

October 8, 2024

Tom Allen  
23 Canyon Road  
Ross, CA 94957

Re: Ban of private outdoor pickleball courts

Dear Ross Town Council,

Please, please, please ban any and all private outdoor pickleball courts in the Town of Ross.

You are correct in your assessment of this situation and warranted in banning private outdoor pickleball courts. There are no conditions that justify the risk.

The problem is not mysterious. It's all about sound. We love Ross. We love our serene wooded areas. We love hearing birds singing, owls hooting, and the whisper of redwood and oak trees sighing in the wind. We love the quiet separation from highway and airline noise. We cherish the peaceful enjoyment of every moment of every day. This is what's at stake – the peaceful enjoyment of our own property, our neighborhood, our community, our lives. This is why the phrase, "peaceful enjoyment" is part of the Town's Comprehensive Plan.

**Excerpts from the *Vision of Ross in Year 2025* describing noise:**

web source: <https://www.townofross.org/planning/page/general-plan>

*p.2 The Town of Ross is a quiet residential community*

comment: The "quiet" enjoyed by residential communities will be forever disrupted by the acceptance of private outdoor pickleball courts.

*p.7 Ross has maintained access to open space for all people, not just its residents, but this access should not disturb the privacy or peaceful enjoyment of the Town by its residents.*

comment: Access to open space includes access to natural sights, sounds, and other qualities of open space. These qualities will be infringed by private outdoor pickleball courts and will disturb the privacy or peaceful enjoyment of the Town by its residents.

*p. 8 The Ross Town Council took dramatic steps since our last General Plan to preserve our critical environmental resources.*

comment: “Critical environmental resources” include peaceful noise levels. Private outdoor pickleball courts can never be quiet, only made to be less noisy.

*p. 22 Additionally, we have worked to minimize noise pollution.*

comment: Private outdoor pickleball courts create noise pollution, period. Regulations, no matter how stringent, will not minimize or contain the pollution.

*p. 86 The historical, small town feel and the serene, quiet character of Ross’s neighborhoods will be maintained through development of new housing.*

comment: The “historical, small town feel and the serene, quiet character of Ross’s neighborhoods” should be expected, cherished, and maintained in all Ross neighborhoods, not just in areas of new housing.

excerpt from: The Future Use of our Land, Goal 8, p 33: take into account not just the individual property, but the community-at-large.

Available online at: <https://www.townofross.org/sites/default/files/fileattachments/planning/page/241/ross-gp-part-vi.pdf>

comment: Is the Town Council willing to placate the few at the expense of entire neighborhoods? The Town Council is responsible to protect the health, safety, and welfare, of the community (not isolated individuals) which they serve.

excerpt from: The Future Use of our Land, Goal 8, p 37: Every aspect of this shared view of the projected future is grounded in the stewardship of these irreplaceable assets.

comment: During my professional career, I’ve watched the affect of jeopardizing irreplaceable assets. I’ve learned that once the gates are opened, they aren’t easily closed again. Please, please, please avoid the slippery slope on which the Council now stands. No matter how much the Council tries to regulate this, it won’t be enough. If private outdoor pickleball courts are allowed, under any conditions, there is no turning back.

On October 1, 2024 the Marin Independent Journal reprinted an article from the Sacramento Bee reporting a “Happiness” rating. Marin County was rated #2 in California and 7th happiest in the world. What makes Marin (and Ross) so special?

comment: We LOVE the trails, woods, beaches and bays. We enjoy the peacefulness and serenity. We love listening to song birds, chattering squirrels, owls and wind in the trees. The sound of kids playing, swimming, or practicing violin are natural sounds of a neighborhood. The high pitched, staccato, cacophony of a next door pickleball court is annoying, and an acoustic assault on the neighborhood.

Realtor Magazine published by the National Association of Realtors, “property values could decline 10% to 20% if pickleball courts are constructed across the street from a residence due to the noise; a property one or two blocks away could potentially see property values decline by 5% to 10%. On the other hand, courts at least three blocks away could be a game-changer—even possibly pushing up real estate prices by 1% to 5%.” <https://www.nar.realtor/magazine/real-estate-news/sales-marketing/are-nearby-pickleball-courts-a-real-estate-win-or-loss>

comment: Consider the impact on the value of our homes. I like pickleball. It’s a fun social activity. The sound, however far away, is impactful. What’s wrong with the public pickleball courts at Frederick S. Allen Park?

### **Ross is not the first community to address the issue of private outdoor pickleball courts.**

Here’s a smattering of public comments found on Facebook.

Available online at: <https://www.facebook.com/groups/145879006219534/posts/1455549411919147/>

Thomas Cassetta

Visit any pickleball court frequented by young adults and position yourself 300 feet away. Imagine enduring that noise every day from sunrise to sunset. You may agree that a distance of 1000 feet is reasonable. The most effective way to gauge pickleball noise is by listening, provided you do not have hearing difficulties.

Chuck Marquis

It is becoming painfully obvious that pickle ball noise makes life unbearable if the courts are within an earshot of residential homes. That fact is sweeping the country. Lawsuits are everywhere.

Thomas Cassetta

All the sound mitigation is just a money grab. PB courts must never be closer than 1000 ft from any residence. Quiet this and soft that is nonsense. PB players love their noise. The game is all about noise.

Rob Mastroianni

The battle for the rights of a few is as old as history.

Thomas Cassetta

These minimum distances are way too short. 1000 ft actually works.

Chuck Marquis

Enclose it with a 20 foot wide concrete wall on all sides, including the ceiling. And make sure nobody lives within 1 mile of the court.

### **Should the Town of Ross allow private outdoor pickleball courts?**

comment: No, no a thousand times no. Permitting outdoor, private pickleball courts is the worst idea I've ever heard. The acoustic assault on our peaceful enjoyment will bring neighbor against neighbor – no matter how it is regulated. I will no longer be able to sit in my backyard quietly reading a book, sharing a meal, or just talking with friends without the high pitched barrage of pwock – pwock – pwock in the background.

If outdoor private pickleball courts are allowed, the special character of Ross will be forever compromised.

### **Excerpt from the September 12, 2024 Staff Report on Agenda Item No. 11.**

Options:

1. *Town Council may amend the Municipal Code to prohibit pickleball within 250 feet of residential property lines;*

comment: Last week I went to the tennis ball courts at Town Park in Corte Madera. A couple were playing pickleball so I decided to walk toward the Neil Cummons School pacing off 3 foot strides. At 300 paces (approximately 900 feet) I could still hear every pwack of the ball. Admittedly the sound was quieter but still noticeable. A 250 foot setback from a property line is unacceptable.

2. Town Council may amend the Municipal Code to prospectively prohibit pickleball court uses in residential zones.

comment: The only prudent course is to outright ban private outdoor pickleball courts in the Town of Ross.

3. *Town Council may amend the Municipal Code Use Permits Section adding pickleball court as a use classification requiring a use permit. This would likely require a noise study and noise mitigation, such as a noise barrier to demonstrate that the noise will not exceed 55 dB along all property lines, along with additional requirements and conditions of approval;*

comment: The ambient noise level in a wilderness setting similar to the Ross neighborhood we live in is below 35 dBA. More information available online at: <https://www.iacacoustics.com/blog-full/comparative-examples-of-noise-levels>

First of all, the sound of a pickleball game is difficult to accurately assess. There are three criteria: sound pressure in dba, sound frequency in Hz, and play density. Sound pressure is easy to measure with a decibel meter. Sound frequency (pitch) and play density are more subjective. Pickleball produces high pitch staccato “pwock” instead of a dampened “thud”. The pwock has an acoustic frequency about 2,000 Hz which is well within the threshold for human annoyance.

According to the Smithsonian, “The researchers found that the amygdala interacted with signals coming from the auditory cortex, increasing the amount of unpleasantness conveyed by sounds at the top of the list, which all happen to occur in the frequency range between 2,000 and 5,000 Hz.”

More information available online at: <https://www.smithsonianmag.com/science-nature/what-is-the-most-annoying-sound-in-the-world-75317235/#:~:text=The%20researchers%20found%20that%20the,between%20%2C000%20and%205%2C000%20Hz.>

The sound activity associated with pickleball is higher because of the reduced court size. You can easily fit (2) pickleball courts onto a single tennis court. With the inclusion of runoff areas, (4) courts fit.

More information is available online at: [https://www.paddletek.com/blogs/news/noise-issue-pickleball?srsId=AfmBOooep6dXR35loK5ERZiUa07KvwpPkCAfD1tdJDAO\\_roQfXWFkM91](https://www.paddletek.com/blogs/news/noise-issue-pickleball?srsId=AfmBOooep6dXR35loK5ERZiUa07KvwpPkCAfD1tdJDAO_roQfXWFkM91)

comment: Adding pickleball courts as special use classification will only exacerbate the problem. Each permit application will be an open invitation to divide neighbors and create animosity within our Town.

4. *Town Council may keep the current Municipal Code as is, without regulation of pickleball courts.*

comment: The only sure way to a stable future is an outright ban on private outdoor pickleball courts. The confrontation will only be painfully drawn out without decisive action.

C. *Town Council may provide policy guidance to the Advisory Design Review (ADR) Group and pause the review of private pickleball courts until a policy or ordinance is adopted.*

comment: I strongly urge the Council to enact an outright ban on private outdoor pickleball courts. Do not court a slippery slope with unenforcible policies and ordinances.

sincerely,

Tom Allen  
23 Canyon Road  
Ross, CA 94957