



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 King's Lynne Apartments, 115 O'Callaghan Way, 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 tread striping as current safeguards and that there has not been one accident or injury at the pool since its opening over 30 years ago. The variance request stated that an action plan for bringing this pool into strict compliance would be submitted for approval after this season.

During the hearing it was discovered that the pool currently has a lifeguard on duty at all times, during all hours of operation.

The Board of Health voted to grant the variance with the additional requirement of adding color on step risers so they could be clearly visible. The variance is also contingent on a lifeguard remaining on duty during all hours of operation for the season.

Submitted by,

MaryAnn O'Connor
Agent, Lynn Board of Health

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