



# TOWN OF YARMOUTH

SOUTH YARMOUTH

MASSACHUSETTS 02664

## BOARD OF HEALTH

### PHOSPHORUS BUFFER ZONE HEALTH REGULATION

Authority: This regulation is adopted by the Yarmouth Board of Health under the auspices of Massachusetts General Laws, Chapter 111, Section 31.

Purpose: To protect freshwater lakes, ponds, rivers, and streams from contamination by septic systems. Phosphorus is well documented as the nutrient limiting biological productivity in freshwater lakes and ponds. Excessive phosphorus loading can cause excessive growth of weeds and algae, noxious odors, and fish kills.

The foregoing conclusions are confirmed by findings set forth as follows:

1. Water Resources Protection Study, Town of Yarmouth, (August 1988) prepared by I.E.P., Inc.
2. In the Limnological studies (EPA, Clean Lakes Program Guidance Manual, 1980) have shown that the primary source of phosphorus is within three hundred feet of the shoreline.

Applicability: All proposed subsurface sewage disposal systems within new subdivisions or within new ANR Plans, submitted after the effective date of this regulation, on land within Lake Recharge Areas (mapped for the Yarmouth Water Quality Advisory Committee, 1988, and shown within the, Water Resources Protection Study, by I.E.P.).

Exemptions: Proposed septic systems which cannot meet the setbacks required in these regulations on lots which were created prior to the effective date of this regulation are exempt from these provisions.

Prohibition: Subsurface sewage disposal systems shall not be located closer than 300 feet from the lake, pond, river and stream shoreline (mean high water).

Variance: Variance from this regulation may be granted by the Board of Health only if the applicant can demonstrate to the satisfaction of the Board that: (1) enforcement thereof would do manifest injustice, and (2) the applicant must also prove to the Board of Health that the installation of an on-site subsurface sewage disposal system, or systems, will not have a significant adverse effect on surface water resources, lakes, ponds, rivers, and streams.

In applying for a variance, the applicant shall be required to submit, but not be limited to, the following items/data: Geohydrological Report; direction of the groundwater flow; depth to groundwater; population density; soil conditions; size, shape and slope of the lot; existing, and known future, water supplies; phosphorus loading calculations, and other information that may be deemed pertinent by the Board of Health.

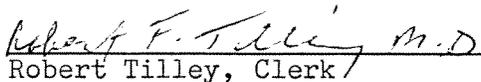
This regulation is to take effect on the date of publication of this notice.  
(4/7/89)



Charles Van Riper, Chairman



Virginia Robinson,  
Vice Chairman



Robert Tilley, Clerk



Herbert Schnitzer

Barrie Cliff

Public Hearing Date: April 3, 1989

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Effective Date of Regulation: April 7, 1989

Certified to D.E.Q.E. Lakeville, Date: April 11, 1989

Certification# P 631 653 930

Certified to D.E.Q.E./DWPC/Boston/7th Floor-Central Register/B.O.H. Regulation,  
Date: April 11, 1989

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