
In Re

Cold Noses Sanctuary

S67W28435 River Rd

Waukesha, WI 53189-9042

CONDITIONAL USE PERMIT APPLICATION – PLAN FOR SMALL FARM AND ANIMAL SANCTUARY

Introduction

Thalia Haseotes, President of Cold Noses Foundation, Inc., as the assignee of the current property owners, Todd and Kathy Pieper, proposes a small farm and animal sanctuary at the above-referenced property. The Property is currently being used as a residence and a family winery pursuant to a conditional use permit. The current permit would be discontinued. Todd and Kathy Pieper have accepted Ms. Haseotes’ offer to purchase, which is contingent upon obtaining a permit for this project.

The Cold Noses Foundation emphasizes preventing animal suffering and improving the bond between humans and animals. The proposed sanctuary will be a place for special-needs animals to receive the care that they need by providing a safe and serene environment for them. The sanctuary will also serve the community through educational and other activities that promote understanding and care for special-needs animals.

Ms. Haseotes appreciated the opportunity to meet with the Plan Commission and Board for a concept review on October 2, 2024. We have incorporated the discussion from that evening and subsequent discussions into this application, and respectfully submit that the Sanctuary is consistent with the Code and will have a positive impact in the community.

Current Zoning

The Property is zoned A-1 (Agricultural) and C-1 (Conservancy).¹ Ms. Haseotes seeks a permit under Section 2.04, Farm Education, a conditional use under the A-1 district, for her animal sanctuary. A minimum of 10 acres is required, and submitted herewith is a boundary survey demonstrating compliance with this requirement. Farm Education is described as “A place where farm tours and how-to clinics or classes are conducted which are directly related to

¹ A small corner of the lot is subject to Waukesha County’s Shoreland zoning. There is no current permit with the County, and per a conversation with its Planning Department, the County a permit is not required here.

farming, farm life, or food (e.g. gardening, cooking, canning produce, jam-making, candle making, soap making, flower arranging, quilting).

Relevant to this Application, Appendix A to the Town's Zoning Code lists Household Livestock (§ 13.15) and Private Kennel (§ 13.19) as permitted uses under A-1. Household livestock is described as "A place where livestock are kept primarily for the use and enjoyment of those living on the premises and occasional commercial purposes." *See* Appendix B, § 13.15. This is not a "livestock facility setting," and so the Code applies the following definition: "When not used in the context of livestock facility siting, "livestock" shall include bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids (alpacas, lamas, camels), ratites (emus, ostriches), and farm-raised fish." *See* Chapter 36, Article XII, Appx. E, § 91.

Under Appx. B § 13.15(b), the property owner is permitted to have eight (8) livestock on property. The Private Kennel designation under Appx. B, § 13.19(a) permits up to six (6) dogs where, as here, the property is more than 5 acres.

General Operations of Proposed Sanctuary

The Sanctuary would operate much as a private hobby farm, focusing on disabled or special-needs animals. Under the A-1 Ordinance, up to eight (8) Livestock and six (6) dogs are already permitted on the Property. There will be up to 8 Livestock and 6 dogs, consistent with the ordinance specifications. This is a suitable number, given the care required for these special-needs animals.

There will be a full-time resident or residents of the existing home that will care for the animals on a daily basis. While adoption may ultimately be a possibility for some of the animals, it is not the purpose of the Sanctuary and turnover will be limited. This is not a facility where animals may be dropped off or left at any time – the Sanctuary will have a rigorous selection process.

The existing buildings will be renovated to fit the proposed use. Horses will exercise and spend time in the pasture/outdoors on the Property as they would on any farm property. The dogs will live like they do at any home – with their own "beds" and indoor areas. They will not be outdoors all day. Any excessively-barking dogs will receive attention, as excessive barking is an indication of a need not being met.

Manure will be stored in an impermeable storage holding area (typically concrete). This will be located on the Property. It will be offered for free haul away for compost/fertilizer. If needed, the Sanctuary will pay a service to remove or compost following proper composting guidelines and spreading techniques based on scientifically backed research and best practices.

Educational Activities

The Sanctuary will not have regular hours where it is open to the public. Activities will be by invitation, and the number of people allowed on the Property at a given time will be limited. The following activities are contemplated:

Tours

Private, independent tours (not school or educational groups) will be available for up to 12 people by appointment between the hours of 9am and 4pm. These “meet and greet” tours allow people to meet the animals and learn about their needs and care. When indoors, the event would take place in what is currently the tasting room of the winery. Light refreshments would be served. No large school or charter buses will be permitted on the Property. There will be retail merchandise available at the office area (currently the winery tasting room).

Volunteer Days

Volunteer days may be held up to 2 times per month, where non-regular volunteers may sign up to volunteer at the Sanctuary. Volunteer activities may include (but not be limited to) spending time with the animals, particularly people with mental or physical differences to bond with animals while led by a volunteer member; planting or caring for the Property; or repairs on Property. These would be limited to 6 volunteers at any one time from 9am to 9pm.

Children’s Education

Children’s education activities will be scheduled between 9am and 2pm on weekdays, and between 9am and 5pm on weekends. Activities will consist of tours, talks, crafts, story time (including with the animals), and other fun learning activities relating to animal care and welfare. There will be a maximum of 30 children at one time. There will be no large school or charter buses allowed. Transportation vehicles would be limited to passenger vans holding up to 12 people. These activities would take place up to four times per month.

Clinics/Workshops

Weekly workshops are also planned. Most will be 1-2 hours in duration, with a maximum of 20 people. Examples of workshops include:

- Painting
- Animal care and communication
- Goat yoga
- Cat yoga
- Reading to animals – many animals benefit from a human voice and children can work on their reading

Fundraisers

The Sanctuary would be host to up to six (6) fundraisers per year. These would be ticketed occasions with up to 100 people. The purpose would be to raise funds and awareness in support of the Cold Noses Foundation and special needs animals.

The Proposed Use is Consistent with the Code

The proposed use is consistent with the Town's zoning code. There will be no more than 8 Livestock and 6 dogs residing on the Property at a given time – as permitted under the A-1 designation.

Section 2.04 requires a minimum lot area of 10 acres. The boundary report submitted herewith demonstrates compliance with the 10 acre requirement. A full survey is being completed, and information from the Waukesha County GIS map is submitted.

Section 36-285 requires the Plan Commission to determine, among other things, whether the proposed conditional use is compatible with surrounding properties and whether there are adverse effects on the surrounding properties. The proposed use here readily meets these standards. The number of animals that will be on site is already permitted under the Code. Ms. Haseotes is seeking permission to host educational programs for small groups and occasional fundraisers to further the mission of the Foundation.

At the joint meeting on October 4, there were questions and concerns expressed regarding the traffic intensity on River Road and the ingress and egress to and from the Property. To be clear, large school or charter buses will not be allowed on the Property for the proposed activities. Moreover, the proposed use will be less intensive than the current use. The current winery is already open to the public four days per week, and 50 patrons are permitted at a given time. There is ample parking on the Property to support up to 100 people. Under the proposed use, there will be fewer events with less people, thus reducing the use intensity at the Property. For activities involving school trips or groups, large school buses will not be permitted. Outside of passenger vehicles, transportation vehicles will be limited to vans that hold up to 12 passengers. With the limited hours for school-aged events, traffic concerns are minimized and indeed the overall amount of traffic will be reduced.

With this decreased intensity, the proposed use will not be disruptive to the neighbors, many of whom have indicated support for the Sanctuary.

Summary of Proposed Uses:

- Person(s) living at the existing home on the Property
- Up to 8 Livestock and 6 dogs as permitted under A-1
- Educational Tours: maximum 12 people, 1-2 hours
- Volunteer Days: up to 2 per month, maximum 6 volunteers, between 9am and 9pm

- Children's Education: maximum 30 children, between 9am and 2pm weekdays, 9am and 5pm weekends, up to 4 per month. No large school or charter buses.
- Clinics/Workshops: up to 6 per month, maximum 20 persons, between 9am and 4pm
- Fundraisers: up to 6 per year, maximum 100 people

Conclusion

Applicant's project fits comfortably within the Zoning Code and the surrounding properties. Ms. Haseotes respectfully requests approval of a Conditional Use Permit and looks forward to being a member of the Town of Mukwonago community.