



# CITY OF LYNN

INSPECTIONAL SERVICES DEPARTMENT

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## NOTICE OF BOARD OF HEALTH VARIANCE

At a meeting of the Lynn Board of Health on June 9, 2015 a request for variance of the requirements of 105 CMR 435.05(3) Minimum Standards For Swimming Pools (State Sanitary Code: Chapter V) for nonconforming stairs was brought before the Board by Flax Pond Condominium Association, 404-406-408 Broadway, Lynn, MA.

The request stated that bringing the stairs into compliance would cause manifest injustice by requiring significant construction that could compromise the structural integrity of the pool and surrounding decking during the season when most heavily used. The request also stated that there is currently a handrail and colored risers as current safeguards and that there has not been any accidents due to the current stairs configuration at the pool since its opening over 20 years ago.

The Board of Health voted to grant the variance with the additional requirements:

- Providing a lifeguard on duty during peak usage hours. Determination will be made cooperatively between the licensed operator and the Board of Health.
- Step edges marked with contrasting color and additional color to risers.
- The addition of a delineated lap lane away from stairs.

Submitted by,

MaryAnn O'Connor  
Agent, Lynn Board of Health

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