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WEST HARTFORD ZONING

REPORT TO THE ZONING COMMISSION ON THE ZONING OF WEST HARTFORD

BY
ROBERT WHITTEN

ZONING COMMISSION
WEST HARTFORD, CONN.
1924

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Building the Future City

Zoning is a first essential to the securing of a measure of orderliness in the building of the city. The common sense of the average citizen leads to a degree of order in the home, the store and the factory that is all but lacking in the life and work of the community as a whole. For want of a well-considered plan of building development each man builds without reference to his neighbor. The result is chaotic. Haphazard growth is inefficient, wasteful and ugly. Why not use the same forethought and care in the building of our community home that each man uses in the building of his individual home or factory? Zoning is the direction of building development along orderly and well-considered lines of city growth. On the economic side, zoning means increased industrial efficiency and the prevention of enormous waste. On the human side, zoning means better homes and an increase of health, comfort and happiness for all the people.

Zoning Commission

JOSIAH B. WOODS, Chairman

WILLIAM H. BULKELEY

CHARLES H. ABBOTT

HENRY A. WOLCOTT

JOHN P. HARBISON

JOSEPH W. HOLDEN, Town Engineer

ROBERT WHITTEN

City Planning and Zoning Consultant

CHARLES F. FISHER, Associate

Cleveland

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FOREWORD

On July 17, 1923, the town council of West Hartford created a zoning commission and a board of adjustment as authorized by the enabling act passed by the Connecticut legislature in June, 1923.

In November of the same year, the zoning commission engaged Robert Whitten, city planning and zoning consultant of Cleveland, Ohio, to advise them in the preparation of a comprehensive zoning plan. Mr. Edward M. Bassett, a New York attorney who has made zoning his special legal work and whose office is in close touch with zoning court decisions throughout the United States was also consulted from time to time in regard to the legal phases of the work. While the powers of the board of adjustment will not formally begin until after the adoption of the zoning regulations by the zoning commission, we have sought and received their cooperation and advice at all stages of our work.

The following report of Mr. Whitten explains the proposed zoning regulations and discusses steps that should be taken in the future to provide in a comprehensive way for the planning of the unsubdivided areas. The zoning plan is as yet only tentative and is submitted as a basis

for general discussion and constructive criticism. It is hoped that the public hearing will bring to light any oversights or correct any mistakes that may exist before the regulations are put in force.

It should be understood, however, that a comprehensive zoning plan must have balance and unity, that it must provide for the orderly growth and development of the town and that an area or section must be placed in the class of district having the most suitable and appropriate regulations for it as a whole.

The zoning commission wishes especially to draw attention to the plan and the recommendations contained in the report in relation to the development of the large unbuilt areas in West Hartford. Something must be done to insure this development along the lines of best planning for the future so that West Hartford may truly be a place of which we may all be justly proud.

JOSIAH B. WOODS, Chairman,
WILLIAM H. BULKELEY,
CHARLES H. ABBOTT,
HENRY A. WOLCOTT,
JOHN P. HARBISON,
THE ZONING COMMISSION.

Letter of Transmittal

To the Zoning Commission:

I transmit herewith a report on the Zoning of West Hartford. The zoning map and regulations accompanying this report have been drawn up after numerous conferences with the members of the zoning commission, board of adjustment, the park, town plan and cemetery commission, the town council and with various citizens and representatives of civic organizations. In drafting the proposed zoning regulations I have had the advice of the corporation counsel, Carlyle C. Thomson and of Edward M. Bassett of New York City, counsel for the New

York zoning committee. Undoubtedly changes and minor readjustments in the proposed plan will be necessary as a result of the public hearing and of the fuller publicity that will be given to it within the next few weeks.

Zoning is only one part of a general planning program and the adoption of the zoning regulations should be followed promptly by the comprehensive planning of the as yet unbuilt areas that with the rapid growth of the town will soon be subdivided for building purposes. The report accordingly recommends that a complete topographical map be made of the unbuilt area

and that a special state enabling act be secured providing for adequate planning powers in a joint planning and zoning board.

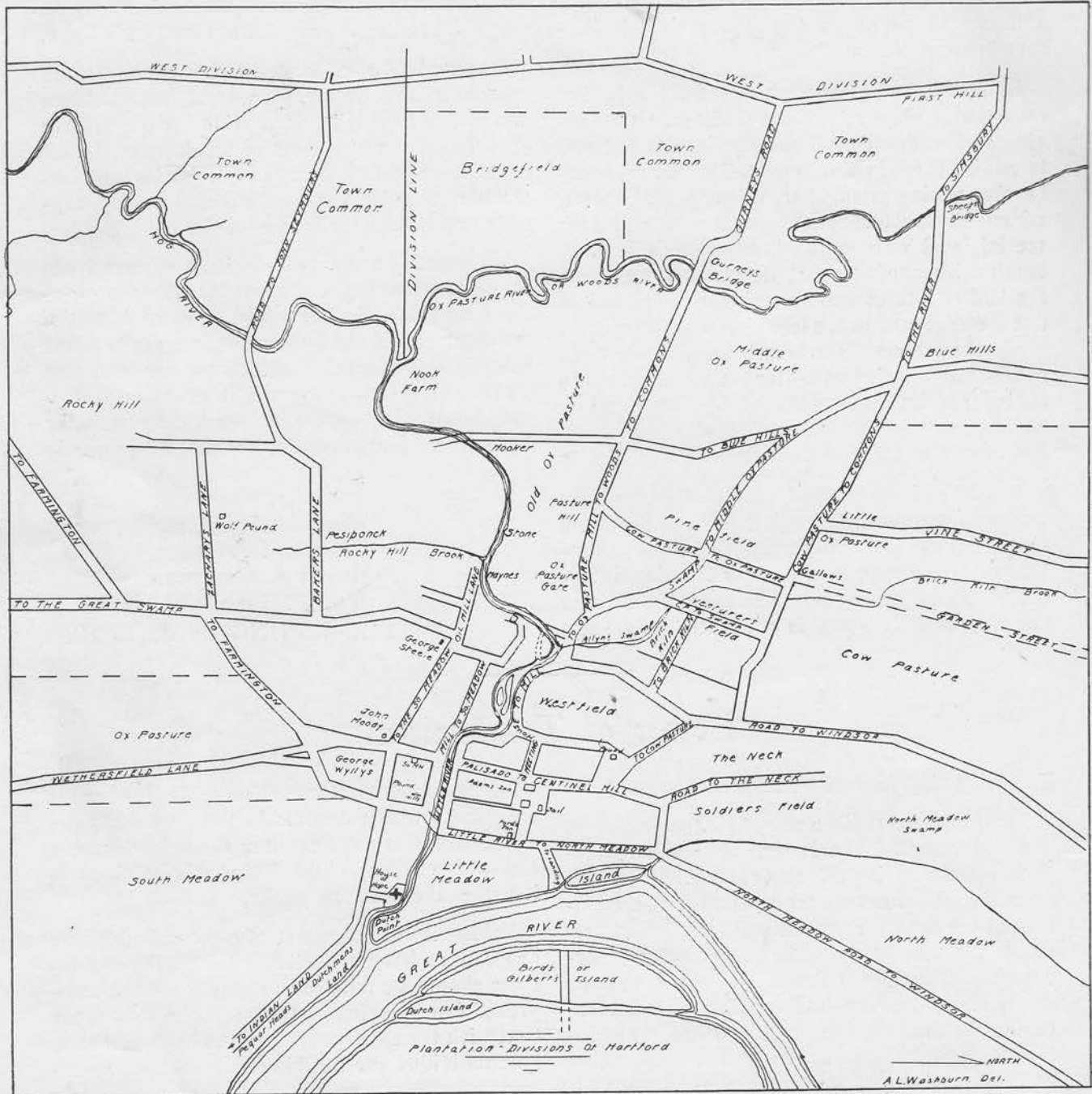
The zoning work has been carried on with the active co-operation of Joseph W. Holden, town engineer, who has made the necessary surveys and prepared the maps and other data essential

to the working out of the zoning districts and regulations. I am also indebted to Mr. William H. Hall for historical information in relation to the early growth of West Hartford.

Respectfully submitted,

ROBERT WHITTEN.

March 3, 1924.

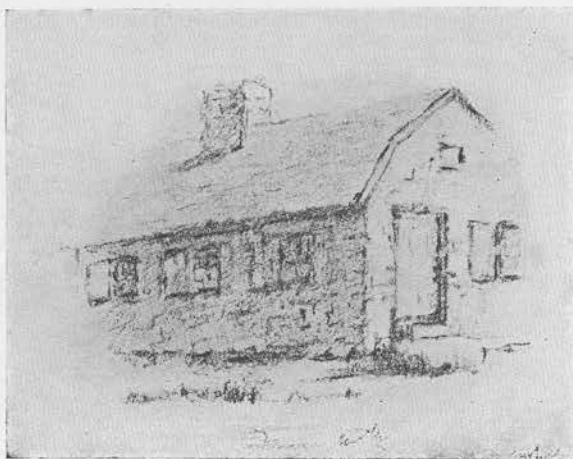


Map prepared by Albert L. Washburn C. E., showing the layout of Hartford about 1672. The Town Commons as shown does not include that portion of the Commons lying west of Prospect Avenue which is now a part of West Hartford.

THE ZONING OF WEST HARTFORD

In considering the planning and zoning of West Hartford it is necessary first to determine its place and function in the Hartford urban region. It has much the same organic relation to the urban region as a whole as the individual has to the community. It must serve the whole while at the same time promoting its own welfare and preserving its individuality. In its planning work, West Hartford is no less bound to consider adjacent cities and towns and its proper function in the entire Hartford region, than is one of its individual property owners to give thought to his neighbors and the welfare of all in the use that he makes of his own property.

A study of the Hartford region makes it evident that the primary function of West Hartford is the housing of people who will have their work in Hartford. This housing will need to serve all classes and all grades of economic ability. It must provide for factory workers, office employees, and the various business and professional groups. West Hartford has 22 square miles of territory, an area 25 per cent greater than that of Hartford. It has the largest and most conveniently located area to take the excess population of the central city.

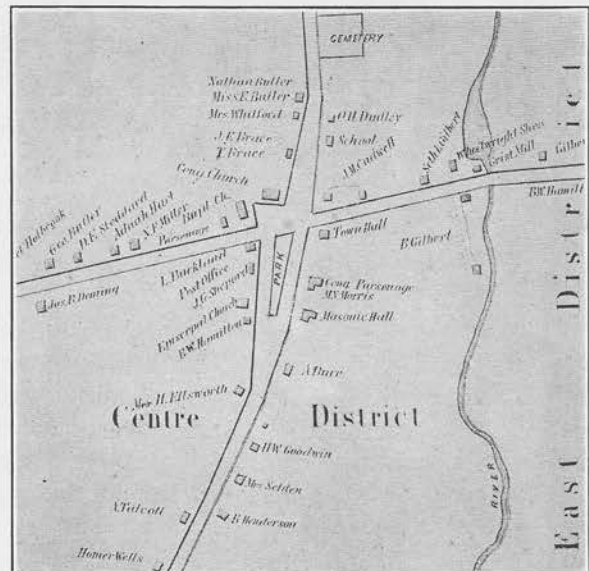


From a sketch made from memory by Miss Sarah W. Talcott
Old Center School House (probably built in 1745.)

The present urban development in West Hartford is primarily an overflow from Hartford. Prospect Avenue while the dividing line runs through the center of a large residence area. There is little here to indicate a reason for a complete political separation.

Historically, however, West Hartford has a distinct and vigorous personality. This began with the original apportionment of farm lots in the West division by the proprietors of Hartford in 1672. These farm lots were laid out in mile and a half long narrow strips extending from Mountain Road on the west to the vicinity of Quaker Lane on the east. On Main Street running north and south along the ridge through about the center of these strips most of the farm houses were located and it was natural that about midway north and south along Main Street the first community center should develop. The Center then formed has continued to be the natural civic and community center for the town.

The natural demand for the facilities of a complete and self-contained community first



From Baker and Tilden's Atlas of Hartford City and County, 1869
The Center in 1869

found expression in a petition from the farmers of the West division to the General Assembly in 1710 asking for permission to settle a minister, reciting that:

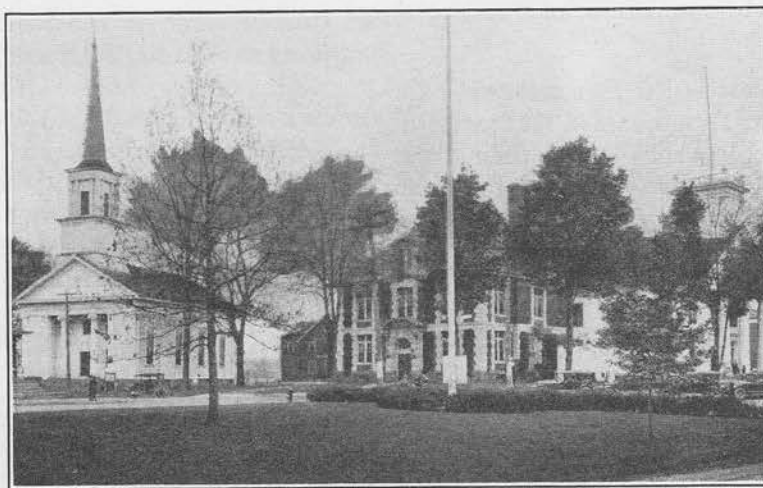
"Your petitioners, being by the providence of God settled something remote from the town of Hartford, do desire the liberty to call or settle, as we may see meet, a minister amongst us to carry on the public worship of God, for which we offer these reasons to your Honor's consideration:

"1. The distance from the places is such that a good part of God's time is spent traveling backwards and forwards, which if otherwise we might spend in his service to our comfort.

"2. The difficulties of the way that many times must be encountered with, as bad traveling underfoot, uncomfortable overhead, and a river not seldom difficult, sometimes impassable; which things render the way not only difficult, but sometimes impracticable."

In 1854 West Hartford was set off from Hartford as an independent town "with the right to send one representative to the general assembly." At this time West Hartford was a purely farming community of less than 1200 people. Hartford had a population of 20000 to 25000. There was a belt of farm land about 3 miles in width between the West Hartford Center and the edge of the urban development in Hartford. It seemed quite logical to give full powers of local self government to the rural community in the West division.

When in 1672 the proprietors of Hartford laid out and apportioned the farm lots of the West division they voted that all the land between the lots already laid out in Hartford proper and these new lots in the West division "shall be and remain a common forever for the



A view of the Center showing Baptist Church, municipal building and town hall (Old Congregation Church) from the green in Main Street south of Farmington Avenue

In the following year the General Assembly in spite of the opposition of the town of Hartford granted to the farmers of the West division "the liberty and privilege of being one entire parish and society by and of themselves in the town of Hartford." The ecclesiastical society thus formed exercised certain governmental functions in caring for community interests and particularly in levying taxes for the support of the church and of schools.*

use and benefit of the inhabitants of Hartford."† But after an existence of 82 years as a commons, the hunger for farm land became too great and in 1754 it was divided among the heirs and assigns of the ancient proprietors of 1639.‡ At that time (1754) Hartford was still a small and primarily farming community of about 3000 people.

While it would not have been socially or economically desirable to hold this broad belt

*See, William H. Hall. Historical paper, in Two hundredth anniversary, The First Church of Christ, West Hartford.

†See, William S. Porter, Historical notices of Connecticut, No. 2, 1842.

‡See, Love, Colonial history of Hartford, page, 129.

of land as a "commons forever," it would have been highly desirable to have retained control over a three quarter mile strip west of Prospect Avenue and held it from intensive building development but permitting its use for parks, cemeteries, colleges and other institutions occupying large acreage, private estates, golf courses, air terminals, etc. In that way an open development strip about the city proper could have been secured; and the development and permanent maintenance of West Hartford as a separate and self-contained satellite or suburban town could have been more easily brought about. It is unfortunate when the big central city simply flows out over a wider and wider area, overwhelming historically independent and self-contained suburbs in its outward sweep — unfortunate for the big city and tragic for the suburb.

As has often happened in other American communities, the instinct that caused the founders to build more wisely than they knew was not so strong in their descendants. The "commons" set aside "forever" for the "use and benefit" of all the inhabitants of the town was cut up into farm lots for the particular use and benefit of the descendants living at the time the division was made. The roads laid out of generous width even for present traffic were gradually encroached upon until reduced to scarcely half their original width.

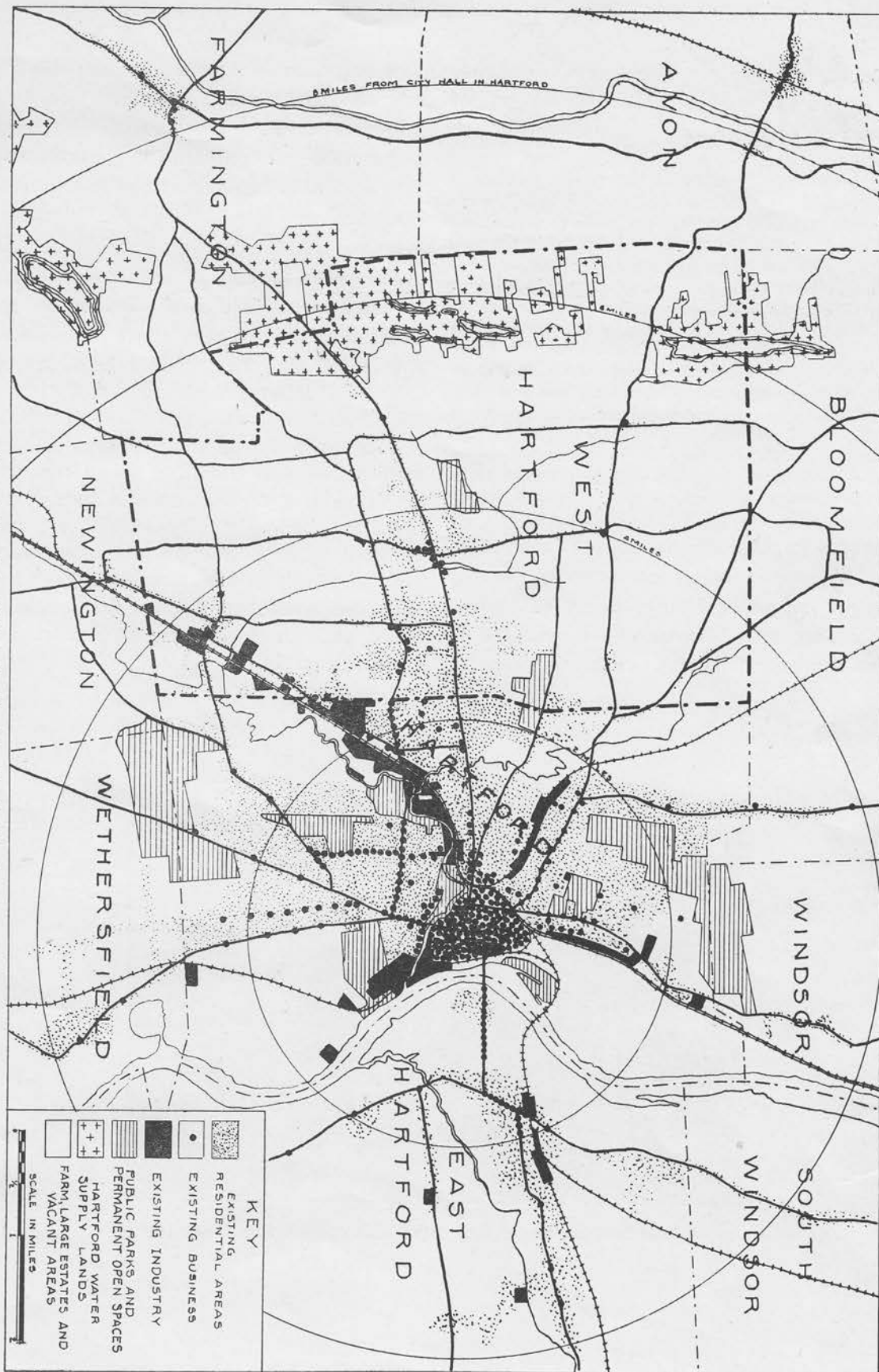
The present day founders, responsible during the past thirty years for the changing of West Hartford from a rural to an urban community, also, for the most part, have had the instinct or wisdom that led to the laying out of large building lots and the establishment of generous building lines. This has led to an open, wholesome and beautiful residence development. But such an area is ever a fruitful field for exploitation by those who see an opportunity for gain by dividing existing lots, building over a larger percentage of the area, building close to the side lot lines, encroaching on the building line, or erecting a huge apartment house in the midst of a single family section. When a residence section has been successfully established by the cooperation and contribution of all the owners, the vacant lots are likely to be exploited by builders desirous of reaping the advantage of

the labors of others without a proportionate contribution.

The tendency toward more and more intensive building and the crowding of more families on each acre of land is not based on any real scarcity of land available for development. At the very low average density of two families to the acre West Hartford could house a population equal to the entire population of Hartford in 1920. The automobile and motor bus will make most of this area available for suburban housing. With adequate streets and modern transportation facilities there is no excuse for congestion.

Most of the residents of West Hartford have gone there either to get away from the increasing congestion in Hartford or because they were attracted by the comfort and beauty of the open residential sections there existing. This constitutes West Hartford's chief attraction and asset. It is only by zoning that it can be permanently preserved.

Automobile Parking Space. The future traffic problem in West Hartford will be primarily one of finding parking space for automobiles in the various business centers and along the section of Farmington Avenue where large apartment houses will be erected. The generous building lines already established will give West Hartford a very great advantage in coping with the parking problem. There is no doubt that adequate and convenient parking space will be of immense advantage to the business men located in these store centers. The only form of street parking that will give anything like adequate space will be parking at an angle with the curb on both sides of the street and in some cases also along a central strip. This in order not to interfere with moving traffic will require that the curbs be set back from 20 to 40 feet. It will not be to the interest of the owners to permit any reduction of the building lines in the business centers that might handicap the provision in the future of adequate space for traffic and parking. Any material reduction of these lines in the business centers or along main traffic routes would throw away one of West Hartford's most valuable assets.



The relationship of West Hartford to the Hartford region.

Zoning Authority. The state enabling act authorizing zoning, states the scope and purposes of zoning regulations as follows:

Any such zoning commission may adopt regulations defining boundaries of districts, and the size, height, number of stories of buildings and other structures within such districts and the plans of and materials used in the construction, reconstruction, alteration or repair of such buildings or structures, the location of any building or structure upon any lot in such district, the percentage of lot which may be occupied by buildings or structures, the size of courts or other open spaces and the use which may be made of such buildings or structures. Such regulations shall be made in accordance with a comprehensive plan, designed to prevent a close arrangement or construction of buildings upon the streets, to secure safety from fire and other dangers, to avoid undue concentration of population and to provide health, comfort and general welfare in living and working conditions.

Under the authority granted, only such regulations as are reasonably necessary to prevent injury to the public health, safety or welfare may be adopted. The theory of zoning does not contemplate a harsh or drastic exercise of

powers granted. The regulations will, if properly applied, be fair and moderate in their requirements. Each owner should be permitted a reasonable use of his land and in no case should the regulations be so drastic as to be practically confiscatory. Special care has therefore been exercised in determining districts to place a given area in the class of district that will permit the area as a whole to be devoted to its most profitable use. If there are individual lots within the area that cannot be appropriately improved under the general regulations prescribed for the district, the board of adjustment is authorized to grant such relief as will prevent confiscation and permit a fair return on the actual value of the land even in these exceptional cases. Zoning regulations will, as a rule, accomplish their public purpose more certainly and effectively if they are drawn chiefly with reference to safeguarding the future and with a frank acceptance of existing conditions and existing equities.



Single family homes on large lots set back 50 feet from street line



The communities and chief topographic features of the Hartford region.

Courtesy U. S. Geological Survey

Outline of Zoning Regulations

The zoning map accompanying the zoning regulations divides the entire area within the limits of West Hartford into residence districts, business districts and industrial districts. These primary divisions controlling the use of property are supplemented by the area district regulations. The area districts are superimposed over the use districts, and control lot widths, side yards and lot areas with reference primarily to the number of families housed on the lot.

Residence Districts. In residence districts all business and industrial uses of property are prohibited. Dwellings, apartment houses, churches, schools, parks, playgrounds, greenhouses, truck gardening and farming are permitted. Institutional buildings are permitted with certain restrictions as to width of side yards and percentage of lot that may be covered.

The residence districts are further sub-divided into what for practical purposes might be called single family dwelling districts, two family dwelling districts and apartment house districts. This is accomplished by the area district regulations. In both the A and B area districts the lot widths and areas required for a two family house will under most conditions, make it uneconomic to build two family houses. In the A area district for a single family house a minimum lot width of 60 feet and a lot area of 9000 square feet is required; and for a two family house a width of 100 feet and an area of 18000 square feet. In the B area district for a single family house a lot width of 50 feet and an area of 6000 square feet is required; and for a two family house a width of 80 feet and an area of 12000 square feet.

The regulations of the C area district are designed to permit the construction of a two family house on the ordinary 50 foot lot. The required lot width for a two family house is 50 feet and the area 6000 square feet. It is provided, however, that a two family house may be erected on any lot existing at the time the zoning regulations are adopted having a width of 40 feet and an area of 3600 square feet. Similarly, a

single family house, though smaller than the required size, may be erected in an A or B area district on any lot existing at the time the zoning regulations are adopted. But in new subdivision or in re-subdivisions of existing lots the prescribed lot areas and widths will be required.

While three family houses and apartment houses are not prohibited in the A, B or C area districts their erection will for the most part be rendered uneconomic by the lot area, lot width and side yard requirements, all of which increase with the number of families to be housed on the lot. The regulations of the D and E area districts are intended to provide for three family house and apartment house construction. In the E area district 750 square feet of lot area is required for each family for which the house is arranged. In a D area district this area requirement is 1500 square feet. The E area regulations are applied where the larger apartment houses are an appropriate development and the D area regulations are applied where it is believed the three family house and the smaller apartments should be provided for.

The state enabling act provides that zoning regulations shall be designed "to avoid undue concentration of population." This injunction is carried out in the lot area per family requirement as applied to apartment house and tenement house construction. The development of crowded tenement house conditions such as exist in many larger communities will be effectively prevented in West Hartford.

Business Districts. In business districts all retail business uses including retail stores, small shops for custom work, offices, theatres, restaurants, etc., are permitted; as well as all buildings and uses authorized in residence districts. Storage uses and light manufacturing may be permitted in a business district by the board of adjustment after public notice and hearing.

A relatively small proportion of the entire area of the town if devoted to business uses will supply the requirements of a residential suburb such as West Hartford. The need for retail stores

varies, of course, with the density of population. In areas where three family houses and apartments are permitted, the zoning plan shows comparatively large areas for business. In the areas where for the most part under the zoning plan single family houses will be erected on rather large lots, small business centers at one-half to three quarter mile intervals will be adequate. As the acreage property is subdivided, additional store centers can be laid out under the rules established for the approval of a subdivision development plan.

public notice and hearing. All ordinary manufacturing and industrial uses may, however, be located in the industrial district without going to the board of adjustment. Certain clearly nuisance industries are prohibited from locating anywhere within the town of West Hartford.

In West Hartford industrial development is practically limited to area near the railroad in the southeast part of the town. While in West Hartford the area that can reasonably be set aside for industrial purposes, represents a com-



A typical two family house development

The present and original community center at Farmington Avenue and Main Street will doubtless develop into a very important and fairly large suburban business center. Another considerable business center will be formed on New Britain Road in Elmwood. Park Road is being placed in the business district from Prospect Avenue to Quaker Lane. The intersection of North Main Street and Albany Avenue will doubtless become a store center of some importance.

Industrial Districts. In industrial districts, manufacturing, storage and any use authorized in a residence district or business district are permitted. It is provided that special semi-nuisance industrial processes and plants may locate in the industrial district only on special permit from the board of adjustment after

paratively small proportion of the total area of the town, it will be seen on examination of the regional map showing the surrounding area in the Hartford metropolitan district that industrial expansion in this region will have ample opportunity along the various railroad lines radiating in all directions from Hartford. The location of West Hartford with reference to the metropolitan district is such that the appropriate use for most of its land is clearly that of housing the people who will work or do business in Hartford.

Garages. As accessory to a residence, a private garage for three cars may be erected on any lot. In an A, B, C or D area district, storage for one additional car may be provided for each 3000 square feet that the area of the lot exceeds 9000 square feet; and in an E area district

one additional car for each 1000 square feet that the area of the lot exceeds 3000 square feet. If built on a vacant lot, a private garage may not provide storage for more than two cars and it must be located on the rear half of the lot. In a private garage in a residence district space for not more than two motor vehicles may be rented. One story community garages may be authorized by the board of adjustment in a residence district provided consent is given by the owners of 75 per cent of all the land especially affected.

In business districts and industrial districts, public garages are permitted; but if located in a business district no garage for more than 10 motor vehicles shall have an entrance or exit within 120 feet of a residence district or within 200 feet of a school, playground, church, hospital or children's home.

Front Yards and Building Lines. The enabling act provides for the adoption of regulations in relation to "the location of any building or structure upon any lot" and "the size of courts and other open spaces" and directs that such regulations shall be "designed to prevent a close arrangement or construction of buildings upon the streets." The zoning ordinances in other communities usually establish front yard lines or set back lines similar in purpose to the building lines that have been established by special authority in many cities and towns of Connecticut. West Hartford under special acts has established building lines along sub-

stantially all street frontages throughout the town. Under these circumstances it has been deemed unnecessary to provide for front yard lines under the zoning regulations.

Obstructions to View. To lessen traffic dangers at street intersections, regulations are established controlling on corner lots the erection or maintenance of high walls, hedges or other obstructions in such locations as to obscure the view of drivers approaching the intersection.

Side and Rear Yards. Side yards of a minimum width of 4 feet are required for all buildings erected in a residence district. At least 25 per cent of the width of an interior lot is required to be devoted to side yards, but the sum of the widths of the side yards need not exceed 20 feet. For an apartment house or any other building exceeding two and one-half stories in height, the width of each side yard must be not less than one-sixth of the height of the building. These minimum side yard requirements are increased substantially in the A, B and C area districts for hotels and institutions and for multi-family houses.

In a residence district the depth of the rear yard must be at least 15 per cent of the depth of the lot and in the case of any building more than two and one-half stories in height the depth of the rear yard shall be not less than one-half the height of the building. 40 per cent of the area of a rear yard may be occupied by a one story private garage or other accessory building.



Semi-detached two family dwellings

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Percentage of Lot Occupancy. Residence buildings are limited to an occupancy of not more than 30 per cent of the area of the lot in A or B area districts; 40 per cent in C area districts; 50 per cent in D area districts and 60 per cent in E area districts. In a business or industrial district any building used as a residence for more than one family or any building on a lot adjacent to a residence district, may not occupy above its ground story more than 60 per cent of the area of the lot.

Height of Buildings. In both residence and business districts all buildings are restricted to a height of 50 feet. After reaching the prescribed height limit, however, a building may be carried higher if recessed or set back one foot for each two feet of additional height. In the industrial district buildings are limited to a height of 100 feet.

Not Retroactive: Nonconforming Uses. The zoning regulations are not retroactive; they do not affect existing uses or buildings. A use or building that does not comply with the regulations of the use district in which it is situated at the time of the adoption of the zoning regulations is called a nonconforming use. Such uses and buildings may continue after the adoption of the zoning regulations. A nonconforming building may be reconstructed or altered to an extent not exceeding in aggregate cost during any 10 year period, 60 per cent of its fair value.

Private Restrictions Not Impaired. Existing covenants or agreements between parties will not be impaired or affected by the zoning regulations. Where the zoning regulations, however, imposes a greater restriction upon the use of buildings or land or require larger lots or yards, they will control.

Board of Adjustment. The state zoning enabling act provides for a board of adjustment with broad powers to review and modify the regulations adopted by the zoning commission. Application to the board of adjustment to amend or repeal any such regulation must be

made within 30 days from the time of its adoption by the zoning commission.

Subsequent to the above 30 day period allowed for applications for amendment or repeal, the board of adjustment has a continuing power to vary or modify any zoning provision in its application to a particular lot or building where, owing to special conditions, such variation is deemed fair and reasonable and not inconsistent with the spirit of the zoning regulations. The zoning regulations also provide that in certain enumerated situations and under general rules laid down, special exceptions may be granted by the board of adjustment.

The function of the board of adjustment is primarily that of furnishing the property owner opportunity for a quasi-judicial review of his complaint. It is intended to prevent unnecessary hardship or injustice through an impartial consideration of the facts of each case. Upon the fairness and wisdom of its functioning will the practical success of the zoning in large measure depend.

Amendment of Regulations and Map. The zoning commission may from time to time change the zoning regulations and the various zone boundaries as shown on the zoning map. Such change can only be made after public notice and hearing; and if a protest against such change is filed by the owners of 20 per cent of the land affected, it cannot be adopted except by the concurrent vote of four of the five members of the commission. Any person may appeal within thirty days to the board of adjustment from such change and the board may modify or repeal the change in question.

Minor amendments will be required to correct imperfections in the plan which may develop after it goes into operation; and other amendments will be necessary from time to time to meet the changing conditions accompanying city growth. The zoning plan as adopted should, however, be permanent in the main and changes should only be made after careful consideration has shown them to be reasonable and necessary.

The Unsubdivided Areas

The zoning plan places much of the unsubdivided land in the A and B area districts. This, by itself, would assume a single family development throughout this entire area. It is recognized, however, that it would be unwise to impose any rigid rule of this kind. It is quite likely that in limited portions of these areas provision for two family houses, group houses and even apartment houses will be economically and socially desirable. Forest Hills Gardens in New York City is an attractive residence suburb primarily for single family detached houses, but with its carefully designed and controlled community and store center with a hotel, a number of apartment houses and with small areas for group houses.

Zoning should not bar the possibility of such layouts in the large unsubdivided areas of West Hartford. It is provided, therefore, that the various standards set up in the zoning regulations may be modified to permit and encourage in a new subdivision an appropriate variety in lot sizes and building types while substantially maintaining the density requirement as applied to the subdivision as a whole.

In each 100 acre tract of unsubdivided land in West Hartford there are 10 acres, more or less, that if thrown into a parkway strip or into one or more small parks would mean a reduction in development expense and an increase in profits to the developer. These low lying, rough areas are difficult to develop for building purposes and often possess great natural beauty. They should be preserved as permanent open spaces. Moreover, it is frequently a better utilization of land to reduce the depth of the individual lots and throw the space thus saved into a parkway or small park for the joint use and enjoyment of all the residents of the sub-

division. To encourage the provision of these small parks by the subdivider a more than corresponding reduction in lot area per family is authorized.

Subdividers of tracts in the A and B area districts can, of course, proceed under the general rules contained in the zoning regulations without going to the zoning commission for an approval of their building plan. If, however, they wish to establish a business district or provide in certain portions of their subdivision for two family houses or group houses, they may submit to the commission a complete development plan. This will consist of a map showing the proposed streets, building lines, parks and other open spaces, together with a building plan showing the lots intended for two family houses and for single family houses and the areas where group houses or apartment houses or local stores or shops are proposed to be built. Such building plan may be approved by the commission provided that for the sub-division as a whole there is not less than the required area per family for each family which under such building plan is to be housed within the sub-division. In order to encourage the leaving of land for small parks and parkway strips, the area of any such park or parkway strip is given double value in computing gross area in determining the number of families that may be provided for within the sub-division.

There is the objection to this procedure that the subdivider will have to go to the planning board for an approval of his street layout and then to the zoning commission for an approval of his building plan. This objection will be removed by combining the planning and zoning functions in a single board as is hereinafter proposed.

Comprehensive Development Plan For Unbuilt Areas

While zoning regulations will be applied as above outlined to the unsubdivided areas, it is recognized that this is only a partial solution of the problem. Ideally zoning should go hand in hand with street and park planning. This will require additional legislation. A joint planning and zoning authority should be created with authority to prepare a comprehensive development plan for the unsubdivided areas.

West Hartford with its rapid growth and large unbuilt areas has a wonderful opportunity to apply comprehensive planning. While zoning may be separated from street and park planning in the already built up sections, there should be no such separation when dealing with large undeveloped areas. Streets, parkways, building lines, small parks, lots sizes, housing density, local business centers and residence areas should be laid out as part of one complete plan. They are all interrelated. The town in co-operation with the property owners should proceed in much the same way as would an enlightened developer who had control of the entire area. He would establish the main highways with adequate width for future traffic and for tree and grass margins; set aside as parkways the rough, low lying lands along water courses; lay

out the local streets and small parks in each section as it is sub-divided and sold for building purposes; establish building lines and control the lot sizes and building densities; lay out and control small business or community centers for each neighborhood; in short, endeavor by improvements, land reservations and restrictions to secure throughout the entire development a maximum of orderliness, comfort and beauty.

All these things the town can secure with the co-operation of the owners, for this large unbuilt area. For this purpose it will be necessary to get a special enabling act authorizing the adoption of a comprehensive development plan for the unbuilt area. This act should be most carefully drafted so as to fully safeguard both private and public interests. It should be based on the premise that the application of a general plan of development to this entire area will be to the interest of property owners generally and that such a plan can only be worked out by the town with the general co-operation and agreement of the owners. If a general plan is prepared each owner can see that he will be amply compensated for the area required for small parks, for example, as neighboring owners will make a similar contribution and the resulting



A street in Hartford uniformly built up with apartment houses

increase in the attractiveness of the neighborhood will cause a corresponding increase in lot values.

Orderly city growth does not mean a monotonous uniformity of street lay out and of lot and block sizes. A strictly rectangular street lay out is unsuited to a rolling topography and tends toward monotony in housing development. A more irregular street and block lay out with parkways, small parks and a harmonious variety in lot sizes and housing types, adds to the charm and attractiveness of a residence section.

Avenue, have long been important inter-city highways. Albany Avenue and Park Road were originally laid out with a width of 132 feet, but have since been reduced to a width of 66 feet. New Britain Avenue was laid out 132 feet wide and is now but 80 feet wide. Main Street was laid out 99 feet wide and has been reduced to 60 feet.

It is related that when Main Street, then called West Hartford Street, was laid out about 1684 by the proprietors, the vote was that it should pass near the center of the mile and a half long farm lots into which the land of West



A West Hartford apartment house group on Farmington Avenue

Streets, parks and building sites should be fitted to the land and not the land to a procrustian system of streets and lots. This means that before a development plan can be prepared for West Hartford there must be a complete topographic map showing accurately the contour of the land and the streams, ponds, wooded areas, existing buildings and property lines.

A traffic street needs continuity, directness, and flow of line, but not necessarily straightness. Like a great river it should have an easy flow line with no abrupt turns and no dead ending.

The old system of farm and intertown roads has given West Hartford the main framework for an especially good system of traffic routes. Most of the main east and west roads lead directly into the center of Hartford. New Britain Avenue, Farmington Avenue, and Albany

Hartford had been divided; and each owner was left to his own choice as to where the highway should cross his land. The houses appear to have been built on the ridge and the road made from house to house.*

It is unfortunate that the original width given to Albany Avenue and New Britain Avenue was later reduced. These two avenues, together with Farmington Avenue now carry a heavy traffic which will be enormously increased in the near future. However, the building lines that have been established along these streets will make it possible in the future to materially widen them without excessive cost and thus partially offset the reduction in original width.

These old roads while they form the main framework of a complete traffic system will have to be supplemented by extensions and connec-

*See. Historical Notices of Connecticut by William S. Porter, 1842, No. 2, page 47-48.

tions and the opening of some new roads midway between those already existing.

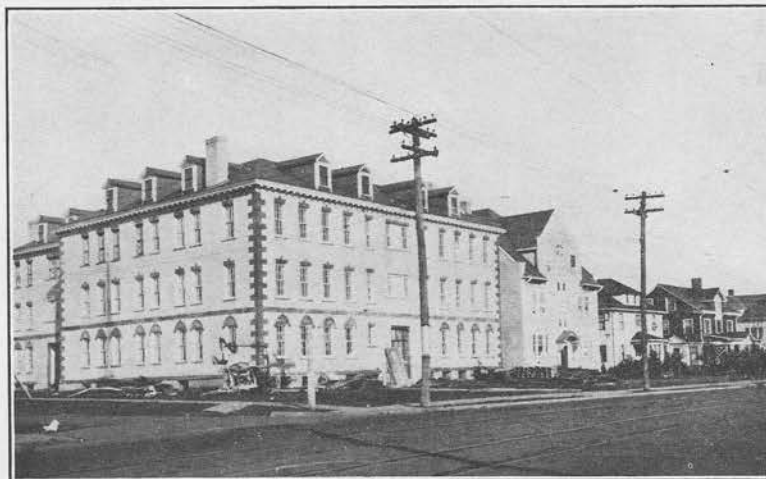
The development plan should provide for a complete system of main highways with liberal building lines so as to provide for future widening and still leave adequate tree and grass margins. This will be comparatively easy as the present main road layout is unusually good. Parkways should be laid out in unsubdivided areas to include the rough, low lying land adjacent to streams. The parkways should be planned with a roadway on either side giving opportunity for valuable frontages for lots facing the parkway. In addition the plan should provide general regulations to govern all subdivisions of land with provision for adjustments by the planning board on the submission of each subdivision plat for approval. Sub-division control should extend to approval of street layout, building lines, lot sizes, housing density, location of buildings on the lot, provision of small parks, and in some cases provision for local business and community centers. General zoning regulations applying to the entire unbuilt area should be subject to adjustment and modification in the approval of plans for subdivisions. Wherever feasible natural beauty should be protected and conserved for future generations.

That urban development needs to be directed and controlled in the public interest is mere common sense. That as the town expands each

small farm or tract of land should be cut into lots and streets and built upon without regard to a general plan of development is a sign of civic immaturity or neglect. Common instinct teaches that haphazard city building is bad city building and that it is directly opposed to the health, safety and welfare of the community.

The success of this proposed exercise of complete planning control over the unbuilt areas will depend very largely on the wisdom, fairness and moderation with which it is applied. Planning regulations are certainly just and presumably legal if limited to those things that are reasonably required to prevent injury to the public health, safety or general welfare. Given a wise, fair and reasonable administration, any measure really required in the public interest will pass safely through the seas of individual antagonism and judicial criticism. The procedure involved should require individual notice to property owners, conference with many individual owners and perhaps some individual agreements as to time or method of carrying out public improvements. Any owner should have the right to appeal to the Court against any arbitrary, harsh or unreasonable application of planning powers.

In the division of the commons West Hartford lost the possibility of securing a permanent open development strip between itself and Hartford. Talcott ridge along its western boundary, however, gives it a splendid opportunity to secure a



The large apartment houses are spreading farther west along Farmington Avenue and into side streets

permanent open development strip between itself and any suburb that may in the future develop across the ridge in the valley of the Farmington river. The Hartford water supply has over four square miles of reservoir lands along this ridge and large additional areas should be secured and held as public reservations for park and other purposes. No intensive building development should be permitted within a strip approximately one mile in width; but private estates, country clubs and other open development uses should be permitted. While no attempt has been made in the zoning to apply regulations of this kind to the area, it is hoped that as a part of the comprehensive planning program this matter can be taken up. It no doubt seems fanciful to think of any considerable urban development beyond Talcott ridge; but if the town waits until such development seems probable or certain, it will then be too

late to secure the necessary reservations and to impose restrictions against intensive development. At present such reservations would be of great public benefit and the necessary open development regulations would be to the interest of all owners.

This is only another illustration of the fact that the benefits of planning and the ease with which it is accomplished are directly in proportion to the forehandedness shown in its application. As Ruskin so well puts it: "It is one of the appointed conditions of the labor of men that in proportion to the time between the seed sowing and the harvest is the fullness of the fruit; and that generally therefore the farther off we place our aim and the less we desire to be ourselves the witnesses of what we have labored for the more wide and rich will be the measure of our success."



The three family house looks out of place in the midst of smaller houses

A Judicial Appreciation of Town Planning

Justice Wheeler in stating the opinion of the Connecticut Supreme Court in the case of *Windsor v. Whitney* (95 Conn. 357; 111 Atl. 354) upholding the validity of the special planning act of the town of Windsor, says:

"A town commission plan such as this Act contemplates is distinctly for the public welfare. Its theory is to lay out streets when and where the public need them, and of adequate width to meet the requirements of the community and of transportation. In such a plan each street will be properly related to every other street. Building lines will be established where the demands of the public require. Adequate space for light and air will be given. Such a plan is wise provision for the future. It betters the health and safety of the community; it betters the transportation facilities; and it adds to the appearance and wholesomeness of the place, and as a consequence it reacts upon the morals and spiritual power of the people who live under such surroundings. The demands of a large city may excuse congestion, but in a small city or a country town there is no excuse for such living conditions. But unless some authority controls and regulates the land development, we may look for too narrow streets, too few or no building lines, and buildings erected, unstable in character, unsuitable in material, and inappropriate in construction. Our large communities all have their examples of the unregulated layout of streets and building lines and buildings; of instances of land development so as to yield the last penny to its promoters regardless of the public welfare; of community eyesores; of streets made over, whole sections changed, because at the beginning no

reasonable provision was made for the safety, health or welfare of the community. . . .

"Streets properly located and of suitable width help transportation, add to the safety of travel, furnish better protection against fire, and better light and air to those who live upon the streets. They afford better opportunities for laying, maintaining and inspecting water, sewer, gas and heating pipes, and electric and telephone conduits in the streets. They give opportunity for sidewalks of reasonable width and for shade trees along the highway. Streets of reasonable width add to the value of the land along the street, enhance the general value of land and buildings in the neighborhood and greatly increase the beauty of the neighborhood. These are all facts of universal knowledge.

"The layout of a street or highway by a private person and the regulation of its width, unless determined otherwise by authority, has been a part of our statute law since 1899. . . . Narrow streets in congested industrial centers breed disease. Too many houses crowded upon a lot without sufficient space for light and air menace health. Such a neighborhood affects the morals of its people. The sordid selfishness which would insist upon making the street a mere alley, upon getting houses upon land without regard to reasonable provision for air and light, must be restrained if the public welfare is to be preserved. The State is vitally interested in the health of its citizens, for upon their strength rests its own well-being. It or its agent, the town, must provide fire and police protection to all settled parts, the State and its agent, the town, cannot preserve and protect the rights committed to it if private owners may lay out streets at will and build at will. Uniformity in plan or relation of one street to others will be



Single family houses north of Farmington Avenue

absent. The practical loss to the community will be large and the loss in neighborhood appearance will be immeasurable.

"The Act does not prohibit the owners from the use of any of their land, except in case they purpose opening streets and selling lots thereon. In which case they lose the use of so much of their land as is contained in the street limits and is in excess of what they purposed laying out as a street, and of so much of the land as the building line prevents their use of for building purposes. If the prohibition of the Act deprived an owner of the use of any part of his land and this was not needed for the public health, safety, or welfare, there would be a plain violation of the constitutional provision. But where it is so needed, and that is the case before us, the subjection to the police power of all property gives the State the right to forbid the use of property in the way desired, save under reasonable conditions promoting the public welfare. The State may regulate the use of property to the point of forbidding thereon certain businesses in themselves lawful, as in the case of slaughter-houses and cemeteries. It may regulate

building in the interest of health and fire safety. It may limit the height of buildings in these districts. It may prevent the erection of billboards or limit their height. In short, it may regulate any business or the use of any property in the interest of the public health, safety or welfare, provided this be done reasonably. To that extent the public interest is supreme and the private interest must yield."

The above is a clear-cut statement of the need and legality of controlling urban development in unbuilt areas in accord with a comprehensive development plan. Such a plan combining zoning and street and park planning should be applied to all unsubdivided or unbuilt areas in West Hartford. The need is urgent. The opportunity is golden but fleeting. There is no civic enterprise that will mean so much to the future of the town with such a small expenditure of time and money.



In West Hartford large front, rear and side yards almost invariably have been provided

God has lent us the earth for our life; it is a great entail. It belongs as much to those who come after us, and whose names are already written in the book of creation, as to us; and we have no right, by anything that we do or neglect, to involve them in unnecessary penalties, or deprive them of benefits which it was in our power to bequeath—

Ruskin.