

**Acoustical Memorandum  
Waterstone at Lexington  
55 Watertown Street**

*Environmental Sound Measurement and Evaluation Protocol*

*National Development*

*Proposed Waterstone at Lexington Assisted Living*

*Watertown Street, Lexington, Massachusetts*

*April 1, 2019*

Prepared by  
Cavanaugh Tocci Associates, Inc.  
Sudbury, Massachusetts

Site

Proposed Waterstone at Lexington assisted living facility, Watertown Street, Lexington, Massachusetts



Figure 1. Composite aerial photograph and architectural rendering showing the proposed Waterstone at Lexington building, in relation to ambient sound monitoring locations, nearest existing residences, roadways, and golf course

## Purpose

The purpose of this Environmental Sound Measurement and Evaluation Protocol is to:

1. Determine the applicable limits on sound to be produced by stationary mechanical equipment at Waterstone at Lexington, in accordance with the Town of Lexington Chapter 80 Noise Control By-Law and the Commonwealth of Massachusetts Department of Environmental Protection (MassDEP) Noise Policy.
2. Evaluate future facility stationary equipment sound levels at property line and nearby residential locations, and
3. Propose sound controls as may be required for conformance with the applicable limits.

Both the Town of Lexington Chapter 80 By-Law and MassDEP limits on facility stationary equipment sound are based on measured existing ambient sound levels. As discussed below, the Chapter 80 By-Law and MassDEP Noise Policy define how the applicable limits on future facility noise are determined from the existing-conditions sound monitoring data.

Future facility stationary equipment sound is determined from project design information. This information would be used with a computer model of sound propagation to determine facility sound levels and frequency characteristics potentially transmitted to representative property line and nearby residential receptor locations. If it is determined that future facility equipment sound levels might exceed applicable limits, the model would be used to identify specific sound source(s) requiring control and the amount(s) by which sound levels must be reduced for compliance. The study would include design concepts for controlling individual sound sources as may be required. Sound control concepts would be implemented in contract documents by the project design team.

## Prior Work

It must be noted that the first of the three progress steps listed above (sound monitoring) was completed during August 2018, prior to the Town of Lexington requiring this Protocol for their review. Thus, in advance of Town approval of this Protocol, the sound monitoring portion of the Protocol has been completed. However, if the Town of Lexington requires it, further sound monitoring can be completed. The remaining progress steps to evaluate facility sound at various receptor locations (and to develop sound control concepts as may be required) will be completed on approval of this Protocol by the Town of Lexington.

## Applicable Noise Regulations

### Commonwealth of Massachusetts

The Commonwealth of Massachusetts regulation controlling noise is 310 CMR 7.10 (U): Noise. The regulation defines noise as "*...sound of sufficient intensity and/or duration as to cause or contribute to a condition of air pollution.*" The regulation also prohibits a person from "*...willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.*" See Appendix A for the full text of 310 CMR 7.10 (U): Noise.

The regulation prohibits the use of unnecessarily noisy equipment and activities, defines a condition of noise in general terms, but does not provide specific, measurable limits that can be used for engineering design purposes.

#### MassDEP Noise Policy

The responsibility and authority for more specifically identifying when a condition of noise exists in a specific condition has been assigned to the Massachusetts Department of Environmental Protection (MassDEP). MassDEP has issued a noise policy for determining specific sound level limits defining when a noise condition occurs and for purposes of enforcement. These are provided in Appendix B. The MassDEP Noise Policy requires that a facility not:

1. Increase off-site broadband sound levels by more than 10 dBA above the "background" sound level. The background sound level is defined as the lowest one-hour ambient A-weighted sound pressure level that is exceeded 90 percent of the time measured during equipment operating hours.
2. Produce off-site a "pure tone" condition. A pure tone condition is defined to exist when the sound pressure level in any octave band exceeds the sound pressure levels in both adjacent octave bands by 3 decibels or more.
3. Create a potential condition of air pollution as defined in 310 CMR 7.01 and by MassDEP noise policy.

Compliance with the criteria can be enforced both at the property line and at the nearest inhabited building. See Appendix B for a copy of the original policy statement (Policy 90-001, February 1990).

#### Town of Lexington Chapter 80 Noise By-Law

Chapter 80 Noise of the Town's By-Law defines noise pollution as:

"The condition resulting when: a broadband sound source raises the noise level by 10 or more dBA above the ambient noise; or a tonal sound source raises its octave band noise level by three decibels or more above the adjacent octave band levels. These threshold levels are identical to those in the Massachusetts Division of Air Quality Control (DAQC) Policy 90-001 ..."

A copy of the Chapter 80 Noise By-Law is provided in Appendix C.

#### Measurement Locations

The approximate locations of sound monitors installed for the Waterstone at Lexington project are shown in Figure 1, labeled SM1 and SM2. The monitoring locations are located at different distances from Rt 2. Sound levels at these monitoring locations are characteristic of ambient sound levels at nearest residential locations on both sides of Route 2, at generally the same distances from Route 2.

#### Background Sound Level

Hourly, fast sound level meter response, 90<sup>th</sup> percentile A-weighted sound levels ( $LAF_{90,1-hr}$ ) at locations SM1 and SM2 shown in Figure 1, were measured over a continuous 7-day period. These will be provided graphically in our report. The background sound level, used in setting limits on facility sound, is defined by both the Lexington and Massachusetts criteria as the lowest measured hourly 90<sup>th</sup> percentile

A-weighted ( $LAF_{90,1-hr}$ ) during equipment operating hours. It is presumed that Waterstone at Lexington stationary equipment could operate at full capacity anytime day or night. The background sound level is then the lowest  $LAF_{90,1-hr}$  measured over the 7-day period, i.e. day or night.

Sound monitoring was conducted using instruments conforming to IEC 61672 for Class 1 precision sound measurement instrumentation. Instruments were calibrated prior to and following monitoring, and microphones were fitted with wind screens and installed 5-feet above grade. The hourly 90<sup>th</sup> percentile sound levels recorded will be presented graphically along with weather data obtained from a nearby weather station (Hanscom Field, Bedford, MA).

### Computer Modelling of Facility Sound at Receptor Locations

Using information from the architectural and mechanical design drawings and specifications, we will develop a sound propagation computer model to estimate stationary equipment sound levels at representative property line and nearby residential locations both north and south of Route 2. The model will estimate receptor sound pressure levels using equipment sound power levels, and will account for propagation losses produced by distance, air absorption, and shielding by topography and structures (where applicable).

If the initial computer model evaluation indicates that future sound levels might exceed applicable limits at residential receptors, the computer model will be used to identify which and by how much facility sound sources would require sound reduction. Concepts for reducing equipment sound would be provided for incorporation into contract documents by the design team.

### Reporting

We will prepare a report to be submitted to National Development for their submission to the Town of Lexington. The report will include:

- Descriptions of monitoring locations and weather conditions during monitoring,
- Measured hourly sound levels for the weeklong time period of monitoring
- Lowest background  $LAF_{90}$  sound levels measured at both monitoring locations in accordance with the Chapter 80 Noise By-Law and MassDEP noise policy, and
- Estimated future sound levels determined from computer modeling, projected to off-site receptor locations
- Proposed concepts for controlling equipment sound, as may be required to meet applicable limits.

# Appendix A

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310 CMR 7.10: U Noise

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

310 CMR 7.00: AIR POLLUTION CONTROL

Section

- 7.00: Statutory Authority; Legend; Preamble; Definitions
  - 7.01: General Regulations to Prevent Air Pollution
  - 7.02: U Plan Approval and Emission Limitations List
  - 7.03: U Plan Approval Application Exemption Construction Requirements
  - 7.04: U Fossil Fuel Utilization Facilities
  - 7.05: U Fuels All Districts
  - 7.06: U Visible Emissions
  - 7.07: U Open Burning
  - 7.08: U Incinerators
  - 7.09: U Dust, Odor, Construction and Demolition
  - 7.10: U Noise
  - 7.11: U Transportation Media
  - 7.12: U Source Registration
  - 7.13: U Stack Testing
  - 7.14: U Monitoring Devices and Reports
  - 7.15: U Asbestos
  - 7.16: U Reduction of Single Occupant Commuter Vehicle Use
  - 7.17: U Conversions to Coal
  - 7.18: U Volatile and Halogenated Organic Compounds
  - 7.19: U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NO<sub>x</sub>)
  - 7.21: Sulfur Dioxide Emissions Limitations
  - 7.22: Sulfur Dioxide Emissions Reductions for the Purpose of Reducing Acid Rain
  - 7.24: U Organic Material Storage and Distribution
  - 7.25: U Best Available Controls for Consumer and Commercial Products
  - 7.26: Industry Performance Standards
  - 7.27: NO<sub>x</sub> Allowance Program
  - 7.28: NO<sub>x</sub> Allowance Trading Program
  - 7.29: Emissions Standards for Power Plants
  - 7.30: MB Massport/Logan Airport Parking Freeze
  - 7.31: MB City of Boston/East Boston Parking Freeze
  - 7.32: Massachusetts Clean Air Interstate Rule (Mass CAIR)
  - 7.33: MB City of Boston/South Boston Parking Freeze
  - 7.36: U Transit System Improvements
  - 7.37: MB High Occupancy Vehicle Lanes
  - 7.38: Certification of Tunnel Ventilation Systems in the Metropolitan Boston Air Pollution Control District
  - 7.40: U Low Emission Vehicle Program
  - 7.45: The Massachusetts Green Fleet Program
  - 7.50: U Variances
  - 7.51: U Hearings Relative to Orders and Approvals
  - 7.52: U Enforcement Provisions
  - 7.54: U Large Combustion Emission Units
  - 7.60: U Severability
  - 7.70: Massachusetts CO<sub>2</sub> Budget Trading Program
  - 7.71: Reporting of Greenhouse Gas Emissions
  - 7.72: Reducing Sulfur Hexafluoride Emissions from Gas-insulated Switchgear
- Appendix A: EMISSION OFFSETS AND NONATTAINMENT REVIEW  
Appendix B: U EMISSIONS BANKING, TRADING, AND AVERAGING  
Appendix C: OPERATING PERMIT PROGRAM

STATUTORY AUTHORITY

All provisions of 310 CMR 7.00 are adopted pursuant to the authority granted by M.G.L. c. 111, §§ 142A through 142J. In addition, 310 CMR 7.08(2) is adopted pursuant to the authority granted by M.G.L. c. 111, § 150A and the following provisions of 310 CMR 7.00 are adopted pursuant to the authority granted by M.G.L. c. 21C, §§ 4 and 6 and by M.G.L. c. 21E, § 6.

- (1) The following definitions in 310 CMR 7.00:
  - (a) COMBUSTION EFFICIENCY (C.E.).

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

(6) No person shall cause, suffer, allow, or permit the operation of mechanized street sweeping equipment that is not equipped with a suitable dust collection or dust suppression system which is maintained in good operating condition and is operated continuously while the street sweeping equipment is in use to prevent conditions of air pollution.

(7) 310 CMR 7.09(1) through 7.09(4) and 7.09(6) are subject to the enforcement provisions specified in 310 CMR 7.52.

7.10: U Noise

(1) No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.

(2) 310 CMR 7.10(1) shall pertain to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.

(3) 310 CMR 7.10(1) shall not apply to sounds emitted during and associated with:

(a) parades, public gatherings, or sporting events, for which permits have been issued provided that said parades, public gatherings, or sporting events in one city or town do not cause noise in another city or town;

(b) emergency police, fire, and ambulance vehicles;

(c) police, fire, and civil and national defense activities;

(d) domestic equipment such as lawn mowers and power saws between the hours of 7:00 A.M. and 9:00 P.M.

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

(4) 310 CMR 7.10(1) is subject to the enforcement provisions specified in 310 CMR 7.52.

7.11: U Transportation Media

(1) Motor Vehicles.

(a) All motor vehicles registered in the Commonwealth shall comply with pertinent regulations of the Registry of Motor Vehicles relative to exhaust and sound emissions.

(b) No person shall cause, suffer, allow, or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes. 310 CMR 17.11 shall not apply to:

1. vehicles being serviced, provided that operation of the engine is essential to the proper repair thereof, or
2. vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available, or
3. vehicles engaged in an operation for which the engine power is necessary for an associated power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution.

(c) 310 CMR 7.11(1)(b) is subject to the enforcement provisions specified in 310 CMR 7.52.

(2) Diesel Trains.

(a) No person owning or operating a diesel powered locomotive shall cause, suffer, allow, or permit said locomotive to be operated in a manner such as to cause or contribute to a condition of air pollution.

(b) No person shall cause, suffer, allow, or permit the unnecessary foreseeable idling of a diesel locomotive for a continuous period of time longer than 30 minutes. 310 CMR 7.00 shall not apply to diesel locomotives being serviced provided that idling is essential to the proper repair of said locomotive and that such idling does not cause or contribute to a condition of air pollution.



## **Appendix B**

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Massachusetts  
Department of Environmental Protection (MassDEP)  
Noise Policy



*The Commonwealth of Massachusetts*  
*Executive Office of Environmental Affairs*  
*Department of Environmental Quality Engineering*  
*Division of Air Quality Control*  
*One Winter Street, Boston 02108*

February 1, 1990

DAQC Policy 90-001

DIVISION OF AIR QUALITY CONTROL POLICY

This policy is adopted by the Division of Air Quality Control. The Department's existing guideline for enforcing its noise regulation (310 CMR 7.10) is being reaffirmed.

P O L I C Y

A source of sound will be considered to be violating the Department's noise regulation (310 CMR 7.10) if the source:

1. Increases the broadband sound level by more than 10 dB(A) above ambient, or
2. Produces a "pure tone" condition - when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited residence. Ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment operating hours. The ambient may also be established by other means with the consent of the Department.

Approved: February 1, 1990

Effective: Immediately

*Barbara A. Kwetz*  
Barbara A. Kwetz  
Acting Director  
Division of Air Quality Control

## **Appendix C**

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Chapter 80 Noise Control By-Law  
Town of Lexington, Massachusetts  
2001

## Chapter 80: Noise Control

[HISTORY: Adopted by the Annual Town Meeting of the Town of Lexington 4-11-2001 by Art. 33. Amendments noted where applicable.]

### GENERAL REFERENCES

Alarms — See Ch. 5.  
Animals — See Ch. 9.

### § 80-1 Findings.

The Town of Lexington finds that excessive or unwarranted noise jeopardizes the health, safety, and welfare and degrades the quality of life of its citizens.

### § 80-2 Purpose and applicability.

- A. The purpose of this by-law is to protect the citizens of Lexington from excessive or unwarranted noise. No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow, or permit excessive or unwarranted noise.
- B. This by-law shall apply to the control of all sound originating within the limits of the Town of Lexington and shall be consistent in scope and application with the relevant state and federal statutes and regulations.
- C. Noise-related provisions of Chapter 9, Animals, may be enforced under this by-law.
- D. All Town departments and agencies shall, to the fullest extent consistent with federal and state laws and regulations, carry out their programs in such a manner as to comply with this by-law.
- E. Provisions in this by-law shall not apply to any activity to the extent regulation thereof has been preempted by state or federal law.

### § 80-3 Definitions.

When used in this by-law, the following definitions shall apply:

#### BROADBAND NOISE

Any sound that contains a broad range of tonal sounds.

#### CONSTRUCTION

Any site or building preparation, assembly, erection, substantial repair, alteration, destruction or similar action for public or private rights-of-way, structures, utilities, or similar property.

#### EMERGENCY

Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage.

#### EMERGENCY WORK

Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

#### EXCESSIVE OR UNWARRANTED NOISE

Any noise that disturbs a reasonably prudent person or results in noise pollution or noise injury.

#### MOTOR VEHICLE

Any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, tractors, go-carts, snowmobiles, all-terrain vehicles, motorized scooters, racing vehicles, or motorcycles.

#### NOISE INJURY

The condition resulting from any sound that:

- A. Could cause, or allow to cause injury to the health of humans;
- B. Endangers or injures personal or real property; or
- C. Exceeds the applicable maximum permissible noise levels, Air Force Standard AFOSHSTD 48-19, "Hazardous Noise Program," dated 31 March 1994.

#### NOISE LEVEL

Measured property of sound, which for the purpose of this by-law, will be expressed in A-weighted decibels (dBA), obtained with a Type I or II sound level meter as specified under American National Standards Institute (ANSI) standards.

#### NOISE POLLUTION

The condition resulting when: a broadband sound source raises the noise level by 10 or more dBA above the ambient noise; or a tonal sound source raises its octave band noise level by three decibels or more above the adjacent octave band levels. These threshold levels are identical to those in the Massachusetts Division of Air Quality Control (DAQC) Policy 90-001 (2001).

#### TONAL SOUND

Any sound that has the characteristics of a pure tone, whine, hum or buzz.

**§ 80-4 Prohibition of excessive or unwarranted noise.**

Generation of excessive or unwarranted noise is prohibited, except as provided by §§ 80-5 and 80-8 of this by-law. In addition, the following restrictions shall apply:

- A. Construction/private service/maintenance power equipment. Motorized devices and equipment engaged in construction shall be prohibited from use between the hours of 8:00 p.m. and 7:00 a.m., or as otherwise restricted by a Town of Lexington permit.
- B. Commercial trash collection. The operation of commercial trash compactors or collection of trash, rubbish, refuse or debris, which generates excessive or unwarranted noise at any point of public or common pass-by between the hours of 11:00 p.m. and 6:00 a.m. is prohibited.
- C. Commercial deliveries or pickups. Deliveries or pickups for commercial or business purposes between 11:00 p.m. and 6:00 a.m. are prohibited unless the noise level of such deliveries or pickups in nearby residential areas does not cause excessive or unwarranted noise.
- D. Electronic devices and musical instruments. No person owning, leasing or controlling the operation of any electronic device or musical instrument shall willfully or negligently cause or permit excessive or unwarranted noise.
- E. Fixed plant equipment. Excessive or unwarranted noise caused by fixed plant equipment such as, but not limited to, air conditioners, pumps, fans, furnaces, compressors, engines, ventilation equipment and similar fixed plant equipment is prohibited.
- F. Motor vehicle alarms. No person owning, leasing, renting or otherwise in control of a motor vehicle will permit the sounding of any horn, alarm or other signaling device for any period of time exceeding 10 minutes. Automatic alarm systems must be programmed to reset within 10 minutes and may not activate again within the next 60 minutes. A police officer observing any horn, alarm or other signaling device that fails to comply with this section will direct an owner, operator, renter or person in control of the vehicle to silence the motor vehicle alarm. If, after making a reasonable attempt to contact the vehicle owner, operator, renter or person in control of the vehicle (or if that person refuses to comply), the officer may enter the vehicle to shut off or otherwise disconnect the power source. If unsuccessful, an authorized towing agency may be used to remove the motor vehicle to an approved storage area. The registered owner of the motor vehicle will be responsible for all reasonable costs, charges and expenses incurred for the silencing of the alarm, removal and/or storage of the motor vehicle.
- G. Stationary engine run-up. Permitting, allowing or causing generation of excessive or unwarranted noise at any point of public or common pass-by through the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes is prohibited.
- H. Domestic mechanical equipment. The outdoor use of domestic mechanical equipment such as lawn mowers and power saws between the hours of 9:00 p.m. and 7:00 a.m. is prohibited.

**§ 80-5 Exemptions.**

- A. The provisions of this by-law shall not apply to sounds emitted during or associated with:
  - (1) Police, fire, and civil and national defense activities, or in training exercises related to emergency activities;
  - (2) Parades, public gatherings, or sporting events, for which permits have been issued or which are supervised by the School Department or the Parks and Recreation Department;
  - (3) Noncommercial public speaking and public assembly activities as guaranteed by state and federal constitutions;
  - (4) Operation of a farm or any ancillary or related activity that is an ordinary aspect of farming;
  - (5) Emergency work including, but not limited to, the operation of any mechanical device, apparatus, vehicle, or equipment used in connection with an emergency;
  - (6) Snow removal activity; and
  - (7) Any activity to the extent the regulation thereof has been preempted by state or federal laws or regulations.
- B. These exemptions shall not apply if the noise is determined to exist as the result of negligent conduct or actions inconsistent with generally accepted practices.

**§ 80-6 Measurement of excessive or unwarranted noise.**

- A. A determination that excessive or unwarranted noise is caused by a given noise source will be made in accordance with the definition of "noise level" in § 80-3.
- B. To determine if there is a noise violation on private property, the noise measurements shall be made at the boundary of the property in which the offending sound source is located. To determine if there is a noise violation in public spaces, the noise measurements shall be made at any location a passerby might lawfully occupy.

**§ 80-7 Enforcement and penalties.**

- A. The Police, Fire, Health or Inspectional Services Departments, or any designee thereof, shall have power to enforce this by-law.
- B. Any person who violates any provision of this by-law, if convicted, shall be guilty of a misdemeanor and shall be fined an amount not to exceed \$50 per first violation. Additionally, any person violating this by-law is also subject to the penalties under Chapter 1, § 1-6 of the General By-Laws. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue. Each day that such violation continues shall be considered a separate offense.

**Special permits.**

[Amended 3-31-2004 ATM by Art. 39]

- A. The Board of Selectmen, or its designees, may issue a special permit for any activity otherwise forbidden by the provisions of this by-law. A person seeking such a permit shall make a written application to the Board of Selectmen, or designee, on the appropriate form, which shall be available at the office of the Selectmen or its designee. The following criteria shall be considered when deciding whether to issue a special permit:
  - (1) Whether the cost of compliance will cause an applicant excessive financial hardship; and
  - (2) Whether the proposed additional noise will have an excessive impact on neighboring citizens.
- B. The Board of Selectmen, or its designees, may issue additional guidelines defining the criteria to be considered and the procedures to be followed in applying for a special permit.
- C. An initial special permit shall remain valid for up to one year from the date it was issued. Renewal of a special permit shall require:
  - (1) A public hearing for review of whether the cost of compliance will cause an applicant excessive financial hardship; and
  - (2) Evaluation of noise data at the boundary of the property in which the offending sound source is located. Renewal of a special permit shall be up to three years. Any special permit issued to the applicant shall contain all necessary conditions to ensure minimum disturbance to the adjoining residences.
- D. Legal notice of the time and place of said hearing shall be given by the Board of Selectmen, at the expense of the applicant, by publication in a newspaper of general circulation in Lexington once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing and by posting such notice in a conspicuous place in the Lexington Town Hall for a period of not less than 14 days before the day of such hearing, and by delivering or mailing a notice thereof to the applicant, the Board of Health, the Police, Fire and Inspectional Services Departments and the abutters within 300 feet of the lot line.

**§ 80-9 Severability.**

If any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force.

**§ 80-10 Relationship to other laws.**

Nothing in this by-law shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of existing Town of Lexington by-laws or Commonwealth of Massachusetts laws.

**§ 80-11 Rules and regulations.**

The Board of Selectmen, or its designees, may promulgate, after public notice and hearing, rules and regulations to effectuate the purposes and intent of this by-law. However, failure by the Board of Selectmen to promulgate such rules and regulations shall not act to suspend or invalidate the effect of this by-law.