

HOUSE No. 1385

Bill accompanying the petition of Charles A. Ufford for legislation to provide for improving passenger and freight transportation in the cities of Boston and Quincy and the towns of Milton and Hyde Park and for the relocation of the station of the Old Colony Railroad at Mattapan in the city of Boston. Railroads. January 19.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

To provide for the Improvement of Transportation in the
Dorchester District of the City of Boston.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 SECTION 1. Transportation may be improved in the
2 following manner upon the main thoroughfares of Dor-
3 chester district, Boston: The city of Boston can borrow
4 for their purpose annually outside the debt limit, the
5 amount hereafter stated and repay by method stated in
6 section four of the same act.

7 The city of Boston may take, by right of eminent
8 domain, by a method hereafter mentioned in this same
9 act, sufficient land to render these traffic streets safe,

10 wide, convenient and adapted for modern and future use,
11 to save the unearned increment to the community; to
12 secure the land plotted by the former board of survey
13 and thus save litigation, destruction of building and loss
14 to the community.

15 The following method for securing land for future
16 public benefit shall be known throughout Massachusetts
17 as the Dorchester plan of street widening.

18 This plan shall apply primarily to taking of land,
19 invoking as heretofore the present statutes when neces-
20 sary to take buildings.

1 SECTION 2. The board of street commissioners shall,
2 upon the petition of ten or more citizens, for improve-
3 ment of a particular thoroughfare, give a duly advertised
4 public hearing; within ten days after said hearing said
5 commission shall furnish the mayor and city council
6 their recommendation and engineers' estimate of ex-
7 pense. The city council may authorize a permanent
8 sub-committee for this improvement consisting of three
9 members elected annually; one member from the city
10 council, one from the board of street commissioners and
11 one to be chairman who is a resident of Dorchester.
12 All members of this committee shall give sufficient
13 bonds, be nominated by the mayor and confirmed by the
14 city council.

1 SECTION 3. The sub-committee upon a specific street
2 shall be furnished with the necessary maps, plans, quit-
3 claim, deeds, mortgages, and advice and aid from the
4 legal and other city departments and may, upon the
5 approval of the mayor, city council and street commis-
6 sion, purchase the whole strip necessary for future
7 needs, receive and record through the legal department
8 the transaction at the registry of deeds. The grantor of

9 the land shall be informed by the board of street
10 commissioners of assessment to be levied against the
11 property and the difference in amount that the munic-
12 ipality is willing to pay. If this amount is not satis-
13 factory to the owner of the property resource may be
14 had to the decision of the proper tribunal. When a
15 settlement is reached or if the amount is satisfactory,
16 then upon payment of the award a mortgage back to the
17 city of Boston with proper bond shall be given, guaran-
18 teeing an annual payment of five per cent on the amount
19 received during a term of twenty years with privilege of
20 extension or prepayment of whole or part by the city of
21 Boston. The owner shall retain control and be exempt
22 from taxes on said strip of land until such time as the
23 city of Boston shall actually enter the land for road
24 widening, then the award allowed shall be endorsed on
25 the mortgage bond and the five per cent payment to the
26 city treasurer cease.

1 SECTION 4. The city treasurer shall apply two and
2 one-half per cent per annum during the next forty years
3 from the annual tax levy as a repayment of the cost of
4 said improvements. The city treasurer may increase the
5 percentage of repayment when the assessors' books show
6 larger returns for enhanced valuation caused by this
7 specific improvement.

8 The city treasurer is authorized to borrow outside the
9 debt limit, subject to approval of mayor and city coun-
10 cil, an amount not exceeding five dollars per capita of the
11 inhabitants of Dorchester, now wards sixteen, twenty
12 and twenty-four as shown by the last census.

1 SECTION 5. The chairman of the sub-committee may
2 conditionally bond a portion or strip of land necessary
3 for this public improvement and report his actions to his

4 committee for their confirmation before it shall be bind-
5 ing.

6 The board of street commissioners shall furnish the
7 mayor and the sub-committee a preliminary estimate of
8 the probable assessment or awards upon said thorough-
9 fare, and their estimate of the fair price for the munici-
10 pality to pay and receive for this improvement of the
11 street.

1 SECTION 6. The board of street commissioners may
2 upon the approval of the sub-committee and the city
3 council, remit all assessment or remit a portion of an
4 assessment whenever land for this street widening is
5 deeded free to the city of Boston, provided one-half of
6 the cost of a granolithic sidewalk is paid by the abutter.

1 SECTION 7. Electric railways seeking or possessing a
2 location in such traffic streets, shall as part compensation
3 for the use of this traffic street rough grade the new tak-
4 ing of the strip of land including sidewalk, and retain
5 the joint use of thoroughfare for electric cars, water such
6 portions and in such manner as the superintendent of
7 streets shall require.

1 SECTION 8. Hereafter thoroughfares forty to fifty-
2 nine feet wide shall be known as streets; thorough-
3 fares sixty-one to eighty-three feet wide shall be known
4 as avenues; thoroughfares eighty-four to one hundred
5 and nine as roads; thoroughfares one hundred and ten
6 and upwards as boulevards.

7 This act of land taking shall be applied first to Norfolk
8 street, Dorchester, changing it from a narrow street to a
9 six-vehicle wide road, and thereafter such streets as
10 public hearing shall prove necessary, and residents upon
11 following streets shall first be heard: Morton street,

12 Adams street, River street, Geneva avenue, Marsh street
13 and Washington street, Dorchester, from Codman square
14 to Milton Lower Mills and Washington street, West
15 Roxbury.

1 SECTION 9. The chairman of the sub-committee shall
2 annually publish during the month of November the
3 financial statement of condition of his especial thorough-
4 fare with brief recommendations.

5 The width of all thoroughfares shall be determined by
6 the volume of traffic reasonably to be expected, whether
7 three, four, six or eight-way vehicles are to be accom-
8 modated; and secondly the width as a barrier in case of
9 a conflagration. Hence the building department shall
10 submit all proposed plans for the written approval of the
11 sub-committee as to character, style, height and class of
12 building that can be erected, and the city council of
13 Boston may pass further ordinances specifying the
14 requirement as to the duty of this sub-committee.

1 SECTION 10. Buildings occupying land when taken
2 by the municipality may continue unmolested until such
3 time as the public need requires a special appropriation
4 to pay for the same by paying the usual building tax and
5 a special land rent. No new building above one story
6 shall be built front of the new thoroughfare line, but
7 one-story buildings may be erected to be removed with-
8 out expense to the city, as fast as city moves the line
9 back by settling in full for land taken.

1 SECTION 11. This act shall take effect upon its passage.

