

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC WELFARE

DIVISION OF HOUSING AND TOWN PLANNING

ANNUAL REPORT FOR THE YEAR ENDING  
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## DEPARTMENT OF PUBLIC WELFARE

### HOUSING AND TOWN PLANNING

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### REPORT OF THE DIVISION OF HOUSING AND TOWN PLANNING

During the past year 4 new planning boards have been established, in Acton, Athol, Carlisle and Millis. Hull, not before noted, established its board a year earlier, but did not report to us until this year. Palmer neglected to elect a board. This brings the number of boards to 123 and leaves without boards 3 places required by law to have them, Adams, Chelsea, Marlborough.

But 2 places are added to the list of those acting on zoning, Hull, which adopted her law in 1931, and Great Barrington, which substituted a comprehensive law for an interim law. There are now 75 places with zoning; 52 more or less comprehensive; 11 with use zoning; 10 with interim laws and 2 with partial zoning.

Boards should begin to function, at least to the extent of reading current literature and keeping in contact with the development of the planning movement. Literature is sent out from this division and from the federation of planning boards. But it too often fails to receive attention, and we do not even know to whom to send it in many cases. Boards fail to report their membership; 35 failed this year, after two requests.

Some boards need reorganization and an entirely new set of members. Some should substitute live members for those who are indifferent. Some boards are too small, some too large. The membership runs from 3 to 12. There are 72 with 5 members each. All things considered this is the best size.

The main task is for boards to understand the problems and needs of their towns. Towns are dying or living organisms. They may be one at one time, the other at another, in ebb and flow; they may be both at the same time, with disintegrating tendencies operating in some respects and vitalizing tendencies operating in other respects. The planning board's function is to perceive these tendencies and retard or stimulate and direct them. Most towns expect to grow, but how will they grow, with no preparation for growth? Industries have died for lack of plan. Sound industries grow according to plan. Towns, for healthy and permanent growth, must have plans. The tragic problems of all large cities demonstrate this every day.

#### DESTINY AND PLANNING

Every town has a more or less natural or manifest destiny. This destiny depends upon its natural assets and its actual development to date, and upon its setting in the group of towns in which it is located. Assuming that a town's present status is a result of natural forces and a *laissez faire* policy, it is obvious that by taking thought the town may add to its stature. It may protect here, add there and subtract somewhere else. It does not have to depend upon mere drift, upon a hit-or-miss policy. If the people of a town have a definite sense of direction for their town they may, with planning, zoning, regulation of subdivisions and of building construction, and by similar methods, largely direct the destiny of their town. To conceive a destiny is the primary step before any kind of planning or regulatory work may be done effectively.

It may be argued that destiny is in the hands of the gods, and that mere people, especially the helpless people of our planning boards, cannot control the actions of the gods, the fates, the natural forces, whatever you want to call them. Let us

make it concrete and take New Bedford as a good example. New Bedford was founded on and for the whaling industry. Kerosene killed the whaling industry, but it didn't kill New Bedford, because the textile industry was substituted. Economic and other conditions might kill, at least in part, the textile industry. Some other substitute would be found. Indeed it is easily possible to find industries far superior to either whaling or textiles.

In the meantime, if New Bedford had had a more definite sense of direction, she could have said:—"Whaling, textile or whatever, we propose to protect all our home areas so that they may always be fit areas in which to live. We do not propose to mix industry, business and homes indiscriminately so that a future prospective citizen who is careful about where he locates his home will find no protected area within our limits and will have to settle elsewhere."

Whaling, textile or whatever, New Bedford has for long had a policy, an objective, in regard to street maintenance, and she has streets second to none in the Commonwealth. She could have had, all places could have had, the same sense of direction, the same seeking for a satisfying destiny, in regard to home areas, or schools, or water and sewer systems, or parks and playgrounds. New Bedford might, perhaps well, have said that she refused, gods or no gods, to be a one-industry city, either whaling or textile, or any other. Too often do we supinely accept the obvious, which isn't obvious at all, but merely drift, *laissez faire*.

But the gods have little to do with most of our towns and cities. *Laissez faire*, drift, has had a lot to do with them. And when drift has resulted in bad conditions we avail nothing by complaining to or of the gods. It is time for us to develop, to be, alert and far-seeing citizens instead of supine or let-George-do-it citizens. Our destiny is more in our hands than in the hands of the gods.

Among the cities and towns in Metropolitan Boston, or in the Connecticut Valley, some may have sinned away any very satisfactory day of grace. But in either instance, there are places, say Lexington and Longmeadow, where an alert citizenship may almost definitely control what the future is to bring to them. They may and should say:—"We are located in a group of municipalities, such a group area needs highly protected home districts, there is elsewhere plenty of space available for the noxious trades, in fact for all industry, we will therefore devote our area permanently to homes in proper settings, no industry, and no business beyond the demands of local needs." Can any one say that this is impossible, or impracticable, or undesirable? No, all will have to agree that the only possible way for these places to protect their future is to plan their destiny, to control their growth, to direct their development towards preconceived and definite ends, and to allow mere drift to have the least possible to do with it. And upon the success of its efforts must the citizenry of every town depend for its standing as a community.

Whether or not a town is to be muddled and inefficient is going to depend upon what the people do about it. It is going to depend upon the development and acceptance of and striving towards an objective, a destiny that is worthy of a human society.

What, then, can any planning board do unless it has first made up its mind in what direction its town should travel? It is manifest that there will be a mainly unsatisfactory destiny if drift is permitted. There is possible a better destiny if the people have a sense of direction and plan to work in that direction. If a town gets this sense of direction it will come more nearly seeing itself whole than by any other process. A conception of the destiny of a town, a sense of direction, is the first essential for a planning board.

It is because of the absence of this sense of direction, this objective concept, that so little planning work is being done. Right planning is based upon complete knowledge, which makes possible an even development and a coordination of all activities. Seeing a town whole, which can't be done till you know what you have and what you are going to do with it, planning for well-rounded results, are basic, and the too common tendency to wait awhile or to shuffle along keeps us where we are, while we should be making progress.

In arriving at a sense of direction the people must know their town. They should know fully its general anatomy, so as to know where that anatomy needs readjustments, and how best to extend it to meet new growth. Progress towards a

satisfactory destiny requires this knowledge and also deliberate action to control growth.

It has been said that towns are wasting more money through lack of planning than through the corruption and inefficiency of public servants. Things are done in the wrong place and in the wrong way. This results in failure to function, in expensive changes, in a whole chain of evils. In 1900 a new main way was built out from London to East Ham. In 1907 the city engineer of East Ham said that the way was too narrow, that a proper width would have cost \$2,500 for additional farm land and that then, seven years later, it would cost \$750,000 because of the newly erected buildings. The result, he said, was that the defect would never be corrected and that there would be annoyance, delay, waste, till some new and far more expensive solution was forced upon them.

In directing growth towards right ends there is much to protect as well as much to change. Every town has an individuality. This is often an outstanding asset—it may be a marked weakness. Whatever of good there may be in the individuality of a town should be conserved, gradually augmented, for it is the safest corner-stone upon which to build. One of the major implements for protecting the individuality of a town, as well as for making it grow towards a desired end, is sound and carefully administered zoning.

Regional destiny is as important as local destiny. Take the Connecticut Valley as an example. It has possibilities second to none, but large areas obviously needing protection for residential purposes have no protection. Amherst is a good example. It is a major educational center, it has a splendid setting provided by nature and has so far developed not too badly. But what may we safely predict for Amherst? Either that it will be ruined by being allowed to drift, or that its people will decide that they are going to consciously and conscientiously direct its growth, to protect its assets and make it, as it manifestly should be, one of the finest residential towns in the region. It obviously should be such a town. It may easily be such with its present base, but it will go down and not up, inevitably, if future growth is hit-or-miss, sporadic, unconsidered and undirected.

The destiny of the Connecticut Valley, of every region, hinges upon regional co-operation and sensible control of every one of the parts. Inactivity in any part weakens the part and the whole.

Planning is the art of guiding the physical growth of towns and regions, to secure a well-balanced distribution and relationship of uses of land and buildings, densities of buildings, and means of locomotion, in harmony with social and economic needs. To this end we need

#### NEW LEGISLATION

The legislative proposals which will come from the recess committee on planning will decide the future of the work in this State for many years, or things will remain as they are. Our planning boards need a more definite status, we need more effective control over land subdivisions, we need regional planning powers, and we need some changes in our zoning enabling law. The recess committee will report, but the ultimate result will depend largely upon the constructive activities of the planning boards. Planning in Massachusetts faces a crisis and it depends largely upon board members whether it is to be ably met or allowed to drift. It is timely to urge the members to carefully consider the situation and do all in their power towards proper solutions.

#### ARE MINIMUM LOT SIZES ADVISABLE?

In the evolution of local zoning laws much attention is being given to the question of minimum lot sizes. Purchasers are unfairly treated when sold a lot too small to be usable under regulations or otherwise. Such lots are frequently used as a method of milking buyers. Say the lots are 20 feet wide and every other lot is sold. A buyer finds, because of a side yard requirement or the size of the house he wants or because he wants some space about it, that he cannot build. He goes to the developer and is told that all lots are sold, "but I know the owner of the next lot and I will see what I can do to help you." The developer interviews himself and reports, "I can get that next lot for a \$100 bonus." The buyer gets two lots for the price of two plus \$100 and then has but a 40-foot frontage. With but side

yard provisions as protection this method will be used by unfair developers, because it is a rare buyer who knows ahead of time the requirements under the law or for a decent development.

A home built upon a narrow lot has little sale value and is unfair in that it gets its light and ventilation, if any, from the neighbors, increases the fire hazard, decreases privacy, tends to overload street, water and sewer systems and increase congestion. Lots too small cost the buyer more in proportion than larger lots, retard and finally block the development of the area, throw a serious burden upon the owner and unduly increase the tax rate.

A development of small lots rarely ever sells out, as may be seen all over the country. A proper development increases in desirability as it grows. When most of the lots are properly developed a home-seeker will pay any reasonable price because of the safety afforded and the entire development sells. This actually decreases the cost of utilities and helps the developer, the buyer and the community.

Narrow lots create a serious private garage problem. There is no room for a garage and no way to get to one. There is no room for a garden or for children to play and a shack development is the usual result.

The smaller the lot sizes the greater the cost per square foot. The greater the cost of land the greater the congestion. It is a vicious circle operating everywhere and the ultimate results are our slums and a rental cost far beyond the means of those unfortunate enough to have to live in such areas. A proper scheme of growth, rigidly administered, gives a better base for all concerned, developer, purchaser or tenant, and community.

The average lot size where people insist on what is right for a home is far above what is ordinarily required by law, and larger than one would expect. In a group of sixteen self-contained cities, and six satellite cities, studied by Harland Bartholomew, the lot sizes actually used in the former averaged 6,679 sq. ft., and in the latter 10,570 sq. ft. This is what people have actually done and is proof that it is a fallacious assumption that people want dwarf lots.

Mr. Bartholomew, in his book, *Urban Land Uses*, (which all planners should read), says: "Density of population needs further discussion, particularly with regard to the ever troublesome question of whether density should be regulated in a zoning ordinance by a flat *lot area per family* regulation or by *open space requirements* around the building, or both. Very few cities now rely upon a limitation of the percentage of lot area to be occupied, as this is *per se* more or less ineffective."

People are constantly seeking the more protected areas. Assuming a considerable group of people who want large lots, the place will get them which offers protection in this respect. A man will not buy a 10,000 foot lot between two 2,000-foot lots. Population increases are slowing down. The best authorities say we will have a practically stable population by around 1980. The places that may expect to grow in the future are those offering the greatest protection. The places without protection and with low standards will lose to those which have and enforce a sound scheme of growth.

Minimum size provisions are not general, but they are provided in at least 16 places in Massachusetts and are frequently found elsewhere. They vary according to conditions and to the scheme of growth which the town may have in mind. Some sample sizes are:—Lynn, 4,000 square feet; Revere, 4,500; Medford and Gloucester, 5,000; Fairhaven, 6,000; Winchester, 6,500; Needham, 7,000; Lexington and Westwood, 7,500; Lincoln and Weston, 10,000. Great Barrington has just adopted a by-law providing for lots of 5,000 sq. ft. in the older sections and 10,000 elsewhere. Lake Forest, Ill., has a large area where 20,000 sq. ft. are required, and Santa Barbara County, Cal., requires a minimum of one acre in areas developing in accordance with such a scheme of growth. Charles S. Ascher in *Survey, Graphic*, October, 1932, says there are areas where five acres is the minimum.

A minimum frontage and width is also important. Shoe-string and freak-shaped lots will otherwise result. They will frequently damage the community far beyond anything that will be justified by the benefit to the developer.

## DOES ZONING STABILIZE PROPERTY VALUES?

This question cannot be answered statistically because in a given locality we are not able to contrast the two conditions. We may know what is happening in a zoned or unzoned area but we do not know what would have happened if the opposite were true. Numerous examples show the effects of intrusions. In a Yonkers case a house rented for \$200 a month, a garage was built alongside, the rent went to \$100 and then to \$72 before the building was sold and it was then sold at an actual loss of \$12,000 below the cost a short time before. In Massachusetts a man went into the country and spent \$35,000 for a home. An intrusion suddenly appeared and he abandoned his home, has since had no offer, although one man thought he might consider paying \$7,000 for the property.

The investing interests are studying this question everywhere and they are solidly for zoning as a stabilizer of values. The president of a building and loan association, the same as our cooperative banks, says that a mortgage investor must be careful because he ties up his money in a non-liquid security and has to protect himself by careful appraisals and by forecasting the possible trends of development. It is almost impossible for such an investor to watch all that is going on in a district and he may suddenly find that intrusions have wiped out the normal value of the property and he has no recourse.

The National Association of Real Estate Boards, in its weekly broadcast of November 10, 1928, said that maximum land values arise in areas where property is used for similar purposes. It further stated that real estate values do not just happen, but are a result of natural conditions, climate, scenery, soil, drainage, etc., but particularly of the nature of the development which has already taken place and of the protection offered by the community and the developer to a purchaser of property.

In a talk before the Investment Bankers Association an appraiser said: "In making appraisals of residential property consideration is invariably given as to whether the city or town is operating under a board of survey act, city or town planning board, or has adopted a zoning system." He explained that when land in a residential area was zoned a large element of doubt was removed because zoning tends to stabilize values, primarily through preventing injurious intrusions.

The general argument is not so much for increasing values, because zoning has not been long enough in operation to answer that question comprehensively, but that we should emphasize the value of zoning in stabilizing values. C. D. MacPherson, a realtor of Chicago, brings this out when he says: "Emphasis should be given not so much to the increasing of the land values as to the prevention of loss by the indiscriminate mixing of buildings, to the protection of homes from encroachment of undesirable structures, to the protection of the business districts from the smoke and noise of manufacturing plants."

Immediately upon the adoption of zoning in Evansville, Indiana, an insurance company doing a heavy mortgage investment business there at once increased by 10 per cent the amount it would loan upon residential property. Walter Stabler, then comptroller of the Metropolitan Insurance Company, said in 1925 that he had just turned down an application for a large loan in a residential development because it was unzoned. He added that in an unzoned city the equity was never safe and that if the equity was not safe the mortgage investor was not safe, and that they had had their fingers burned often enough. The President's Conference on Housing recently held in Washington still further emphasizes this point when it urges investors to recognize the fact that depreciation in property values invariably follows intrusions of all kinds, and that if municipalities would not give the protection now available through zoning and private restrictions those already holding investments in such areas were justified in early foreclosure if there was no other solution.

A significant statement comes from the National Association of Real Estate Boards in the words of Henry G. Zander, Jr., a Chicago developer, who pointed out what it was that created values. He said that the kind of people living in a district, their desirability as neighbors, was a large element and amounted to about 25 per cent of the whole. He then attributed to zoning and deed restrictions another 25 per cent, and assigned 12½ per cent each to the efficiency of local transportation and the schools, and smaller percentages to other elements of community life.

## THE TAXPAYERS' REVOLT

The current revolt of the taxpayers and the loss of confidence in local officials is in many instances justified, in fact long overdue. But the fault lies with the voters, who have not used horse sense, and many of the remedies proposed have as little horse sense. Revolts are seldom conducted with high-minded statesmanship.

The situation affects all planning work, because it so seriously affects the problems of town building. Little planning will be done, few plans will be executed, as long as the present unthinking assault on all expenditures continues.

We are in the midst of a national emergency as serious, perhaps, as in any war we ever waged. In war we do not dwell much on balanced budgets, or self-liquidating enterprises. War activities are destructive throughout. With proper planning and long-term budgeting we could meet economic emergencies to a great extent, and in perfectly constructive ways. With sound planning we could be building many things that would help constructively to meet the emergency, all of which things we will have to build sooner or later, or shut up shop.

Here is an example of the lack of thinking now common, from an editorial in a Massachusetts weekly:—

“How would the average citizen like to work 61 days without any pay whatever?”

“The answer is that he wouldn't like it at all. But that, in effect, is what he is doing. Sixty-one days' work out of each year is required to pay the cost of government. In 1924 it was 46 days, and in 1913 about 25 days.”

Government expenses include schools, streets and roads, parks and playgrounds, water and sewer systems, and numerous similar things. These are “nothing,” according to this writer. The same kind of thinking characterizes most of our economic leagues and taxpayers' associations.

In the same town from which comes the editorial, town money was appropriated to pay unemployed veterans, at \$4.50 per day, for cutting wood. Almost none of them could cut wood, so that the cost of the wood was two to three times the normal cost.

Where did they cut the wood? From the town farm, which incipient but unsettled plans set aside in large measure for park purposes. With a plan the trees would not have been cut, and the preferred veterans would have been set at some needed thing which they could do.

There has never been a time in our history when sound planning and budgeting would have been so useful as during the last three years. The absence of these is in large part responsible for the extent of our difficulties. We could be relieving distress and getting our money's worth for every dollar spent. We should be doing this with no blind adherence to a balanced budget and self-liquidating enterprises. A sewer system, for example, is not exactly self-liquidating, but to get a sewer system is better than doles.

The bulk of the money spent through public channels is not for government but for service. These services we can provide more effectively through cooperative than through individual action. When we work so many days for schools, etc., do we work “without any pay whatever?” Can we afford to stop all these services through cooperative action and throw them all upon the resources of the individual? When we do the individual will work more than 61 days a year for these services and get less service in return.

The assault of the taxpayer must be upon every feature of the system which returns 30 cents or 50 cents worth of service for a dollar expended. The way to make this assault is to know what we want to do and then do it well. The chief argument for sound planning is that it saves money. The justification for this discussion is that in this time of stress we are doing little planning. When activity begins again we run the risk of following the same old method of waste through ill-considered action. These are the things which a taxpayer's revolt should lead us to remedy.

## SOME PROBLEMS

**LEADERSHIP.** The greatest need on planning boards and in communities is leadership. This leadership must be broad-gage and not narrow, civic and not partizan, generous and not selfish. To secure such leadership the people must

learn that when a man is willing and able to help solve community problems he must be treated as he deserves, with a generosity at least equal to his own. All possible leaders belong to some political, sectarian and racial group, as an accident of birth. It is unfortunate and unreasonable that this very fact will cause good people of other groups to oppose—such is our training. We are a mixed people. The world's best leaders have come from all groups. We must weigh a leader by his intention, his ability, his public spirit. We should be big enough and fine enough to go at least as far as the ancients. Mawson, in his *Civic Art*, says:—

“Among the ancients, a civic pride and civic ideal existed beyond anything which we find in the modern town. This is evident by the fact that the civic crown, though formed only of oak leaves, was considered more honorable than any other. Pliny, speaking of the honour and privileges of those who had merited it, says, ‘they who had once obtained it might wear it always.’ When they appeared at the public spectacles the Senate and people rose to do them honour, and they took their seats on these occasions among the Senators.”

**GROUP ACTION.** Results in the field of planning depend upon popular support. In our towns the people make the appropriations. To make the people planning-minded is imperative. This fact alone answers the assertion of some planning board members that boards should have mandatory powers. A board may prepare the soundest possible plans and it may issue all the mandates it can think of, but no plans are executed till the money is voted. Here is offered a splendid opportunity for cooperation by the numerous organizations found everywhere. An organization may have a pet activity, even as its main reason for existence, but it should always use its group influence for sound civic work. It is therefore passing strange to find a civic organization hamstringing itself at the outset by a provision in its constitution. A request was made to such an organization on a matter of serious importance. The answer, disguised to hide identity, was:—

“I am sorry to tell you that the Civic Club officially cannot take any part in this matter, since it is against our policy to enter into civic problems. However, individually there are many of us who live here in the center and elsewhere who could do a great deal but it would be impossible for us to circularize our membership in any way.

“I am sorry that we are not able to cooperate with you on this matter and I hope you understand it is only our club policies and not our interest which prevents us from doing so.”

**HOUSING.** Massachusetts is doing nothing towards a solution of her housing problems. These problems are serious, their by-products are costing millions of dollars and, cost or no cost, are inhumane to a great degree. There is now, for a very short time, a chance to do at least some demonstration work through help from the reconstruction finance corporation. But the state lacks the essential legislation, there is no comprehensively organized move to secure the legislation, and the owners of the congested, sweated and filthy slums are fighting such a move as likely to interfere with their profits. It is the old story of child labor, hours and conditions of labor for women, “phossy jaw,” etc., all over again. An aroused public interest could meet the needs. It is a part of any planned economy, it is a part of the work of planning boards, of the people, and of the legislature. It is a serious question whether the present emergency and opportunity can justifiably be ignored. If action is taken it will have to be taken promptly.

**SPOT ZONING.** Spot zoning is the zoning of a lot or small area of land for a purpose inconsistent with the area in which the spot is located. It is not according to a sound scheme of growth, starts a cancerous condition, unfairly injures neighbors who have built in conformity with law, and amounts to special privilege for the owner of the lot. It is even unsound to zone a spot for business where a small store already exists, unless there is reason for a business area there, and then it should be large enough for a neighborhood trading center. City governments and town meetings are making serious mistakes in this direction. But far worse is the work of boards of appeal in granting so-called variances which amount to the establishment of a new district. A building inspector may issue no such permit and no court in the land would order him to so violate a local law. But boards of appeal rise above the law in a way no court would do, invade the field of the local legislative body, and the only recourse is for citizens to go to the expense of a case at court.

Cities and towns should see to it that boards of appeal do not assume powers they were never intended to have.

**HOME INDUSTRIES.** A method of breaking town zoning laws is through careless regulation of home industries. It does no harm and most local laws permit a woman to do dressmaking or make hats or any similar thing in her home. But in a home area no home may be converted into an industrial plant or into what looks like an industrial plant or a place of business. This is just as much a breaking down of a zoning law as to do spot zoning or for a board of appeals to assume the right to permit a new building for business. Consideration is usually given to the applicant alone. The effects upon the neighbors and the district, thus upon the town as a whole, seldom receive consideration. In this way blighted areas are started, as surely as by the many other possible methods. Careless building inspectors are in this respect generally more responsible than other officials. It is the work of the building inspector to enforce the law. If there is a justifiable variance, that is the duty of the board of appeals. If a new trading center is needed, that is the work of the legislative body. In case of neglect or improper action by any officer the people have to go to court if they want the law enforced.

