

August 12, 2025

The Town of Ross
The Honorable Mayor McMillan and Council Members

Subject: Recommendation To Deny The 12 Canyon Road Pickleball Court Application

Dear Mayor McMillan and Council Members,

My name is Matt Naish, I am a resident of the Cottage at 10 Canyon Road. I recently became aware of the pickleball court application at 12 Canyon Road, and am writing this letter to share my concerns with the hope that the Town will deny the application.

There are five primary areas of concern that overwhelmingly warrant denial of the application: 1) noise, 2) wildlife impacts, 3) CEQA, 4) zoning and variance standards and 5) future precedents.

The subject pickleball court will exceed the Town's code of 45 dBA for quiet rural areas; even the applicant's own noise study which utilizes a 24hr Ldn average, rather than an actual live measure of what the noise would be to the surrounding community and wildlife, stated it may not may reflect the intermittent nature of pickleball. In short it will be too loud, out of character with the rural area and a clear violation of the Town's noise ordinance.

The subject pickball court will degrade the habitat of 157 vertebrate species including 26 special status, legal protected, species. The U.S. Fish and Wildlife Service recommend a 400M noise buffer for the Northern Spotted Owl, which is a threatened species, the proposed pickleball court is 365M from documented Norther Spotted Owls. Pallid bats, forage on the ground and would have access to their foraging site blocked by the pickleball court. Further, noise impacts that are estimated to extend into the 60 dBA range would be disruptive to wildlife nesting, foraging, and reproduction well beyond the property line. The proposed pickleball court poses very clear and significant impacts to sensitive wildlife, without adequate evaluation or mitigation, if mitigation is indeed even possible.

The subject pickball court as proposed in a quiet, biologically diverse canyon, above a streambed, in an area that is documented habitat for sensitive, legally protected, species, clearly demonstrates a reasonable possibility of significant environmental harm, thus a full CEQA review would be required.

The subject pickball court simply does not meet the necessary zoning and variance standards. It is not consistent with the noise ordinance, it has no special circumstance for allowing a structure to be built over a drainage swale, there is no evidence that other pickleball courts have been approved on private property in the Town or that a pickleball court is necessary for the

preservation and enjoyment of substantial property rights, and variances cannot be granted if they adversely impact public welfare as the granting of this variance would clearly do.

Finally, approval of the subject pickleball court would set a harmful precedent for the Town of Ross. Similar, and even more intrusive pickleball courts and other facilities, proposed in sensitive areas that would harm wildlife, and public welfare would be difficult to disapprove if the subject application is approved. For the many compelling reasons articulated in this letter, I strongly urge the subject pickleball court application be denied. If it is not denied, then a full CEQA review should be required as previously noted.

Thank you for your time and consideration in this important matter.

Sincerely,

JMNaish

John M. Naish