

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: 246 NEWHALL STREET, Special Exception to permit zero parking spaces where 4 spaces are required to permit a private school in an RM-2 zone (Owner/Applicant: Patrick Myrthil, 10-05-S).
REPORT: 1437-21
ADVICE: Approval

BACKGROUND

Patrick Myrthil seeks a Special Exception to permit zero parking spaces where four spaces are required to permit a private school in an RM-2 zone.

Previous Zoning History:

05-147-S. Denied. Special Exception for a neighborhood convenience use (grocery).

At the Board of Zoning Appeals public hearing on February 9, 2010, Patrick Myrthil (applicant) described his school as being a neighborhood-based, primarily GED-oriented facility. A typical day would see six students on the first floor and six on the second; Mr. Myrthil lives on the third.

Mr. Myrthil then described that he was in the process of buying the abutting vacant lot (#242 Newhall St.) from city. This would give him four off-street parking spaces.

Two persons were in favor of the application, one spoke: Ms. Duvals of Daisy Street. She said she knew Mr. Myrthil to be a fine person who has fixed up the house and has been a positive influence on the neighborhood. In fact "some criminals have moved out".

Four persons were in opposition. Mr. Grembick of 249 Newhall St. said this was the wrong place for a school and doesn't want to see the building turn into a "hangout place". Mr. Holloway of 256 Newhall St. was afraid the school would be detrimental to neighborhood improvement. Mr. Thorn of 206 Newhall St. was concerned about a possible proliferation of non-residential uses. Alderman Blango, while not strictly in opposition, was concerned this project might open the door to business uses.

Mr. Talbot, New Haven Zoning Director, reminded the Board that the focus of the application was the off-street parking request, and that the school was a by-right use.

PLANNING CONSIDERATIONS

The dimensioned but unscaled plans show the first floor having six desks plus a foyer, bath and a small room labeled "Class Room". The second floor plan shows seven desks and an office. The applicant lives on the third floor.

Mr. Myrthil is the President of USA Moving Forward Academy (CT. Dept. of Ed. School ID code 2109319), a secondary school serving children in grades 8-12. An information packet reads the school was founded in December 2005. It has a staff of five (three volunteers). Current enrollment is 80 students ages 14-25 for the academic year 2009-2010. Thirteen students, ages 17-25 are enrolled for GED. Seventeen students, ages 14-19 are enrolled in after-school programs in math, reading, writing, languages and computer skills. A full program brochure including curriculum is attached to this report.

In a conversation with Mr. Myrthil, staff learned that he will have rotating blocks of students with no more than thirteen at any one time. This total was modified to twelve students at the hearing. Also, Mr. Myrthil is in the process of buying an abutting lot, #242 Newhall Street, from the city. The sale of this lot is expected to close sometime in late winter/early spring of 2010. This acquisition will provide the school with the four spaces it requires. However, in the interim, Mr. Myrthil is pursuing this application.

Special Exception Criteria:

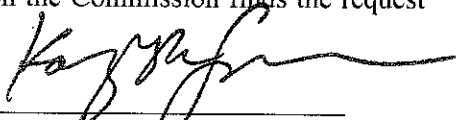
- Nature of the Proposed Site: The lot and building predate current zoning (1903). The lot is nonconforming as to size and width. The building is nonconforming as to front and side yard setbacks, lot coverage and height. Assessor's records show there is 896 sq.ft. on the first floor, 658 on the second and third. The school is proposed for the first and second floors, the applicant lives on the third.
- Resulting Traffic Patterns: Newhall Street is a neighborhood residential street connecting to Division Street in the south and Hamden in the north. This block, between Lilac and Bassett, has seventeen properties, four of them vacant. Seven of the properties do not appear to have off-street parking. Therefore of the thirteen lots with buildings, six have off-street parking. Staff advises that the four spaces the school needs could be accommodated on street until the sale of #242 closes.
- Nature of the Surrounding Area: The wider area is predominantly residential. If the school draws students from the neighborhood, it would be possible that some would walk.
- Proximity to Public Buildings: Lincoln-Bassett School is about 620 ft. to the west.
- The Comprehensive Plan: The proposal does not conflict with the Comprehensive Plan.

ADVICE

The Commission notes that the applicant is in the process of buying the abutting vacant lot which can be used for off-street parking. In the event that effort does not come to fruition the Commission finds the request for parking reduction to be modest and advises approval.

ADOPTED: February 17, 2010
Edward Mattison
Chair

ATTEST:



Karyn M. Gilberg AIA
Executive Director