee to assist with the future of the Village fireworks program. Council discussed the desired size of the committee and eligibility requirements for members.

   Council discussed whether committee members should be required to reside in the Village or whether property ownership should be sufficient. It was noted that the committee would be an advisory committee to the Village Council and that the goal was to encourage community involvement. Council agreed that committee members should be property owners within the Village.

   Council discussed the number of members to appoint and agreed to establish a nine-member committee, as nine applications had been received.

   A motion was made by Torgerson and supported by Laraway to formally establish the Village of Lake Isabella Fireworks Committee as a nine-member advisory committee to the Village Council for the purpose of researching, evaluating, and providing recommendations regarding the future of the Village fireworks program. Committee members must own property within the Village. The motion also included appointing the applicants presented to the committee, with terms ending June 30, 2027.

   VOICE VOTE: MOTION CARRIED 5-0-0.

2. Committee Appointments:

   President Torgerson stated that there were several committee appointments to consider. He recommended appointing the following if there were no objections from Council; the following appointments were made:

   • Erin Williams was appointed to a three-year term on the Board of Ethics, ending June 30, 2029, or until a successor is appointed.

   • Tim Wolff was appointed to a three-year term on the Board of Ethics, ending June 30, 2029, or until a successor is appointed.

   • Jason Benzinger was appointed to a three-year term on the Planning Commission, ending June 30, 2029, or until a successor is appointed.

   • Jeff Grey was appointed to a three-year term on the Planning Commission, ending June 30, 2029, or until a successor is appointed.

   • Greg Balcom was appointed to a three-year term on the Zoning Board of Appeals, ending June 30, 2029, or until a successor is appointed.

• Melanie Boyd was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Jeff Grey was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Shannon Kozinski was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Krista Claybaugh was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Farzad Tafreshi was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Sue Hahn was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Kristi Fuller was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Ryan Nyer was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

• Yvonne Nyer was appointed to a one-year term on the Fireworks Committee, ending June 30, 2027, or until a successor is appointed.

There were no objections from Council, and the appointments were made.

3. Cityhood

Manley reported that the Village continues to move forward with Phase One of the cityhood process, which is signature collection. To date, 89 signatures have been collected. She noted that an additional petition count had not yet been confirmed, though it was believed to include approximately 10 additional signatures.

Manley stated that the signature collection process is progressing well and that several petition circulators have indicated they still have residents they are attempting to contact. She stated that she believes the Village could meet or exceed the 100-signature requirement by the end of July.

It was clarified that the signature collection is only the first step in the cityhood process and does not commit the Village to pursuing cityhood. Rather, it allows the Village the opportunity to continue discussions and potentially place the matter on a future ballot if Council chooses to do so.

Council discussed the importance of completing this step before the deadline, noting that if the Village does not proceed within the current timeframe, it may not be able to revisit the issue until 2040. It was also noted that, due to density requirements and the size of the lake within the Village, the Village may not meet future eligibility requirements without a significant population increase.

4. 2026-2027 Isabella County Sheriff Contract

Manley reported that, at the previous meeting, Council requested that she follow up with the Isabella County Sheriff's Department regarding the possibility of a six-month contract. She stated that, after discussion with the Sheriff, it was determined that a six-month contract would not be fiscally responsible for budgeting and staffing purposes.

Manley reported that the proposed contract remained a one-year agreement. She noted that if the public safety millage vote fails after the one-year term, the Village would need to end the contract with the County in accordance with the will of the voters. The proposed contract was updated to include a 60-day notice requirement for early termination, with or without cause, and additional language was cleaned up.

Manley stated that notice had been provided to the Mount Pleasant City Police Department and that its agreement with the Village will end on June 30. She also reported that the Village has recently experienced an increase in issues involving vandalism and speeding. Manley recommended that Council move forward with the one-year contract with Isabella County.

Sheriff Main, speaking on behalf of the Isabella County Sheriff's Department, addressed Council regarding the proposed contract. He stated that the Sheriff's Department does not enter into these contracts to make a profit, but rather to provide a service and break even. He explained that any future cost increases would be limited to items such as cost-of-living adjustments or contractual wage increases for deputies.

Sheriff Main also discussed scheduling and stated that while he would not recommend publicly posting the deputy's schedule, the Department could share scheduling information internally with Village staff. He explained that the schedule would likely rotate based on call history, service needs, and higher-activity days. He also noted that scheduling software may allow the Village to have some level of access to the deputy's schedule.

Sheriff Main stated that the assigned deputy would check in with Village staff when working in the community and that the Village's radio through Seven Comm could be used for direct communication. He also discussed the possibility of the deputy using a small workspace at the Village office for reports and community interaction. He indicated that the Department would work with the Village to determine which meetings the deputy should attend, such as Public Safety Committee meetings or other relevant meetings.

Sheriff Main stated that the Department has a candidate in mind for the position who has significant law enforcement experience, including prior experience as an undersheriff in another county. He described the candidate as experienced, personable, and a good fit for the Village's needs.

Councilmember Laraway asked questions regarding communication, scheduling, and enforcement expectations. He stated that while he did not want an overly aggressive approach, he wanted to see meaningful enforcement for speeding, stop sign violations, and other public safety concerns. Sheriff Main stated that the Department has the ability to track warnings and prior stops through its system and that repeated or blatant violations would be addressed appropriately, including through citations when warranted.

Council also discussed how residents should report concerns, including animal control complaints and other public safety issues. Sheriff Main discussed the Isabella County Sheriff's Department mobile app, which allows residents to access information, contact the Department, submit tips, file certain reports online, and receive push notifications. He stated that the app will also be used for press releases and accurate public information. Manley noted that the Sheriff had provided the QR code and that staff was working on adding the information to the Village website.

Sheriff Main stated that he appreciated the opportunity to clarify questions and invited Councilmembers or members of the community to contact him directly if they would like to discuss concerns or receive accurate information regarding the Sheriff's Department.

Council expressed appreciation for the work of law enforcement. Sheriff Main stated that he would review the contract language and provide any final clarification or corrections as needed.

Shannon made a motion, seconded by Barringer to amend the previously approved Isabella County Sheriff's Office Law Enforcement Agreement to authorize a contract term from July 1, 2026 through June 30, 2027, and direct staff to execute the agreement as presented. Further, direct staff to communicate that if the November 2026 public safety millage proposal is unsuccessful, the Village Council will evaluate the continuation of dedicated contracted law enforcement services beyond June 30, 2027 during the 2027-28 budget process.

Motion carried unanimously by ROLL CALL VOTE.

YEAS: Laraway, Shannon, Barringer, Cueny, & Torgerson
NAYS: None

Motion Carried 5-0-0.

5. Wood Chipper Discussion

Manley reported that, following last month's meeting, she contacted several wood chipper rental companies to obtain pricing information. She also reviewed the Village's tree-cutting bills from the past ten years to provide Council with information regarding annual costs. She noted that, based on discussion with the most recent tree service provider, approximately half of the bill was related to wood chipping and removal.

Manley reported that Peavey had brought over a Bandit wood chipper for Village use and that the DPW crew have both been using it. She stated that the chipper has been working very well and that, while the Village is able to utilize the Bandit wood chipper at no cost, staff recommends delaying further discussion on purchasing a wood chipper.

Manley stated that Peavey has been very helpful in working with Bandit and exploring possible equipment options, including access to a mulcher. She noted that Bandit was not interested in hosting a demonstration day at this time, but Peavey is continuing to look into other options.

DPW Supervisor Johnson stated that the wood chipper has been working very well and has significantly reduced the number of trips needed to dispose of brush. He noted that material from the nearby field was chipped quickly and efficiently.

Council discussed the current brush and wood chip piles. DPW Supervisor Johnson stated that the wood chips are being stored separately from the brush pile. Council asked whether residents may take wood chips from the pile. Staff stated that residents have been allowed to take wood chips when they ask and that there is no limit on the amount available. DPW Supervisor Johnson stated that, when available, he is willing to assist residents with loading wood chips.

Council discussed whether the availability of wood chips should be advertised. Manley stated that the Village has informed residents in the past when asked, but has not formally advertised the availability of the chips.

Council agreed to continue utilizing the available Bandit wood chipper for the time being and to delay further discussion regarding the purchase of a wood chipper until a later date.

6. Brush Pile Discussion

Manley reported that, for many years, the Village brush pile has provided residents and DPW staff with a location to dispose of brush, trees, and limbs. She stated that the brush pile has been beneficial to the community; however, the volume of material that has accumulated has reached a point where long-term management has become increasingly difficult.

Manley stated that she had previously spoken with the Nottawa-Sherman Fire Department regarding the possibility of assisting with the brush pile. She noted that she would follow up

with the Fire Chief to determine whether the department has enough volunteers available or whether assistance from another fire department may be needed. She also stated that staff could look into renting a large-scale grinder or mulcher from one of the rental companies that provides wood chippers.

Manley reported that the brush pile may need to be temporarily restricted or closed until the Village can get it back under control. She noted that the Village also has debris that needs to be disposed of and that continued unrestricted use could create additional issues. She explained that the brush pile has become a fire hazard due to the amount and depth of accumulated material.

Council discussed possible options, including continuing to work with the Nottawa-Sherman Fire Department, asking another fire department for assistance if needed, exploring large-scale grinding or mulching options, and temporarily restricting access to the brush pile. Council expressed support for pursuing a combination of these options.

Council discussed whether the brush pile should be closed completely or whether access should be restricted. It was agreed that the gate should be locked and that use of the brush pile should be limited to times when Village staff is available to provide access. Staff noted that this would help reduce unauthorized dumping and allow the Village to better manage the amount of material being added.

Council also discussed the importance of communicating the restrictions to residents. It was agreed that information should be posted on the Village website and shared with residents explaining that the brush pile is being restricted because it is nearing capacity, that the Village is working on a solution, and that access will be available only during Village business hours when staff is present.

Manley stated that she would follow up with the Nottawa-Sherman Fire Department, determine whether assistance from another fire department may be an option, look into mulcher or grinder rental options, and bring additional information back to Council at the next meeting.

Council agreed to move forward with restricted access to the brush pile while staff continues to pursue possible solutions.

7. <u>Resolution 2026-11 Approve and Certify a Public Safety Millage</u>
   Manley reported that the ballot language approved by Council at the previous meeting was sent to the Village Attorney for review. The attorney's office completed its review, and Council was provided with the recommended revised language along with Resolution 2026-11.

   Council discussed the resolution. It was noted that, based on the Council's prior action to move forward with the public safety contract, approval of the resolution was appropriate.

A motion was made by Cueny and seconded by Barringer to adopt Resolution 2026-11 approving and certifying the Village of Lake Isabella Public Safety Millage Proposal and directing the Village Clerk to submit the certified resolution and ballot language to the Isabella County Clerk for placement on the November 3, 2026 election ballot.

Motion carried unanimously by ROLL CALL VOTE.
YEAS: Shannon, Barringer, Cueny, Laraway, & Torgerson
NAYS: None
Motion Carried 5-0-0.

New Business:

1. Resolution 2026-12 2025-2026 Budget Amendments

   Councilmember Laraway reported that the Finance Committee met prior to the Council meeting to review and recommend amendments to the 2025-2026 budget.

   The proposed amendments included increasing the Legal Administration line item by $1,000, for a final budget of $2,500; increasing Taxes and Fees for Building and Grounds by $85, for a final budget of $655; and increasing the Major Street Fund due to Act 51 funding by $2,000, for a final budget of $268,000, as well as, all other amendments that were already included in the council packet.

   Councilmember Laraway stated that the Finance Committee recommended Council approve the amended budget.

   A motion was made by Torgerson and seconded by Barringer to approve Resolution 2026-12, adopting the 2025-2026 budget amendments as presented.

   Motion carried unanimously by ROLL CALL VOTE.
   YEAS: Shannon, Barringer, Cueny, Laraway, & Torgerson
   NAYS: None
   Motion Carried 5-0-0.

2. Foreclosed Properties

   Manley reported that Isabella County provided the Village with three foreclosed properties for consideration: 1016 Cordoba, 1029 Cordoba, and 1102 Lincoln Drive. She stated that Council needed to determine whether the Village wished to accept any of the properties or decline them.

   Manley noted that if the Village accepted 1016 Cordoba or 1029 Cordoba, the Village would be responsible for the quarterly water availability fees, which have increased to $80 per quarter. She stated that if Council chose to accept any of the properties, staff would want to return them to the tax roll as quickly as possible.

Council discussed the condition and potential use of the properties. It was noted that 1102 Lincoln Drive is heavily wooded and may not be desirable for development. Council also discussed 1016 Cordova and 1029 Cordoba, including whether either property may be marketable or useful to the Village.

Council discussed the Village's past position regarding foreclosed properties and noted that, in recent years, Council has generally preferred not to acquire properties unless they serve a specific Village purpose, align with the Master Plan, or assist with a particular Village goal. It was also noted that the Village has previously acquired properties in limited circumstances, such as when they could be used for property exchanges to allow buildable lots.

After discussion, Council reached consensus that the Village should not accept the foreclosed properties, as acquiring and reselling them does not fit the Village's current goals.

Council directed Manley to decline the offered foreclosed properties and allow them to return to the County.

Public Comments:

- Gina Holcomb, 1023 Pyrenees Dr, stated that she and her household have only lived in the Village for a little over a year and were not familiar with the location of the wood chip or brush pile. She suggested that the Village post information on social media regarding the availability and location of the wood chips so residents are aware they may take them.

  Holcomb also asked about the timeline for the cityhood petition process and when public hearings or public discussion would occur.

  It was explained that the current petition process is only the first step and would allow the Village to move to the next phase of review. It was further explained that the matter would not appear on the November 2026 ballot, that the process may take approximately two years, and that the final decision would be voted on by registered voters in the Village of Lake Isabella.

- Jeff Grey, Pequena Drive, commented on the brush pile and suggested that Council consider implementing a recurring winter burn process to help prevent the brush pile from becoming as large as it currently is.

  Council and staff discussed that any burning would need to involve the fire department and that the current pile is too large and deep to burn safely without additional equipment or preparation. Mr. Grey also suggested that a sign be posted regarding the availability of free wood chips.

- Tim Wolff, Bundy Drive, stated that the Village website includes information regarding the wood chip pile under the Services section on the Recycling and Brush page. He noted that the wood chips are available to community members at no cost, that residents may call the

Village office if assistance loading is needed, and that the pile is located past the salt barn adjacent to the brush pile.

- Penny Vermurlen, 1002 El Camino Grande, stated that she supported increasing law enforcement services through the Sheriff's contract and emphasized the importance of certifying the public safety millage.

  She also expressed concern regarding the brush pile and the potential fire risk it may pose to Village property, including the DPW building and equipment.

  Discussion followed regarding the need for a dozer or other equipment to separate or thin the pile before it could be safely burned or otherwise managed.

- Sharon Pike, 1032 Barcelona Drive, raised concerns regarding Toriodor Park, which is owned by the Lake Isabella Property Owners Association. She stated that trees had been cut down, piles of wood and debris remained, the grass was very tall, and individuals were operating four-wheelers in the area.

  Council explained that the Village does not own or control the park and that concerns regarding the park should be directed to the LIPOA Board. Pike stated that she had contacted LIPOA and expressed concern that services were not being provided.

- Mike Holcomb, 1023 Pyrenees Dr, asked questions regarding the cityhood process and whether the Master Plan could be changed without a vote of the residents.

  It was explained that the Master Plan process would be the same whether the community remains a village or becomes a city. Mr. Wolff (previous village manager) explained that, under Michigan law, the Master Plan process begins at the Planning Commission level, requires a public hearing, and is not subject to a community-wide vote.

  He further explained that the Planning Commission is generally the body with authority to adopt or amend the Master Plan, unless the legislative body has reserved that authority. Mr. Holcomb thanked Council for the clarification.

- Gina Holcomb, 1023 Pyrenees Dr, asked additional questions regarding LIPOA's authority over the lake, including matters such as dredging, swimmer's itch, geese, and lake-related concerns.

  Council and staff explained that the Village and LIPOA have separate responsibilities, with the Village generally responsible for public municipal matters such as roads and public infrastructure, while LIPOA controls its parks and certain lake-related matters.

It was also explained that the State of Michigan has authority over public waters and that the Village cannot use public funds or authority to control private property or private association matters.

Residents were encouraged to bring concerns to the LIPOA Board and attend its meetings.

Mrs. Holcomb also asked about the airport lease. Council explained that the Village has requested that the Airport Association take over operation of the airport through a lease agreement.

Council Comments: None

Announcements: Lake Restoration Committee Meeting June 30, 2026 4pm

Planning Commission Meeting July 14, 2026 7pm

Adjournment: 8:15 p.m.

Approved:

Carol Shannon, Village Clerk

David K. Torgerson, Village President

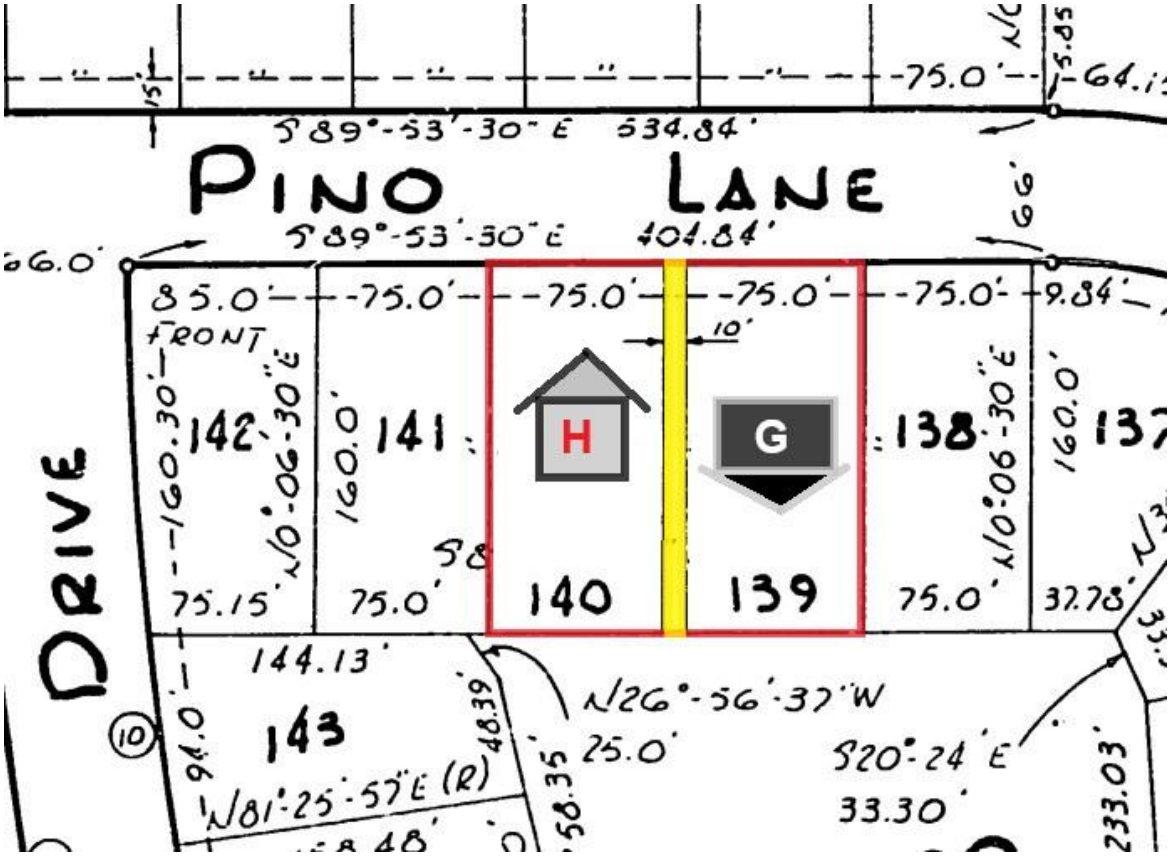
Village of Lake Isabella

PLANNING COMMISSION MEETING
JULY 14, 2026

EXISTING BUSINESS #1

Park Access Strip Ordinance

Attached is the ordinance addressing the issue that was discussed at the February meeting. It allows platted lots which are separated by a platted access strip for a private park, outlot, or common area to be considered as a single site for zoning. This would allow a home to be built on one lot and an accessory structure on the lot on the opposite side of the access strip. This is illustrated below. Please note that the wording of the proposed draft still requires both structures to meet the required setback from the park access strip, and in no way is it intended to transfer ownership over that narrow strip of land to the lot owner. It simply states that, for zoning purposes, we don't view this as two separate sites for development. Also note that there is now a clause on the Village's deed restrictions that adds an acknowledgment of no ownership of the strip, and the LIPOA retains full and complete control over it.



Village of Lake Isabella
Planning Commission
Park Entrance Adjacent Lots and Data Center Regulations
Public Hearing Notice

Public notice is hereby given that the Planning Commission of the Village of Lake Isabella will hold two public hearings as part of a regular meeting on **July 14, 2026** beginning 7:00 P.M. local time. The hearings will be held at the Lake Isabella Village Hall, 1010 Clubhouse Drive, Lake Isabella, MI 48893. Public hearings are being held on the following proposed ordinances:

- **Ordinance 2026-03** – Park Entrance Adjacent Lots. This ordinance amends the Village Zoning Ordinance to allow, under specified conditions, two legally platted lots under common ownership that are separated only by a narrow park entrance access strip to be treated as a single site for zoning purposes. The amendment establishes standards requiring permanent deed restrictions, continued compliance with all zoning requirements, and preservation of park access while allowing reasonable residential development and accessory structures.
- **Ordinance 2026-04** – Data Center Regulations. This ordinance amends the Village Zoning Ordinance by establishing definitions, zoning district limitations, site development standards, utility and infrastructure requirements, environmental protections, noise and lighting standards, and decommissioning requirements for Data Centers. The ordinance permits only small-scale data centers as a Special Land Use in the Industrial District and prohibits large-scale or hyperscale data centers throughout the Village.

Information may be obtained, and draft copies of the proposed ordinances may be obtained at the Village Hall at the above address between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Written comments can be submitted ahead of the public hearing to the Village Manager at the address above or by email at jessica@lakeisabellami.org

Carol Shannon
Village Clerk
Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, MI 48893
989.644.8654

Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, MI 48893

PROPOSED ORDINANCE 2026-03
PARK ENTRANCE ADJACENT LOTS

The Village of Lake Isabella hereby ordains:

Section 1: Purpose

The purpose of this ordinance amendment is to clarify and establish standards under which two (2) legally platted lots that are separated only by a narrow park entrance strip—typically a linear access corridor located along or near side lot lines and generally between ten (10) and twenty-five (25) feet in width—may be treated as a single site for zoning and development review purposes. This amendment is intended to address legacy plat configurations that can unintentionally limit reasonable residential use and accessory building placement, while preserving the intended function of park access strips and protecting adjacent properties. By allowing, subject to defined conditions, a principal dwelling to be located on one lot and accessory buildings to be located on the companion lot across the park entrance strip, the ordinance promotes consistent, practical site development, reduces unnecessary variance requests, and ensures that setbacks, lot coverage, access, and safety requirements are applied in a clear and predictable manner.

Section 2: 1218.8 (A.2.c) Created

A new subsection 1218.8(A.2.c) is hereby created and shall read as follows:

c) *Two (2) platted lots under common ownership that are separated only by a platted access strip not exceeding an average width twenty-five (25) feet, that provides an access point to a public right-of-way for a private park, outlot, or common area, may be treated as a single parcel (or single site) for zoning purposes, including for the placement and construction of accessory structures. The placement of all structures shall comply with all zoning requirements, including setbacks from the park access strip. This allowance shall apply only if the lots are permanently linked by a recorded deed restriction, in a form approved by the Village, that identifies the Village of Lake Isabella as a party with enforcement rights and prohibits the separate conveyance, transfer, or other decoupling of the lots in the future.*

Section 3: Severability

In the event that any section or sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

DRAFT

Section 4: Ordinances Repealed

All ordinances and/or parts of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

Section 5: Effective Date

This Ordinance shall take effect and be in force upon the expiration of 7 days after the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

###

We, the undersigned President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2026-03 "**Park Entrance Adjacent Lots**" of the Village of Lake Isabella, was adopted in the following manner with at least seven days elapsing between the publication of the public hearing for the Ordinance and the enactment by the Village Council at a regular or special meeting of the Lake Isabella Council, offered by councilmember Shannon, and seconded by councilmember _____. Initially introduced by Councilmember _____.

Planning Commission Public Hearing	
Planning Commission Recommendation	
Village Council Introduction	
Village Council Public Hearing	
Village Council Enactment	

The vote to adopt this Ordinance was taken by roll call, with the "yeas" and "nays" recorded as such.

YEAS: _____
NAYS: _____
ABSTAIN: _____
ABSENT: _____

Dated at Lake Isabella, Michigan, this _____ day of _____, 2026.

_____ _____

Village Council President
David Torgerson

Village Clerk
Carol Shannon

DRAFT

Village of Lake Isabella

PLANNING COMMISSION MEETING
JULY 14, 2026

EXISTING BUSINESS #2

Date Center Ordinance

The purpose of Proposed Ordinance 2026-04 is to establish local zoning regulations governing Data Centers within the Village of Lake Isabella, as the Village currently lacks specific regulations to address them. Without local regulations, many forms of Data Center development could potentially be reviewed under broader industrial or commercial categories not specifically designed to address the unique infrastructure, environmental, utility, and compatibility issues associated with such facilities.

The ordinance reflects concerns regarding electrical demand, groundwater and water usage impacts, noise generated by cooling systems and generators, visual impacts, emergency response considerations, and long-term infrastructure strain on small municipalities.

The following were some points that were considered when drafting this ordinance:

- What defines Data Centers and associated accessory uses;
- What districts should small data centers be allowed in;
- Out right prohibits large-scale or hyperscale Data Centers within the Village;
- What setbacks, height restrictions, landscaping, and screening standards we would like in Lake Isabella;
- What utilities were required, capacity verification, and infrastructure review;
- Touches on noise and lighting limitations;
- Protection of wetlands, shoreline areas, and groundwater resources;
- Required emergency response planning and environmental safeguards;
- Authorized decommissioning requirements and financial guarantees where appropriate.

RECOMMENDED ACTION

Suggested Motion:

Motion to recommend Ordinance 2026-04 to the Village Council for adoption.

Village of Lake Isabella
Planning Commission
Park Entrance Adjacent Lots and Data Center Regulations
Public Hearing Notice

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Information may be obtained, and draft copies of the proposed ordinances may be obtained at the Village Hall at the above address between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Written comments can be submitted ahead of the public hearing to the Village Manager at the address above or by email at jessica@lakeisabellami.org

Carol Shannon
Village Clerk
Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, MI 48893
989.644.8654

Village of Lake Isabella
PROPOSED ORDINANCE 2026-04
DATA CENTER REGULATIONS

The Village of Lake Isabella hereby ordains:

SECTION 1: PURPOSE AND INTENT

The purpose of this Ordinance is to amend the Zoning Ordinance of the Village of Lake Isabella to establish definitions, standards, limitations, and procedures related to Data Centers and associated infrastructure.

The Village Council finds that Data Centers represent a unique and emerging land use that can create substantial impacts upon electrical infrastructure, water usage, groundwater protection, noise levels, emergency services, aesthetics, public safety, and the overall character of the Village.

The intent of this Ordinance is to protect the public health, safety, and welfare; preserve the residential, recreational, and small-community character of the Village; protect Lake Isabella and surrounding groundwater resources; ensure that public infrastructure and utilities are not overburdened; establish clear and predictable standards regarding Data Center development; allow limited small-scale data infrastructure only where compatible with surrounding land uses and existing infrastructure; and prevent large-scale or hyperscale data center development incompatible with the Village's Master Plan and infrastructure capabilities.

SECTION 2: DEFINITIONS

Data Center: A building, structure, campus, or portion thereof primarily used to house computer systems, servers, telecommunications equipment, networking infrastructure, data storage systems, cloud computing infrastructure, cryptocurrency mining equipment, blockchain processing equipment, artificial intelligence processing systems, or associated mechanical and electrical infrastructure for the processing, storage, transmission, or management of digital information.

Small-Scale Data Center: A Data Center containing ten thousand (10,000) square feet or less of gross floor area.

Large-Scale or Hyperscale Data Center: Any Data Center exceeding ten thousand

(10,000) square feet of gross floor area or any campus designed for phased expansion beyond ten thousand (10,000) square feet.

SECTION 3: ZONING DISTRICTS AND USE APPROVAL

Small-Scale Data Centers may be permitted only as a Special Land Use within the Industrial District subject to Planning Commission review and compliance with all applicable provisions of the Zoning Ordinance.

Data Centers are prohibited in all Residential, Commercial, Mixed-Use, Agricultural, and shoreline-related zoning districts.

Large-Scale or Hyperscale Data Centers are prohibited in all zoning districts within the Village of Lake Isabella.

No applicant shall avoid the requirements or prohibitions of this Ordinance through phased development, multiple parcels, campus-style development, affiliated ownership structures, or segmentation of buildings.

SECTION 4: SITE DEVELOPMENT STANDARDS

Minimum lot size shall be five (5) acres.

Minimum setbacks shall be seventy-five (75) feet from front and rear property lines and fifty (50) feet from side property lines, with an additional fifty (50) foot buffer when adjacent to residential zoning or sensitive receptors.

Maximum building height shall be thirty-five (35) feet.

Mechanical, cooling, generator, and electrical equipment shall be fully screened from public view and designed to minimize visual impacts.

SECTION 5: UTILITIES AND INFRASTRUCTURE

Applicants shall demonstrate through engineering studies and utility provider documentation that electric, water, sewer, broadband, and emergency infrastructure can adequately serve the proposed use without upgrades at public expense.

Water-intensive cooling systems are strongly discouraged.

Backup generators shall comply with all applicable EPA, EGLE, and state regulations and shall be tested only during daytime hours except during emergencies.

SECTION 6: NOISE, LIGHTING, AND SCREENING

Noise generated by a Data Center or associated equipment shall not exceed fifty-five (55) dBA at any property line and forty-five (45) dBA at residential property lines.

Exterior lighting shall utilize full cutoff fixtures and be downward directed to minimize glare and spillover.

A landscaped buffer at least thirty (30) feet in width shall be required adjacent to residential zoning districts or sensitive receptors.

SECTION 7: ENVIRONMENTAL PROTECTION

Data Centers shall not be located within floodplains, wetlands, shoreline setback areas, or environmentally sensitive areas.

No discharge of heated water, process water, industrial wastewater, or cooling water into Lake Isabella, tributaries, wetlands, or groundwater shall be permitted.

A stormwater management plan prepared by a licensed engineer shall be required.

SECTION 8: DECOMMISSIONING

Applicants shall provide a decommissioning plan outlining removal of equipment, disposal of hazardous materials, and site restoration procedures.

The Village may require a financial guarantee sufficient to cover decommissioning and restoration costs.

SECTION 9: SEVERABILITY

In the event that any section or sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or enforceability of the remaining sections, provisions, phrases, or words of this Ordinance.

SECTION 10: ORDINANCES REPEALED

All ordinances and/or parts of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 11: EFFECTIVE DATE

This Ordinance shall take effect and be in force upon the expiration of seven (7) days after the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella.

6/9/26

To:

Village of Lake Isabella Michigan-Planning Commission

&

Village of Lake Isabella Michigan- Council

RE: Proposed Ordinance 2026-4 DATA CENTER ORDINANCES
Resident questions / comments submission

1) Why is Lake Isabella rushing a regulatory framework instead of proposing a local moratorium to match Lansing's Senate Bills 1018–1020 Statewide moratorium, which was set forth by Senator Jim Runestad on June 4, 2026.

By writing regulations on size and decibels, aren't we handing corporate lawyers a road map to exploit our small budget—just like what happened in Saline Township, where community 'No' votes were completely overridden by developer lawsuits? Are we possibly only making a target on our back and does the village have the funds to fight corporate lawyers? Small cities and villages who are adding specific zoning ordinances thinking they will detour Data Centers are only cracking the door open to them.

2) Will micro data center target the 60+ UN-buildable lots on W. Drew Road (21.12 acres) or the Cal Brewer Airport (34 acres)? Will the Isabella Land Bank and Brownfield authorities/resolutions, (recently passed) allow the village to bypass residential zoning constraints, or will a transparent public rezoning hearing be legally required? Is the village counsel or planning commission on rezoning? Will these resolutions make the current undecidable lots on Drew Road more desirable to developers, since now the village has the ability to assist in making them build-able. Is the village able to rezone in these areas without a public vote? The current proposed ordinance , (Section 1) states "allow limited small scale infrastructure" and "prevent large scale or hyper scale data centers". Clearly the properties on Drew Road (21.12 acres) fall within the small scale Data Center parameters, listed in Section 2, dignified as "containing 10,000 ft or less of gross floor space.. Also, how many small scale data centers, (micro data centers) could be placed on this property if we look to Section 4 that states " only a lot size of five (5) acres" as the site development standard. . How many small sized (micro data centers) could be allowed on the drew property? The proposal states "large scale Data centers are prohibited, in all residential, commercial , mixed use, agricultural and shoreline zoning districts." Does the village consider the Cal Brewer Airport as part of the village?

3) Because these Drew Road lots are directly abut North-side of Lake Isabella, property owners sit less than 2 miles across open water from South-side owners, this ordinance must mandate continuous decibel tracking to prevent 24/7 cooling fan whine. The current data being collected by opposition to Data Centers is that they need to be placed no closer than 3 miles from residents. The current proposal lists the allowable decibel rate, however, what about the unheard hum of these facilities that are causing cause for concern, nationwide?

4) Does the village understand if we put in any sort of Date Center we would be sacrificing community character for an automated facility that only creates 2 to 5 permanent jobs?

5) Should we demand iron clad, written protections guaranteeing that massive data cooling systems will not drop residential property values? That they won't reduce our water pressure?

6) Section 8 states, ""The village may require a financial guarantee sufficient to cover decommisioning and restoration costs". Should we not demand that our tax dollars are not be spent for this purpose? Has the commission considered the huge amount of funds that would be needed if a corporation choose to override the public's vote and simply move forward legally. Currently corporations are using many legal loopholes to over rule council and community no votes all across our country.

In summary, we are asking this Commission to prioritize the long-term safety, property values, and peaceful environment of Lake Isabella's families over corporate tech interests. **We believe that the proposed Village ordinance regarding Data Centers should simply state, "NO DATA CENTERS" verse the proposed 2026-4 proposal.**

We request that all future village notices posted on the Villages Facebook postings explicitly link live Zoom and YouTube streams, so residents are never left in the dark about upcoming public hearings.

Thank you for your time, your service to our village, and for ensuring these critical questions are formally addressed on the public record tonight or at the Public Meeting yet to be scheduled.
Regards,

Mike and Gina Holcomb
1023 Pyrenees Dr
Lake Isabella, Mich 48893

cc: Michiganders Against Data Centers Facebook Group
https://www.facebook.com/groups/1370478521101998

Village of Lake Isabella

PLANNING COMMISSION MEETING
JULY 14, 2026

EXISTING BUSINESS #3

Housing Discussion

The purpose of this agenda item is to continue the Planning Commission's discussion regarding current and future housing needs within the Village of Lake Isabella and to begin evaluating whether existing zoning regulations adequately support the community's long-term housing goals.

This discussion is intended to implement the housing-related goals identified in the Village's adopted **2025 Master Plan** and **Housing Action Plan** while preserving the character of existing neighborhoods and protecting property values.

No ordinance amendments are being considered for adoption at this meeting.

No zoning map changes are being proposed.

The purpose of this discussion is to identify housing needs, review existing regulations, establish priorities, and provide direction to staff regarding future ordinance review.

Over the past several years, the Village has completed several planning initiatives designed to better understand housing demand and prepare for future residential growth.

These efforts include:

- Adoption of the 2025 Master Plan
- Adoption of the Housing Action Plan
- Residential Market Potential Analysis
- Missing Middle Housing Study
- Creation of the Brownfield Redevelopment Authority
- Participation with the Isabella County Land Bank
- Continued coordination with the Middle Michigan Development Corporation (MMDC)

Collectively, these planning efforts recognize that Lake Isabella is transitioning from a primarily seasonal community into an increasingly year-round residential community while continuing to preserve the qualities that make the Village unique.

At the June 9, 2026 Planning Commission meeting, Commissioners requested that staff:

- Prepare information regarding future housing opportunities.
- Review zoning regulations that may affect housing affordability.
- Develop a Housing & Zoning Review Plan.
- Invite MMDC to discuss regional housing initiatives.
- Continue housing discussions at future Planning Commission meetings.

Village of Lake Isabella Zoning Information

The Village of Lake Isabella is committed to responsible growth, protecting property values, and preserving the character of our community.

POTENTIAL HOUSING OPPORTUNITY AREAS

A — VILLAGE-OWNED LOTS (LAKE ISABELLA NORTH)

- Primary area for new neighborhood development of starter homes, cottage housing, and age-friendly homes.
- Large contiguous Village-owned lots provide an excellent opportunity for a planned residential community.
- Highest Priority

B — COLDWATER ROAD CORRIDOR (CB / NMU AREAS)

- Area to study duplexes, townhomes, live-work units, and mixed-use development near commercial services.
- Provides a transition between commercial and residential uses.
- High Priority

C — AIRPORT RESIDENTIAL DISTRICT (LR-1)

- Continue allowing single-family homes.
- Encourage smaller homes and age-friendly designs.
- No apartment or multifamily recommended.
- Moderate Priority

D — EXISTING LR-1 NEIGHBORHOODS (INTERIOR RESIDENTIAL AREAS)

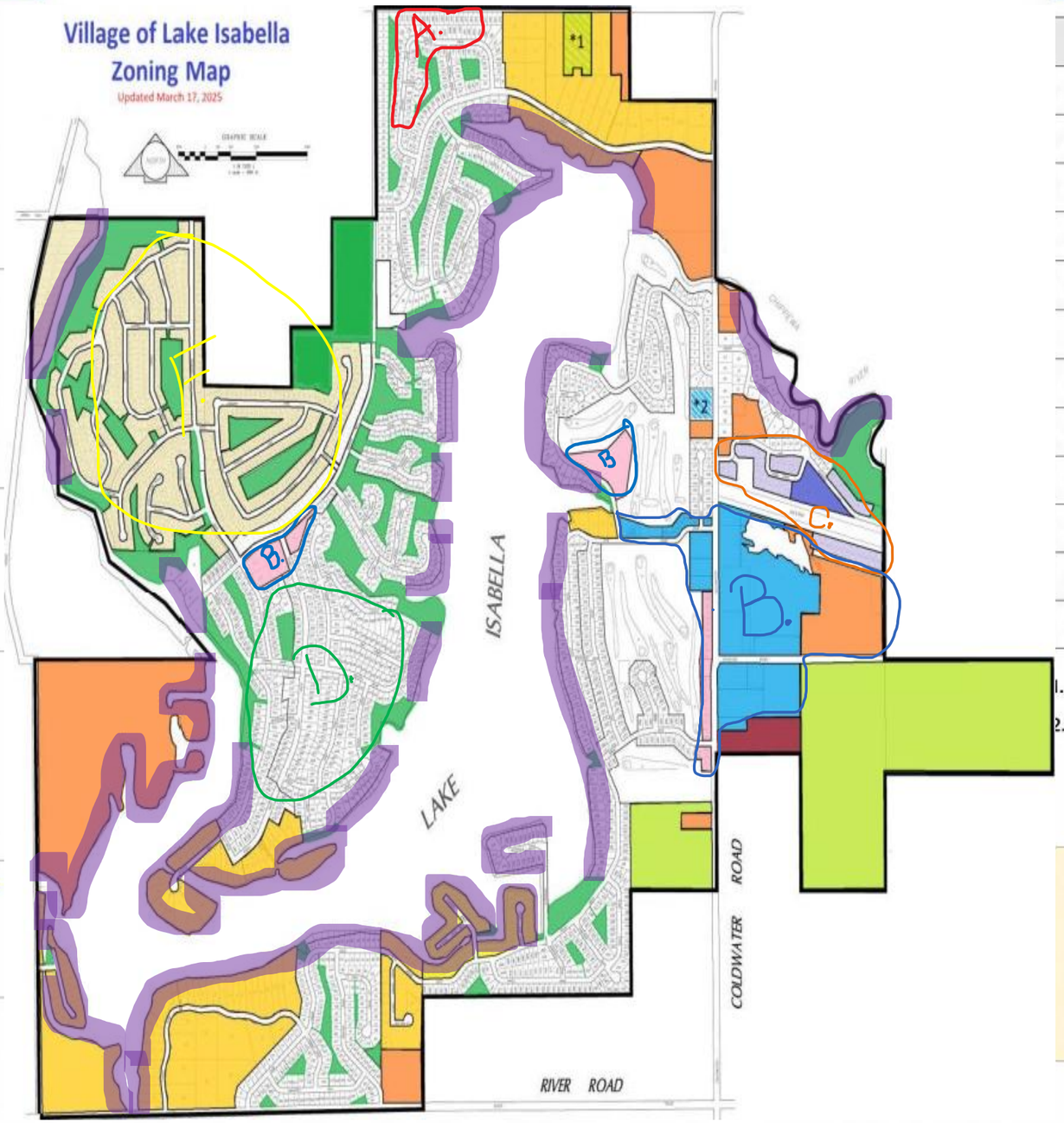
- No rezoning recommended.
- Consider ordinance flexibility (minimum home size, detached garages, breezeways, etc.) to help reduce construction costs.
- Very High Priority (Ordinance Review)

E — EXISTING WATERFRONT NEIGHBORHOODS

- Preserve existing character.
- No recommended changes to density, lot sizes, or setbacks.
- Preserve Existing Character

F — INFILL OPPORTUNITIES

- Encourage development on existing vacant lots and underutilized parcels.
- Support with streamlined permitting and pre-approved house plans.
- High Priority



CONCEPTUAL ZONING DISTRICT KEY

Conceptual Zoning District	Zoning Map Color
Lake Residential - 1	
Lake Residential - 2	
Lake Residential - 3	
Lake Residential - 4	
Lake Residential - 5	
Airport Residential	
Coldwater Business (CB)	
Airport Commercial (AC)	
Neighborhood Mixed-Use (NMU)	
Agricultural (AG)	
Research & Light Industry (RLI)	
Open Space Recreation (OSR)	

1. This property has been conditionally rezoned to Agriculture.
2. This property has been conditionally rezoned to Coldwater Business.

IMPORTANT NOTE

These areas represent potential opportunities for housing types based on location, infrastructure, and compatibility. Any future zoning changes would require separate public hearings and Village Council approval.

Source: Village of Lake Isabella Zoning Map (Updated March 17, 2025)

Topic	Current Ordinance	Issue	Recommendation	Priority
Minimum House Size	1200 sf LR-1	Affordability	Reduce to 1000 sf	High
Attached Garage	Required	Increases costs	Allow detached	High
Breezeway	Limited	Creates unnecessary cost	Expand definition	High
Duplexes	Limited	Missing housing type	Identify districts	Medium
ADUs	Immediate family only	Limits flexibility	Consider expansion	Medium
Economy Homes	Defined	No implementation	Create standards	Medium
Senior Housing	Limited	Growing demand	Encourage	Medium
Cottage Housing	Not addressed	Missing option	Study	Low

Minimum Dwelling Size

Minimum dwelling size establishes the smallest house that may be constructed within a zoning district. The Village currently requires larger homes in certain residential districts. Reviewing these standards allows the Planning Commission to determine whether modest reductions could improve housing affordability while maintaining neighborhood character and property values.

Attached Garage Requirements

Current zoning regulations require garages to be attached to the primary dwelling in certain residential districts. This requirement can increase construction costs and reduce design flexibility, particularly on heavily wooded lots or irregularly shaped parcels. The Planning Commission is evaluating whether detached garages should also be permitted under appropriate standards.

Breezeway Definition

The Zoning Ordinance currently has a limited definition of what qualifies as an attached structure. Expanding the definition to recognize enclosed breezeways as an attachment between a house and garage may provide homeowners with additional design flexibility while still maintaining the appearance of an attached garage.

Duplex Housing

A duplex is a residential building containing two separate dwelling units. Duplexes can provide housing opportunities for first-time homebuyers, small families, retirees, and workforce housing while remaining compatible with surrounding neighborhoods when located in appropriate areas. The Planning Commission is evaluating whether certain locations within the Village may be suitable for this housing type.

Accessory Dwelling Units (ADUs)

An Accessory Dwelling Unit (ADU) is a smaller secondary dwelling located on the same property as a primary residence. Examples include garage apartments, backyard cottages, or attached living quarters. The Village currently limits ADUs primarily to immediate family members. The Planning Commission is considering whether additional flexibility could provide housing options for aging parents, adult children, caregivers, or long-term renters while maintaining neighborhood compatibility.

Economy Homes (Small Homes)

The Village's Zoning Ordinance already defines Economy Dwellings as homes between 400 and 800 square feet. These homes can provide affordable housing options for first-time homebuyers, retirees, or individuals seeking a smaller residence. Although defined in the ordinance, additional standards may be needed to determine where these homes should be permitted and under what conditions.

Senior and Aging-in-Place Housing

As Lake Isabella's population continues to age, many residents wish to remain in the community while living independently. Aging-in-place housing incorporates design features such as single-level living, wider doorways, accessible entrances, and barrier-free layouts that allow residents to remain in their homes longer without requiring assisted living facilities.

Cottage Housing

Cottage housing consists of small detached homes that are typically clustered around shared open space or common amenities. These developments often provide smaller, more affordable homes while preserving green space and maintaining an attractive neighborhood appearance. Cottage housing has become increasingly common in communities seeking additional housing options without large-scale apartment developments.

These housing topics are not intended to fundamentally change the character of Lake Isabella. Rather, they are being evaluated to determine whether modest updates to the Village's zoning regulations could:

- Expand housing opportunities for current and future residents.
- Improve affordability by reducing unnecessary construction costs.
- Encourage reinvestment in existing neighborhoods.
- Support young families, retirees, and workforce housing.
- Preserve the Village's residential character while responding to changing housing needs.
- Implement the recommendations contained in the Village's 2025 Master Plan and Housing Action Plan.

This review is intended to be incremental and deliberate. Any future ordinance amendments would be considered individually through the normal public hearing process, allowing residents and stakeholders the opportunity to provide input before any changes are adopted.

Housing Action Plan Implementation Matrix

The following matrix summarizes the recommendations in the Village's Housing Action Plan and identifies the current implementation status, recommended lead agencies, priorities, and suggested timelines.

Recommendation	Purpose	Current Status	Recommended Lead	Priority	Suggested Timeline
Develop Village-Owned Property	Encourage new single-family housing on Village-owned land in Lake Isabella North.	In Progress	Village Council / Planning Commission	High	1–3 Years
Development-Ready Property Inventory	Create inventory of vacant and redevelopment-ready properties.	Not Started	Staff	High	1 Year
Review Minimum Dwelling Size Requirements	Evaluate smaller homes on non-waterfront lots.	Under Review	Planning Commission	High	6–12 Months
Review Garage Requirements	Evaluate detached garages and breezeways.	Under Review	Planning Commission	High	6–12 Months
Evaluate ADUs	Study expansion of ADUs.	Future Discussion	Planning Commission	Medium	1–2 Years
Evaluate Duplex Housing	Identify appropriate locations.	Future Discussion	Planning Commission	Medium	1–3 Years
Encourage Aging-in-Place Housing	Promote accessible housing.	Future Discussion	Planning Commission	Medium	2 Years
Promote Infill Development	Encourage development of vacant lots.	Ongoing	Staff / Planning Commission	High	Ongoing
Builder & Developer Outreach	Market housing opportunities.	Not Started	Staff / MMDC	Medium	1 Year

Coordinate with MMDC	Identify funding and assistance.	In Progress	Staff	High	Ongoing
Annual Housing Report	Prepare annual housing report.	Not Started	Staff	Medium	Annually
Brownfield & Land Bank Partnerships	Continue redevelopment partnerships.	Ongoing	Village Council / Staff	Medium	Ongoing

Progress Key

Complete: Recommendation fully implemented.

In Progress: Work has begun.

Under Review: Planning Commission is evaluating.

Not Started: Recommendation not initiated.

Future Discussion: Reserved for future review.

Ongoing: Continuing activity.

2026–2027 Planning Commission Priorities

High Priority

- Minimum dwelling size review
- Garage and breezeway review
- Village-owned property development
- Development-ready property inventory
- Coordinate with MMDC

Medium Priority

- Evaluate ADUs
- Evaluate duplex housing
- Age-friendly housing
- Builder outreach

Long-Term Priorities

- Brownfield/Land Bank partnerships
- Annual Housing Report
- Periodic review of Housing Action Plan

Village of Lake Isabella

PLANNING COMMISSION
NEW BUSINESS #1
ROLLAND ROAD PRIVATE RD DISCUSSION

The purpose of this discussion is to provide the Planning Commission with a summary of the facts surrounding Mr. Samuel Ellerman's request to establish a private road known as "Richard's Way," review the applicable provisions of the Village Zoning Ordinance, and discuss what options, if any, are available moving forward.

This item is presented as a discussion item only. No application for site plan review, variance, or ordinance amendment has been submitted.

Beginning in July 2024, Mr. Ellerman worked with then-Village Manager Tim Wolff regarding his desire to establish a private road serving his property and to have that road identified as "Richard's Way." Correspondence between Mr. Wolff and Mr. Ellerman reflects that Village staff attempted to work through the request by identifying the documentation necessary for Isabella County GIS and emergency dispatch mapping, including survey information and legal descriptions. Staff also provided a draft Private Road Agreement based upon the zoning ordinance in effect at that time.

Throughout the process, additional information was requested from Mr. Ellerman regarding survey mapping and legal descriptions to ensure the roadway could be properly incorporated into the County's GIS and addressing system. The record indicates the requested documentation was never completed prior to adoption of the updated zoning ordinance.

On May 20, 2025, the Village Council adopted the comprehensive zoning code update, including Chapter 1216, Street Standards. As adopted, the ordinance now states that residentially zoned lots existing on the effective date of the ordinance shall not create a new private road, shared driveway, or easement for ingress and egress except when created through bonus divisions under the Michigan Land Division Act.

When Mr. Ellerman recently contacted the Village regarding completing the project, staff advised that the ordinance had changed and that the request could no longer be processed administratively under the current language. Staff also advised that the matter could be brought before the Planning Commission for discussion.

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4. Is a variance appropriate?

Staff does not recommend pursuing a variance because it does not meet the criteria for a dimensional or use variance.

Generally, variances address practical difficulties created by unique property conditions rather than changes in ordinance policy. Based upon the facts currently available, this request does not appear to satisfy the traditional variance standards.

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5. Should the ordinance remain unchanged?

The Planning Commission may conclude that the ordinance reflects the policy intended during the comprehensive zoning update and determine that no changes are warranted.

The Planning Commission minutes from October 2024 through January 2025 indicate that the prohibition on new private roads was considered during the broader zoning code update and was not adopted specifically in response to this property or request.

Staff Analysis

Staff finds that:

- Village staff worked with Mr. Ellerman under the ordinance in effect during 2024.
- Additional documentation remained outstanding when the zoning ordinance was amended.
- The comprehensive zoning update became effective before the request was finalized.
- The Village still does not have all documentation nor the signed agreement as this was what Mr. Ellerman originally was requesting when he found out the ordinance had changed.
- Under the current ordinance language, staff does not believe administrative approval is authorized.
- If the Village wishes to create an exception, that would most appropriately occur through amendment of the zoning ordinance rather than through administrative interpretation.

Options the Planning Commission has:

- Maintain the ordinance as written.
- Tailor a grandfathering amendment.
- Get Village attorney's opinion.
- To have no amendment and advise the applicant that any claim of vested rights would need to be resolved through the courts.

Policy questions for discussion:

1. Was the project "vested"?

The documentation indicates discussions, correspondence, draft agreements, and requested revisions occurred over several months. However, the Village did not execute a Private Road Agreement nor issue any final approval before the ordinance was amended. Also, projects are supposed to get approval prior to completion. The Commission may wish to discuss whether any vested rights exist or whether the project remained incomplete when the ordinance changed. They may also want to get a legal opinion from the Village Attorney.

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2. Does the current ordinance provide discretion?

The current language is written as a prohibition rather than a discretionary review process. Unlike previous language that could be interpreted to allow administrative review, the adopted ordinance expressly prohibits creation of new private roads for existing residential parcels except in the limited circumstance identified in the ordinance.

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3. Is an ordinance amendment appropriate?

If the Planning Commission believes circumstances such as this should be accommodated, the Commission could recommend that the Village Council consider amending Chapter 1216.

Possible amendments could include:

- A grandfather provision for applications already in process prior to May 20, 2025;
- A limited exception for requests demonstrating substantial completion before the ordinance change;
- A discretionary approval process under clearly defined criteria; or
- No amendment, thereby maintaining the ordinance as currently adopted.

Any amendment would require the normal public hearing and ordinance adoption process.

It does not by any means mean the amendment will be approved by the Village Council.

Current Ordinance

Chapter 1216 now provides, in part:

"Every residentially zoned lot and parcel existing as of the effective date of this Chapter shall not create a new private road, shared driveway, or easement for the purpose of providing ingress and egress..."

The ordinance only provides an exception for bonus divisions under Section 108(3a) of the Michigan Land Division Act.

Because the proposed roadway was never approved or completed prior to the ordinance taking effect, staff interprets the ordinance as prohibiting approval under the current regulations.

Summary of Events and Current Status

To:	Village Council and Planning Commission
From:	Jessica Manley, Interim Village Manager
Date:	05/14/2026
Subject:	Ellerman Private Road Request

This summary is intended to organize the available record concerning Mr. and Mrs. Ellerman's request to create a private road identified in the correspondence as "Richards Way." It is based on the attached email correspondence, voicemail transcriptions, submitted maps/legal description materials referenced in the correspondence, Chapter 1216 as adopted May 20, 2025, and Planning Commission/Village Council minutes related to the zoning update.

Summary of Current Status

Mr. Ellerman recently contacted the Village about moving forward with the private road and asked what was needed from the Village to complete the survey. Upon review, the current Chapter 1216 language states that every residentially zoned lot and parcel existing as of the effective date of the amendment shall not create a new private road, shared driveway, or easement for ingress/egress, except where the new private road results from Land Division Act bonus divisions. Tim Wolff confirmed that interpretation. Mr. Ellerman was then advised that the private road could no longer be pursued under the ordinance because the project had not been finalized before the ordinance change. He was also advised that he could appear before the Planning Commission, and then Council if necessary. A variance was discussed, but staff advised against it because the facts presented do not appear to meet the variance criteria.

Timeline of Events

July 18, 2024: Tim Wolff emailed Mr. Ellerman that he had contacted 9-1-1 and the Road Commission to confirm whether "Richard's Way" conflicted with any other named streets and whether 9-1-1's CAD system could add a named private driveway without a legal description. Tim also noted that every private drive or street previously encountered had a survey and legal description so it could be accurately mapped in GIS.

July 29, 2024: Mr. Ellerman emailed Tim asserting that others in the County had no problem making a driveway/private road, that Central Dispatch did not think it was a big problem, and suggesting that "Karen's on the lake" or "Karen's on the island" may have influenced the Village.

July 30, 2024: Tim replied that the Wiley Lane photos Mr. Ellerman referenced were from Midland County, not Isabella County. Tim stated that the Emergency Management Director said a private road needed a legal description and survey map to be added correctly to the County GIS street layer. Tim quoted then-current Section 1216.4 and noted the ordinance language was "a little vague" because it did not expressly say a new private road could be created. Tim stated that he was attempting to read the ordinance in a manner favorable to the request and avoid site plan review because the road would only serve Mr. Ellerman's property. Tim stated the Village needed either a survey/legal description or something in writing from 9-1-1 stating it did not need those items and could add the street into CAD.

July 31, 2024: Tim emailed a draft Private Road Agreement to Mr. Ellerman and stated it was the base template used in the past and met the then-current zoning ordinance requirements. Tim also stated that the survey photos submitted did not appear to show the location or description of the area to be dedicated as a private road. He attached an illustration and explained that a map and legal description of the area indicated for the

private road were needed for GIS shape files. Tim further explained that a simple rectangular stub would be sufficient and that the driveway could continue past that stub to the home.

July 31, 2024: Mr. Ellerman replied asking for a phone call to make sure he said something correctly, thanked Tim for the help, discussed frustrations with people on the island, and stated that nearby buyers might also use the road if all parties agreed.

July 31, 2024: Tim replied that he was in MDOT Article VI compliance/training and that the next day would be the earliest he could respond. Mr. Ellerman replied that his question was only to make sure he worded something appropriately.

August 14, 2024: Tim forwarded the July 31 private road agreement correspondence to Jessica, including the draft agreement and the Ellerman map/legal description attachment.

September 9, 2024 – 2:35 PM: Tim emailed Mr. Ellerman that he had reached out to the County to determine whether the materials dropped off would be sufficient for survey/legal description purposes. Tim stated he had not yet heard back and believed an actual survey map and updated legal description of the parcel that could be recorded would likely be needed.

September 9, 2024 – 2:38 PM: Mr. Ellerman replied asking whether the two maps Tim was referencing were what he had made and stating he wanted to provide exactly what was needed.

September 9, 2024 – 5:56 PM: Tim replied that the updated survey and legal description Mr. Ellerman dropped off were not in recordable form. Tim referenced an example from Torcido Lane and explained that a professionally prepared surveyor document would have a clean map, distances and degrees for metes and bounds, and a legal description matching the map. Tim stated the submitted resolution would be flagged as non-legible once scanned. Tim also reiterated that the Village did not need the entire driveway described; a 66-foot-wide rectangular stub for "Richards Way" would be enough for GIS identification, but that stub needed to be described in the parcel's legal description in a clean, recordable document before the private road agreement could be completed and signed.

September 9, 2024 – 5:57 PM: Tim forwarded the correspondence to the County Community Development Director and Jessica, with attachments identified as Road Example Legal.jpg, Road Example Map.jpg, and Ellerman Map and Legal Description.pdf.

September 10, 2024: Tim forwarded the County's response to Mr. Ellerman. The County response stated that to add a private road to the County Enterprise GIS, a legal description of the road centerline as it traverses the land was needed, the right-of-way width was needed, all of that should be included with the Village's approval of the private road, and a complete survey of the road would be helpful for addressing purposes.

October 8, 2024: The Planning Commission began reviewing proposed zoning code amendments. The minutes state that the Chapter 1216 Street Standards amendment would prohibit the development of new private roads, except bonus divisions under the Land Division Act. This shows the private-road prohibition was introduced as part of a broader zoning code update and not as an isolated action directed at Mr. Ellerman.

November 12, 2024: The Planning Commission continued its review of the proposed zoning code amendments. The minutes state that Appendix B amended Chapter 1216 and that the Planning Commission made no changes to the draft language submitted.

January 14, 2025: The Planning Commission held a public hearing on Proposed Ordinance 2025-02, the zoning code update. Wolff reviewed the draft and highlighted three areas for additional review: garden fences, sheds on vacant lots, and garage door height. The minutes also state that the Planning Commission was only making a recommendation to Council and that Council could remove or alter the document recommended to it. Grey moved, seconded by Simon, to recommend Ordinance 2025-02 to Council for adoption, and the motion carried 7-0-0.

January 21, 2025: The Village Council received Proposed Ordinance 2025-02 from the Planning Commission. Wolff reviewed the proposed amendments and highlighted discussion points. The draft was not formally introduced at that meeting, and Council was asked to review it over the following month.

March 17, 2025: The Village Council continued reviewing Proposed Ordinance 2025-02. Wolff summarized the materials and Council discussed several items, mainly sheds on vacant lots and floodplain/accessory structure issues. Council asked that the draft be amended further and brought back for additional review.

April 15, 2025: Council reviewed modifications to the draft zoning update. The minutes state that Laraway introduced Proposed Ordinance 2025-02 and a public hearing was set for the May 20, 2025 regular Council meeting.

May 20, 2025: Council held the public hearing on Proposed Ordinance 2025-02. Wolff gave an overview and noted that the Planning Commission worked on the draft for several months before submitting it to Council. Barringer moved, seconded by Peavey, to adopt Ordinance 2025-02, and the motion carried 7-0-0.

After May 20, 2025: Chapter 1216, as adopted, states that every residentially zoned lot and parcel existing as of the effective date of the chapter shall not create a new private road, shared driveway, or easement for ingress/egress, except when the private road is the result of Land Division Act bonus divisions. It also preserves review requirements for existing private streets/easements where an extension or increased number of parcels served is proposed.

Recent contact, 2026: Mr. Ellerman contacted the Village about moving forward and asked what was needed from the Village to complete the survey. After staff reviewed the current ordinance and confirmed the interpretation with Tim Wolff, Mr. Ellerman was advised that the ordinance no longer allows a new private road and that the prior work did not grandfather the project because the private road agreement was never finalized.

Earlier this week, 2026: Mr. Ellerman came to the office. Staff explained that he could no longer be afforded the right to pursue the private road under the current ordinance. He was advised that he could go to the Planning Commission and, if dissatisfied, Council. He asked about a variance; staff advised that he could apply, but that staff would not recommend it based on the variance criteria.

Monday, May 11 – 6:14 PM: Mr. Ellerman left a voicemail stating that if the Village does not allow the private road, he would ask the Village to refund $35,000 for the increased culvert, extra size, stone, tree clearing, and other work he says he completed to make the driveway a private road. He alleged that Tim acted spitefully and abused power.

Monday, May 11 – 6:42 PM: Mr. Ellerman left a second voicemail stating that he had emails from Tim, receipts for additional culvert and Central Michigan Sand and Gravel costs, and that Tim "passed an ordinance" while he was undergoing a heart procedure. He again requested approval of the private road or reimbursement of $35,000.

Documents Provided by Mr. Ellerman and Why They Were Not Sufficient

The documents/materials referenced in the record include survey photos, "Ellerman Map and Legal Description.pdf," and related drawings/examples attached to the email correspondence. Tim repeatedly explained that the materials submitted did not show the location and legal description of the area to be dedicated as a private road in a recordable form. Specifically, Tim stated that the submitted survey/photos did not appear to show the location or description of the area to be dedicated; later, after Mr. Ellerman dropped off updated survey/legal description materials, Tim stated they were not in recordable form, did not provide a clean professionally prepared surveyor document with distances and degrees for metes and bounds, did not provide a matching legal description, and would likely be flagged as non-legible once scanned.

The County's response supports that the missing information was substantive rather than clerical. The County stated that to add a private road to the County Enterprise GIS, it needed a legal description of the road centerline as it traversed the land and the right-of-way width, and that a complete survey would be helpful for

addressing purposes. In other words, the record does not show that Mr. Ellerman provided the Village with the recordable legal description/survey materials needed to complete the private road agreement and County GIS/addressing process before the ordinance changed.

Response to Allegation that Tim Personally Changed the Ordinance

The attached minutes do not support the claim that Tim individually "passed" the ordinance. The record shows that the Chapter 1216 private road amendment was part of a broader zoning code update presented to the Planning Commission in October 2024; reviewed again by the Planning Commission in November 2024; publicly heard and recommended by the Planning Commission on January 14, 2025; reviewed by Council on January 21 and March 17, 2025; introduced by Council on April 15, 2025; and publicly heard/adopted by the Council on May 20, 2025. The Planning Commission and Village Council, not staff acting alone, were the decision-making bodies for the zoning amendment.

Why the Private Road Should Not Be Approved Based on the Current Record

Based on the record provided, the private road should not be approved at this time. The current Chapter 1216 language adopted May 20, 2025 prohibits existing residentially zoned lots/parcels from creating a new private road, shared driveway, or easement for ingress/egress unless the Land Division Act bonus-division exception applies. The Ellerman private road agreement was not finalized or approved before the ordinance changed; the necessary recordable survey/legal description information had not been provided; and expenditures made before final approval appear to have been made at the property owner's risk. The correspondence also shows that staff attempted to identify a pathway forward under the prior ordinance, but that pathway still required documentation that was never completed in recordable form. For those reasons, approval would be inconsistent with the current ordinance and would create a poor precedent for allowing work commenced before approval to override later-adopted zoning requirements.

It is also noteworthy that under the former ordinance, Mr. Ellerman may have had a pathway to request approval of a private road through site plan review, provided he submitted all required documentation and demonstrated compliance with the ordinance standards. However, the ordinance did not provide automatic or guaranteed approval. Final approval would have depended on Planning Commission review and a finding that the proposed private road met the applicable ordinance requirements.

Note: Because Mr. Ellerman is asserting a reimbursement claim and alleging improper motive, the Village should consider having legal counsel review any final response before it is sent.

Street Standards

1. **Purpose.** The purpose of this Chapter is to establish regulations and requirements for the construction of new streets that may be necessary for future development and to regulate the use and development of private roads, shared driveways, and easements.

2. **Design Standards for New Streets.** New streets shall be designed and constructed to the Village's established construction standard as adopted by Resolution of the Village Council.

3. **Drainage Standards.** For any new public street approved as part of a development project after the effective date of this Chapter, the following shall apply. All storm drainage systems shall be shown and approved by the Village and shall be in plan and profile on standard 24-inch by 36-inch white prints having blue or black lines, and shall be neatly and accurately prepared to an engineering scale and shall also contain, at a minimum, the following information:

   A. Manhole and catch basin locations and filter type for any drain that flows directly from a street to a body of water.

   B. Existing utilities that cross or parallel proposed storm drains.

   C. Design calculations conforming to the Village's Stormwater Management Chapter of this zoning code shall be submitted for:

      1. Storm sewers.
      2. Drainage ditches.
      3. Retention ponds.
      4. Restricted discharges.

   D. Improved open drains and "ditches" may be permitted only if the road cross-section or land use so warrants and if approved by the Planning Commission of the Village of Lake Isabella.

4. **Private Drives and Private Street Regulations**

   A. Every lot and parcel created after the effective date of this Chapter shall have frontage upon a public street. Every residentially zoned lot and parcel existing as of the effective date of this Chapter shall not create a new private road, shared driveway, or easement for the purpose of providing ingress and egress to that lot or parcel. This section does not apply when the new private road is the result of divisions of a parent parcel resulting in bonus divisions under Section 108(3a) of the Land Division Act, being Public Act 288 of 1967, as amended (MCL 560.108 (3a)), which provide access for the newly created parcels.

B. Prior to issuing a zoning permit for a new single-family dwelling on any parcel that has ingress/egress from a private street, shared driveway, or private easement existing at the time of this amendment, the owner of any such parcel shall sign an acknowledgment which states the following:

   1. The private road or shared easement is not owned or maintained by the Village of Lake Isabella and is not considered part of the Village's street network.

   2. The Village offers no assurances or guarantees regarding the maintenance of the private road or shared easement. The maintenance and upkeep of the private road or easement is the sole responsibility of the owner and the other parties using the private road or shared easement.

   3. The Village offers no assurances or guarantees regarding the availability or access for utility and telecommunication companies to provide services to any parcel via the private road or shared easement.

   4. The owner acknowledges these conditions and understands that they are proceeding to develop and use their parcel at their own risk.

   5. The owner agrees to indemnify and hold the Village harmless (as well as the Village's officials, officers, employees, and agents) for, from, and against all liabilities, damages, causes of action, costs (including attorney fees), injuries, fatalities, and other matters arising out of, relating to, or pertaining to the private road or shared easement or the private drive installed therein.

C. No existing private street, private easement, access easement, or other similar means of granting ingress/egress shall be extended, or the number of parcels using said private street, private easement, access easement, or similar means of ingress/egress increased unless the Planning Commission has approved a site plan. The following shall be applicable to all such site plan reviews:

   1. The private right-of-way or easement for a private street shall be at least sixty-six (66) feet wide and also grant access and placement approval for public utilities such as, but not limited to, electrical service, telephone and fiber optic service, natural gas, public water, and public wastewater.
   2. If paved, the construction standards for a private street shall comply with the requirements applicable to Local Streets in the Village's street network and be reviewed and approved by the Village Engineer.
   3. Drainage shall be provided based on a 25-year storm frequency for open ditch sections and a 10-year storm frequency for curbed or enclosed drainage systems.
   4. Any such approved private street, private easement, access easement, or combination of multiple private streets or private easements shall be limited in length and number of parcels served in the following manner:

a) If unpaved or paved to a standard less than the Village's Local Street standard, the total length shall be limited to 600 feet from the point of access to a public road, and no more than 10 parcels shall use the private road or private easement for access.

b) If paved to the Village's Local Street standard, the total length shall be limited to 1,000 feet from the point of access to a public road, and no more than 20 parcels shall use the private road or private easement.

Chronological Email and Voicemail Record

Ellerman Private Road Matter

Transcription note: The entries below are arranged oldest to newest based on the dates/times shown in the attached emails and voicemail transcriptions. The text preserves original wording, spelling, and grammar.

July 18, 2024 – 12:58 PM

Email from Tim Wolff to Samuel Ellerman; cc: Jessica; Subject: Driveway Name

Mr. Ellerman,

I wanted to give you a quick update before I leave for vacation. I've reached out to 9-1-1 and the Road Commission to confirm that there won't be any issues with Richard's Way conflicting with any other named streets in the County, as well as determining that 9-1-1's CAD system can add a named private driveway without there being a legal description to create the roadway in their mapping system. Every private drive or street we've encountered in the past has a survey and legal description so that it can be accurately mapped in the GIS database layers. I'll be out of the office until the middle of next week, and hopefully will have anwers waiting when I return.

Tim Wolff

Lake Isabella Village Manager

(o) 989.644.8654

(c) 989.272.3436

July 29, 2024 – 11:26 PM

Email from Samuel Ellerman to Tim Wolff, Samuel Ellerman, and Valerie Ellerman; Subject: Have spoken to other people in the county who have private Lanes or private roads

No one had a problem doing any part of making their driveway a private road or their entrance point of Private Road.

And we're talking with central dispatch last night or tonight that is they didn't feel it was a big problem either.

Now they are are not in the village of lake Isabella i part of whispering pines or the Karen's on the lake who may have gotten wind of me trying to name a private road after my dad and have a problem with it.

And THUS you're blocking it or that is attempting to block it.

Central Dispatch (who I do have on speed dial Still) say it's very easy to do

So what you're saying doesn't make any sense, Tim I am not trying to fight you or have a fight with you sir.

I have done my homework.

So please get ahold of me as soon as possible tomorrow.

I surely hope you're not someone who bows to all Karen's of the lake so easily .

I have done my homework and I know it is not a big process.

Yet then again I would have thought finding a sewer pipe would not have been a big deal until being blocked by all the karens of the lake or the Karen's on the island

And God gave me George ;) .

An I utilize George quite heavily

For he's a great wealth of knowledge and sorter of BS and he has a way of cutting Right through the bs from the Karen's of the lake and Island, very directly.

So Thank you Sir, and I pray that you do not fall so easily to the Karen's of the lake or that is the ones on the island.

Please have a Blessed day.

July 30, 2024 – 10:57 AM

Email from Tim Wolff to Samuel Ellerman; Subject: RE: Have spoken to other people in the county who have private Lanes or private roads

Those photos of Wiley Lane are from Midland County, not Isabella County.

What I was told by the director of Emergency Management is that for a private road to be added in 2024 to the County's GIS mapping system, it needs a legal description and survey map in order for it to be added correctly into the street layer of the GIS mapping.

Since, as you stated, you've done your homework, I'm sure you have read section 1216.4 of our zoning code, which states:

4. PRIVATE DRIVES AND PRIVATE STREET REGULATIONS

A. Every lot and parcel created after the effective date of this Chapter shall have frontage upon a public street.

B. Prior to issuing a zoning permit for a new single-family dwelling on any parcel that has ingress/egress from a private street, shared driveway, or private easement existing at the time of this amendment, the owner of any such parcel shall sign an acknowledgment which states the following.

1. The private road or shared easement is not owned or maintained by the Village of Lake Isabella and is not considered part of the Village's street network.

2. The Village offers no assurances or guarantees regarding the maintenance of the private road or shared easement. The maintenance and upkeep of the private road or easement is the sole responsibility of the owner and the other parties using the private road or shared easement.

3. The Village offers no assurances or guarantees regarding the availability or access for utility and telecommunication companies to provide services to any parcel via the private road or shared easement.

4. The owner acknowledges these conditions and understands that they are proceeding to develop and use their parcel at their own risk.

5. The owner agrees to indemnify and hold the Village harmless (as well as the Village's officials, officers, employees, and agents) for, from, and against all liabilities, damages, causes of action, costs (including attorney fees), injuries, fatalities, and other matters arising out of, relating to, or pertaining to the private road or shared easement or the private drive installed therein.

C. No existing private street, private easement, access easement, or other similar means of granting ingress/egress shall be extended, or the number of parcels using said private street, private easement, access easement, or similar means of ingress/egress unless the Planning Commission has approved a site plan. The following shall be applicable to all such site plan reviews:

1. The private right-of-way or easement for a private street shall be at least sixty-six (66) feet wide and also grant access and placement approval for public utilities such as, but not limited to, electrical service, telephone and fiber optic service, natural gas, public water, and public wastewater.

2. If paved, the construction standards for a private street shall comply with the requirements applicable to Local Streets in the Village's street network and be reviewed and approved by the Village Engineer.

3. Drainage shall be provided based on a 25-year storm frequency for open ditch sections and a 10-year storm frequency for curbed or enclosed drainage systems.

4. Any such approved private street, private easement, access easement, or combination of multiple private streets or private easements shall be limited in length and number of parcels served in the following manner:

a) If unpaved or paved to a standard less than the Village's Local Street standard, the total length shall be limited to 600 feet from the point of access to a public road, and no more than 10 parcels shall use the private road or private easement for access.

b) If paved to the Village's Local Street standard, the total length shall be limited to 1,000 feet from the point of access to a public road, and no more than 20 parcels shall use the private road or private easement.

Per the zoning ordinance language above, it would appear that a Site Plan review may be necessary; the wording is frankly a little vague as the ordinance doesn't say you can actually create a new private road. I've been attempting to work with you to avoid the step of doing a site plan review since your private road would only service your property and nothing more, while also reading the ordinance in a manner that favors your request. For our own liability purposes, I need either a survey and legal description or something in writing from 9-1-1 that says they don't need it and can add your street into their CAD system. I don't believe that is unreasonable, especially in light of being obligated to adhere to the ordinance language adopted in our community.

And, since you appear concerned about outside influence. I have literally spoken to ZERO people outside of our office in Lake Isabella about your request and have had ZERO feedback from anyone at Lake Isabella regarding your request. I do not appreciate baseless claims being made against myself or the Village. Ensuring that 9-1-1 can properly dispatch people to your property is a legitimate issue; once it is resolved by either of the means outlined above, we can proceed. Or, we

can request the Zoning Board of Appeals review and intrept the ordinance and have them decide whether creating a new private road is permissible and what requirements must be satisfied.

Tim

July 30, 2024 – 10:59 AM

Email forwarded from Tim Wolff to Jessica; Subject: FW: Have spoken to other people in the county who have private Lanes or private roads

FYI

July 31, 2024 – 12:04 PM

Email from Tim Wolff to Samuel Ellerman; Subject: Private Road Agreement

Attached is a draft of the Private Road Agreement to be completed. This is the base template we've used in the past and meets the current requirements of the zoning ordinance.

The survey photos you submitted don't appear to show the location or have description of the area to be dedicated as a private road. I've attached an illustration of what we are looking for and what is needed by Isabella County.

It is provided only for illustrative purposes as I do not want to assume the location or name of the private road. But, a map showing the location, and the legal description of area on the map indicated for the private road is what is needed for the GIS shape files. I don't believe you need to describe the area all of the way from the road to the home, a simple rectangular stub, as illustrated on the drawing, that the driveway would continue past to the home would be sufficient.

Tim

July 31, 2024 – 12:32 PM

Email from Samuel Ellerman to Tim Wolff, Samuel Ellerman, and Valerie Ellerman; Subject: Re: Private Road Agreement

Can you give me a call to make sure I say something right, appreciate all your help and thank you

I will admit the island has me alittle more then thin skinned and upset when some cost me $1000.00 in labor for my employees due to the individuals on the Island who stopped my employees from working, and threatening to have you fine them, while then interrupting the first Sunday dinner I had with my daughter Hannah, (who is in medical school) in three months when they threatened calling me saying they would have me be fined by you . AnI am not a man who takes being threatened very lightly.

So thank you much this for my Dad and it means everything to me. The individuals who just bought me will also have the ability to use this road also and I know that I've talked with John and he was talking with somebody about drawing up an easement and it'll save them money. For regardless of the actions of the people on the island we're supposed to be a community and we're supposed to be a neighbor's helping each other and if them using my road saves them money and I could care less if they use it as long as all parties agree and they have I talk to the individuals are very nice people.

So thank you and God bless.

Samuel and Valerie Ellerman

Of VSE Properties.

July 31, 2024 – 1:13 PM

Email from Tim Wolff to Samuel Ellerman; Subject: Re: Private Road Agreement

Unfortunately, we are stuck today in MDOT training for Article VI compliance/training. Will be tomorrow at the earliest.

Tim

July 31, 2024 – 2:08:53 PM

Email from Samuel Ellerman to Tim Wolff and Samuel Ellerman; Subject: Re: Private Road Agreement

That's fine :-) my question is just making sure I word something in the proper appropriate way it's not a complex thing it's just kind of stupid cuz I worry about saying something the right way

July 31, 2024 – 3:15 PM

Email forwarded from Tim Wolff to Jessica; Subject: Fwd: Private Road Agreement

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

Get Outlook for Android

August 14, 2024 – 2:44 PM

Email forwarded from Tim Wolff to Jessica; Subject: FW: Private Road Agreement

Attachments: Lake Isabella Private Road Agreement - Ellerman - DRAFT.doc; Ellerman Map and Legal Description.pdf

Forwarded July 31, 2024 Private Road Agreement email stating that the attached draft agreement was the base template used in the past and met the current requirements of the zoning ordinance, and that the survey photos submitted did not appear to show the location or description of the area to be dedicated as a private road.

September 9, 2024 – 2:35 PM

Email from Tim Wolff to Samuel Ellerman; cc: Jessica; Subject: Road

Mr. Ellerman,

I've reached out to the County to see if what you've dropped off will be sufficient for them in terms of the survey and legal description., but I haven't heard back yet. I'm fairly certain that an actual survey map and updated legal description of the parcel that can be recorded is what is needed, but waiting on confirmation there.

Tim Wolff

Lake Isabella Village Manager

September 9, 2024 – 2:38 PM

Email from Samuel Ellerman to Tim Wolff, Samuel Ellerman, and Valerie Ellerman; Subject: Re: Road

Those two maps you're talking about is that what I made for you?

Cuz I thought that's what I got for you

Please if you could call me I want get you exact what you want:)

September 9, 2024 – 5:56 PM

Email from Tim Wolff to Samuel Ellerman; Subject: RE: Road

Mr. Ellerman,

Just getting back to the office. What you dropped off in terms of an updated survey and legal description are not in a recordable form. I've attached an example from Torcido Lane of that survey map and parcel descriptions, which include their private shared road/drive. A professionally prepared document from a surveyor is going to have a clean map, with distances and degrees for the meets and bounds and a legal description that matches what is shown on the map. The resolution on what was submitted is going to be flagged as non-legible once they scan it.

Per our discussion at the office last week, we really don't need the whole road described, rather as I've illustrated on the previous drawings, a 66' wide rectangular stub would be enough for us to get it into the GIS and identified as Richards Way. The driveway can continue past the stub without a legal description. I've attached that example again, the PDF file has a rectangular stub that is identified as Richards Way. That stub, in red, needs to be described in the parcel's legal description, which is why there is the read text at the end of the existing legal description. That needs to be in a clean, recordable document; once we have the legal description of the road, we can fill that into the private road agreement and formally get it signed.

Tim Wolff Village Manager

September 9, 2024 – 5:57 PM

Email forwarded from Tim Wolff to Timothy Nieporte and Jessica; Subject: FW: Road

Attachments: Road Example Legal.jpg; Road Example Map.jpg; Ellerman Map and Legal Description.pdf

FYI...

September 10, 2024 – 10:01 AM

Email from Tim Wolff to Samuel Ellerman; cc: Jessica; Subject: FW: Private Road

From the County...

- Tim

Subject: RE: Private Road

Tim:

To add a private road to the County Enterprise GIS, I would need a legal description of the centerline of the of the road as it traverses across the land. Additionally, I would need to know the right-of-way width of the road. All of this should be included with the Villages approval of the private road. A complete survey of the road would be helpful in adding it to the GIS for addressing purposes.

Thanks and have a great day.

Timothy A. Nieporte

Community Development Director

Isabella County Michigan

989-317-4061

tnieporte@isabellacounty.org

Monday, May 11 – 6:14 PM

Voicemail from 9895223179 – Samuel Ellerman

This is Samual Ellerman, I was in speaking with you today. Hey, in regards to your thing with the ordinance, if that's the case and knowing the fact that Tim knew we were working on it. And knowing the fact that I did everything that Tim asked me to do. And then in regards to the why is it making sure that it was wide enough and the culvert was big enough required for a private road then, if you're going to not let me have a private road now, then I'm going to ask the village refund me $35000. Because that is what that road or my driveway. I put in the make it a private road cost me in regards to the increased culvert, the extra size and the stone from sand and gravel as well as the work we had done in tree cleaning, tree clearing and everything else to make that private road done. So if now, suddenly, because Tim wanted to be spiteful on his way out and do something, what I feel, it is unconstitutional, an abuse of power. And the village isn't wanting to work with me is then I need refund of $35000. Because that's the increase of size difference. Of what that driveway costs me to make to a road, private road for what Tim knew I did. And what Tim required of me. Please get ahold of us at 9895223179. I'm really easy to work with, and all I'm asking is that you give me a a private road, especially seeing the fact that I've paid for the survey did the increased thing that's been required of me. And just because Tim is part of the island he's being spiteful and unconstitutional with an abuse of powers. We can go 1 or 2 ways. We can either just have me a private road like I'm asking to, and I'm not trying to cause war or the village can refund me $35000 for what Tim requires of me. And I have receipts

Monday, May 11 – 6:42 PM

Voicemail from 9895223179 – Samuel Ellerman

Hey guys, This is Samuel Elerman again. Also, I do have all the emails from Tim where he asked for the increase culvert, increased amount of stuff that would be required for the road. I've got all those emails saved, just so you know that I'm not just shooting off my hip and Tim knew about this. But Tim, because he lives on the island had a big problem with us. And each made me jump through a lot more hoops than I needed to be and I was just abusive power. So really this work with me, have the private road, its just for my dad's name, not trying to be difficult with you. And not trying to go to war with anything. And Tim piss an ordinance just to be spiteful, but I have all the receipts for the additional increase from what was gotten from Tim, excuse me, the sand and gravel, Central Michigan Sand and Gravel that Tim required of us and lsothe increased culvert in all of that it's required and I have his emails. And then magically, when I had to go up a heart procedure, he passed an ordinance when I was down in Ann Arbor and so because he had a problem with me, doing it all along. So let's just work together and get this passed through. Or somebody can refund me $35000, and it is something I will fight for. thank you guys have a blessed day. And I have all the receipts.

1

jessica lakeisabellami.org

From: tim lakeisabellami.org
Sent: Thursday, July 18, 2024 12:58 PM
To: samdellerman@gmail.com
Cc: jessica lakeisabellami.org
Subject: Driveway Name

Mr. Ellerman,

I wanted to give you a quick update before I leave for vacation. I've reached out to 9-1-1 and the Road Commission to confirm that there won't be any issues with Richard's Way conflicting with any other named streets in the County, as well as determining that 9-1-1's CAD system can add a named private driveway without there being a legal description to create the roadway in their mapping system. Every private drive or street we've encountered in the past has a survey and legal description so that it can be accurately mapped in the GIS database layers. I'll be out of the office until the middle of next week, and hopefully will have anwers waiting when I return.

Tim Wolff
Lake Isabella Village Manager
(o) 989.644.8654
(c) 989.272.3436

From: Samuel Ellerman <samdellerman@gmail.com>
Sent: Monday, July 29, 2024 11:26 PM
To: tim lakeisabellami.org <tim@lakeisabellami.org>; Samuel Ellerman <samdellerman@gmail.com>; Valerie Ellerman <valerieellerman900@gmail.com>
Subject: Have spoken to other people in the county who have private Lanes or private roads

No one had a problem doing any part of making their driveway a private road or their entrance point of Private Road.
And we're talking with central dispatch last night or tonight that is they didn't feel it was a big problem either.

Now they are are not in the village of lake Isabella i part of whispering pines or the Karen's on the lake who may have gotten wind of me trying to name a private road after my dad and have a problem with it.
And THUS you're blocking it or that is attempting to block it.
Central Dispatch (who I do have on speed dial Still) say it's very easy to do

So what you're saying doesn't make any sense, Tim I am not trying to fight you or have a fight with you sir.
I have done my homework.

So please get ahold of me as soon as possible tomorrow.

I surely hope you're not someone who bows to all Karen's of the lake so easily .
I have done my homework and I know it is not a big process.
Yet then again I would have thought finding a sewer pipe would not have been a big deal until being blocked by all the karens of the lake or the Karen's on the island
And God gave me George;) .
An I utilize George quite heavily
For he's a great wealth of knowledge and sorter of BS and he has a way of cutting Right through the bs from the Karen's of the lake and Island, very directly.

So Thank you Sir, and I pray that you do not fall so easily to the Karen's of the lake or that is the ones on the island.
Please have a Blessed day.

3

jessica lakeisabellami.org

From: tim lakeisabellami.org
Sent: Tuesday, July 30, 2024 10:59 AM
To: jessica lakeisabellami.org
Subject: FW: Have spoken to other people in the county who have private Lanes or private roads

FYI

From: tim lakeisabellami.org
Sent: Tuesday, July 30, 2024 10:57 AM
To: Samuel Ellerman <samdellerman@gmail.com>
Subject: RE: Have spoken to other people in the county who have private Lanes or private roads

Those photos of Wiley Lane are from Midland County, not Isabella County.

What I was told by the director of Emergency Management is that for a private road to be added in 2024 to the County's GIS mapping system, it needs a legal description and survey map in order for it to be added correctly into the street layer of the GIS mapping.

Since, as you stated, you've done your homework, I'm sure you have read section 1216.4 of our zoning code, which states:

4. PRIVATE DRIVES AND PRIVATE STREET REGULATIONS

A. Every lot and parcel created after the effective date of this Chapter shall have frontage upon a public street.

B. Prior to issuing a zoning permit for a new single-family dwelling on any parcel that has ingress/egress from a private street, shared driveway, or private easement existing at the time of this amendment, the owner of any such parcel shall sign an acknowledgment which states the following:

1. The private road or shared easement is not owned or maintained by the Village of Lake Isabella and is not considered part of the Village's street network.
2. The Village offers no assurances or guarantees regarding the maintenance of the private road or shared easement. The maintenance and upkeep of the private road or easement is the sole responsibility of the owner and the other parties using the private road or shared easement.
3. The Village offers no assurances or guarantees regarding the availability or access for utility and telecommunication companies to provide services to any parcel via the private road or shared easement.
4. The owner acknowledges these conditions and understands that they are proceeding to develop and use their parcel at their own risk.
5. The owner agrees to indemnify and hold the Village harmless (as well as the Village's officials, officers, employees, and agents) for, from, and against all liabilities, damages, causes of action, costs (including attorney fees), injuries, fatalities, and other matters arising out of, relating to, or pertaining to the private road or shared easement or the private drive installed therein.

C. No existing private street, private easement, access easement, or other similar means of granting ingress/egress shall be extended, or the number of parcels using said private street, private easement, access easement, or

similar means of ingress/egress unless the Planning Commission has approved a site plan. The following shall be applicable to all such site plan reviews:

1. The private right-of-way or easement for a private street shall be at least sixty-six (66) feet wide and also grant access and placement approval for public utilities such as, but not limited to, electrical service, telephone and fiber optic service, natural gas, public water, and public wastewater.
2. If paved, the construction standards for a private street shall comply with the requirements applicable to Local Streets in the Village's street network and be reviewed and approved by the Village Engineer.
3. Drainage shall be provided based on a 25-year storm frequency for open ditch sections and a 10-year storm frequency for curbed or enclosed drainage systems.
4. Any such approved private street, private easement, access easement, or combination of multiple private streets or private easements shall be limited in length and number of parcels served in the following manner:
    a) If unpaved or paved to a standard less than the Village's Local Street standard, the total length shall be limited to 600 feet from the point of access to a public road, and no more than 10 parcels shall use the private road or private easement for access.
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Per the zoning ordinance language above, it would appear that a Site Plan review may be necessary; the wording is frankly a little vague as the ordinance doesn't say you can actually create a new private road. I've been attempting to work with you to avoid the step of doing a site plan review since your private road would only service your property and nothing more, while also reading the ordinance in a manner that favors your request. For our own liability purposes, I need either a survey and legal description or something in writing from 9-1-1 that says they don't need it and can add your street into their CAD system. I don't believe that is unreasonable, especially inlight of being obligated to adhere to the ordinance language adopted in our community.

And, since you appear concerned about outside influence. I have literally spoken to ZERO people outside of our office in Lake Isabella about your request and have had ZERO feedback from anyone at Lake Isabella regarding your request. I do not appreciate baseless claims being made against myself or the Village. Ensuring that 9-1-1 can properly dispatch people to your property is a legitimate issue; once it is resolved by either of the means outlined above, we can proceed. Or, we can request the Zoning Board of Appeals review and intrept the ordinance and have them decide whether creating a new private road is permissible and what requirements must be satisfied.

Tim

4

On Wed, Jul 31, 2024, 12:03 PM tim lakeisabellami.org <tim@lakeisabellami.org> wrote:

Attached is a draft of the Private Road Agreement to be completed. This is the base template we've used in the past and meets the current requirements of the zoning ordinance.

The survey photos you submitted don't appear to show the location or have description of the area to be dedicated as a private road. I've attached an illustration of what we are looking for and what is needed by Isabella County.

It is provided only for illustrative purposes as I do not want to assume the location or name of the private road. But, a map showing the location, and the legal description of area on the map indicated for the private road is what is needed for the GIS shape files. I don't believe you need to describe the area all of the way from the road to the home, a simple rectangular stub, as illustrated on the drawing, that the driveway would continue past to the home would be sufficient.

Tim

5

From: Samuel Ellerman <samdellerman@gmail.com>
Sent: Wednesday, July 31, 2024 12:32 PM
To: tim lakeisabellami.org <tim@lakeisabellami.org>; Samuel Ellerman <samdellerman@gmail.com>; Valerie Ellerman <valerieellerman900@gmail.com>
Subject: Re: Private Road Agreement

Can you give me a call to make sure I say something right, appreciate all your help and thank you

I will admit the island has me a little more then thin skinned and upset when some cost me $1000.00 in labor for my employees due to the individuals on the Island who stopped my employees from working, and threatening to have you fine them, while then interrupting the first Sunday dinner I had with my daughter Hannah, (who is in medical school) in three months when they threatened calling me saying they would have me be fined by you . An I am not a man who takes being threatened very lightly.

So thank you much this for my Dad and it means everything to me. The individuals who just bought me will also have the ability to use this road also and I know that I've talked with John and he was talking with somebody about drawing up an easement and it'll save them money. For regardless of the actions of the people on the island we're supposed to be a community and we're supposed to be a neighbor's helping each other and if them using my road saves them money and I could care less if they use it as long as all parties agree and they have I talk to the individuals are very nice people.

So thank you and God bless.

Samuel and Valerie Ellerman

Of VSE Properties.

6

On Wed, Jul 31, 2024, 1:13 PM tim lakeisabellami.org <tim@lakeisabellami.org> wrote:

Unfortunately, we are stuck today in MDOT training for Article VI compliance/training. Will be tomorrow at the earliest.

Tim

7

From: Samuel Ellerman <samdellerman@gmail.com>
Sent: Wednesday, July 31, 2024 2:08:53 PM
To: tim lakeisabellami.org <tim@lakeisabellami.org>; Samuel Ellerman <samdellerman@gmail.com>
Subject: Re: Private Road Agreement

That's fine :-) my question is just making sure I word something in the proper appropriate way it's not a complex thing it's just kind of stupid cuz I worry about saying something the right way

8

jessica lakeisabellami.org

From:	tim lakeisabellami.org
Sent:	Wednesday, August 14, 2024 2:44 PM
To:	jessica lakeisabellami.org
Subject:	FW: Private Road Agreement
Attachments:	Lake Isabella Private Road Agreement - Ellerman - DRAFT.doc; Ellerman Map and Legal Description.pdf

From: tim lakeisabellami.org
Sent: Wednesday, July 31, 2024 12:04 PM
To: Samuel Ellerman <samdellerman@gmail.com>
Subject: Private Road Agreement

Attached is a draft of the Private Road Agreement to be completed. This is the base template we've used in the past and meets the current requirements of the zoning ordinance.

The survey photos you submitted don't appear to show the location or have description of the area to be dedicated as a private road. I've attached an illustration of what we are looking for and what is needed by Isabella County.

It is provided only for illustrative purposes as I do not want to assume the location or name of the private road. But, a map showing the location, and the legal description of area on the map indicated for the private road is what is needed for the GIS shape files. I don't believe you need to describe the area all of the way from the road to the home, a simple rectangular stub, as illustrated on the drawing, that the driveway would continue past to the home would be sufficient.

Tim

Goes with 8

PRIVATE ROAD AGREEMENT

FOR VALUABLE CONSIDERATION, the sufficient and receipt of which is hereby acknowledged, the VILLAGE OF LAKE ISABELLA, a Michigan home rule village, with its offices located at 1010 Clubhouse Drive, Lake Isabella, Michigan 48893 (the "Village") and SAMUEL ELLERMAN and VALERIE ELLERMAN, husband and wife, of 7562 Alex Court, Freeland, Michigan 48623 (the "Ellermans") do hereby agree as follows:

RECITALS

A. The Ellermans own certain property located within the Village, which is commonly known as Parcel C of the Mr. Development Splits at the corner of Rolland Road and River Road, which was at one time proposed to be Phase II of the Whispering Pines Site Condominium Development (Permanent Parcel No. 21-089-00-060-06) (the "Property").

B. The Property currently has access from Rolland Road, however the Ellerman's desire for the parcel to be serviced by a private road and have an address reflecting the private road name.

C. After a review of the adopted policy regulating street names in the Village of Lake Isabella, the Ellermans have requested the following name for their private road: "_____" (the "private road").

AGREEMENT

The parties agree as follows:

1. The private road is not owned or maintained by the Village of Lake Isabella and is not considered part of the Village's street network.

2. The Village offers no assurances or guarantees to current or future owners of the Property regarding the maintenance of the private road. The maintenance and upkeep of the private road or easement is the sole responsibility and at the sole expense of the owner of the Property. The Village assumes no responsibility for maintenance, including snow plowing, or damages resulting from the use of the private road.

3. The Village offers no assurances or guarantees regarding the availability or access for utility and telecommunication companies to provide services to the Property via the private road.

4. The Village offers no assurances or guarantees regarding the ability of the United States Post Office, school buses, refuse haulers, or the ability of other commercial traffic to utilize the private road.

5. The Village offers no assurances or guarantees regarding the ability or requirements which may be required by the Isabella County Road Commission to connect the private road to Rolland Road.

6. The Village offers no assurances or guarantees that ambulances, fire trucks, or other emergency response and public safety vehicles or personnel will be able to utilize the private road in the event of an emergency situation.

7. The private road shall only be utilized solely by the Property and shall not be used to provide access to any new or additional parcels presently existing or created after the date of this agreement.

8. The Ellermans acknowledge these conditions and understand that they are proceeding to develop and use the Property at their own risk.

9. The Ellermans agree to indemnify and hold the Village harmless (as well as the Village's officials, officers, employees, and agents) for, from, and against all liabilities, damages, causes of action, costs (including attorney fees), injuries, fatalities, and other matters arising out of, relating to, or pertaining to the private road.

10. In order to have the private road added to the Geographic Information System mapping used by Isabella County for both Community Development and Emergency Management, including 9-1-1 dispatching, the Ellermans have provided the following legal description and map of the private road:

DRAFT

11. Upon the execution of a completed agreement, the Village shall inform Isabella County, the United States Post Office, and the Township Assessor of the Village's approval of the private road with the name "_____."

VILLAGE OF LAKE ISABELLA, a Michigan home rule village

By _____
Carol Shannon
Its Village Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 2026, by Carol Shannon, Village Clerk of the Village of Lake Isabella, a Michigan home rule village, on its behalf, who is personally known to me or who has produced his Michigan driver's license as identification.

_____

Notary Public, _____ County, Michigan
Acting in _____ County
My commission expires: _____

DRAFT

_____
Samuel Ellerman

_____
Valerie Ellerman

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this _____ day of _____, 2026, by Samuel Ellerman and Valerie Ellerman, husband and wife, who are personally known to me or who have produced their Michigan driver's licenses as identification.

_____

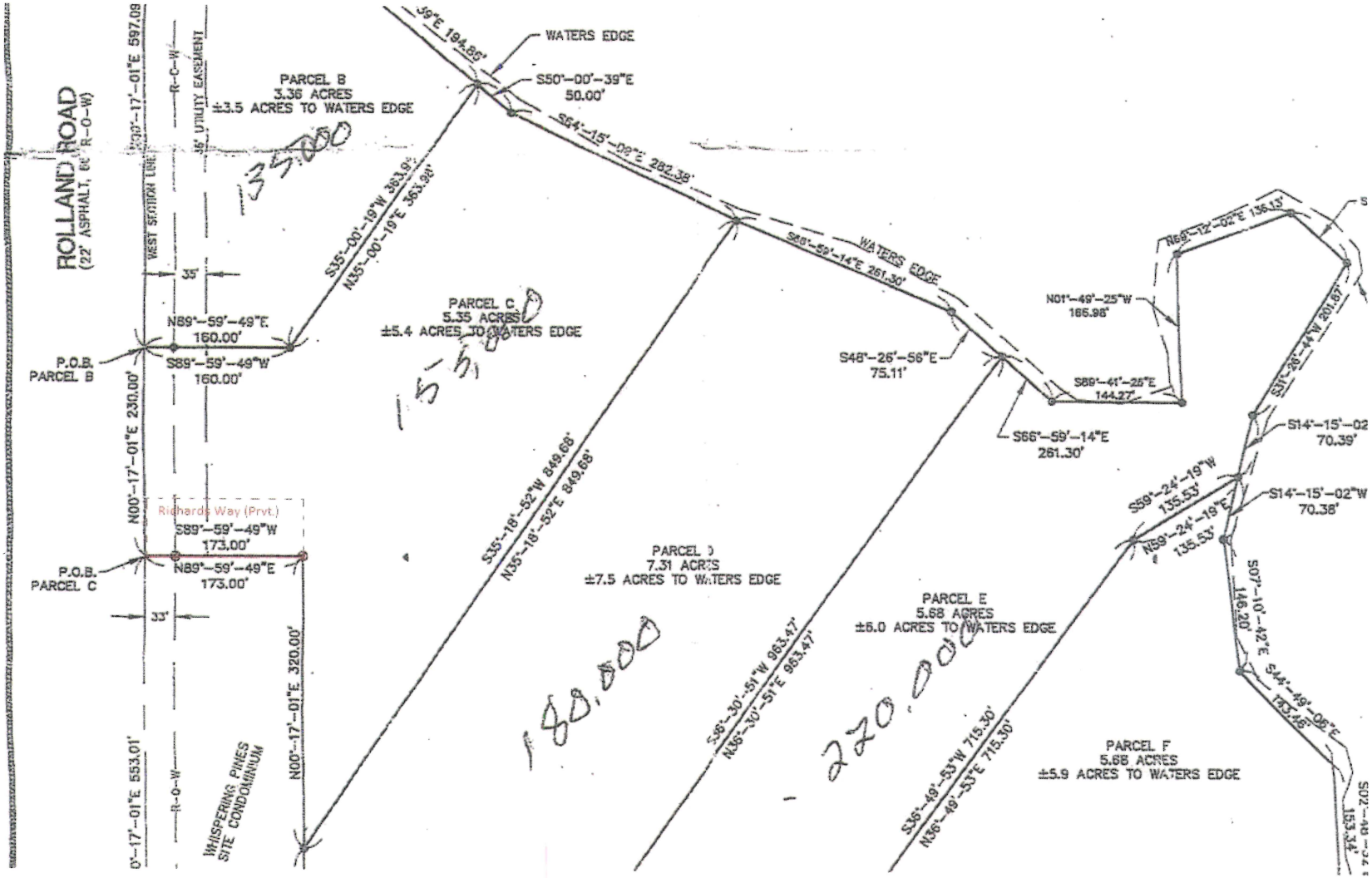
Notary Public, _____ County, Michigan
Acting in _____ County
My commission expires: _____

DRAFTED BY: Tim Wolff, 1010 Clubhouse Drive, Lake Isabella, MI 48893

Once recorded return to:
Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, MI 48893
989.644.8654

Goes with (8)

T14N R6W SEC 3 WHISPERING PINES COM AT SW COR SEC 3 TH N 0DEG 17MIN 1SEC E 553FT TO POB TH CONT N 0DEG 17MIN 1SEC E 230FT TH S 89DEG 59MIN 49SEC E 160FT TH N 35DEG 0MIN 19SEC E 363.98FT TO PT ON TRAVERSE LAKE ISABELLA TH S 50DEG 0MIN 39SEC E ALG TRAVERSE 50FT TO DEFLECTION PT TH S 64DEG 15MIN 19SEC E ALG TRAVERSE 282.38FT TH S 35DEG 18MIN 52SEC W 894.68FT TH N 0DEG 17MIN 1SEC E ALG E LINE WHIERSING PINE SITE CONDO 173FT TO POB INTENDED TO CONVEY ALL LANDS TO WATER'S EDGE SUBJECT TO 33FT HWY EASEMENT AND 35FT UTILITY EASEMNT PER SURVEY. INCLUDING THE PRIVATE ROAD RICHARDS WAY, WHICH IS DESCRIBED AS....



9

jessica lakeisabellami.org

From: tim lakeisabellami.org
Sent: Monday, September 9, 2024 2:35 PM
To: Samuel Ellerman
Cc: jessica lakeisabellami.org
Subject: Road

Mr. Ellerman,

I've reached out to the County to see if what you've dropped off will be sufficient for them in terms of the survey and legal description., but I haven't heard back yet. I'm fairly certain that an actual survey map and updated legal description of the parcel that can be recorded is what is needed, but waiting on confirmation there.

Tim Wolff
Lake Isabella Village Manager

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From: Samuel Ellerman <samdellerman@gmail.com>
Sent: Monday, September 9, 2024 2:38 PM
To: tim lakeisabellami.org <tim@lakeisabellami.org>; Samuel Ellerman <samdellerman@gmail.com>; Valerie Ellerman <valerieellerman900@gmail.com>
Subject: Re: Road

Those two maps you're talking about is that what I made for you?
Cuz I thought that's what I got for you
Please if you could call me I want get you exact what you want:)

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From: tim lakeisabellami.org
Sent: Monday, September 9, 2024 5:56 PM
To: 'Samuel Ellerman' <samdellerman@gmail.com>
Subject: RE: Road

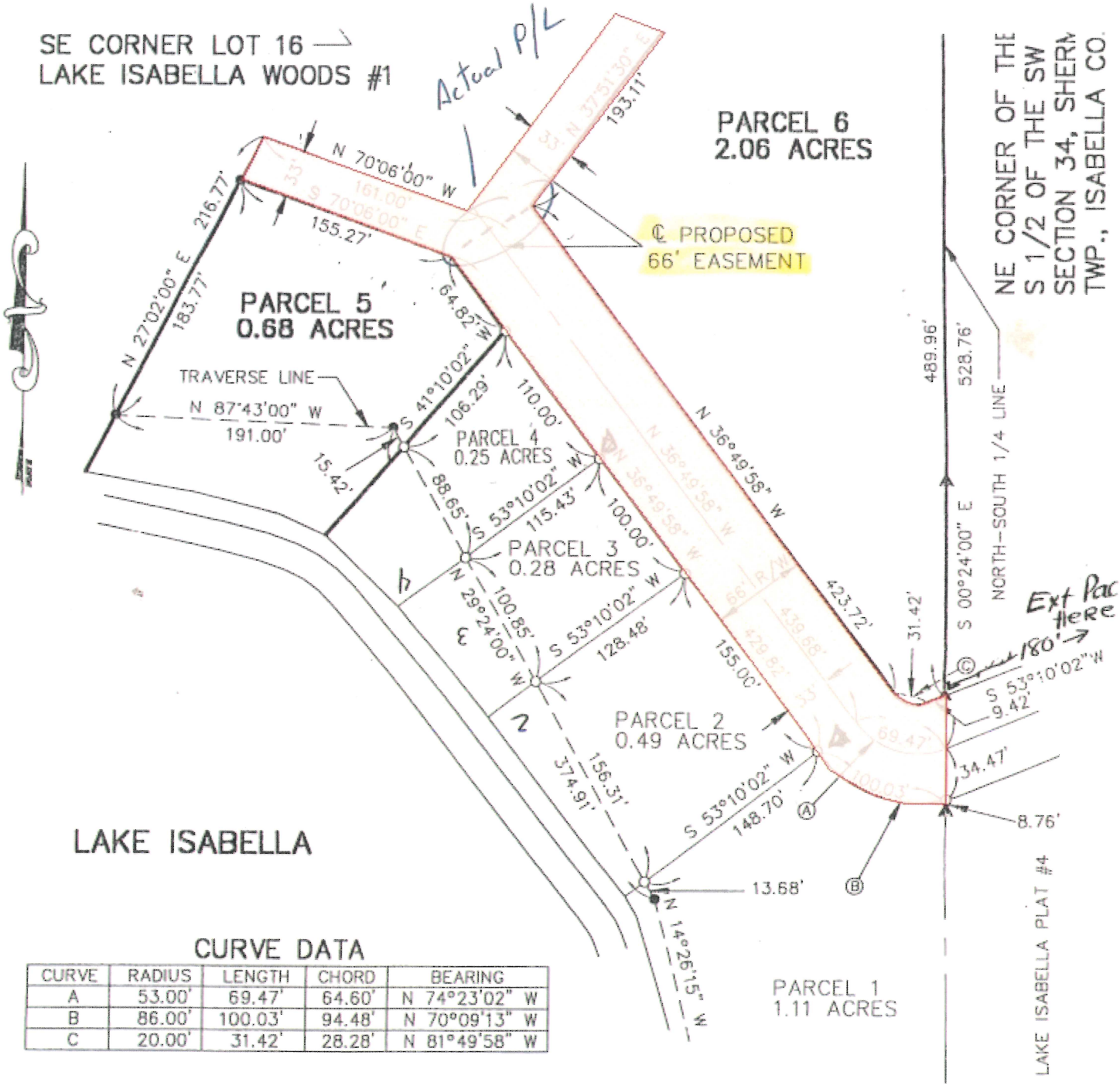
Mr. Ellerman,

Just getting back to the office. What you dropped off in terms of an updated survey and legal description are not in a recordable form. I've attached an example from Torcido Lane of that survey map and parcel descriptions, which include their private shared road/drive. A professionally prepared document from a surveyor is going to have a clean map, with distances and degrees for the meets and bounds and a legal description that matches what is shown on the map. The resolution on what was submitted is going to be flagged as non-legible once they scan it.

Per our discussion at the office last week, we really don't need the whole road described, rather as I've illustrated on the previous drawings, a 66' wide rectangular stub would be enough for us to get it into the GIS and identified as Richards Way. The driveway can continue past the stub without a legal description. I've attached that example again, the PDF file has a rectangular stub that is identified as Richards Way. That stub, in red, needs to be described in the parcel's legal description, which is why there is the read text at the end of the existing legal description. That needs to be in a clean, recordable document; once we have the legal description of the road, we can fill that into the private road agreement and formally get it signed.

Tim Wolff Village Manager

Goes w/ 11

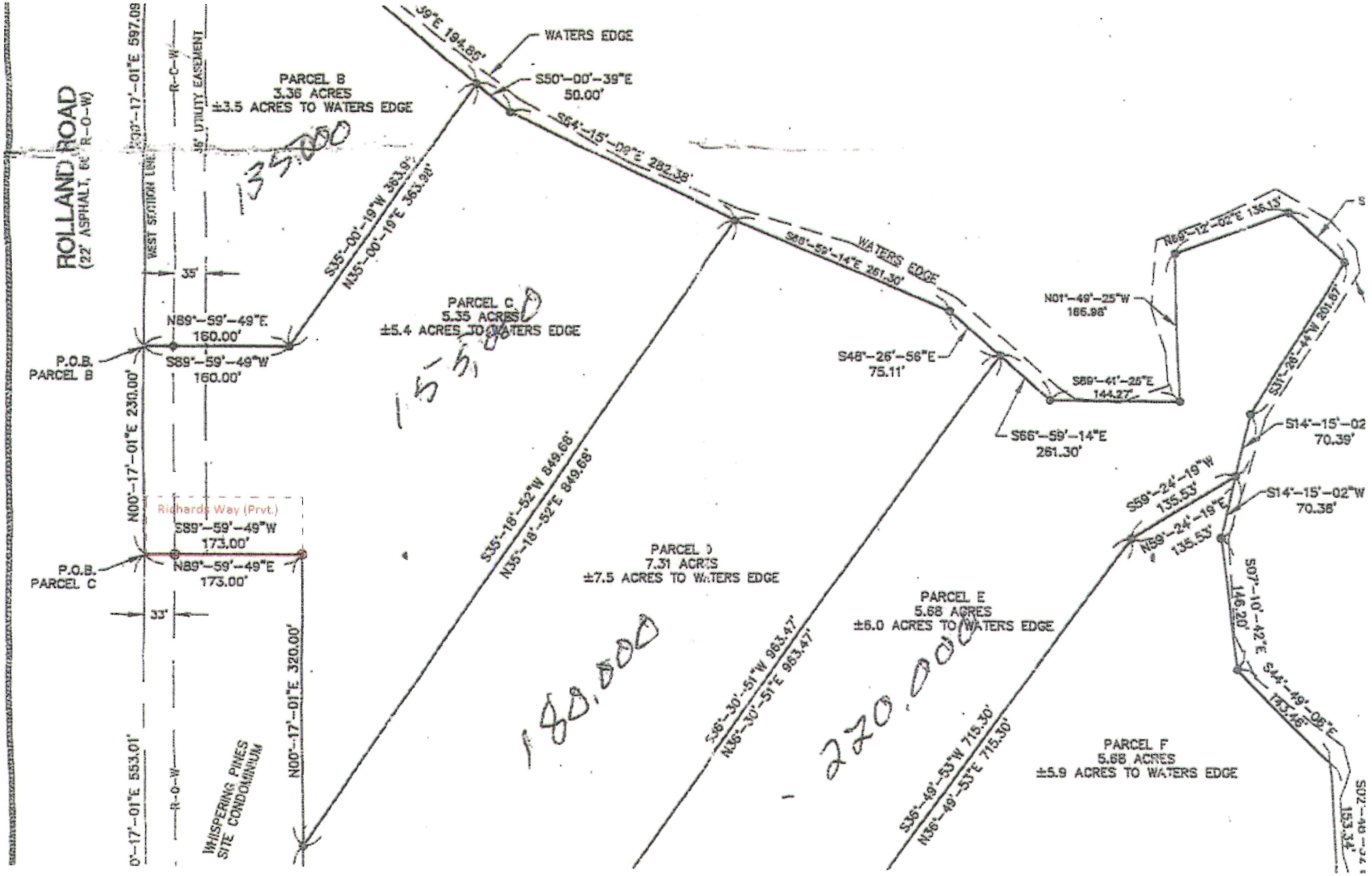


CURVE DATA

CURVE	RADIUS	LENGTH	CHORD	BEARING
A	53.00'	69.47'	64.60'	N 74°23'02" W
B	86.00'	100.03'	94.48'	N 70°09'13" W
C	20.00'	31.42'	28.28'	N 81°49'58" W

BASIS OF BEARING:

T14N R6W SEC 3 WHISPERING PINES COM AT SW COR SEC 3 TH N 0DEG 17MIN 1SEC E 553FT TO POB TH CONT N 0DEG 17MIN 1SEC E 230FT TH S 89DEG 59MIN 49SEC E 160FT TH N 35DEG 0MIN 19SEC E 363.98FT TO PT ON TRAVERSE LAKE ISABELLA TH S 50DEG 0MIN 39SEC E ALG TRAVERSE 50FT TO DEFLECTION PT TH S 64DEG 15MIN 19SEC E ALG TRAVERSE 282.38FT TH S 35DEG 18MIN 52SEC W 894.68FT TH N 0DEG 17MIN 1SEC E ALG E LINE WHIERSING PINE SITE CONDO 173FT TO POB INTENDED TO CONVEY ALL LANDS TO WATER'S EDGE SUBJECT TO 33FT HWY EASEMENT AND 35FT UTILITY EASEMNT PER SURVEY. INCLUDING THE PRIVATE ROAD RICHARDS WAY, WHICH IS DESCRIBED AS....



Goes w/ 11

PARCEL DESCRIPTIONS

PARCEL "3" - A parcel of land being a part of the South 1/2 of the Southwest 1/4 of Section 34, T15N-R6W, Sherman Township, Isabella County, Michigan, lying East of Lake Isabella, more particularly described as: Commencing at the Northeast corner of the South 1/2 of the Southwest 1/4 of said Section 34, said point being S89°59'15"E, 442.45' from the Southeast corner of Lot 16 of Lake Isabella Woods # 1, Liber 8, Page 483; thence S00°24'00"E, 563.23' along the North-South 1/4 line of said Section 34 to a point on the southwest line of a proposed 66' wide Easement; thence Northwesterly, 100.03' along a curve to the right with a RADIUS of 86.00' and a LONG CHORD of N70°09'13"W, 94.48' along said southwest line; thence N36°49'58"W, 155.00' along said southwest line to the **POINT OF BEGINNING**; thence S53°10'02"W, 128.48' to a traverse line on the Easterly bank of Lake Isabella; thence N29°24'00"W, 100.85' along said traverse line; thence N53°10'02"E, 115.43' to the southwest line of said 66' wide Easement; thence S36°49'58"E, 100.00' along said southwest line to the **POINT OF BEGINNING**, containing 0.28 acres and also INCLUDING the land between the traverse line and the Water's edge of Lake Isabella, TOGETHER WITH a 66' wide Easement for ingress and egress being 33' either and both sides of the centerline which is described as: Commencing at the Northeast corner of the South 1/2 of the Southwest 1/4 of said Section 34; thence S00°24'00"E, 528.76' along the North-South 1/4 line of said Section 34 to the **POINT OF BEGINNING;** thence Northwesterly, 69.47' along a curve to the right with a RADIUS of 53.00' and a LONG CHORD of N74°23'02"W, 64.69'; thence N36°49'58"W, 372.01' to the **POINT OF ENDING,** subject to restrictions, reservations, rights-of-way and easements of record.

Goes w/ 11

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jessica lakeisabellami.org

From: tim lakeisabellami.org
Sent: Tuesday, September 10, 2024 10:01 AM
To: Samuel Ellerman
Cc: jessica lakeisabellami.org
Subject: FW: Private Road

From the County...

- Tim

Subject: RE: Private Road

Tim:

To add a private road to the County Enterprise GIS, I would need a legal description of the centerline of the of the road as it traverses across the land. Additionally, I would need to know the right-of-way width of the road. All of this should be included with the Villages approval of the private road. A complete survey of the road would be helpful in adding it to the GIS for addressing purposes.

Thanks and have a great day.

Timothy A. Nieporte
Community Development Director
Isabella County Michigan
989-317-4061
tnieporte@isabellacounty.org