

**TOWN OF SHEFFIELD  
ZONING BOARD OF APPEALS  
MARCH 7, 2024  
TOWN HALL – SECOND FLOOR MEETING ROOM  
7:00 PM**

Board Members Present: Eric Carlson, Chairman  
Allison Lasso  
Catherine Miller  
Nicole Chase  
Pat Levine, Alternate

Board Members Absent: Mark Bachetti

Others Present: Pamela Tambourine, Board Administrator  
Planning Board  
Lawyer Four One Tree-Dennis Egan

Members of the Public (Sign in Sheet Attached)

Chairman Carlson called the public hearing to order at 7:00 PM Chairman Carlson read the public hearing notice.

**Public hearing on March 7, 2024, in the second-floor meeting room of Town Hall 21 Depot Square, concerning the application of the Sheffield Planning Board Administrative Appeal of the Building Inspector's Decision Regarding Four One Tree, 142 Main Street. Assessors Map 24 Block 1, Lot 17, Book 2827, And page 291 in the Village Center District.**

- The classification of a business in a Village Center was discussed, emphasizing the Planning Board's goal of clarifying the business's categorization according to zoning regulations.
- The public was concerned about the business, with public members approaching the board with questions and concerns about its compliance.
- Tree service and landscaping are not construction but services; they are allowed by right in the district.
- The Planning Board asked for the business plan but was handed a determination.
- Discussed the property's appearance and potential impact on the neighborhood, the business's operations, including storing equipment and vehicles at a main location and utilizing woodchips for gardening, were questioned.
- Four One Tree clarified that their business does not store equipment long-term at its main office location, only small tools and supplies for daily use.
- Concerned about dumping woodchips in floodplains and swamps, citing the lack of definition in zoning bylaws.
- Planning Board expressed frustration that the applicant did not consult the Building Inspector when starting the business, leading to confusion about zoning bylaws and setback requirements.
- Highlighted the importance of clarified Zoning Bylaws in the Village Center.
- Discussed that the proposed landscaping business does not fit the Village Center usage and suggested that it may be more suitable for another part of town.
- The property owner's lawyer said that the property owner is being punished for improving their property in accordance with the Zoning Bylaw and that the Planning Board should amend the Bylaw if they don't like the use.
- Discussed repair shops are allowed by right in the rural and Village Center districts and that the presence of cars or vehicles is not a valid reason to deny their use.
- The property owner's lawyer said owners should not be penalized for a lack of definition in the Zoning Bylaws.

- Building Inspector classified business as a service business, and no town or state licenses were required.
- The Building Inspector is tasked with investigating the business, on the behalf of the Planning Board.
- The lawn care business operates with 9 trucks, loaded/unloaded daily.
- The Business has a variety of vehicles and equipment stored on its property, including an excavator and a 100-foot spider (a mechanical bucket for reaching high places).
- They have up to 12 vehicles and 15 employees but keep them hidden from view by parking them in a designated area on the property.
- Planning Board concerned about the potential for the business to become unmanageable over time, citing examples from the past.
- Discussed the nuances of a town's bylaws regarding service industries, including the need for updates to reflect modern businesses like solar companies and other new services.
- This business falls under the category of a service establishment, as it provides a service to the public.

**The Board Began Deliberations:**

- Debated the meaning of "service" in a zoning context.
- Discussed the definition of "service industry" and its implications for businesses.
- Declared the business as a "service" business.

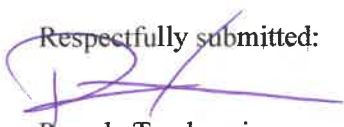
*N. Chase made a motion to deny the Planning Board Administrative Appeal and uphold the Building Inspector's determination on January 18, 2024 and deny the Appeal., seconded by C. Miller. P. Levine abstained the vote. The motion carried 4-0.*

*C. Miller moved to close the public hearing, seconded by N. Chase. The motion carried unanimously 5-0.*

*C. Miller made a motion to adjourn the meeting, seconded by N. Chase. The motion carried unanimously 5-0.*

**Chairman Carlson closed the public hearing at 9:20 PM.**

Respectfully submitted:

  
Pamela Tambourine  
Board Administrator

Documents Reviewed at this Meeting:  
Administrative Appeal  
Town of Sheffield Zoning Bylaws  
Letter from Rene Wood