

**OFFICIAL PROCEEDINGS**  
**VILLAGE OF DARIEN PLAN COMMISSION MEETING**  
**Wednesday, May 4, 2022 – 7:00 PM**  
**Darien Village Hall**  
**24 N. Wisconsin St., Darien, WI 53114**

1. **Call to Order.** Village President Stiles called the meeting to order at 7:10 p.m. at Darien Village Hall.
2. **Roll Call.** Village President Jane Stiles, Trustees Kevin Atkinson and Ken Truckey, and citizen members Dean Logterman, Greg Epping, Bruce Lindstrand, and Jim Stirmel were present. Village Attorney Brad Lochowicz, Administrator/Clerk-Treasurer Lindsey Peterson, Public Works Superintendent Mike Velej, Zoning Administrator/Code Enforcement Officer Shannon Markley, Village Engineer Jason Feucht, Municipal Advisor Brian Roemer, Village Planners Mike Slavney and Ben Rohr (via Zoom) were also present.
3. **Approval of minutes from the February 17, 2022 Plan Commission Meeting.** Trustee Truckey made a motion to approve the minutes. Mr. Lindstrand seconded, and the motion carried 7-0.
4. **Discussion and possible action on an application from the Village of Darien for a lot line adjustment affecting parcels QFR 00020, 6 North Wisconsin St. and QFR 00022, 2 North Wisconsin St. in the Village of Darien.** Ms. Peterson presented the lot line adjustment for the properties of 2 N. Wisconsin Street and 6 N. Wisconsin St. in Darien. She stated the current lot line runs through the building on 2 N. Wisconsin St. attributing one-third of the building to 6 N. Wisconsin St. property. As part of the offer to purchase signed between Mr. Steve Fetting and the Village of Darien, the Village had agreed to complete this adjustment and correct the lot line. Mr. Tom Dye, the owner of 6 N. Wisconsin Street is aware of the lot line adjustment, has reviewed, and has no concerns about it. President Stiles made a motion to recommend approval of the Plat of Survey and lot line adjustment for 2 & 6 N. Wisconsin St. Trustee Truckey seconded, and the motion carried 7-0.
5. **Discussion and possible action on an application from Scott Sterner on behalf of Forest Lakes District EFCA for a land division on parcel number QOP 00046, 11 First Street & 114 E. Beloit Street in the Village of Darien.** Ms. Markley presented the land division for 11 First Street & 114 East Beloit St. She stated this division would separate the church and the house, which currently are one parcel. She stated the new Plat of Survey meets all the requirement for the Zoning District. She stated Mr. Scott Sterner from Forest Lakes District was present to provide more details. Mr. Scott Sterner, representing Forest Lakes District stated that in the past, it was common for churches to have parsonages, but it is now much less common. He stated the goal of this division was to allow the clergy to have the benefit of homeownership, and that the pastor of the church would be purchasing the house. Mr. Logterman made a motion to recommend approval of the land division of parcel QOP 00046 as presented on the plat of survey. Trustee Atkinson seconded, and the motion carried 7-0.
6. **Update on a Special Use Permit granted to Nick Rummelhoff of 551 Oak Ridge Drive, in the Village of Darien to operate a small engine repair business.** Ms. Markley stated Mr. Rummelhoff met with the Zoning Administrator asking to apply for a Special Use Permit to undertake small engine repairs at his home. These would be small engines like lawn mowers, snowblowers, etc. no vehicle repairs. Ms. Peterson stated Ms. Markley granted the Special Use Permit to Mr. Rummelhoff under her authority as Zoning Administrator, established by the Village of Darien Municipal Code. She stated the Code requires the Zoning Administrator to inform the Plan Commission that this was granted, so this item is informational only.

7. **Discussion and possible recommendation to the Village Board on a Petition for Direct Annexation by Unanimous Consent submitted by Steven Wadell/Hill Top Securities, LLC for approximately 137.021 acres located at the Southeast corner of County Road X and County Road C (Parcel Number BD 3300001).** Nancy Haggerty, Attorney with Michael Best & Friedrich, LLP, Milwaukee, representing NewCold, stated that a number of the upcoming agenda items and public hearings were related to NewCold's proposed development, they were hoping to provide an overview before moving into the annexation item.

Jonas Swarttouw, U.S. Country Manager for NewCold provided an overview of the company, as well as an explanation on the type of cold storage facility NewCold utilizes.

Ms. Haggerty then returned to the podium and presented PowerPoint slides detailing the proposed development and the steps required for the project to move forward in the Village of Darien.

Trustee Truckey made a motion to recommend approval of the annexation petition submitted by Steven Wadell/Hill Top Securities, LLC. Mr. Lindstrand seconded, and the motion carried 7-0.

8. **Review and possible recommendation to the Village Board relating to an application for a two-lot Certified Survey Map for the property located near the Southeast Corner of County Road X and County Road C (Parcel Number BD 3300001) (CSM-2022-02).** Ms. Haggerty stated that following the annexation of the property into the Village of Darien, the Certified Survey Map submitted by NewCold will split the parcel into two parcels, a northern and southern parcel. She stated the northern parcel will be zoned Suburban Industrial, and the southern parcel will remain in Agricultural Holding District. The proposed facility would be located on the northern parcel. Mr. Logterman made a motion to approve the two-lot certified survey map. Trustee Truckey seconded, and the motion carried 7-0.

9. **Public Hearing regarding an application submitted by Jonas Swarttouw and Trae Richardson on behalf of NewCold Darien, LLC, for a Zoning Map Amendment for the property located at the Southeast corner of County Road X and County Road C (Parcel number BD 3300001) to apply permanent zoning of Suburban Industrial (SI) to the northern portion and Agricultural Holding District (A-1) to the southern portion (ZMA-2022-01).** Attorney Lochowicz laid the ground rules for the public hearing. President Stiles invited the applicant to first speak on the public hearing topic. Attorney Nancy Haggerty stated that NewCold is asking the Plan Commission to recommend rezoning of the northern parcel to Suburban Industrial (SI) and the southern parcel to remain in Agricultural Holding District (A-1). President Stiles then made a motion to open the public hearing. Trustee Truckey seconded, and the motion carried 7-0.

Riley Dunn, W8565 County Road X in Darien: He stated he and his wife live right where the development is proposed to take place. He stated when they looked at their property three years ago, his wife assured him that the landowner would never sell the adjacent property because of their support for agriculture & FFA. He stated he thinks he knows where things will go with NewCold. He stated none of the Board members would agree to this if it were to be located near their property. He stated their silo is 60 feet tall. The NewCold building is two of these on top of each other, plus 11 feet. He stated he has facts about football fields but won't read them because of time. He would rather see 8 football teams play there instead of have this building. He stated he wasn't in support of the one hundred or so trucks. He said a big building will affect the taxes, and this should be discussed. He stated they will have an ammonia system near houses. Birds Eye and Cold Storage have these two and they have suppression systems, but there are failures. He hopes the Board thinks about it and decides to make the Village better instead of bigger.

Sandy Anderson, 5-0 Stables, N2605 Wise Road in Darien: She stated everyone knows how she feels. She asked who remembers a number of stores and events in the Village of Darien. She stated Darien decided to move Cornfest, which used to be downtown to West Park because it would be better, and businesses suffered; but Darien didn't care. Then the sidewalk in front of the grocery store was made bigger and it closed the grocery store. She stated Darien's ideas to make things bigger and better hurt people. She stated she guesses they didn't care. She stated now Darien

wants NewCold which is a win-win situation for NewCold, but not the people of Darien. The company doesn't care. They will build a building and then go back to Chicago. She said if the Village or Town of Darien care about the people, she begs them to say no.

Dave Henderson, W8841 County Road X, Darien: He stated what the Board is doing to the community is disheartening. He stated this is a small town where people enjoy the outdoors. What the Board wants to do to this town is turn it into an industrial park. How do they look at themselves in the mirror? He said the Village won't see a tax benefit from this for twentyish years.

Bridget McCarthy, W7538 Pleasant Street, Darien: She thanked the Commissioners for their time to listen. She stated we all want Darien to succeed, and that's why they are all there. She stated they don't feel this is the right step. She stated the Zoning Change is irresponsible. She said it is a massive building and she thought it was funny that there are two phases that may or may not happen. She stated this is prime Ag land and you can't get this back. She stated in the goldrush there would be gold shot into walls as proof there was gold there. She stated any success soon failed and left a ghost town. She stated they love Darien and don't want it to turn into Gary, Indiana. She asked if the allegiance was going to be to the applicant or the residents, and encouraged the Commission to take their time.

Christina Green, Sweet & Maier, 114 N. Church St., Elkhorn: She stated she represents Ed & Sandy Anderson from the Town of Darien. She stated at the Joint Review Board meeting earlier today, the County Finance person asked what kind of response they have gotten, and the response was the only negative they have gotten is from the Town. She said she understands that because of where the development will be located. She stated that it was noted in the State's letter that the annexation was creating a town island. She stated NewCold and the Village's attorneys identified caselaw supporting the annexation. But she stated this annexation is different because of the what the courts call a "balloon on a sting" effect created. If the annexation is not valid, then nothing else is valid and may require a new annexation drawing. She stated that they shouldn't rush this through. She stated the Plan Commission's job is to recommend to the Board on all the information, but she doesn't feel they have heard all the information. She stated she was asking for the public hearings to be held open until all information is available. She stated, regarding the rezone, they are taking prime Ag land and rezoning it industrial. She stated that if the Village wants to annex the land and put in residences, that's great. But not this development. She said think about what you are doing. Think about how this will benefit the Village.

Sharon McConnell, N2701 Wise Road, Darien: She stated the fact is, that her late husband built the house she lives in. She stated the house is willed to her children and her five grandchildren. She stated two of her grandchildren just moved down the road because her neighbors did not want to live in the shadow of NewCold. She said if NewCold comes, she is gone, her grandchildren are gone. It's not all about where we are going. She said she wants her grandchildren to be able to play outside. She said she is appalled that this will be taken away from her grandchildren.

Ken Brand, N2603 County Road C, Darien: He stated he understands their position because he was on the Plan Commission. He was also on the Board. He stated he helped create a TIF District. He stated he had been retired for 30 years from the Sherriff's Office. He stated County Road X is no the best egress and ingress for an industrial facility. He stated he was worried about the backlog of truck traffic that would result, and he hopes there is a plan for traffic control. He stated right now the Village is asking for trouble. He stated it needs to be guaranteed that kids on Beloit Street can still get on the school bus and kids can still walk to the ice cream shoppe.

Dennis Grams, 230 North Church St., Darien: They elected the Board and they can also not re-elect the Board. He asked why this isn't a vote by Village residents. For the people, by the people in the U.S. Constitution.

President Stiles made a motion to close the public hearing. Trustee Truckey seconded, and the motion carried 7-0.

#### 10. Review, discussion and possible recommendation to the Village Board regarding ZMA-2022-01.

Trustee Truckey made a motion to approve the Zoning Map Amendment ZMA2022-01. Mr. Lindstrand seconded, and the motion carried 7-0.

11. **Public Hearing regarding an application submitted by Jonas Swarttouw and Trae Richardson on behalf of NewCold Darien, LLC, for a Conditional Use Permit to exceed the building height regulations in the SI, Suburban Industrial District, for the property located at the Southeast corner of County Road X and County Road C (Parcel Number BD 3300001) (CUP-2022-03).**

Attorney Haggerty representing NewCold and Mike Zeeck representing NewCold introduced the Conditional Use Permit request. Ms. Haggerty stated the building height was directly tied to the operations. She stated the increased height was allowed, if all conditions are met and the permit is approved. Mr. Zeeck from NewCold stated that the tall square building allows the company to reduce their building footprint and reduce their energy costs by 50% of that of a conventional cold storage facility. He stated that is why they are requesting the Conditional Use Permit for height. Attorney Haggerty stated that there are several structures of similar height or higher in the Village already. The Company will also be setting the building back from the road much farther than the minimum setback, and this will make it even less visible than a 45 foot building, the tallest allowed without a Conditional Use Permit, at the minimum setbacks.

President Stiles made a motion to open the public hearing. Trustee Truckey seconded, and the motion carried 7-0.

Dave Henderson, W8841 County Road X, Darien: He stated a silo is not the same as a building of that height. He stated on Route 67 there is a new hotel that is 4 stories. You would have to double that.

Bridget McCarthy, W7538 Pleasant Street, Darien: She stated she doesn't know a lot about this stuff, so she is glad there are people that can explain it. She stated she drew on graph paper to represent the length and height of the building, and she ran out of graph paper. She stated she doesn't know much about law, but she knows what grain silos are. She states farmers take loads and drop them off at the grain elevator, but that won't happen with NewCold. She stated farmers won't benefit from freezer space at NewCold. She stated she expected discussion. She stated people have a lot of questions, but feel like they can't ask them at a public hearing.

Christina Green, Sweet & Maier, 114 N. Church St., Elkhorn: She told the Plan Commission, shame on you. She said she doesn't know if they saw their packet, but they weren't supposed to have their minds made up already. She stated that there was no discussion so their minds must be made up. She explained that NewCold is asking for a building height of 3.3 times the maximum allowed in the Zoning District. But she doesn't think this was the intention of the ordinance. She stated that Conditional Use Permits should come with conditions, but she didn't see any. She stated she didn't think anyone would move in next to this building. She believes that there must be overnight parking at the facility because of what she read online about the Burley, Idaho facility. Is the Plan Commission concerned about that? She stated she is over her two minutes, but she doesn't care. She said she had faith in the Village, but now she doesn't.

Sharon McConnell, N2701 Wise Road, Darien: She stated that there are facilities in Walworth that have efficiencies but don't take up enough space. She stated she can live with what's there, but not the fact that her grandchildren will have to stare at a building they can't see the other side of. She said it is a travesty to do this to farmland.

Shannon Henderson, W8841 County Road X, Darien: She stated they moved to Darien because they like the country life, but now there will be a 100-foot building and additional truck traffic.

Katie Green, 1001 Links Road, Lake Geneva: She stated she does not live in the Village, but she goes to 5-0 Stables. She stated she supports the environment a lot. This will affect all of Darien, not just neighboring parcels. She stated no one will be able to hear the birds within miles of the facility over the hum of the building. She said the building will be bigger than anything in Walworth County. She stated that Conditional Use Permits come with conditions.

President Stiles made a motion to close the public hearing. Trustee Atkinson seconded, and the motion carried 7-0.

**12. Review, discussion and possible recommendation to the Village Board regarding CUP-2022-03.**

Trustee Truckey made a motion to recommend the Village Board approve CUP-2022-03. Mr. Logterman seconded, and the motion carried 7-0.

**13. Public Hearing regarding the proposed Project Plan, Boundaries and creation of Tax Incremental District No. 4 (See the Public Hearing Notice which was published on April 14, 2022 & April 21, 2022).**

Brian Roemer from Ehlers presented the DRAFT Tax Increment District Project Plan. He also outlined the recommendations from the Joint Review Board, and stated these items should be included in the Development Agreement. The County would like the percentage of increment for the developer to be tied only to their development. They would also like to see a cap on the increment. County staff recommended that the Village pays all debt before Municipal Revenue Obligations are paid, to eliminate all risk. He stated that if NewCold does not meet their minimum value guarantee, then they do not receive their full incentive payment. Also, he stated there was a request that the development agreement includes a length of stay guarantee.

He stated that the development agreement is still in progress, but once this is completed, the Project Plan can be updated to reflect the same costs. He stated the recommendation from Ehlers is that the Village does not create the TID without a signed development agreement.

President Stiles made a motion to open the public hearing for the Tax Increment District creation. Mr. Lindstrand seconded, and the motion carried 7-0.

George Wen, W8421 Spring Lane, Darien: He stated that he was a business owner here and paid all his taxes. He stated when he owned his business, no one cared about his ROI. He stated he thinks a multimillion-dollar company should pay their taxes and not get a free ride. He said the Village should negotiate hard. Don't be a soft touch on this.

Trista Smith, W8829 County Road X, Darien: She stated that it was her understanding that the Village already has one TID and she thought it would make more sense to fill that TID before creating a whole new TID.

Bridget McCarthy, W7538 Pleasant Street, Darien: she said six separately people who didn't know each other said to her tonight that this was already a done deal. She said that wasn't true, but now the Plan Commission has proved her wrong. She said that in the TID project plan the map shows the second parcel as future commercial and industrial. She said she was under the understanding that this was to be an Ag buffer. She said this was a funny little thing. She said the Village does have an open TID. She said the tax dollars are just sitting around. And she finds this completely irresponsible. She said she does not care if the Plan Commission votes for this item, but she wants to see more discussion to show they are pretending to think about this. She said she feels bad for the Dunns and the situation they are in. She said that approval of this project shows that the Village's allegiance is with an international company not the people breaking their backs. She stated that the Village was falling all over themselves to get the land annexed in. For shame.

Christina Green, Sweet & Maier, 114 N. Church St., Elkhorn: she stated what the person from Ehlers explained to everyone probably went over their heads, so she was going to bring it down to the average person. She stated NewCold says the building will be worth \$118 million. She stated NewCold has said they will not build here if they do not make enough profit, even though they are a multi-billion-dollar company. She stated the Village will not see a penny from the increment until the TID is closed, 20 years from now, when they've gotten their money and all the roads are destroyed and citizens have moved out, the Village would see tax money. She stated she can tell they don't have all the questions answered. She stated NewCold is a shell company created in 2021 and they won't have to honor their guaranteed stay, and can just take the money and leave. She stated think about what you are doing. Think long and hard.

Mark Stiles, 124 Oak Street, Darien: He says he lives in the Village of Darien and pays the high taxes and waterbills. Most of the attendees at the meeting live in the township and do not feel that pain. He asked what would happen to his tax bill if the development occurred in the TID. He stated he is in support of this project. He understands the tall building. He is a business owner and he currently looking at automated storage, but his building may not be tall enough. So he understands. He stated it is efficient and it takes less land. He states it will be a more efficient solution than Geneva Lakes Cold Storage is.

Dan Kilkenny (via Zoom), N3616 Elm Ridge Road, Delavan: He stated to the gentleman's question, the plan is to not have any taxing revenues returned to the taxing bodies for 20 years. He stated that the Department of Revenue has a TIF manual that explains more of the process. He stated one of the items in the manual is the public hearing process. He recommended that Plan Commission consider holding additional meetings and hearings until they have all the information. He stated he attended the Joint Review Board meeting and there were still a number of questions regarding the developer's agreement. He stated the Plan Commission members are the fact finders today and they don't have the facts of what will be in the developer's agreement. He recommended again that the Plan Commission consult with their attorney and financial advisor to see if they can continue the discussion and public hearings, so they have the facts first before making a recommendation on the TID creation.

Jonas Swarttouw, NewCold Darien, LLC: He stated NewCold will not invest such a large amount of money in a facility that they plan to leave in 20 years. They will stay much longer than that. He stated NewCold also creates good mortgage paying jobs. At their Burley, Idaho facility, all employees live within 20 miles of the facility. He stated most of the employees are crosstrained. Even if they didn't consider themselves employable in those jobs, training was provided and now they are employed in those jobs by NewCold. He invited everyone to contact their colleagues in Burley and ask them about the NewCold facility there. He stated their ability to deliver this project is proven. They have been doing it for many, many years.

Katie Green, 1001 Links Road, Lake Geneva: She stated that the Village wants to give \$54 million to NewCold over the next 20 years, because they think NewCold will be so great, but they have some negative truck driver reviews. She read a review from a truck driver in Burley, Idaho facility. Attorney Lochowicz pointed out that this had nothing to do with the TID, but it was up to the Chair if she wished to allow it. President Stiles stated Ms. Green could continue. She read the remainder of the review.

Bob Fettig, N2425 Main Road, Lake Geneva: he said he has had businesses in the community for over 35 years. He stated he did not agree with a lot of what he heard here tonight. He believes if you buy a piece of property, you should be able to do what you want with it. He stated he grew up in the city and did not know what the sunset looked like until he was an adult. He states he likes living out in the country now. He stated the first piece of property he purchased in the Village was in a TID. He stated he did not know what it was and doesn't believe most people in the room do either. He said the TID just creates a game of enticing businesses to come to town and it has been going on too long. He said he doesn't think talking negatively will stop this from happening or stop TIDs from being created. He said, as a businessman who owns property in the Village, he has not and does not plan to ever ask for a dime from a TIF. He stated his properties do have sewer and water, but he financed this for the Village. He said he would simplify this by doing away with the TID and ask them if they want to build a building here or not, and if they buy it, they should be able to do what they want to do with it. No one likes someone else telling them what to do with their property. We either believe in private property rights or we don't.

Dave Ottum, N2532 County Road C, Darien: he stated he originally came from Sharon and lived on an island in the township. They told him it was illegal to have an island, and he didn't know anything about that. He stated then Sharon needed a lift station, so they told him they were going to buy his land. He said no and got an anti-trust lawsuit against him and found out they had sold his land for \$5,000. After this, he moved to the Town of Darien. He said he went to the Township meeting and signed up to speak. He said people were told they can't speak twice. He waited for the

next meeting, but then next thing he knew the Village had a meeting about it. He said someday if he gets enough money, he will go back to Sharon and ask to be paid for his land.

Nancy Haggerty with NewCold stated she wanted to focus everyone on the issue for this item. It was solely whether the Village wanted to create a TID District. It has nothing to do with the money being given to the developer. She stated a number of people have spoken about the high utility rates tonight. She stated adding a new customer will shift some of the burden of this. She stated they have also been told this project will almost double the tax base for the Village as soon as the building is built. She stated that the development agreement between the developer and the Village is not what is being considered on this item.

Sharon McConnell, N2701 Wise Road, Darien: She said she doesn't know or care what a TID is. She said she wanted to invite everyone to meet her grandchildren and look them in the eye and tell them they can't play outside.

President Stiles made a motion to close the public hearing. Trustee Truckey seconded, and the motion carried 7-0.

14. **Resolution No. PC2022-01 – Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 4, Village of Darien, Wisconsin.** Trustee Truckey made a motion to approve Resolution No. PC2022-01. Mr. Logterman seconded. President Stiles stated they could now move into discussion and questions.

Mr. Roemer from Ehlers stated he had written down two questions that were asked and he could address those first. President Stiles stated he could continue. He stated there was a question about the change on the tax bill immediately. He stated that the difference doesn't change much immediately outside of the difference in assessed and equalized value. He stated in year three, he calculated a reduction of 12 cents per \$1,000 in assessed value. He stated after the closure of the district, which the project plan has at 20 years, the reduction in taxes may be more dramatic. He stated that if the project plan is adopted, the Village is not obligated to complete these projects, so there is also a possibility to change the project plan to close the district earlier. He stated that Ms. Haggerty is correct that the question tonight is outside of the developer's agreement. He stated the question is whether or not to move this item to the Village Board. He stated the second question was in regards to procedure. He stated that the Plan Commission can decide to hold another public hearing and table the resolution. They can move it forward to the Village Board if they choose to. Trustee Atkinson stated he was still trying to figure out if his taxes are going to go down right away or not. Mr. Roemer stated that the change in the tax rate would be minimal until the district is closed. President Stiles stated each year she thought the Village would still see taxes coming in. Trustee Truckey stated his understanding was that each year all the taxing entities keep getting their taxes for the base value of the property, but the increase in taxes from the development stays within the district. Mr. Roemer stated that was correct. The base value is frozen. The jurisdictions will collect that same amount, until the district closes. Then they will receive their portion of the remaining revenues in the district and begin to receive their full share of taxes annually as well. He stated that the portion of taxes from the district to be provided to the developer has not been determined, and that could change the amount of time the district stays open.

Mr. Logterman asked about the infrastructure projects included in the plan. Village Engineer Jason Feucht explained the length of the water and sewer infrastructure to the site as well as the necessity of a lift station for the site. Mr. Logterman asked if Mr. Feucht came up with the cost estimates for the infrastructure. Mr. Feucht stated that he did. Mr. Logterman confirmed that the developer will pay for the infrastructure and the Village will pay the developer back. Mr. Feucht stated that was correct.

Mr. Lindstrand asked when the developer's agreement would be available for review. Attorney Lochowicz stated that the agreement is being worked on currently, but is close to being completed. He stated items like the cap on tax increment for the developer and the items requested by the Joint Review Board still need to be included. He stated in closed session, there will be more discussion on this. He stated the developer's agreement has to be completed before the TID can be approved. Attorney Lochowicz stated the Plan Commission could also move this item forward for approval to the Village Board, subject to the developer's agreement being completed and approved.

Mr. Logterman stated he would like to see another public hearing and more information. Trustee Atkinson stated that was his opinion as well. Mr. Logterman stated he believed that the previous motion needed to be voted down first.

President Stiles stated there was a motion on the floor to recommend approval of the Project Plan. The motion failed 0-7. Mr. Logterman made a motion to table the Project Plan And resolution until more information is available and hold an additional public hearing on it. Trustee Atkinson seconded, and the motion carried 7-0.

15. **Resolution No. PC2022-02 – Resolution recommending adoption of a Public Participation Plan for Comprehensive Plan Amendments for the Village of Darien, Wisconsin.** Ben Rohr from Vandewalle & Associates stated that this resolution creates a public participation plan required for a Comprehensive Plan Amendment, as required by State Statute. Mr. Logterman made a motion to approve Resolution No. PC2022-02.
16. **Conceptual Review and discussion regarding a Site and Architectural Plan for the proposed NewCold Darien facility located at the Southeast corner of County Road X and County Road C, (Parcel Number BD 3300001).** Ms. Peterson stated that this was the initial submission of the Site and Architectural Plans, and the plans are currently being reviewed to ensure they meet the Village's code. Additional items will also need to be submitted, so this is merely a preliminary review for the Plan Commission. The full Site and Architectural Plan set will come back before the Plan Commission for review and consideration.
17. **The Plan Commission may adjourn into closed session pursuant to Wis. Stats. 19.85(1)(e) for deliberating or negotiating the purchase of public properties, the investing of funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session [DRAFT Developer's Agreement between the Village of Darien and NewCold Darien, LLC].** At 10:21, President Stiles made a motion to adjourn into closed session. Trustee Truckey seconded. A roll call vote was taken and the Plan Commission unanimously voted to adjourn into closed session.
18. **The Plan Commission will reconvene in open session and may take action regarding matters discussed in closed session.** At 10:38 p.m., President Stiles made a motion to return to open session. Trustee Truckey seconded, and the motion carried 7-0. No action was taken on the closed session item.
19. **Set next meeting date, if necessary.** The next meeting held will be a joint meeting with Plan Commission and the Darien Village Board. This meeting will be held June 2, 2022 at 7:00 p.m.
20. **Adjournment.** At 10:40, President Stiles made a motion to adjourn the meeting. Trustee Truckey seconded, and the motion carried 7-0.

Respectfully Submitted,

Lindsey Peterson,  
Village Administrator/Clerk-Treasurer

Date approved by Plan Commission: June 29, 2022