

The following members of the Department have returned to active police duty from the Military Service:

Carroll, James G.	September 24, 1945
Crowley, Cornelius	October 1, 1945
Holt, James F.	October 1, 1945
Murray, George B.	October 4, 1945
Murphy, Arthur P.	October 15, 1945
Cavanaugh, Joseph P.	November 8, 1945
McDonough, John	November 19, 1945
Makarewich, Edmund	November 26, 1945
Magee, John F., Jr.	November 26, 1945
Riley, John J.	January 7, 1946
Dalton, Harold	January 14, 1946
MacIver, Malcolm N.	January 14, 1946

Respectfully submitted,

JAMES W. TONRA,
Chief of Police.

ANNUAL REPORT OF THE BROOKLINE PLANNING BOARD

For the Year Ending December 31, 1945

In October the Selectmen requested the Planning Board to take over the duties of the Long-Range Planning Committee which had previously been appointed annually and which consisted of one Selectman, the Moderator, Town Accountant, Town Engineer and Chairman of the Planning Board. There has been no report by the Committee since 1943, as this work was taken over temporarily by the Post War Planning Committee. Our Board has started work on the annual Long-Range report with the aid of Mr. Wm. Stanley Parker of the Boston Planning Board who assisted in the previous reports and who has acted as consultant on the subject for many Massachusetts planning boards. This work cannot be finished until after January first because the annual statistics of the departments cannot be obtained until the end of the year.

The Board has had a busy year in its new combined capacity and submits a summary of its work and of the more important problems facing the town.

Transportation. The Worcester Turnpike was never completed between Reservoir Road and the Boston Line and the time has now come when the State should complete this project. The congestion in and near the Village has become acute since the restrictions were lifted on the sale of gasoline and it will become increasingly serious as more new cars become available. The Post War Planning Committee recognized the urgency of this improvement last year and stated that it was essential ". . . that the Board of Selectmen urge that action be taken at the earliest possible moment."

With the valuable assistance of our new member, Mr. William G. Perry, and the Engineering Department we have drawn up a plan for developing this part of the Turnpike. It is rather a radical departure from previous plans but, as this is one of the heaviest travelled roads in the State, drastic action is necessary. The design endeavors to combine safety with capacity and to provide for future increase in traffic when the time comes. The plan in brief calls for widening Boylston Street from Reservoir Road to the Village to a width of 160 feet with four roadways separated by islands or strips. The two outer roads for local traffic are 30 feet wide with 6 feet allowed for parking. The two inner roads for express traffic, but without parking, are 24 feet wide. There is an

overpass over the depressed express roads at Chestnut Hill Avenue, an underpass at Cypress Street and an overpass behind the bank at the Village.

In the Village the express roads are depressed and the widening is all on the southwest side. There is an oval island spanning the depressed roadways to be used as a bus terminal and transfer station easily accessible from the Brookline railroad station. Also there is an overpass for vehicles and pedestrians in the center of the Village. The express roads branch at Brookline Avenue and come to the surface just beyond. Here the problem becomes a joint one with Boston and this matter has been discussed with the Chairman of the Boston Planning Board.

An entire new street frontage will be required on the southwest side of the Village and it is hoped that this will be built up with high grade stores with ample parking space at the rear. This shopping area might be gradually extended toward the southwest making it an attractive center for shoppers and replacing some of the low value tenement houses that bring in a small tax return.

Part of the overall plan for the Village contemplates the electrification of the steam railroad and an attractive approach to the south side of the tracks at the railroad station from the new shopping center. Also Washington Street should be widened to Harvard Square later on making a dignified approach to the new Town Hall that is now under discussion near the site of the present building.

While this project would be expensive, as estimated in the Post War report, it is believed that the entire cost of the Turnpike section should be paid by the State. The new approach to the Town Hall eventually would increase greatly the appearance and the taxable value of the area. The combined Village plans would raise the whole tone of the neighborhood and check the tendency toward decadence in these older sections of the Town.

We have been unable as yet to present the plan to the State Department of Public Works due to circumstances beyond our control but hope to be able to do this soon.

Another serious traffic problem is that of cross-town through ways. This includes the widening of several routes, perhaps the most important of which is Jamaica Pond to Commonwealth Avenue via Cypress, School and St. Paul Streets. The widening here would be between Boylston and Washington Streets and along the entire length of St. Paul Street. We recommend that this be done just as soon as possible under the provisions of the General Laws, Chapter 90. The estimated cost is \$300,000.

The next cross-town route of importance is from West Roxbury to Newton via South Street, Newton and Hammond Streets. This parallels the West Roxbury Parkway but is needed as an alternate route because the Parkway is not open to commercial vehicles. Newton Street and Hammond Street are now satisfactory and the cost of widening South Street is estimated at \$100,000.

A through way from West Roxbury to Cleveland Circle via Lee and Eliot Streets is most desirable but at present there is little hope of extending Eliot Street under the railroad to Cleveland Circle. This route should not be given high priority until some improvement is made in the Warren Street valley between Goddard Avenue and Lee Street.

Perhaps the most important of all the cross-town routes is Route 1 with its collateral numbered state and federal arteries. This traffic is now routed going north from the Riverway through Chapel and Carleton Streets to the Cottage Farm Bridge. These streets are altogether too narrow for such traffic and they cannot be widened without prohibitive expense. The only proper solution is to reroute this traffic farther east through Audubon Road and, when possible, to a new bridge across the Charles River near Audubon Road. We believe that the routing signs should be changed to cover such a route at once as the present conditions impose a great hardship to the residents of this section of town.

Buildings. The Board believes that a new Town Hall is of vital and immediate importance. The reasons are well known and have been enumerated in previous reports for several years. The old building is a very serious fire menace both to life and to valuable contents. Many valuable records, for which there is no room in the present vaults, are stored outside and consequently subject to complete loss by fire. The Engineering Department estimates that half of its plans are outside the vaults while the Town Clerk is much worried about the safety of some of his records. Many departments, including School, Health and Police, are in tragic need of more room and the School Department has been forced to contemplate expensive quarters elsewhere, costing from \$50,000 to \$100,000. Several other building changes have been suggested. All such expenditures would be unnecessary if a new Town Hall were started at once. We believe that it is most desirable in the interest of economy and convenience that all town offices should be in one building. Preliminary plans by the Engineering Department show a new building about on the present site but extending nearer Harvard Street with eventually the tearing down of the buildings between here and Harvard Square and making a fine approach to the new building.

The Post War Planning Committee wisely reported ". . . It is hoped that the selection of an architect . . . will be made after the cessation of hostilities. . . ." We recommend that an article be inserted in the warrant for the annual Town Meeting calling for the appointment of an architect and appropriating sufficient funds to allow him to draw up preliminary plans.

The Post War Committee suggested a War Memorial to the memory of those who fell in the late war, in the form of a Recreation Center for use by Veterans, youth groups and civic organizations. This Board highly approves the idea but on account of strong local opposition and legal restrictions does not favor the proposed location at the Boylston Street Reservoir. We suggest that such a building would be a great addition to the proposed new street front on the southwest side of Village Square.

Now that the town incinerator and Fire Department headquarters have been decided upon, the next most important project is probably the municipal garage. Two sites have been proposed, one on Cypress Street at the present highway garage and the other on Pearl Street. The decision depends largely upon what other improvements are carried out.

The newly organized Health Department needs quarters suitable for a well-developed and growing department. We believe it should be part of the new Town Hall, but a separate unit with its own entrance. The Brookline Friendly Society, which works in close co-operation with the Health Department, should be located nearby, possibly in the same building.

The Police Department needs more room and plans have already been made to rearrange the sections of the building now occupied by the Selectmen and the Board of Health for use by the Police Department when the new Town Hall is built. This is another reason for hastening the new Town Hall.

The Planning Board is keenly conscious of the great need for additional housing facilities in town and the desirability for rebuilding some of the sub-standard areas. Under the present laws it is impossible for the town to do much about these matters and private capital must be largely depended upon. Two tentative plans for very high-grade apartment and duplex house developments recently have been submitted to the town. These would be most desirable for the town and would help solve the housing shortage if located in appropriate zones. They are both in single family zones and the Board is giving careful consideration to the difficult question of how far the town should go in changing single family zones to allow such developments.

Many of the large estates are now being cut up for development and the Board is using its best efforts before approving such developments, to see that they are well designed. Fortunately most of the area involved has been rezoned, recently, on the initiative of the Planning Board, so that new developments must contain large lots of 15,000 to 40,000 sq. ft. This with the fine class of streets now being built by the town under the betterment plan assures very attractive and desirable developments in these single family zones.

Parking. The increased use of automobiles is causing serious parking problems. These are already acute at Coolidge Corner and in Brookline Village. As new cars come onto the market parking conditions will become steadily worse.

In a paper on the parking problem recently presented at a meeting of the New England Conference, Mr. D. Grant Mickle stated that a recent survey of Chambers of Commerce indicated that off-street parking facilities was listed as ". . . by far the most urgent of all community needs in New England. . . ." He predicted that in 15 years motor traffic will be double the pre-war volume. The trend is toward more miles per month per car and when this is multiplied by the record number of new cars that will be built it will produce traffic congestion and parking difficulties, "the like of which we never dreamed of." Mr. Mickle also states that the day of solving the parking problem at the curb has gone and must come through off-street parking facilities.

This Board issued a general report on parking and a report on parking at Coolidge Corner during the year. The conclusion was that off-street free municipal parking lots should be established at once near Coolidge Corner and later at other locations. The State Planning Board made a survey at our suggestion of conditions in other Massachusetts municipalities and listed 25 cities and towns that have established off-street municipal parking lots all of which were free. Our Board has suggested that the town buy two parking lots, one on the north and one south of Coolidge Corner, with capacities of 55 and 60 cars. The Selectmen have been asked to insert an article in the warrant of the annual town meeting covering the financing of this project.

We believe that similar action should be taken at Brookline Village and Washington Square in due course. We recommend relieving the situation at the High School, which is serious at the time of large meetings, by angle parking along the playground side of Tappan Street. This would take all of the sidewalk but in addition only a few feet of the playground and would accommodate 60 cars.

The parking facilities around the Town Hall are quite inadequate and we suggest a parking strip along the American

Legion grounds adjoining Pierce Street by moving back the fence here. Accommodations could be easily arranged for about 30 cars at an estimated cost of something over \$1,500. As there is no chance of a new Town Hall for a year or more, we recommend that this be done at once.

Double Parking is common in Brookline as elsewhere for short periods but this greatly obstructs the normal flow of traffic. It is illegal and should not be tolerated. It can be stopped if sufficient police protection is maintained so that each police officer can remain at any double parked car he sees until the operator returns. Sufficient off-street parking area would also help relieve this problem.

Street Construction. Three private ways were rebuilt this year and made public streets. The Planning Board was instrumental in getting the abutters on one of these, Cushing Road, to petition for a street built under the betterment plan. This street has been in existence as a private way for several years but was a disgrace to the town on account of rough muddy surface, lack of hydrants, curbs and proper sidewalks and with one end quite impassable. It is now a well-built street with a fine asphalt surface, hydrant, concrete sidewalks, tree lawns and all utilities underground. The only poles are the attractive ones used for lighting. The Engineering Department is to be congratulated on a fine job and for the saving in cost made by letting three streets under one contract. The other streets built were Still Street and Chatham Circle.

Other streets approved as Planning Board streets, after public hearings, were Webster Place, Short Street, Singletree Road, Cabot Street and Lowell Lane.

Special Reports. The Board issued the following reports during the year:

SCHOOL SURVEY. This report issued in the spring showed that there were 7,204 students in all schools, public and private, as against 7,304 last year, and 7,642 the year before. The decrease was largely in the public school group. There was a distinct increase in the Kindergarten Group from 377 to 429. The students are arranged in 11 groups around each of the public school buildings and this data is of value in gauging the changing need of playgrounds in different parts of town.

VACANT STORES. The usual Store Report was made in November, which showed 758 stores in town, a drop of 20 since last year. There were 27 vacant stores as against 65 last year and 109 the year before. The stores are listed in 12 groups.

Street Construction



CUSHING ROAD
July, 1945



CUSHING ROAD
After Construction January, 1946

SEWER RENTALS. The desirability of transferring the cost of maintaining sewers from the General Tax to a Special Sewer Tax based on the amount of water used, was covered in a special report. The reason for such a change is that the present method does not assess the cost fairly and the heavy users do not pay their share. The report was sent to the Selectmen with a recommendation that the new plan be adopted, using the water bills as a basis for the charge.

BUILDING LAWS. A report on the need of revising the Building Law, which was adopted in 1923, and is now out of date, was sent to the Selectmen in the fall. They promptly appointed a Committee to undertake this difficult job.

Reports were also made on several proposed playground sites, which were included in the warrant of the annual town meeting.

DEVELOPMENT PLANS. Hearings were held to consider a plan for the development of the Cabot Estate on Heath Street, and the plan was finally approved. This development will entail expensive sewer extensions.

Another hearing was held to consider a plan for the development of the Amy Lowell Estate, at Heath and Warren Streets, and this plan which involves a dead end street terminating in a circle, was finally approved.

A plan for the development of the Atkinson Estate nearby was approved tentatively.

A hearing was held on a change of zone of the Lowell property, Boylston and Hammond Streets, and this change was approved with setback restrictions.

PERSONNEL. During the year Mr. William T. Aldrich resigned and at a joint meeting with the Selectmen Mr. William G. Perry, a nationally known architect, was elected to fill the vacancy. Otherwise, the membership of the Planning Board is the same as last year.

We wish to again express our thanks to the Town Engineer and his department for the invaluable help given our Board throughout the year. They freely gave a large amount of time and effort without which the work of the Board would have been much less complete.

BUDGET. On account of insufficient office force in the Engineering and Accounting Offices, it will be necessary during the next fiscal year to secure outside aid in working up statistics for the Long-Range Planning Report. We are asking \$200 extra appropriation for this purpose under the item "Professional Advice."

Budget for 1946

Personal Services:	
Walter A. Devine, Secretary and Engineer	\$200 00
M. F. Smith, outside clerical work.....	60 00
Professional advice	400 00
Other Services:	
Hotels, meals, etc.	10 00
Postage and mailing	25 00
Advertising	25 00
Printing maps	100 00
Printing Long-Range Report	100 00
Miscellaneous Printing	10 00
Membership dues	15 00
Materials and Supplies:	
Books and Magazines	10 00
Stationery and Office Supplies	20 00
	\$975 00

GORHAM DANA, *Chairman*,
 ARTHUR J. SANTRY,
 LUCIUS T. HILL,
 CHARLES E. ROBINSON,
 WILLIAM G. PERRY,
Planning Board.

**WELD GOLF COURSE
DEVELOPMENT**

The Planning Board believes that the proposed development of the Weld Golf Course area would be of distinct advantage to the Town for the following reasons:

A "Garden Village" development is one of the most attractive of all types because the units are well separated, with an attractive variety of architectural features, fine landscaping, and will be under the best form of maintenance. It is a new type for this part of the country and could not have been undertaken by an insurance company except in the larger cities until the law was amended last year. Brookline should be proud to have the first development, under the new law in Massachusetts, in its area, as it will be an outstanding advance in housing. *methods*

holders

It will greatly help in relieving the housing shortage and promptly bring to the town a large amount of taxable property.

The Board believes that such a development would be far more advantageous to this neighborhood than any single house development that is likely to be built here. The high standing of the John Hancock Mutual Life Insurance Co. is a guarantee that this development will be well built and exceptionally well maintained.

The Company has complied with the suggestions of the Planning Board in regard to a buffer zone of one-family houses bordering the present development and the carrying of Grove Street through the property.

The Company has also agreed to a number of restrictions that will safeguard the Town in case, for any reason, the development is not carried through as planned. These include a request to rezone back to a single family zone any part of the area that may be given up for this development.

Gorham Dana
Chairman

GD/s

*see PLRB minutes book
Jan 11, 1946 p 102*

Containing about 297,241 square feet and being a part of lot 18 in Block 418 as designated on the 1945 Assessors' Plan.

This vote was passed unanimously, was so declared by the Moderator, and is so recorded.

✓ **Twenty-Third Article** — To amend the Zoning By-law by including within the 3C District a part of a lot designated on the Assessors' Plan as Lot 1, in Block 388, now in the 4D District, bounded and described as follows:

Northeasterly and easterly by the center line of proposed roads;
Southeasterly by the center line of Grove Street Extended;
Southerly by the northerly side line of Veterans of Foreign Wars Parkway;
Southwesterly by the boundary line between Brookline and Boston;
Northwesterly by land now or late of Management Corporation;
As shown on Zoning Map No. 6R as prepared by Walter A. Devine, Town Engineer dated December 17, 1945, amending Zoning Map No. 6 prepared by Henry A. Varney, Town Engineer, and verified by the signatures of the Planning Board.

or will amend and adopt said proposed amendment.

The John Hancock Mutual Life Insurance Company has made the following agreement with the town with reference to the use of the land and the type of buildings to be erected thereon:

THIS AGREEMENT made this 11th day of March, 1946.

WITNESSETH that

WHEREAS John Hancock Mutual Life Insurance Company, a corporation duly organized by law and having a usual place of business in Boston, Massachusetts (hereinafter referred to as the Company), holds an option to purchase a tract of land part of which is in the southerly part of the Town of Brookline and contains about 51.38 acres; and

WHEREAS the Company is desirous of having the southerly portion of said tract (described in Appendix A attached hereto and hereinafter referred to as said area) rezoned from the 4D to the 3C district so as to permit said Company to carry out upon said area a garden village type of housing development; and

WHEREAS a serious housing shortage exists in the Town of Brookline and there is public need for the creation of new housing facilities in said Town; and

WHEREAS the location and topography of said area make it suitable for use for such a development; and

WHEREAS the Company intends to exercise its rights under its option aforesaid and to purchase said tract if said area is rezoned as aforesaid:

NOW, THEREFORE, in consideration of the premises and the payment to it of one dollar (\$1.00), the receipt whereof is hereby acknowledged, the Company agrees on behalf of itself, its successors and assigns to and with the Town of Brookline (hereinafter referred to as the Town) as follows:

1. If and in the event that said area is rezoned as aforesaid (which however, the Town is not obligated and does not undertake to do), the Company will exercise its said option to the aforesaid tract and further agrees that in said event and while the Town allows said area to remain in said 3C district it will not use nor permit its tenants to use said area or any part thereof or any building thereon or to be erected thereon for any of the following purposes: a hotel, lodging or boarding house, fraternity house, dormitory, establishment for the care of sick, aged, crippled, of convalescent persons, railroad passenger station, farm, truck garden, commercial nursery or greenhouse.

2. The Company further agrees that in the event said rezoning is effected, and so long as the Town allows said area to remain in said 3C District:

- A. That any development it makes of said area will be of a high-grade garden village type of housing development;
- B. That horizontally divided family dwelling units will not exceed 25% of the total number of family units to be constructed in said area;
- C. That dwellings with flat or approximately flat roofs will not exceed 25% of the total number of such buildings to be constructed in said area;
- D. That building coverage shall not exceed 20% of said area;
- E. That no building over 2½ stories in height, measured from the highest point of the finished grade of each unit, will be constructed in said area;
- F. That Grove Street will be extended and constructed to the town line in condition to be accepted as a public street;
- G. That the Town will be given rights of easement for necessary sewers, surface water drains and water pipes in streets and ways throughout said area;
- H. That if the Company cannot or does not carry out substantially the proposed development within ten (10) years from the date of this instrument and if said area shall not previously have been rezoned by the Town into a new zoning district the Company will within that period make petition to the Town to restore the undeveloped land to the 4D zoning district.
- I. That if the Company cannot or does not carry out substantially the proposed development and if said area shall not previously have been removed by the Town from said 3C zoning district, the Company will give to the Town written notice directed to the Town Clerk ninety (90) days or more prior to conveyance or transfer of its title to said area or any substantial part thereof. This action shall not apply to conveyances, transfers or grants to or for the use of the Town.

IN WITNESS WHEREOF, John Hancock Mutual Insurance Company has caused these presents to be executed in its name and behalf and its corporate seal to be hereunto affixed on the day and date first above written.

JOHN HANCOCK MUTUAL LIFE INSURANCE
COMPANY,
By Paul F. Clark, *President*.

Commonwealth of Massachusetts

Suffolk, ss.

March 11, 1946.

Then personally appeared Paul F. Clark and acknowledged the foregoing instrument to be the free act and deed of John Hancock Mutual Life Insurance Company, before me

SIMON P. TOWNSEND, *Notary Public*.

APPENDIX A

An area of land situated in the southerly part of the Town of Brookline being a part of a lot designated on the 1945 Assessors' Plan as Lot 1 in Block 388 bounded and described substantially as follows:

Northeasterly and easterly by the center line of proposed roads;
Southeasterly by the center line of Grove Street Extended;
Southerly by the northerly side Line of Veterans of Foreign Wars Parkway;
Southwesterly by the boundary line between Brookline and Boston;
Northwesterly by land now or late of Management Corporation;
As shown on Zoning Map No. 6R, as prepared by Walter A. Devine, Town Engineer, dated December 17, 1945, amending Zoning Map No. 6 prepared by Henry A. Varney, Town Engineer, and verified by the signatures of the Planning Board.

On motion of Eugene P. Carver, Jr.:

Voted, To amend the Zoning By-law by including within the 3C District a part of a lot designated on the Assessors' Plan as Lot 1, in Block 388, now in the 4D District, bounded and described as follows:

Northeasterly and easterly by the center line of proposed roads;
Southeasterly by the center line of Grove Street Extended;
Southerly by the northerly side line of Veterans of Foreign Wars Parkway;
Southwesterly by the boundary line between Brookline and Boston;
Northwesterly by land now or late of Management Corporation;
As shown on Zoning Map No. 6R, as prepared by Walter A. Devine, Town Engineer, dated December 17, 1945, amending Zoning Map No. 6 prepared by Henry A. Varney, Town Engineer, and verified by the signatures of the Planning Board.

This vote was passed by more than two thirds — one hundred ninety-two (192) voting in the affirmative and three (3) in the negative.

Twenty-Fourth Article. — To amend the Zoning By-law by including within the 1A District part of lots designated on the Assessors' Plan as Lots 19 and 20, in Block 418, now in a 4D District, to permit the town to construct an incinerator plant on lands recently purchased for that purpose, bounded and described as follows:

Northeasterly by other land now or late of the Town of Brookline;
Easterly by land now or late of the Commonwealth of Massachusetts;
Southeasterly by lands now or late of Rosalie S. Geller, Samuel L. Baer, Edith Shapiro, Florence N. Salomont, Isabelle Barber, Rockwood Land Corporation, Sarah Golub and by the northerly end of Arlington Road and Beresford Road;
Southwesterly by lands now or late of Sara H. Kennard and Henrietta Wells Kennard;
Northwesterly by land now or late of the Commonwealth of Massachusetts;
As shown on Zoning Map No. 6S, as prepared by Walter A. Devine, Town Engineer, dated December 28, 1945, amending Zoning Map No. 6 prepared by Henry A. Varney, Town Engineer, and verified by the signatures of the Planning Board.

or will amend and adopt said proposed amendment.

A motion to amend was defeated — one hundred thirty-seven (137) voting in the affirmative and eighty (80) in the negative — the motion failing a two-thirds vote.

Twenty-Fifth Article. — To see if the town will accept the following bequest made under the fifteenth paragraph of the will of the late Stephen Glover Train:

"All the rest and residue to the Town of Brookline as a fund or part of a fund for the purpose of establishing and maintaining a public general hospital in the town, the income from the same, until the establishment of such a hospital, to be used for the relief of sickness among the poor."

On motion of Alexander Lincoln:

Voted, To refer the above article to a Committee of five citizens to be appointed by the Moderator, which shall study the needs of the Town with respect to the maintenance of a public general hospital therein and the probable cost of establishing and maintaining such a hospital, shall consider whether and to what extent acceptance of the bequest referred to in said article might involve the town in legal or moral obligations, and shall report its recommendations with respect thereto at the next Town Meeting.

Twenty-Sixth Article. — To see if the Town will vote to accept Chapter 723 of the Acts of 1945 authorizing the establishment and maintenance of a department for the purpose of furnishing information, advice and assistance to veterans of World War II or other veterans.

No action was taken under this article.

Twenty-Seventh Article. — To see if the town will authorize the Selectmen to approve on behalf of the town a petition to the General Court requesting legislation enabling the Town of Brookline to pay a pension to M. Evelyn MacDonald Nyhen, such petition having been filed in the Massachusetts Legislature at the 1946 Session thereof accompanied by a

THIS AGREEMENT made this eleventh day of March, 1948

WITNESSETH that

WHEREAS John Hancock Mutual Life Insurance Company, a corporation duly organized by law and having a usual place of business in Boston, Massachusetts (hereinafter referred to as the Company), holds an option to purchase a tract of land part of which is in the southerly part of the Town of Brookline and contains about 51.38 acres; and

WHEREAS the Company is desirous of having the southerly portion of said tract (described in Appendix A attached hereto and hereinafter referred to as said area) rezoned from the 4D to the 3C district so as to permit said Company to carry out upon said area a garden village type of housing development; and

WHEREAS a serious housing shortage exists in the Town of Brookline and there is public need for the creation of new housing facilities in said Town; and

WHEREAS the location and topography of said area make it suitable for use for such a development; and

WHEREAS the Company intends to exercise its rights under its option aforesaid and to purchase said tract if said area is rezoned as aforesaid;

NOW, THEREFORE, in consideration of the premises and the payment to it of one dollar (\$1.00), the receipt whereof is hereby acknowledged, the Company agrees on behalf of itself, its successors and assigns to and with the Town of Brookline (hereinafter referred to as the Town) as follows:

1. If and in the event that said area is rezoned as aforesaid (which however, the Town is not obligated and does not undertake to do), the Company will exercise its said option to the aforesaid tract and further agrees that in said event and while the Town allows said area to

remain in said 3D district it will not use any portion of said area or any part thereof or any building thereon or to be erected thereon for any of the following purposes: a hotel, lodging or boarding house, fraternity house, dormitory, establishment for the care of sick, aged, crippled or convalescent persons, railroad passenger station, farm, truck garden, commercial nursery or greenhouse.

2. The Company further agrees that in the event said rezoning is effected, and so long as the Town allows said area to remain in said 3C district;

A. That any development it makes of said area will be of a high-grade garden village type of housing development;

B. That horizontally divided family dwelling units will not exceed 25% of the total number of family units to be constructed in said area;

C. That dwellings with flat or approximately flat roofs will not exceed 25% of the total number of such buildings to be constructed in said area;

D. That building coverage shall not exceed 20% of said area;

E. That no building over 2 1/2 stories in height, measured from the highest point of the finished grade of each unit, will be constructed in said area;

F. That Grove Street will be extended and constructed to the town line in condition to be accepted as a public street;

G. That the Town will be given rights of easement for necessary sewers, surface water drains and water pipes in streets and ways throughout said area;

H. That if the Company cannot or does not carry out substantially the proposed development within ten (10) years from the date of this instrument and if said area shall not previously have been rezoned by the Town into a new zoning district, the Company will within that period make petition to the Town to restore the undeveloped land to the 4D zoning district.

I. That if the Company cannot or does not carry out substantially the proposed development and if said area shall not previously have been removed by the Town from said 3C zoning district, the Company will give to the Town written notice directed to the Town Clerk ninety (90) days or more prior to conveyance or transfer of its title to said area or any substantial part thereof. This section shall not apply to conveyances, transfers or grants to or for the use of the Town.

IN WITNESS WHEREOF, John Hancock Mutual Life Insurance Company has caused these presents to be executed in its name and behalf and its corporate seal to be hereunto affixed on the day and date first above written.

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY

By: Paul F. Clark
President

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

March 11, 1946

Then personally appeared

Paul F. Clark

and

acknowledged the foregoing instrument to be the free act and deed of

John Hancock Mutual Life Insurance Company, before me

Simon P. Townsend
Notary Public

APPENDIX A

An area of land situated in the southerly part of the Town of Brookline being a part of a lot designated on the 1945 Assessors' Plan as Lot 1 in Block 388 bounded and described substantially as follows:

Northeasterly and easterly by the center line of proposed roads;
Southeasterly by the center line of Grove Street Extended;
Southerly by the northerly side line of Veterans of Foreign Wars Parkway;
Southwesterly by the boundary line between Brookline and Boston;
Northwesterly by land now or late of Management Corporation;
As shown on Zoning Map No. 6R, as prepared by Walter A. Davine, Town Engineer, dated December 17, 1945, amending Zoning Map No. 6 prepared by Henry A. Varney, Town Engineer, and verified by the signatures of the Planning Board.

ANNUAL REPORT OF THE BROOKLINE PLANNING BOARD

For the Year Ending December 31, 1946

Boylston Street

The work of planning Boylston Street as a link in the heavily traveled Worcester Turnpike has been before the Planning Board during the entire year. Last year we reported that plans had been completed for a 160-foot road from the Boston line to Reservoir Road. At the request of the Massachusetts Department of Public Works this plan has been modified and now shows a widening to an average width of 170 feet, and an extension to the Newton Line. There was some objection from persons planning a high grade store development on the north side of the street, between Dunster Road and the Newton Line, and we went as far as seemed wise in meeting their objections.

The present plan calls for two central lanes 36 feet wide, with a median strip, which are depressed at most of the street crossings so as to allow bridges for cross-traffic but overpassing Cypress Street where the grade makes this method preferable. Outside the express lanes are two local traffic roads at grade, each 30 feet wide with sidewalks, and in most parts, treelawns. Cutovers are planned so that cars may cross from express to local lanes where necessary. Both State and National Standards have been followed so that the necessary financial aid may be secured. The plan was tentatively approved by the Selectmen in the fall and has been submitted to the State engineers for study.

Hancock Village

The plans for a housing development by the John Hancock Mutual Life Insurance Co., in the southern part of the town, first considered a year ago, were somewhat modified on account of building restrictions, high costs and scarcity of material. They were considered by the Planning Board at several meetings this year and finally approved in August. Work was started at once and it is expected that some units will be ready for occupancy within a year. A petition for rezoning the area was approved by the Planning Board early in the year and was accepted at the Annual Town Meeting in March.

This development will be of a type quite new in Massachusetts but one that will probably be followed in other locations. The units will be duplex containing $3\frac{1}{2}$ to $5\frac{1}{2}$ rooms on two floors, and will be built in blocks, well separated and attractively landscaped. Only about 12% of the land will be

built on and there will be parking areas, garages and several utilities such as neighborhood laundries.

It is a very desirable type of development for any municipality as it gives high tax rates with minimum cost to the town for services. As all buildings will be leased and not sold, they will be maintained in the best possible manner as a permanent investment.

Private Ways

There are numerous private ways in town and as a rule they are not well maintained and are not always accessible to fire apparatus and town trucks. The Planning Board is making an effort to have at least one such road rebuilt every year as a public way under the Betterment Plan. Short Street was done this year and we are suggesting that Webster Place be accepted and constructed next year.

Through Traffic

When Boylston Street is widened this, with Veterans of Foreign Wars Parkway, Beacon Street and Commonwealth Avenue, will provide satisfactory east and west traffic facilities through town. The north and south cross-traffic is, however, a serious problem. Route 1 runs along the parkway to Longwood Avenue and then through narrow streets, Chapel and Carlton Streets, which are not and cannot be made suitable for such traffic. We are endeavoring to have this traffic re-routed through Park Drive as soon as the traffic circle is built at Park Drive and Brookline Avenue.

The next important cross-town route is by way of Cypress, School and St. Paul Streets. We believe that Cypress Street, between Tappan and Washington Streets, should be widened at once, and that later, School and St. Paul Streets should be widened to Commonwealth Avenue.

Another important route is Lee and Eliot Streets to Cleveland Circle. This route will be greatly improved by the proposed overpass at Boylston Street but the probability of having Eliot Street extended to Cleveland Circle is not very encouraging.

Zoning

The Board held a hearing early in the year on re-zoning the so-called Incinerator Lot north of Newton Street, and an article was inserted in the warrant for the Annual Meeting calling for zoning it as a Business District. This was defeated in the Town Meeting by a very close vote. A revised plan was developed by a special committee appointed for the purpose, which called for rezoning only about one-third of the lot. This was considered at a public hearing December 13,

2
37497
I-3-4
PHOTOSTATED

REGISTRY OF DEEDS
COUNTY OF NORFOLK

DEC 13 1946

Pl. _____

DEDHAM, MASS.

Rec'd 3 H 12 M P M

DEDHAM, MASS. Dec. 13, 19 46
at 3 o'clock and 10 minutes P M
Received and Indexed with Norfolk Deeds
Vol. 2652 567

Attest: L. Thomas Shine
Register.

X

WHEREAS, the Selectmen of the Town of Brookline, in the County of Norfolk and Commonwealth of Massachusetts, having complied with all the preliminary requirements prescribed by law, on the ~~twenty-first~~ day of ~~October~~ A. D. 19~~46~~ did adopt an order laying out and by such order did lay out (under the provisions of law authorizing the assessment of betterments) a street substantially on the line of a private way known as

Independence Drive
leading from **Russett Road**, to **land of the John Hancock Mutual Life Insurance Company**
and as shown on a plan by **Walter A. Doyne**, Town Engineer, dated **September 20, 1946**, approved by the Selectmen, verified by their signatures and filed together with the said order in the office of the Town Clerk on **October 21, 1946**

AND WHEREAS, the said order laying out the said **Independence Drive** as a town way was duly reported to the said town and was duly accepted by the said Town at a meeting called for the purpose and held on the **twenty-sixth** day of **November** A. D. 19 **46**.

AND WHEREAS, it is necessary to acquire land or interests therein for the purposes of laying out **Independence Drive** as a town way

NOW THEREFORE, we, the undersigned Selectmen of the Town of Brookline, acting herein under authority conferred upon us by Chapters 82 and 79 of the General Laws of Massachusetts and by any amendments thereto and under any other authority as hereto enabling, do hereby adopt an order of taking of land in behalf of the said Town of Brookline. By such order we take an easement for all purposes of a town way and such other sufficient interests for all such purposes in the land particularly described as follows:

Beginning at a point on the northwesterly side line of Independence Drive, as approved by the Planning Board of Brookline August 26, 1946, said point being 13.57 feet southwesterly from the southerly end of a curve having a radius of 20.00 feet forming the southwesterly corner of Grove Street as altered and widened March 22, 1938, and Beverly Road as widened by the Town March 23, 1937:

Thence running southeasterly by said Grove Street by a straight line for a distance of 50.29 feet to a point on the westerly side line of Russett Road as accepted by the Town March 19, 1935:

Thence running southerly on said side line of Russett Road for a distance of 27.59 feet to a point on the southeasterly side line of said Independence Drive:

Thence running southwesterly on said southeasterly side line by a curve to the left having a radius of 2797.90 feet for a distance of 36.81 feet:

Thence continuing southwesterly on said side line by a straight line for a distance of 69.03 feet:

Thence continuing southwesterly on said side line by a curve to the left having a radius of 4319.23 feet for a distance of 82.69 feet:

Thence running northerly on the dividing line between land of Elizabeth Heller and land of the John Hancock Mutual Life Insurance Co. for a distance of 101.13 feet:

Thence running southwesterly on the dividing line between land of H. Arthur Millette and land of the John Hancock Mutual Life Insurance Co. for a distance of 4.76 feet:

Thence running northwesterly on the last mentioned dividing line for a distance of 15.00 feet to a point on the said northwesterly side line of Independence Drive:

Thence running northeasterly on said side line by a straight line for a

WHEREAS a part of the said **INDEPENDENCE DRIVE** when constructed in accordance with the plan and profile accompanying this laying out will be built in embankment the Selectmen take the right to support the said embankment by means of side slopes upon the adjoining land.

The Selectmen expressly reserve to the abutting owners, their heirs and assigns, the right to use the said slopes and the land taken therefor for any purpose which will not impair the security of the roadbed of the said way and in conformity with the building and zoning laws of the Town.

For a further identification of this description reference is hereby made to the said plan by **Walter A. Devine**, Town Engineer, above referred to and a copy of the said plan signed and approved by us is adopted as a part of this record and filed with the same.

Fences, walls, trees and shrubs are not included in this taking and we give owners thirty days to remove the same.

We award damages as follows:

Elizabeth Heller	\$500.00
H. Arthur Millette	100.00
Dora Schwartz	1.00
Samuel and Dorothy Einstein	1.00

Betterments are to be assessed therefor, reference being made to such order laying out the said street showing the area expected to receive benefit or advantage and to the plan accompanying the same, all to be duly recorded in the Registry of Deeds for Norfolk County.

This order of taking is hereby made by us this **ninth** day of **December**, A. D. 19 **46** and a certified copy thereof is to be recorded in the Registry of Deeds for Norfolk County within thirty days hereafter.

A true copy attest:

Arthur A. O'Shea
Executive Secretary

Wm. J. Hickey, Jr.

Daniel Tyler, Jr.

Edward Dane

Eugene P. Carver, Jr.

Reuben L. Lurie

Selectmen
of
Brookline.

37496

I-3-3

PHOTOSTATED

LAYING OUT OF

INDEPENDENCE DRIVE

REGISTRY OF DEEDS
COUNTY OF NORFOLK

DEC 13 1946

DEDHAM, MASS.
Rec'd 3 H 10 M P M

2 vols

DEDHAM, MASS. Dec. 13 19 46
at 8 o'clock and 10 minutes P M
Received and Entered with Norfolk Deeds
Vol. 2652 Page 564

Attest: L. Thomas Shine
Register.

L. Thomas Shine
12-13-46

and caused such notice to be actually served according to law by a constable of this town at least seven days before the day so appointed for the hearing, upon

Elizabeth Heller

H. Arthur Millette

Dora Schwartz

Samuel and Dorothy Einstein

Robert and Ada Salkin, Trustees

Ada Salkin and Charlotte G. Levin

John Hancock Mutual Life Insurance Co.

being all the parties known to us from whom land may be taken or who may be interested in the subject-matter, and gave notice to them, and all other persons and corporations, if any, who may be interested in the subject-matter whose names are not known to us, by posting up true and attested copies of such notice in three public places in the town seven days at least before the day appointed for the hearing.

Pursuant to such notice, we met at the time and place appointed for the hearing, and heard the remarks and objections of all persons, if any, who desired to be heard, and having viewed and examined the route of the street as hereinafter described, we do adjudge that common convenience and necessity require that the said street should be laid out under the provisions of law authorizing the assessment of betterments as a town way and it is hereby so laid out.

Ada Sulkin & Charlotte G. Levin	392	Pt. 1	65.62	3528	944.79
Dora Schwartz	389	Pt. 11	124.21	3907	1,046.28
Samuel & Dorothy Einstein	389	13	45.27	7650	2,048.64
John Hancock Mutual Life Insurance Co.	388	1	-	-	5,500.00 *

*Note: Estimated benefit derived by the John Hancock Mutual Life Insurance Co. being 50 percent of the total cost, by vote of the Board of Selectmen October 21, 1946.

The estimated cost of constructing the street is \$ 11,000.00

The said street so laid out is hereby reported to the town for acceptance, and when so accepted, allowed, and recorded, is to be called **INDEPENDENCE DRIVE**

The said plan, profile, and this record are this day filed by us in the office of the town clerk.

<i>Samuel Tyler, Jr.</i>	} Selectmen of Brookline.
<i>Edward Dana</i>	
<i>Reginald Carson, Jr.</i>	
<i>Robert L. Lurie</i>	

BROOKLINE, October 21, 19 46 .

Received and filed with plan and profile as stated.

Arthur J. Thomas Town Clerk.

BROOKLINE, MASS., October 21, 19 46 .

Thence running southwesterly on said southeasterly side line by a curve to the left having a radius of 2797.90 feet for a distance of 36.81 feet;

Thence continuing southwesterly on said side line by a straight line for a distance of 69.03 feet;

Thence continuing southwesterly on said side line by a curve to the left having a radius of 4319.23 feet for a distance of 82.69 feet;

Thence running northerly on the dividing line between land of Elizabeth Heller and land of the John Hancock Mutual Life Insurance Co. for a distance of 101.13 feet;

Thence running southwesterly on the dividing line between land of H. Arthur Millette and land of the John Hancock Mutual Life Insurance Co. for a distance of 4.76 feet;

Thence running northwesterly on the last mentioned dividing line for a distance of 15.00 feet to a point on the said northwesterly side line of Independence Drive;

Thence running northeasterly on said side line by a straight line for a distance of 69.03 feet, said line being parallel with and 65.00 feet from the line previously described as having a length of 69.03 feet;

Thence running northeasterly on said side line by a curve to the right having a radius of 2862.90 feet for a distance of 34.18 feet, said line being parallel with and 65.00 feet from the line previously described as having a length of 36.81 feet, to the point of beginning.

For a further identification of this description and location reference is hereby made to a plan and profile made by Walter A. Devine, ~~George A. Devine~~ Town Engineer, dated September 20 19 46 approved by us, verified by our signatures, and adopted as a part of this record. The said street is to be constructed in accordance with said plan and profile.

The foregoing description has been compared with the plan and is correct.

Walter A. Devine Town Engineer.

October 21,

19 46

ORDER OF TAKING

INDEPENDENCE DRIVE

WHEREAS the Selectmen of the Town of Brookline, in the County of Norfolk and Commonwealth of Massachusetts, having complied with all the preliminary requirements prescribed by law on the tenth day of January A.D. 1946, did adopt an order laying out and by such order did lay out a street as a town way, substantially on the line of a private way, known as Independence Drive, from Independence Drive as accepted by the Town November 26, 1946 to the Brookline-Boston line, in said Town, to be known as Independence Drive, and as shown on a plan by Walter A. Devine, Town Engineer, dated December 15, 1946, approved by the Selectmen, verified by their signatures and filed together with the said order in the office of the Town Clerk on January 10, 1949, and

WHEREAS the said order laying out the said town way was duly reported to the said Town and was duly accepted by the said Town, at a meeting called for the purpose and held on the twenty-ninth day of March A.D. 1949, and

WHEREAS it is necessary to acquire land or interests therein for the purpose of such town way;

NOW THEREFORE we, the undersigned Selectmen of the said Town of Brookline, acting herein under authority conferred upon us by Chapters 82 and 79 of the General Laws of Massachusetts, and any amendments thereto and under any other authority us hereto enabling, do hereby adopt an order of taking of land in behalf of the said Town of Brookline. By such order we take an easement for all purposes of a town way and such other sufficient interests for all such purposes in the land particularly described as follows:

Beginning at a point on the southeasterly side line of Independence Drive as accepted by the Town of Brookline November 26, 1946, said point being at the intersection of the division line between land of the John Hancock Mutual Life Insurance Company and the said side line of Independence Drive;

Thence running southwesterly by a curve to the left having a radius of 4319.23 feet for a distance of 99.91 feet;

Thence running southwesterly by a straight line for a distance of 462.00 feet;

Thence running southwesterly by a curve to the left having a radius of 2516.58 feet for a distance of 507.67 feet;

Thence running southwesterly by a straight line for a distance of 93.63 feet to a point on the Brookline-Boston line;

Thence running northerly on the said Brookline-Boston line for a distance of 62.22 feet;

Thence running northeasterly by a straight line for a distance of 72.99 feet, said line being 65.00 feet from and parallel to the line previously described as having a length of 93.63 feet;

Thence running northeasterly by a curve to the right having a radius of 2581.58 feet for a distance of 520.78 feet, said line being 65.00 feet from and parallel to the line previously described as having a length of 507.67 feet;

Thence running northeasterly by a straight line for a distance of 462.00 feet, said line being 65.00 feet from and parallel to the line previously described as having a length of 462.00 feet;

Thence running northeasterly by a curve to the right having a radius of 4384.23 feet for a distance of 185.35 feet, said line being 65.00 feet from and parallel to the line previously described as having a length of 99.91 feet;

Thence running southeasterly by a straight line for a distance of 15.00 feet;

Thence running northeasterly by a straight line for a distance of 4.76 feet;

Thence running southwesterly by a straight line for a distance of 101.13 feet to the point of beginning.

For a further identification of this description reference is made to the said plan by Walter A. Devine, Town Engineer, above referred to and a copy of the said plan, signed and approved by us is adopted as a part of this record and filed with the same.

All persons having released or agreed to release or waive their claims for damages, no awards are made.

This Order of Taking is hereby made by us this eleventh day of April A.D. 1949, and a certified copy thereof is to be recorded in the Registry of Deeds for Norfolk County within thirty days hereafter.

Edward Lane
Samuel Tyler Jr.
Reuben L. Curie
Eugene L. Lawrence Jr.
Lindley J. Regan
SELECTMEN OF THE TOWN OF BROOKLINE

A true copy, attest:

Arthur S. Shea
Executive Secretary.

OK

DESCRIPTION OF REGISTERED LAND
INCLUDED IN TAKING FOR INDEPENDENCE DRIVE
BROOKLINE, MASSACHUSETTS

WHEREAS, BY AN ORDER OF TAKING DATED 1949 AND DULY RECORDED
IN THE REGISTRY OF DEEDS FOR NORFOLK COUNTY, MADE BY THE SELECTMEN OF THE TOWN OF
BROOKLINE, IN THE COUNTY OF NORFOLK AND COMMONWEALTH OF MASSACHUSETTS, FOR THE
LAYING OUT OF INDEPENDENCE DRIVE in said Brookline

AS SHOWN ON A PLAN BY Walter A. Devine TOWN ENGINEER, DATED December 15, 1948
AND FILED WITH SAID ORDER, CERTAIN LAND OF REGISTERED OWNERS OR RIGHTS AND INTERESTS
THEREIN, WAS TAKEN BY EMINENT DOMAIN;

NOW THEREFORE, WE, THE UNDERSIGNED SELECTMEN OF THE TOWN OF BROOKLINE, IN COMPLIANCE
WITH THE PROVISIONS OF SECTION 4, CHAPTER 79 OF THE GENERAL LAWS AND OF ANY ACTS IN
AMENDMENT THEREOF, DO HEREBY DESCRIBE THE REGISTERED LAND SO TAKEN AND DO HEREBY
DECLARE THAT AN EASEMENT FOR ALL PURPOSES OF A town way
AND SUCH OTHER INTERESTS SUFFICIENT FOR ALL SUCH PURPOSES WERE AND ARE HEREBY TAKEN
IN THE SAID REGISTERED LAND DESCRIBED AS FOLLOWS:

The land included within the side lines of Independence Drive, between
Independence Drive, as accepted by the Town November 26, 1946, and the Brookline-
Boston Line, as shown on said plan and included in the following certificate
of title in the Registry District of Norfolk County.

NAME OF OWNER	CERTIFICATE NUMBER	BOOK	PAGE
John Hancock Mutual Life Insurance Company	34,486	173	86

WITNESS OUR HANDS THIS

DAY OF

19

Carroll Tyler Jr.

Robert L. White

Wm. P. Conway

Dorothy C. Morgan

SELECTMEN OF BROOKLINE

GEORGE F. GLACY
57 SOUTH STREET
CHESTNUT HILL
BROOKLINE, MASSACHUSETTS

January 18, 1950.

Mr. Gorham Dana, Chairman
Brookline Planning Board
55 Prospect Street
Selectmen's Room
Brookline, Massachusetts

Dear Mr. Dana:

As a resident and Town Meeting member from Precinct 12 I desire to be recorded as opposed to the petition for re-zoning buffer strip for parking area between Hancock Village and abutting single residences.

At the inception of the Hancock Village I approved application for re-zoning because I believed that the building of Hancock Village would be a good thing for the town, the citizens, and for the general housing situation. I was strongly in favor of the change and so appeared before your honorable board at hearing called for consideration of re-zoning and so expressed myself. However, my motives were activated by the general agreement proposed by the John Hancock Company, one of which was that as a condition for re-zoning permitting construction of the Hancock Village a buffer strip for single family dwellings would be established between abutting owners and the Hancock Village building. It was further stated by Hancock that if single dwellings were not built on the buffer strip this buffer area would be maintained for parks and recreation purposes.

I believe that the establishment of a parking area on this buffer strip would be in contravention of the agreement and promises made by Hancock, and I therefore join with other citizens in strongly opposing the re-zoning of the buffer strip for parking area. As I am unable to personally appear at hearing, I am sending this letter and would respectfully ask that I be recorded as opposing the re-zoning of the buffer strip.

Respectfully yours,



Temple on Beacon Street. The Communion and other special services were held in St. Mark's Methodist Church. The Harvard Church Brotherhood held its monthly meetings in the Brookline Baptist Church, where also Church suppers were carried on. The Parish house of the then Unitarian Church on Sewal Avenue was engaged for the Church School and the activities of the Women's Guild. The whole work of the Church seemed to go on without a break.

Very soon plans were under way for the building of the new church, and by December 1932 the Parish House was ready for occupancy, and on Easter Sunday, 1933 the first service was held in the new auditorium. The whole experience strengthened and united the members of church and parish.

In the fall of 1944, plans were made for a fitting celebration of the One Hundredth Anniversary of Harvard Church. The exercises were held November 26 through December 3. This latter date was given over to a recognition of twenty-five years of continued ministry by Doctor Leavitt. For the Centenary service of the Church many memorials were given to the Church, and the whole celebration with its recognition of a fine spiritual heritage seemed to express a faith and a dedication for a second century of worship and service, worthy of the first.

The Spring meeting was held on May 28 in the Hancock Room of the John Hancock Building, 260 Berkeley St., Boston on invitation of President Paul F. Clark of the John Hancock Mutual Life Insurance Company.

Mr. Clark read this paper entitled:

HISTORY OF HANCOCK VILLAGE

by PRESIDENT PAUL F. CLARK

May, 1951

It is a very great pleasure to welcome you here and to have as the occasion for this meeting an opportunity to tell you something of the history of Hancock Village — which for many months claimed a great share of my attention and my deepest interest. The truth of the matter, of course, is that only the first chapter of that history has been written. In years to come a story may be told to the children and grandchildren of the families who may come to spend portions of their lives in the Village, of the events that will have happened there; of aims achieved; of prosperity and disappointment; and of joys and griefs. That story, as it unfolds, will be the history of Hancock Village.

It is not the usual thing for the operations of a great corporation to be so closely and personally blended into the lives of the people it serves. Whatever the resources of our Company invested in private enterprise may contribute to the opportunities and prosperity of American life (and our contributions are manifold), they are generally less directly perceptible; and it is particularly gratifying to us who have been closely associated with this enterprise to have seen its far reaching effects at such close hand and to be able to appraise in some measure its social and economic implications.

The early history of Hancock Village stems from an elementary human need. I need not tell you of the numerous contributing factors by which the nation was caused to be critically short of housing at the end of the Second World War. I am sure all of you recall the desperate plight of our young families at that time.

Not only, however, was there a shortage of shelter; but far-sighted planners had anticipated that with the discharge of thousands of men from military service to civilian pursuits and the termination of war production, there might well arise a vast and critical condition of unemployment. The Town of Brookline

interested in low, openly planned types known as "garden villages," of which examples were to be found only by visiting Washington, Pittsburgh or more distant places. Officials and residents of the town were very properly determined to safeguard the community character. It was important that John Hancock make clear to these people how our development would be designed and operated by us and its probable effect on the neighborhood and on the value of adjacent real estate.

The Putterham Committee gave us opportunities to explain our program in December of 1945 and January 1946. Sketches of our tentative site plan and building scheme were presented



AERIAL VIEW HANCOCK VILLAGE

for the first time to them. It was agreed that we would preserve a "buffer strip" in single family zone along the side of the land toward Russett and Beverly Roads.

It was believed probable that the golf course land would be developed by others, if we did not buy it, as a conforming but relatively undesirable community of monotonous prefabricated single houses, or on a purely speculative and sporadic basis. It was generally admitted that a well-organized and high-grade garden development in strong financial hands and under permanent single management would be a more desirable operation, and would produce more tax revenue for the town.

Our consultants' studies indicated that post-war building costs were well above those at which most garden developments

had been built; and that we must adopt methods which would give us the most building for the lowest price if we were to keep rentals at reasonable levels. We later sought out as advisers, firms which were experienced in the design and operation of large-scale garden villages.

In November 1945, on a trip to Washington, I visited some of the outstanding projects, and there met Colonel Gustav Ring, the builder and operator of several developments, whose organization became our project managers.

A Board of Design was established in our Company to concentrate on housing problems, and we set our schedule to prepare studies of a really workable scheme for submission to the Planning Board and the Town Meeting. We were gratified that the Town appreciated our objective and amended the zoning by-law at the March meeting in 1946. During the spring and summer of 1946 our consultants concentrated on the completion of the working drawings for the Village, and we were able to hold a ground-breaking ceremony on the afternoon of September 3rd. It is strange now to identify the grassy knoll where our tent stood on that warm September afternoon as the lawns and landscaping of the courts south of Thornton Road. The occasion was a memorable one, attended by officers and directors and their guests. Mr. John Dobbs, then Regional Housing Expediter of the National Housing Agency, and James Love, a Silver Star Veteran of World War II, helped me turn the first turf.

Within a few days ponderous earth-moving machinery rolled in, and the undulating fairways became anthills of activity. Brush was cut; surveying parties laid out roadways and building sites; the broad outlines of the plan commenced to appear. Materials flowed in and eventually brick walls began to arise.

Many difficulties had to be faced at different times during the work. Weather, as always, was a hazard for outdoor operations. One of the heaviest winters that has been known in many years in this area blanketed the operations with heavy snow throughout the late winter of 1947-48.

In the early stages, particularly, materials were available only after exhaustive search, and the quantities we required were hard to come by. Some features of the design were determined by this condition. It was found that buildings with concrete subfloors, a durable and fire-resistive construction, could be built at about the same cost as with wood framing. We are fortunate in having better buildings on that account and were able to incorporate the advanced feature of radiant heat by pipe coils in the concrete. Our interior doors were bought only after a trip to the West Coast to find a satisfactory prod-

at last, to find "Independence Drive" not in use and available for our main through way and to be able to identify our private streets with Elbridge Gerry, Roger Sherman, and Mathew Thornton, signers of the Declaration of Independence from New England.

Construction of the Village continued in sections through two summers and two winters. The first portion to be completed was what we called the "heart shaped area", the land between Independence Drive and Thornton Road. That unit containing 91 houses was opened in the autumn of 1947. On October 15, 1947, our first tenants moved into their new home. The last house of the last section was occupied in March, 1949.

The Shopping Centre was in the meantime receiving our attention as a necessary feature of a community of over 2000 persons. The only suitable area was on the edge of one of our great peat pockets where the distance to a good foundation was in some places thirty feet or more below the surface. That building, of a strictly functional and modernistic design, rests on concrete piles. We started construction there in February 1948 and tenants began to move in in the following autumn, though the building was not completed until the summer of 1949. It accommodates our management office, maintenance shops, a private medical clinic, 16 stores and a motion picture theatre of 1002 seats.

Various accessory buildings were needed and built as the project advanced, such as rental garages, laundry buildings, and storage units; and we have more recently provided tennis courts, wading pools and other recreational features.

Hancock Village, from the construction standpoint, is finished; but we will undoubtedly have occasion to improve and modify some features as it matures. Other agencies have during this period supplied much of the housing shortage; and with building and operating costs soaring, it is not likely that new garden villages can be built for investment while so many disturbing conditions prevail.

The early history of Hancock Village is now recorded in our memories and our archives. But, "the moving finger writes and having writ moves on;" henceforward Hancock Village history is being written from day to day in the lives of its people. We dedicate our future efforts toward the comfort and happiness of all its residents.

FIFTIETH ANNIVERSARY MEETING

The fall meeting of the Society was held in the meeting room of the Public Library on Sunday, December 2, 1951 at 2:45 P.M. and was largely attended. The hall had been decorated by a committee, headed by Miss Mary Lee and Miss Elizabeth Butcher, with a remarkable collection of old Brookline photographs and pictures which created much interest after the meeting.

Mrs. Arnold of Newton gave a brief account of the Jackson House in Newton which is being used as an historic centre where visitors will be welcomed.

Miss Alice Priest, a descendant of the Devotion family, presented to the Society an old Devotion towel.

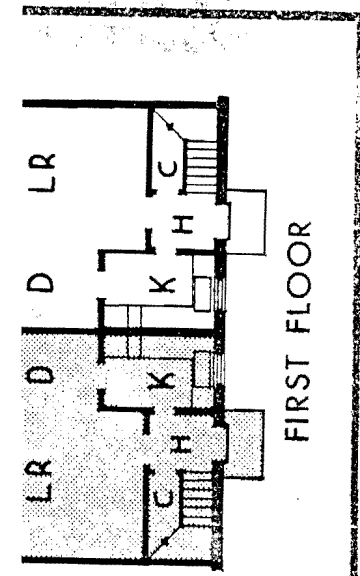
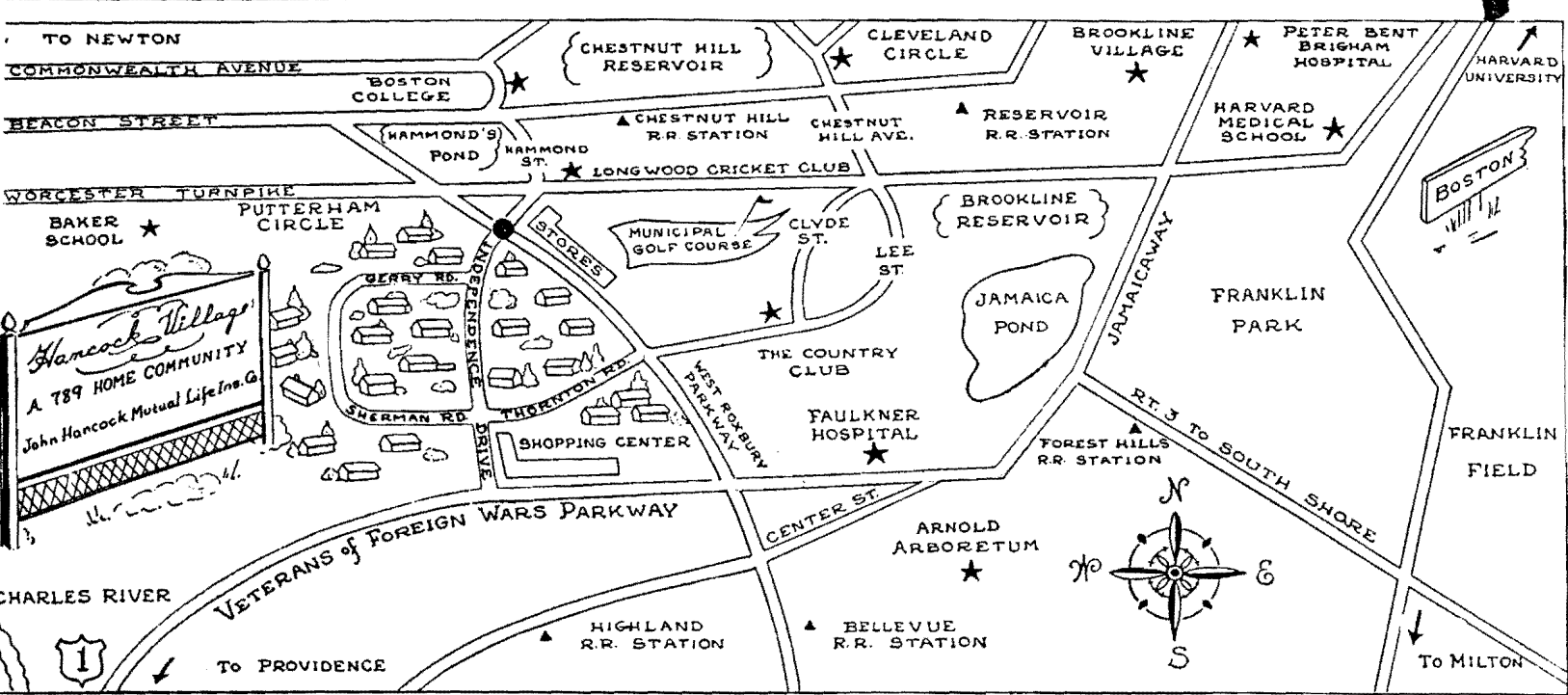
Mr. Bertram K. Little gave a very interesting history of the Society.

The clerk, Gorham Dana, showed about fifty lantern slides from the Baker collection showing pictures in Brookline of the period when the Society was formed. He stated that the first Annual Proceedings of the Society showed a membership of 150, of which only four were now with the Society, namely:

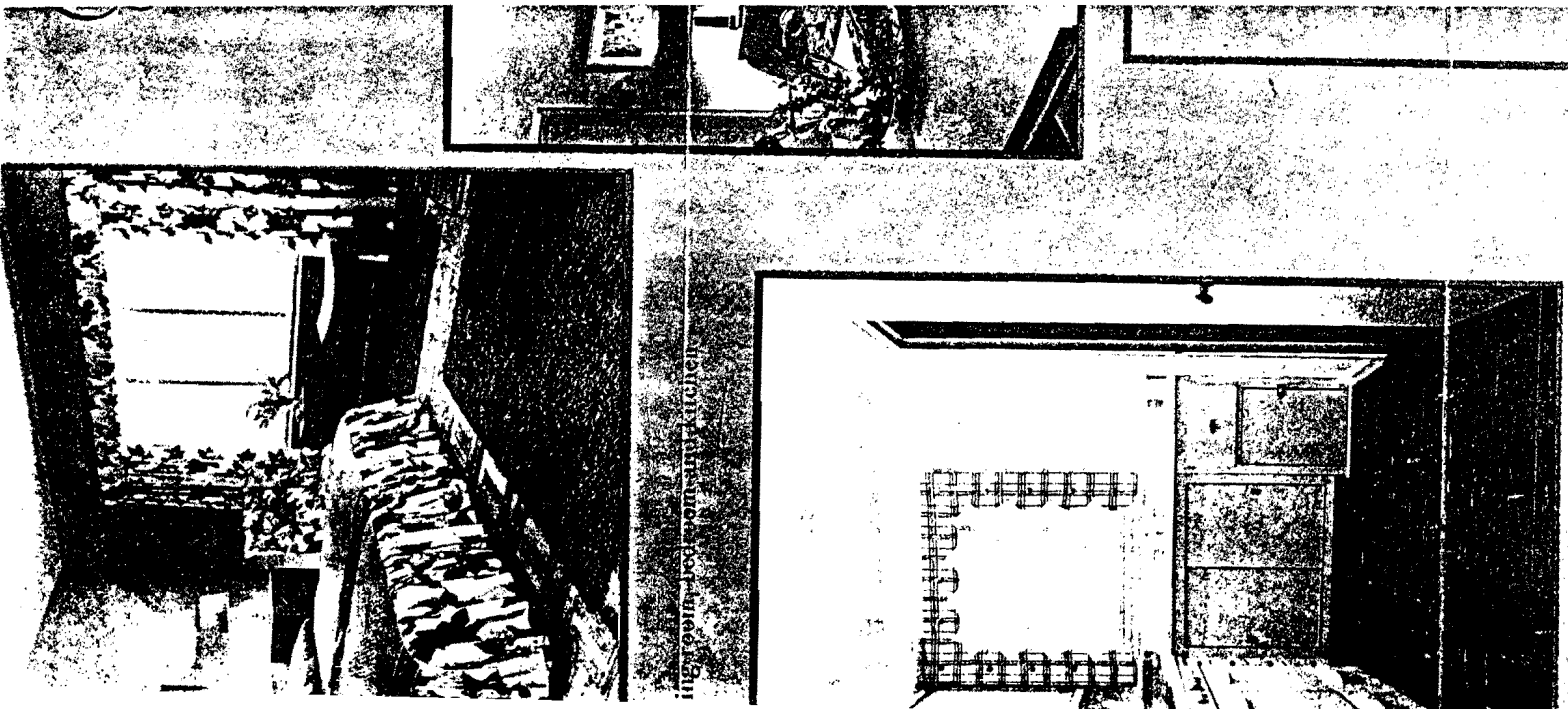
CHARLES B. DUNCKLEE — 18 Vernon Street
 MISS MARY B. EUSTIS — 1064 Beacon Street
 JOHN F. FLEMING — 30 Williston Road
 HENRY WARE — 82 High Street

Mr. Ware was the only one who was able to be present and who holds the distinction of being the only one now living in the same house as he did fifty years ago.

At the close of the meeting the President cut a large birthday cake on which was an illustration of the Edward Devotion house. Pieces of the cake were later sent to the four surviving members of the original group.



One-bedroom house Two-bedroom house



OR PLANS OF TYPICAL HOMES
Scale: 1/16 inch equals 1 foot

- H - Hall
- BR - Bedroom
- B - Bath
- L - Linen closet
- C - Closet
- T - Terrace

John Hancock Mutual Life Insurance Company applied to the Building Commissioner for permission to construct an open-air accessory parking lot on the Hancock Village property at the corner of Independence Drive and Russett Road, Brookline. The permission was denied and an appeal was seasonably taken from the decision of the Building Commissioner.

On December 18, 1957 the Board met, all members present, and determined that the properties affected by the appeal were those shown on the 1957 Atlas of the Town of Brookline as Lots 5 to 12 inclusive in Block 389; lots 1 to 4 inclusive in Block 392; and lots 11 to 17 inclusive in Block 393, and fixed Wednesday, January 8, 1958 at 9:00 a.m. in the Selectmen's Hearing Room as the time and place for a public hearing on the appeal. Notice of this hearing was mailed to the appellant and to the owners of the properties deemed by the Board to be affected as they appeared on the most recent local tax list, and was published December 24, 1957 in the Citizen, a newspaper published in Brookline. Copy of said notice is as follows:

Town of Brookline
Board of Appeal
Notice of Hearing

A public hearing will be held in the Selectmen's Hearing Room, 55 Prospect Street, Brookline, on Wednesday, January 8, 1958 at 9:00 a.m. on the appeal of John Hancock Mutual Life Insurance Company for a variance from the terms of the Brookline Zoning By-Law, Article III, Section 7, to permit the use of a certain parcel of vacant land containing about 18,800 square feet and lying on the southeasterly side of Independence Drive, Brookline, for open air accessory parking purposes. Said parcel which is shown as lots 13-15, Block 389, Plate 110 on the current Town Atlas, is located in a No. 7(d) (Single residence) District.

William B. Tyler
Alan Cunningham
Lawrence A. Benson
BOARD OF APPEAL

At the time and place specified in the notice a public hearing was held by the Board, all members present. The appellant was ably represented by _____

who stated that when Hancock Village was first developed there were spaces in garages and outdoor parking places for 1068 automobiles. Owing to the increase in size of automobiles the garages now accommodate fewer vehicles, and owing to a traffic regulation of the Town, vehicles cannot now be parked on either side of Independence Drive. The result is that space for parking of automobiles has been reduced by 250. He submitted a plan of the Hancock Village and a plan of the proposed parking lot for 50 cars on Independence Drive, showing a strip of land between the parking lot and the abutting house lots to be used for planting.

George L. Gettings, Chief of the Brockline Fire Department, and Captain W. R. MacMillan speaking for the Chief of Police both spoke of the need for more parking space because of the illegal parking which now takes place on Gerry Road and Sherman Road, both being private ways.

Speaking in opposition to the allowance of a variance were four residents of Russett Road, and a spokesman for the Putterham Civic Association whose board of directors had voted to oppose the variance "as long as there is any land available in the Village itself".

Two letters from other residents of Russett Road opposing the variance were received and considered. Of those present, eleven, on a show of hands, indicated opposition.

Upon the foregoing evidence we find that whatever existing hardship there may be in the enforcement of the Zoning By-Law is not a hardship to the appellant but rather to the tenants of its buildings and to the Fire and Police Departments of the Town. The Board finds that while the proposed variance would be of some help, it would not entirely eliminate the problem, and there is other parking space provided by the Hancock Village within reasonable limits, which space which is now being enlarged.

The Board therefore unanimously agrees that it must deny this appeal and affirm the decision of the Building Commissioner.

Kenneth B. Bond

Kenneth B. Bond

Alan Cunningham

Alan Cunningham

January 15, 1958

Lawrence A. Bower

Lawrence A. Bower

Westbrook Village Trust applied for a variance from Section 4.30 of Zoning By-Law to allow a new accessory parking area for 93 cars adjacent to 471-523 Veterans of Foreign Wars Parkway, said premises being located in a S-7 (Single Family) District.

On August 24, 1967 the Board met and determined that the properties affected were those shown on the 1967 Town Atlas as Lots 1 to 12 inclusive in Block 384 - Plate 108, Lots 5 to 7 inclusive in Block 381 - Plate 108, Lots 1 to 10 inclusive in Block 387 - Plate 108, and fixed Thursday, December 28, 1967 at 9:00 A.M. in the Selectmen's Hearing Room as the time and place for a public hearing on the appeal. Notice of hearing was mailed to the appellant, their attorney, to the owners of properties deemed by the Board to be affected as they appeared on the most recent local tax list and to the Planning Board. Notice of the hearing was published December 7, 1967 and December 14, 1967 in the Brookline Chronicle-Citizen a newspaper published in Brookline. Copy of said notice is as follows:

TOWN OF BROOKLINE
MASSACHUSETTS
BOARD OF APPEALS
NOTICE OF HEARING

A public hearing will be held in the Selectmen's Hearing Room on the sixth floor of the Town Hall, 333 Washington Street, Brookline, on Thursday, December 28, 1967 at 9:00 A.M. on the appeal of Westbrook Village Trust for a variance from Section 4.30, of the Zoning By-Law to allow a new accessory parking area for 93 cars adjacent to 471-523 Veterans of Foreign Wars Parkway, said premises being located in an S-7 (Single Family) district.

Kenneth B. Bond
Maurice J. Lowenberg
Maurice I. Miller
Board of Appeals

At the time and place specified in the notice a public hearing was held. All members of the Board were present. The appellant was represented by Charles J. Kickham, Esquire. Westbrook Village Trust now owns and operates the development formerly called John Hancock Village. This development has a large landscaped area in the S-7 zone along the east side which is bounded at the north end by Thornton Road, and on the south end by the Veterans Parkway. Because there is a serious shortage of legal parking spaces for the residents of Westbrook Village, it is proposed to construct a parking lot for 90 cars in this landscaped area to be separated from the house-lots on Russett Road by a landscaped and well planted buffer strip. Only three trees will have to be disturbed, and they can be moved to other locations and saved.

The appellant would be within its rights to build one-family houses on the proposed parking site, but a new road would have to be laid out to give access, and so this is not practical. The most useful purpose for the land is the proposed parking lot. The Russett Road houses would have the protection of a thirty foot buffer strip which is all they would be entitled to if houses were built there.

Letters received before the hearing were 24 to 1 in favor of the appellant.

Near residents of Westbrook Village spoke in favor of the proposal, pointed out the great hardship in having no convenient place to park. The problem has been greatly intensified by the M.D.C. police who are enforcing the parking ban on the Veterans' Parkway. The elderly residents cannot park on the lot at Independence Drive and carry their

bundles 1/4 of a mile. Moreover, they said that the parking lot there is frequently full, and no room can be found for parking.

Six persons spoke in opposition, including Representatives Backman and Dukakis, and the President of the Putterham Circle Association. They contended that when the John Hancock Petition to rezone certain land was voted for by the Town, it was represented that a buffer zone of S-7 restriction would be maintained between the development and other land, and that to vary those restrictions so as to allow parking would violate the spirit of the agreement then entered into.

The opponents presented written protests to the effect that the parking lot would irreparably harm the neighborhood and devalue property and create a nuisance. These protests were supported by 125 signatures of persons residing on Russett Road, Asheville Road and Beverly Road, but many people signed both protests so the number must be discounted. The important thing is that all of the residents whose houses would actually abut the proposed site did sign.

On a show of hands, 13 favored the proposal and 27 were opposed.

It was pointed out that the owner of the development is suffering no hardship, because there are no vacancies, and persons applying for an apartment must wait for two months. For this and other reasons it was suggested that the four conditions of the statute are not met, and a variance is not warranted.

An examination of the "Summary of Parking" submitted by counsel for the appellant seems to indicate that so far as Brookline is concerned there is a shortage of 87 parking stalls, on the basis of one per dwelling

unit. This proves that the problem is serious for those residents who own automobiles. This Board should exercise its powers in favor of any reasonable remedy provided that it can do so within the authority given to it by the enabling act, and without violating the rights of those who oppose the remedy here proposed.

We are not satisfied that the hardship involved in the enforcement of the by-law applicable to an S-7 district falls on the appellant. Evidence to prove that point seems to be lacking. Moreover, the special condition or unique feature that must exist for a variance has not been proved.

Where there is so much opinion from owners of abutting lots on Russett Road that the proposal would be injurious to property values, this Board ought to be very sure there is no alternative site or sites available, before permitting this site to be used. If land within the M-0.5 district is available it ought to be used, rather than the S-7 district. It was suggested that an abandoned playground was available, and that a second deck over an existing parking lot might be used. The burden is on the appellant, we think, to prove that no other solution is possible. This was not done, and appellant's hardship not proved.

Variance denied.

Kenneth B. Bond
Kenneth B. Bond

Maurice J. Lowenberg
Maurice J. Lowenberg

Maurice I. Miller
Maurice I. Miller

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