

## SECTION 5.15. SWIMMING POOLS

### A. Purpose

This Section is adopted by the Town for the regulation and restriction of private swimming pools.

### B. Definitions

Private Swimming Pool - Any outdoor pool, having a depth of at least 24" and a water surface area of at least one hundred fifty (150) square feet, which is used, or intended to be used, as a swimming or bathing pool in connection with a residence and available only to the Housekeeping Unit and their private guests.

### C. Applicability

1. Other requirements of the Zoning Bylaws notwithstanding the regulations and restrictions set forth herein shall apply to private swimming pools.
2. The provisions of this Section 5.15 shall not apply to any swimming pool for which a building permit has been issued prior to the adoption of this Section.

### D. Regulations and Restrictions

1. Location.
  - a. Minimum setback from street - No structural part of a swimming pool shall be located less than thirty (30) feet from any property boundary line abutting a public street or private way or less than fifty (50) feet from the centerline of any private way.
  - b. Minimum setback from abutting property - No structural part of a private swimming pool shall be located closer to any property boundary line than the distance S specified by the following formula:  $S = 4e$ , where e equals the difference in elevation, measured to the nearest foot, between the overall height of the pool structure at the perimeter of the pool or walkway railing, if any, and the natural ground elevation at the nearest property boundary line, provided however, that in no event shall the required Side Yard be less than ten (10) feet nor more than thirty (30) feet.
2. Lot Coverage - For the purposes of Section 5.2, exterior swimming pools constructed at or below grade shall not be considered building coverage.
3. Lighting - All artificial lighting used to illuminate a swimming pool shall be arranged and shielded so as to prevent direct glare from the light source into any public street or private way or onto adjacent property.
4. Fencing - A fence or protective barrier not less than six (6) feet in height having self-latching devices on all gates shall be installed and maintained that will prevent the

unauthorized entry of small children to the pool area. The location and type of fence or protective barrier shall be acceptable to the Building Inspector.

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