

TORCH LAKE TOWNSHIP
ANTRIM COUNTY, MICHIGAN

~~APPROVED-NO CHANGES~~ MINUTES OF TOWNSHIP BOARD MEETING

MAY 19, 2026

COMMUNITY SERVICES BUILDING

TORCH LAKE TOWNSHIP

Present: Cook, J. Merchant, M. Merchant

Absent: Graves, Schultz

Audience: 16

A. REPEATING AGENDA:

1. Meeting called to order by Cook at 7:04 pm. Pledge recited.
2. Prior meeting minutes:
Regular Board Meeting 4/15/26-Approved-1 change
Special Meeting 5/8/26-Approved- 1 change
Special Meeting 5/12/26-Approved no changes
Special Meeting 5/14/26-Approved no changes
3. Correspondence and Announcements: 2 lengthy correspondence letters read by Clerk with regards to the Nakwema Trail. Please see copies on website attached to minutes.
4. Approval of Agenda Content: Accepted with changes. Cook /J. Merchant motion to table discussion of agenda items for board discussion on STR's until Schultz and Graves are present, on Gen Rec and Park Fund until further info and input have been gathered. Passes 3-0
5. Citizen Comment: Sheriff Hoch gives Sheriff's Report. Department has a new anonymous tip line (231-533-3636) and a new program called LEAP: Citizens can attach a sticker to their vehicle to alert police officers to the presence of an autistic individual present in the vehicle.

B. CONSENT AGENDA: Accepted by consent.

C. SPECIAL REPORTS

1. Planning commission: Cook gives update. Conditional approval of building permit for "old Petersons Restaurant". See meeting details online.
2. FOIA Update-One FOIA is currently being worked on.
3. Financial Overview- See specific details online.

D. BOARD ACTION

NO OLD BUSINESS-none

NEW BUSINESS-Recognition of National EMS Week. Board gives thanks and appreciation for the exceptional service that our EMS workers provide.

E. AGENDA FOR BOARD DISCUSSION

1. Update discussion related to a General Recreation & Park Fund. TABLED
2. Update discussions related to short-term rentals. TABLED

F. AGENDA FOR INFORMATIONAL PURPOSE ONLY

G. CITIZEN COMMENT: Elizabeth Calcutt gives update on Nakewema Trail.

H. BOARD COMMENT: J. Merchant and M. Merchant comment that Schultz has been missed while she has been on vacation. Cook gives his thoughts on possible Park and Rec Fund.

I. ADJOURNMENT: Cook/J. Merchant to adjourn 7:39 pm

J. FUTURE MEETING AND HEARINGS:

1. PC-Monday 6/15/2026-7pm
2. Board Meeting-Tuesday, 6/16/2026-7pm
3. ZBA- Wednesday 6/17/2026-6pm

Mary Merchant, Township Clerk

Diane Mudge
Robert Woodard
4374 US N 31
Kewadin, MI 49648
Prop #: 05-14-312-064-10 and Prop #: 05-14-312-060-00).

Mr. Bob Cook
Torch Lake Township Supervisor
PO Box 713
Eastport, MI 49627

April 13, 2026

Dear Mr. Cook:

We are writing regarding the Nakwema Trail Project's proposed placement of a non-motorized trail within the right-of-way along US-31 North adjacent to our property.

We are formally objecting to the MDOT permitting and funding the Nakwema Trail Project's use of US 31 right-of-way based on the following reasons: 1) Right-of-way use and impacts, 2) Lack of input by those property owners impacted by the trailway, 3) Responsibility of maintenance and 4) Lack of adequate consideration of alternative pathways.

The proposed trail raises the following issues to granting ROW usage:

1) Right-of-Way Use and Impacts

While the right-of-way (ROW) is controlled by Michigan DOT the ROW use must remain consistent with transportation purposes to provide a dedicated legally secure corridor for current and future transportation purposes and not impose additional burdens on adjacent property owners. It also provides a safe area in an emergency situation to exit the highway.

- Interference with driveway access: Safe ingress/egress from a driveway to US 31 is essential. Modifications of driveways for the purposes of trail development impact safety.

- Increased flooding risk in the ROW. This is due to altered drainage patterns from a graded paved pathway. This is a specific problem with our property as there is significant flooding during winter thaw, spring and summer rains.

-Safety and liability concerns: There is nothing preventing trail users from leaving the pathway and exploring private property along the 45 mile route. Although homeowners are not held liable by statute if a person goes off route and gets injured on personal property, there is nothing to prevent nuisance lawsuits.

-Loss of privacy: The trailway impacts the quiet use and enjoyment of my property adjacent to the pathway and ROW.

2) Lack of adequate input from affected property owners.

There is no clear evidence that the majority property owners directly adjacent to the railway were adequately contacted for their input.

For example, a Survey Monkey survey regarding railway routing dated 9/11/2023 indicated that 65.2% of the respondents were *not* adjacent to the proposed trail yet indicated they would like the railway on US 31 (65.2%). Closer to home, we received a postcard regarding a proposed meeting regarding realignment of the railway dated January 29, 2026. None of my six neighbors received a notice of the meeting and all six were against the railway. The survey results from that meeting have yet to be released.

There is a significant impact of a railway in the ROW of US 31 and the associated constraints, it is essential that every effort be made to contact **all** homeowners. Homeowner responses should be shared with the public and made part of the public record. If the responses are not favorable for a US 31 railway then alternatives must be seriously considered.

Basing the need for a trail route on inadequate input lends the appearance that there will be a railway next to your property whether you like it or not.

3) Responsibility of maintenance:

The 2015 Nakwema Trail Concept Plan indicates that maintenance responsibilities will be divided among multiple state, local and township agencies and nonprofit organizations with reliance on volunteer labor. This fragmented responsibility structure raises legitimate concerns regarding who can be contacted regarding maintenance and who will exactly will be in charge of mowing (currently the MDOT does not mow the ROW in our area), culvert maintenance, vegetation control, trash removal and surface upkeep, especially over driveways which can be subject to use by heavy equipment.

4) Alternative trail pathways:

As you are aware, nonmotorized facilities are only allowed within the ROW if *no* other feasible alternative exists. Further, cost effectiveness cannot be the primary reason for rejecting other alternatives.

There are many available alternative pathways that can be considered other than the US 31 corridor. For example, a route from Elk Rapids via SE Torch Lake Dr/NE Torch Lake Dr to Eastport did not seem to be considered based on public documents.

Other suggested alternatives were dismissed outright. In a webinar meeting on Jan 29, 2026 a participant asked about moving a section of the Torch Lake Township railway to the power line ROW. The answer was “there were problems with that route.” During that meeting many of the mentioned alternatives considered by the Nakwema Railway Project were dismissed as being too costly, with safety as secondary mention.

-The use of low traffic corridors: Off highway routes with the use of secondary or lower traffic corridors should be seriously considered as they can be more scenic and less trafficked.

For example, The Little Traverse Wheel Way which "follows" US 31 *should be a model for the Nakwema Trailway*. It has relatively few miles of trailway in the US 31 ROW. It meanders through some beautiful quiet forested and shoreline areas. It also has trailways that make use of existing secondary roadways

If these lower-impact alternatives have been fully evaluated, including designated shoulder-of-the-road bicycle routes, shoulder striping and signage, targeted shoulder widening where necessary, they are not easily publicly available on the Nakwema website or elsewhere.

Summary:

The Nakwema Trailway Project's stated vision is to provide a route between "pristine freshwater shorelines, rolling dunes and pastoral farmland." But does the route to those areas need to be exclusively along a major highway replete with roaring semi-tractor trailers, double bottomed gravel haulers and cars whizzing by at 65 mph? Our answer is no it does not.

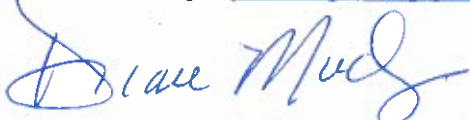
It appears to us that the vision of the Nakwema Trailway Project, by using the US 31 corridor, is to complete the trailway from Traverse City to Charlevoix in the most expedient way possible without consideration of seeing the beauty of northern Michigan by a route less traveled.

Respectfully, Nakwema Trail Way should not be given approval for funding and permitting until an alternative to the US 31 route is approved.

Please ensure that this letter is entered into the project record. An electronic copy can be sent upon request.

Thank You,

Diane Mudge (dlmudge59@gmail.com) (860-590-2972)



Robert Woodard (rrwoodard57@gmail.com) (860-480-2380)



Cc John Roth Michigan Congressman 104th district
John Damoose, Michigan Senate
Bradley C. Wieferich PE, Director MDOT
Julie Clark, TART Trails, Brent Bolin, Top of MI Trails

David & Karilyn Christenson

134 N. West Torch Lake Drive

Kewadin, MI 49648

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May 13, 2026

Torch Lake Township Board

2355 N US -31

Kewadin, MI 49648

As you may know, TART has received a \$2,000,000 conditional funding commitment from Michigan Department of Transportation - Transportation Alternatives Program (MDOT-TAP) for a section of the Nakwema Trail from Maple Bay to Elk Rapids. It is a huge step forward towards ultimate completion of the Trail. The commitment resulted from cooperation with Elk Rapids Township, the Village of Elk Rapids and TART. Both the Village and the Township Boards unanimously approved resolutions in support of the Trail.

It is time for the Torch Lake Township board to draft and approve a resolution of support of the Nakwema Trail. Recent surveys of the Elk Rapids Township and Antrim County residents showed an overwhelming support for outdoor recreation and trails. The Elk Rapids resolutions were submitted in October and approved in April. The amazingly quick approval from MDOT-TAP was accomplished because of resolutions and the work put forward by the TART team. Torch Lake Township should benefit from the Elk Rapids experience and get their resolution passed and in front of MDOT-TAP as soon as possible.

Statistics show that trails such as the Nakwema not just provide recreational opportunities, but also attract business and increase property values. The Eastport Trail Head can be the anchor for more business and enhanced opportunities for existing businesses.

Engineers working with TART are conducting an on-the-ground survey of the Torch Lake Township corridor. As presently proposed, the trail will be walking distance from my home. We are year-around residents and senior citizens and are well aware of the lack of recreational opportunities in the Township. Two things most seniors need are exercise and socialization. The trail head in Eastport provides the township with the opportunity to not just support the trail, but to develop a place of community. Please take the necessary steps to get the Nakwema Trailway resolution passed.



David & Karilyn Christenson

134 N. West Torch Lake Dr.

Kewadin, MI 49648