



Haverhill

Board of Appeals
4 Summer Street – Room #201
Haverhill, MA 01830
Phone: 978-374-2330 Fax: 978-374-2315
jdewey@cityofhaverhill.com

The regular meeting of the Haverhill Board of Appeals was held on Wednesday evening, March 19, 2025 at 7:00 P.M.

Those Present: Chairman George Moriarty
Member Louise Bevilacqua
Member Ted Vathally
Member Michael Soraghan
Member Lynda Brown

Also, Present: Jill Dewey, Board Secretary
Tom Bridgewater, Building Commissioner

Chairman Moriarty called the meeting in to order on March 19, 2025

Sonia M Polanco de Guerrero for 23 Seventeenth Avenue (Map 616, Block 510, Lot 4)

Applicant seeks a special permit to operate a family home day care (large) for up to 10 children in a RH zone. (BOA 25-4)

NOTE: Varinia Castillo (City of Haverhill Employee) Translated between board members and the applicant Sonia

Sonia: I want to increase my license to 10 kids to make my business bigger

Chairman: How many are in there now?

Sonia: Five

Chairman: And you have the space and everything to take care of 10 there?

Sonia: Yes

Chairman: We have the paperwork that says it was approved by the state for 10

Sonia: Yes

Chairman: Great. Any questions from the board?

Member Brown: I have a question, you have 5 now, do you have employees who will work with you once you have more children?

Sonia: Yes, I have an employee

Member Brown: She has one employee?



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Sonia: Right now I have one

Tom Bridgewater: Anything over 6 she would need to have one other person

Member Brown: I just wanted to ask you the hours that you would be operating

Sonia: 7-4:30

Member Brown: 7 to 4:30, ok thank you.

Chairman: Is parking needed there or do people just drop off the children and leave?

Sonia: They go and drop them off, but they park in her parking lot.

Chairman: Parking lot, and how large is the parking lot, how many spaces?

Sonia: 3 spaces

Member Bevilaqua: It is not really a lot, right? It is a long driveway

Sonia: Yes

Member Bevilaqua: It would definitely accommodate three cars because when I went by there was actually cars there with their children, they were there in that long, very long driveway.

Sonia: So there is my car and then the spaces for all the parents to drop off the kids and leave.

Member Bevilaqua: Right. So my other question is, are you approved for small or large, because I looked this up on MA.gov

Chairman: She is approved now for large

Member Bevilaqua: For large, but if you are approved for small according to MA.gov, you could have the 10 children without anything, according to what I read

Tom Bridgewater: If you look at your packet that Jill gave, our zoning says on the table of use, our zoning says large family day care need board of appeals approval

Member Bevilaqua: So that is a home rule

Tom B: It is a home rule



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Chairman: If it is under 6 it doesn't need board approval, but if it goes beyond 6 it does need board approval

Member Bevilaqua: But the fact that if we didn't have a home rule, it would be allowed by right.

Tom B: She already has an occupancy through the state for 10. As one of our inspectors came back, because they were doing a occupancy inspection, he came back and said I was at 23 Seventeenth Ave and did an inspection for a daycare, and I am like how did that happen, I don't remember seeing it in zoning, so it got the ball rolling, I talked to the state, the state gives these out up to 10, they have already been in there and inspected the unit, they have an occupancy for 3 years. As we got more involved in this, we are requiring zoning, so we know if it is large or small, whether they have to come through here or not, and get an occupancy permit through the city. So we can get in there every year to inspect to make sure everything is compliant, life safety is number one, egress is, all that so. You are right if there wasn't a home rule, they wouldn't need to be here, they already have their occupancy, we are just requiring one through

Chairman: Other comments or questions?

Member Soraghan: We received some complaints from abutters, some neighbors, and one of the complaints that I am concerned with, is it has to do with the identification of your house as a daycare, I could support this special permit, if you had a small sign near the front door saying "The Guerrero Daycare" or something to that effect, that identifies your house as the location of the daycare.

Sonia: Ok

Member Soraghan: I would suggest you speak with the building inspector before.

Chairman: There are some rules and regulations regarding the size of the sign. Any other comments or questions from the board?

Member Brown: Has she had any issues, like with neighbors coming to her with any issues so far?

Sonia: No

Member Brown: Oh because I was just wondering because we got the letters, but I was wondering if they ever came to her beforehand?

Member Bevilacqua : Pursuant to the suggestion that member Soraghan made, could you also have a small sign where that long, long driveway is that says "parking here" for Guerrero Daycare, small, small, it doesn't have to be big. Please enter here to park, just so that is clear.

Sonia: ok

Chairman: Is there anyone else that wants to speak either in favor or in opposition?



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Lorain Mardola: I live on 18th Avenue and I am not opposed to the daycare as it is, but Mr. Bridgewater, I heard the word safety in one of your comments, and that is my concern, I live on 18th Avenue and I have for 52 years and there are two trees in the yard of that home, one of them is in the corner of my house and the other is in the front, and the trees are in deplorable condition, and there is little children's toys in front of little children's houses and everything, my concern is those trees. Often branches come down, they have come down in the recent storm that we had, and that is my concern. I really think those should be addressed before children play in that situation. But as far as I am concerned the daycare as long as they don't block the street, everyone needs daycare, but the safety part is my concern.

Chairman: Good points, thank you.

Member Bevilaqua: Do you think that tree is dead?

Lorain: It just needs to be trimmed, many parts of it our dead and they come down. In fact my bedroom is on that side of the house, and every time there is a storm, snow, wind, you know the wind we have had lately, I am very concerned about it, not just for me, but every time I see little kids there I am like oh god don't let it come down. I don't even like to be on that side of the house when it is windy out. So that is my concern, but not the daycare itself.

Chairman: I appreciate that, thank you very much.

David King (28 Seventeenth Ave): I live directly across the street from the play yard that was just referenced with all the trees, so I have two ordinary comments in support. My windows look directly onto the yard, since the occupancy that yard has been kept tidy, there is no debris in it, there happened to be some limbs that are permanently hanging dangerous, but that is easy to take care of. My extrication is if in fact she is interested in keeping that tidy with he toddler jungle gym type thing that her insides must also be tidy, I am just thinking the assumption. The other comment is simply I hope the city is in the mood to support daycare, the young families that drop off their kids there are 20's 30's, they are in a hurry to get to work and so it is a economic thing, so I am assuming that Haverhill wants more daycare and not less. Very confidently I am in support of the appeal being granted.

Chairman: Thank you very much. Anyone else in support or opposition? Ok, I will entertain a motion

Member Brown; I have just one question to ask, I am sorry. Regarding safety, I saw some broken cinder blocks underneath the tree in the front, that is over on the left and I forgot to mention. Those are a little concerning to me, would she be willing to, are they there for a reason, but they didn't seem to be

Sonia: I can remove them

Chairman: So to summarize, the two major concerns seems to be Member Soraghan mentioning to put up a sign that indicatives which house is which, and Member Bevilacqua's concern about the parking. Then the others, like taking down trees, I know taking down trees is very expensive, but if there be some attention paid to that, people are concerned about that being a safety issue.

Sonia: So you want me to remove the trees?



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Chairman: We can't force you to, but it sounds like based on your comments, it sounds like if you could get to it at some point and time, or at least get the more dead branches out of the way, that would be helpful

Tom Bridgewater: Have an arborous look at it.

Chairman: The city can send, or get in touch with an arborous, you should look at it and make a decision. I know it is expensive to take trees down, but the children's safety is important. Any other comments or questions.

Member Vathally: Just one more time, how many employees do you have?

Sonia: One

Member Vathally: And she parks in the driveway?

Sonia: No

Member Vathally: Where does she park

Sonia: On the street

Member Vathally: Are you aware of any other day care on that street?

Sonia: No

Member Vathally: How often are you being inspected as a daycare

Sonia: The state, once a year

Tom Bridgewater: And we will be there once a year all so.

Member Vathally: Just alluding to Member Soraghan's question, no neighbors have expressed opposition about cars being parking in their driveway's for drop off or things like that.

Sonia: No

Member Vathally: Is it a two family home right now?

Sonia; Yes

Member Vathally: How long have you been operating the business?



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Sonia: One year in Haverhill, and seven years in another city.

Member Vathally: Commissioner, would she need a permit for a sign?

Tom B: I am looking it up right now, she can get a permit to identify that. I can give her the square footage, once she pulls a permit for it.

Chairman: Just for the record, we did get four letters from neighbors raising some concerns primarily about traffic, some parking issues and some other businesses that are in the neighborhood, which obviously she has no control over. Although we are not referencing those specifically, we just want to make sure that there is some concern, we notified the police department about these concerns, and they sign off on this application and comment and they commented positively, but they are aware of these traffic issues and parking issues. But these are not specifically within our power, although for a special permit we do have to look at traffic, so we do have to look at traffic and traffic flow but it is more of a public safety police issue if it becomes a real safety issue.

Member Vathally: I would also suggest to your customers, I would let them know when they come in the morning and when they come later on to pick them up, that they not park in the neighbors yards and things like that, because we did receive a lot of communication relative to that, just to respect the neighbors property and their driveways and things like that. I would suggest to you that you would let your customers know that.

Member Bevilaqua: Where does your tenant park?

Sonia: On the street

Member Bevilaqua: So your tenant parks on the street and your employee parks on the street

Sonia: Yes

Member Bevilaqua: I can attest that the times I went there, I deliberately went there when it would be a pickup time, and I did see cars, and the people pulled into her driveway. I didn't see any cars blocking anything. There was more than one car, one man pulled into the driveway and was walking out with a little girl, and then the other person pulled in, so I know we got those letters, but I can say that I saw total compliance, without a doubt.

Chairman: Thank you

David King (28 Seventeenth Ave): I live there and I am very aware of what happens on the street, it is not a problem. When people are there for 3 minutes, five minutes, 7:30 to 8 and in the afternoon, when people make their way, cars are never blocked, the traffic can flow, but there can be congestion. If the police were, in my mind, if I was to be the police commissioner I might attempt to put up a loading zone sign, because in fact both sides of the street near the house, including the yard which is 60 feet, which is plenty with both sides of the street, there is plenty of parking. Many times parents have used right in front of my door side of the street, and it works out, people are very nice about it, and it only happens periodically, so I wouldn't sweat it myself.



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Chairman: Thank you, its good to hear that. In fact the police department did comment on it, and did suggest some signage maybe of some help in that area.

David King (28 Seventeenth Ave): They have loading zone signs for churches.

Chairman: Right, good point, thank you. Any other comments or questions?

Caroline (4 Maple Ave) I am just a friend of hers and also a coworker. In terms of parking, I want to clarify something, I work with her, we work for the same agency and I am her transportation provider, so 2 of those kids I transport them, so there is no parents, and we are talking about it takes me a minute, go in pickup and go, and the same in the morning as well. Also the talking about the certs and the bottleneck and all that, we have to keep in mind that there is a school on the corner, and all those parents from the school, he said between 7 and 8, so the parents are coming from the school, it has nothing to do with her, so we have to keep that in mind. The 17th, the 16th, I say that as that is where I live, every morning, the parents from the school they park on the street.

Chairman: Great, thank you very much. Entertain a motion

Member Vathally: I would like to make a motion to accept the application for 23 Seventeenth Avenue

Member Soraghan: Second

Member Soraghan: Yes

Member Brown: Yes, it does meet the zoning criteria for special permit 255-10.4.2

Member Vathally: Yes it meets the criteria for special permit 255-10.4.2

Member Bevilaqua: Yes, it meets the criteria for special permit 255-10.4.2, and we need more daycare in Haverhill

Chairman: Yes, also noting the 255-10.4.2, and also addressing the community needs under a special permit, this certainly doe because of the need for daycare. And traffic and pedestrian flow appear not to be as severe as suggested by comments of two people in the audience. The application for special permit is granted.

Chairman: With stipulation with a sign that states it's a daycare.

The board voted to approve the meeting minutes from the February 19, 2025 meeting (all members approved)