



CITY OF PEABODY
DEPARTMENT OF HEALTH AND HUMAN SERVICES
24 Lowell Street
Peabody, Massachusetts 01960
(978) 538-5926
Fax: (978) 538-5990

BOARD OF HEALTH
THOMAS J. DURKIN III, CHAIRPERSON
LEIGH ANN MANSBERGER, MD, MPH
ANTHONY CARLI

SHARON CAMERON
DIRECTOR

June 25, 2021

Mr. Steven Hughes, Director
Division of Community Sanitation
Massachusetts Department of Public Health
250 Washington Street
Boston MA 02108

Re: Variances from 105 CMR 435.000 at Lifetime Fitness, 210 Andover St Peabody MA

Dear Mr. Hughes:

On June 24, 2021, the Peabody Board of Health held a public hearing to consider five requests for variances from 105 CMR 435.000 at Lifetime Fitness, 210 Andover St., Peabody. Two requests were to vary 105 CMR 435.46 regarding projections from the pool surface in the women's and men's locker room warm spas, and three requests were to vary 105 CMR 435.13 regarding deck clearance around the men's locker room cold spa; men's locker room warm spa; and women's locker room warm spa. More detail about the specific requests are described in the attached correspondence. Following the public hearing, the Peabody Board of Health voted to approve these requests.

Upon review of the applications submitted by Lifetime Fitness, the Board of Health made the determination that the applicant has demonstrated that the same degree of protection required under 105 CMR 435.00 can be achieved without strict application of the particular provision. The Board of Health also consulted with engineering firm Weston & Sampson, who concurred with the decisions to grant the variances.

With respect to the deck clearance, the Board noted that the spas have the required 4 feet of distance around 3 sides of the spa surface. The remaining side clearance between the accessibility lift ranges from 3'2" to 3'7". There is no obstruction to accessing the emergency telephones or emergency stops.

With respect to the stairs protruding into the spas, the Board concurred that the stair redesign with a 4" radius, color contrast on the bottom tread and riser, and additional signage addressed the concerns about the previous design. Peabody Health Department staff viewed several color options and conditions of spa operation to ensure that visibility would be maximized. The size and depth of the spa are such that it is not expected people would be able to swim into the projection. In addition, the only access to the spas are through locker rooms which are staffed with a CPR and first aid-certified attendants at all hours of facility operation.

Thank you for your consideration.

Sincerely,

Sharon Cameron
Director of Health
City of Peabody

Cc: Kent Wood, Lifetime Fitness
Mark Mariano, Weston & Sampson