Zoning and Permitting of Privately Owned Pickleball Courts

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Setback Planning for Municipal Owned Pickleball Courts

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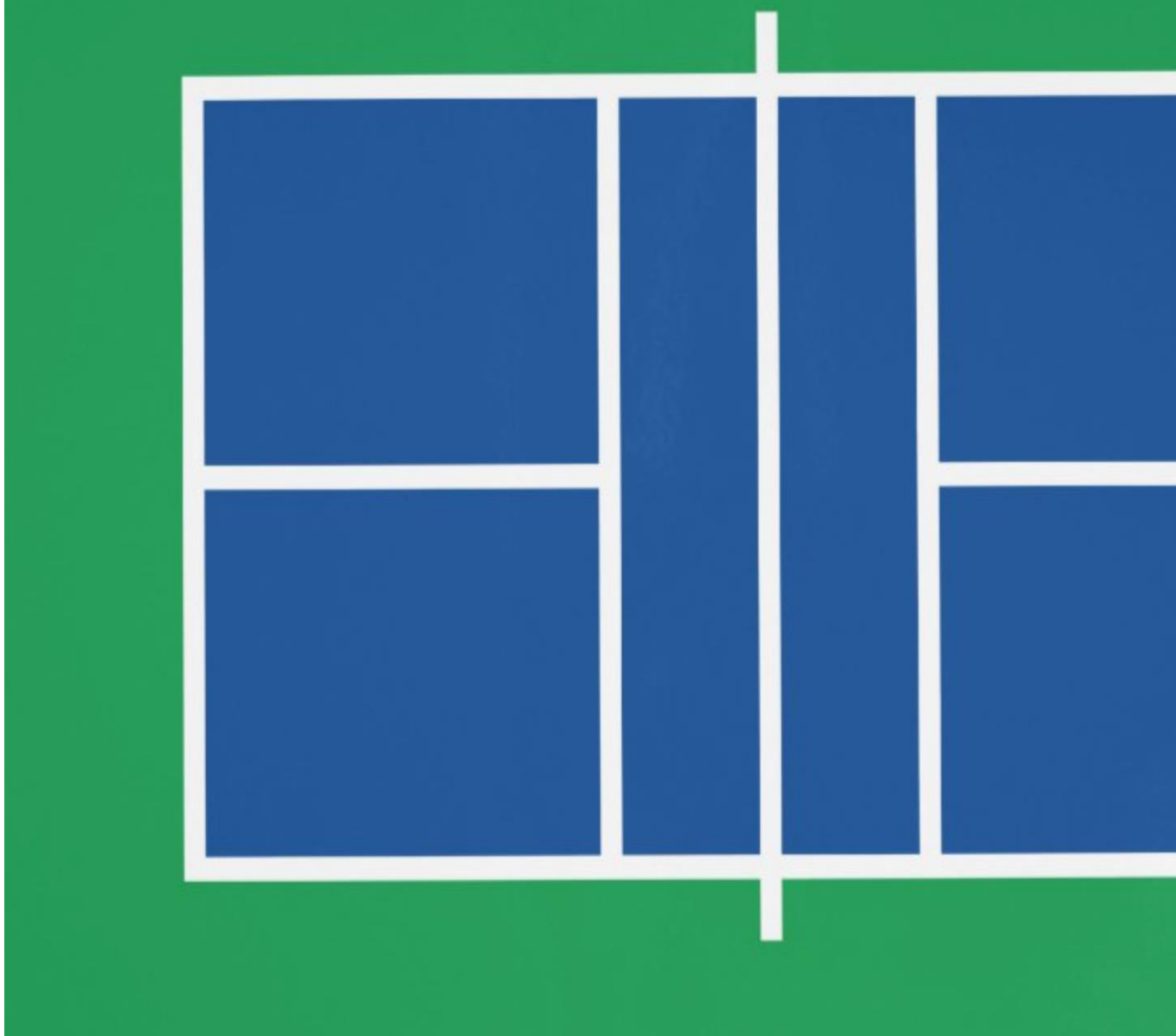
Pickleball Noise Consultant, Legal and Engineering Issues

Presented at International Municipal Lawyers Association

November 12, 2024



Why are we here talking about pickleball noise?

Shattered Nerves, Sleepless Nights: Pickleball Noise Is Driving Everyone Nuts

The incessant pop-pop-pop of the fast-growing sport has brought on a nationwide scourge of unneighborly clashes, petitions, call to the police and lawsuits, with no solution in sight.

The New York Times

- 50,000 courts nationwide, and growing
- Unknown number have noise problems
- 24,000 municipalities in the US
- Every pickleball court happens within the jurisdiction of a municipality
- Every municipal govt has legal counsel

Question - What can municipal attorneys do to solve the noise problem?

About your presenter

- Former HOA Board Member
  - Did not implement recommendations of three reports by two consultants – now a Nuisance lawsuit
- Not a pickleball player, doesn't live near the courts
- My perspective/experiences
  - Mechanical Engineer – study of physics, etc.
  - Attorney – we all study nuisance law
  - HOA Board member – sat as a decision maker, similar to city councilman
  - Deponent and John Doe defendant – in nuisance suit against our HOA
- Now a pickleball noise consultant and researcher – Acoustical Society of America, Ottawa CA May 2024
  - "Preliminary Analysis of 79 Pickleball Noise Consultant Reports by 36 Noise Consultants"
  - "Improving the Persuasiveness of the Pickleball Noise Consultant Report"

Guest presenters

- Rob Mastroianni., M.P.H.
  - Plaintiff in Mastroianni v. City of Falmouth, MA
  - Moved after 2 years 2 months 350ft from 5 pickleball courts
  - Co-founder of Facebook group “Pickleball Noise Relief”
  - Now a field technician for a leading acoustical engineer
- Kathleen Romito, M.D.
  - Recently retired family physician in Boise, Idaho
  - Four years living 45 ft from 6 pickleball courts in Boise public park
  - Now a researcher and spokesperson on health impacts of long-term noise exposure

Is your city hall ready for some pickleball?

Three separate questions

- Does your city regulate outdoor pickleball courts on private property?
  - Courts on a private residence property
  - Courts in a commercial zoned property – e.g. growing numbers of franchises
  - Courts added to a country club or HOA or church within your city
- Does your city have a robust process for building or converting courts in your municipal owned parks?
- Does your city have code enforcement ordinances capable of disciplining noise makers?

Case study – A city in Ontario

2022 – 10 new courts – greenfield project

- $750,000 City funds
- $150,000 Pickleball Club, a nonprofit
- $100,000 Local Foundation naming rights
- $37,000 Pickleball Club for sunshades

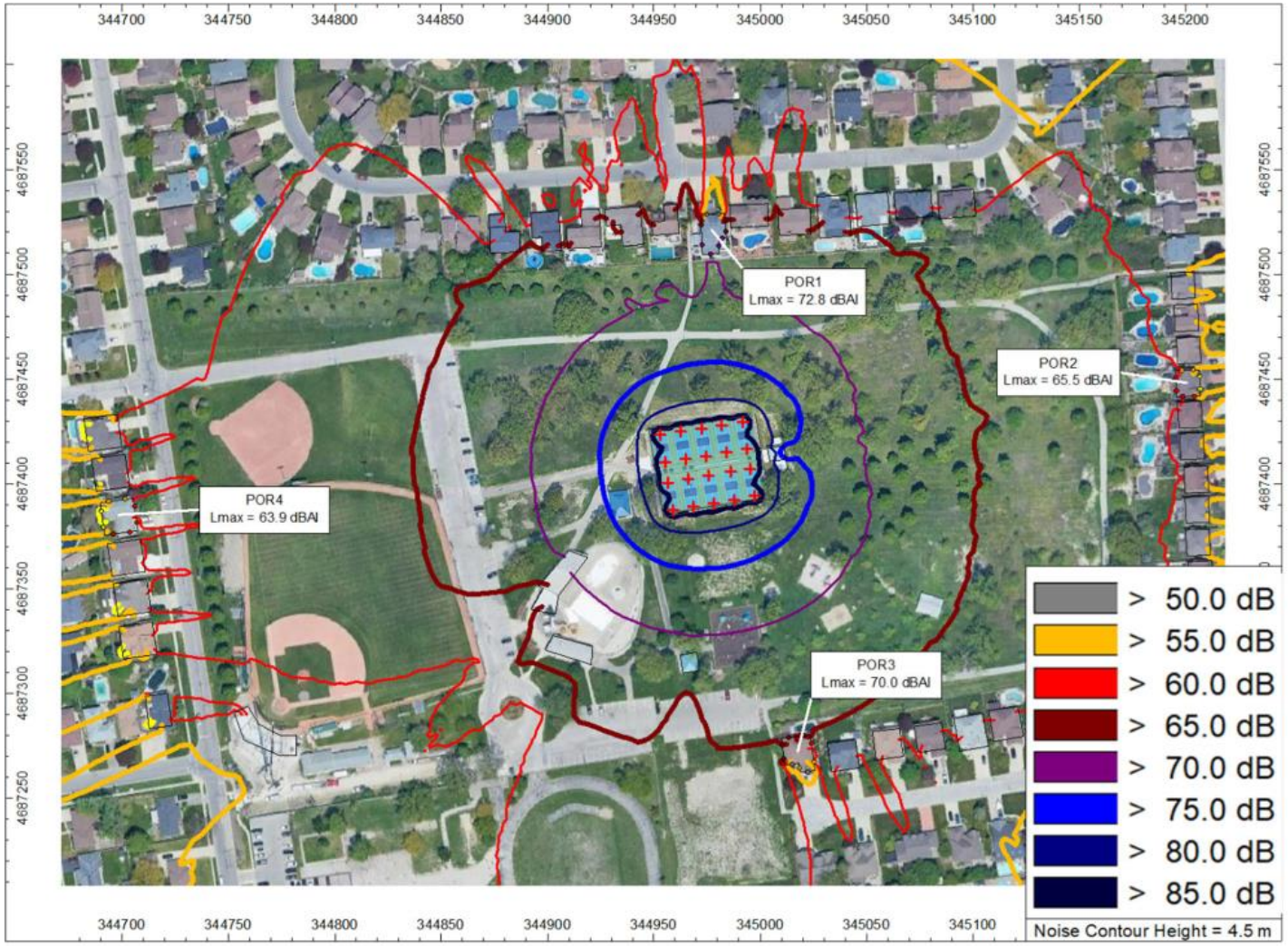
Club has exclusive use 40 of the 82 hours per week.

780 members (capped), waiting list is closed

226 feet to nearest home,

Homes on all four side, most are two stories

Noise study conducted after complaints



Recommendations

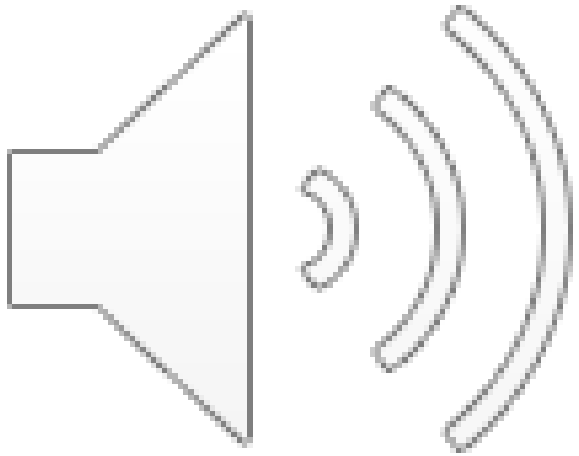
Option 1 - Build a full enclosure (bubble or building)

Option 2 – Combination of partial solutions:

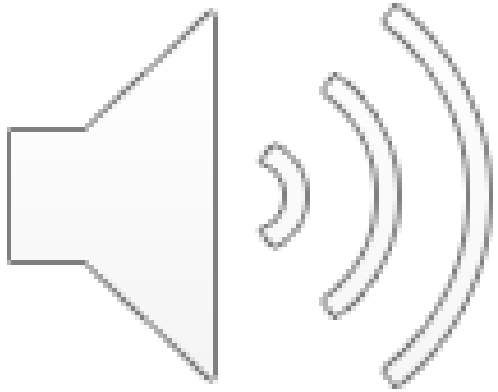
- 10 foot noise barrier - $500,000 grant request to Ontario province
- Limitation on playing hours
- Enforce use of quiet equipment

"Further discussion of the extent of the mitigation measures is required to determine a mitigation solution that is technically, economically, and administratively feasible"

Pickleball Sound – 4 Courts – 16 Players



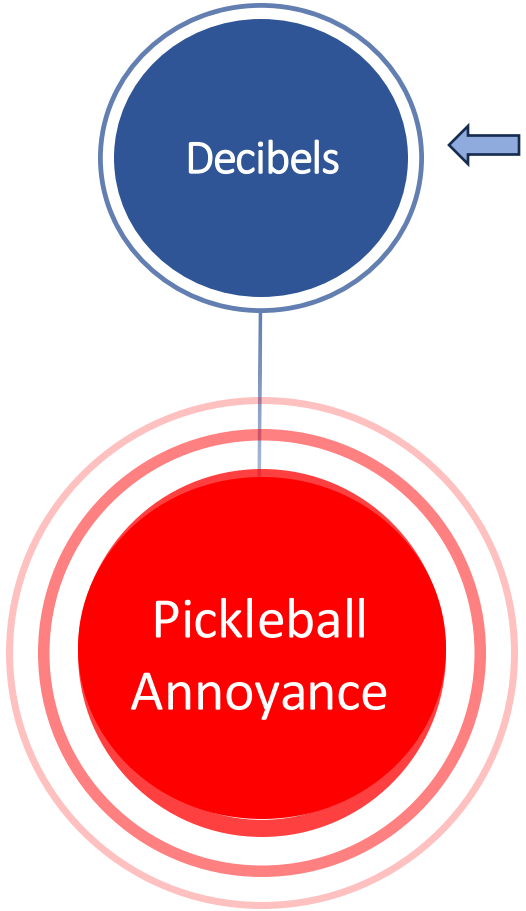
Pickleball Sound – 13 Courts – 52 Players



Noise basics and definitions

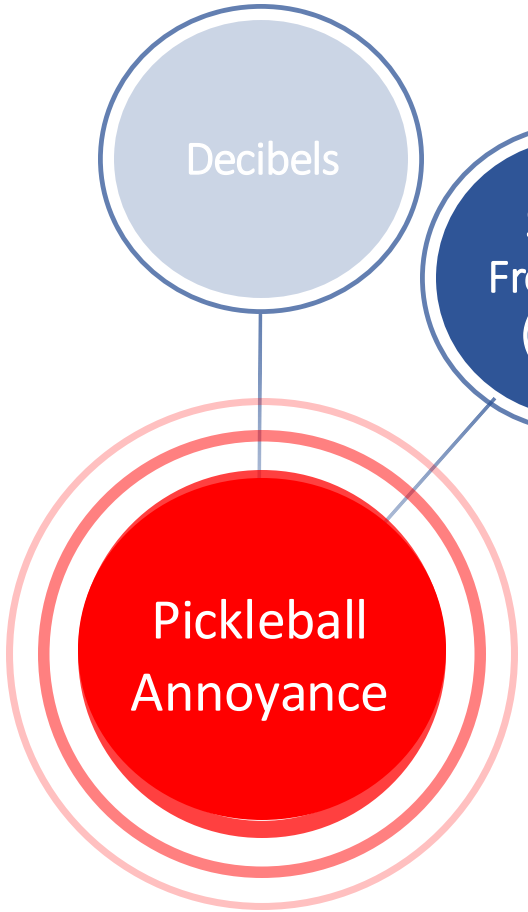
- “Noise” is sound that is annoying and/or harmful (Acoustical Society of America, American Public Health Assoc, etc)
- “Continuous sounds” are sound of long and relatively continuous duration such as wind or a distant highway. These create the “ambient sound level”, often referred to as the “background noise”. These are slowly varying and relatively easy to measure.
- “Intermittent sounds” are sounds that are superimposed on the background noise. These come and go, such as the pass by of a truck or motorcycle, squealing brakes, an airplane.
- “Impulsive sounds” have a rapid onset and decay, lasting less than one second. Generally, involve an impact of two objects. Very common in manufacturing processes like stamping presses, construction activities like nailing or pile driving, gunshots, sports like billiards, golf, basketball and pickleball. Very difficult to measure.
- “ Rhythmic sounds” A metronome or grandfather clock. The sound is intermittent and impulsive, but always the same and evenly spaced apart. Easy to get used to and habituate.
- “Locus of control” who gets to control the noise. I decide when to mow my lawn – less annoying to me. My neighbor decides when to mow his lawn – more annoying me.
- “Reciprocal noise” I mow my lawn, my neighbor mows his. A two-way exchange of noise, its annoying but fair.
- “One way noise” I am always the noise receiver. I have no control. More annoying. Less fair.

Pickleball Annoyance Factors



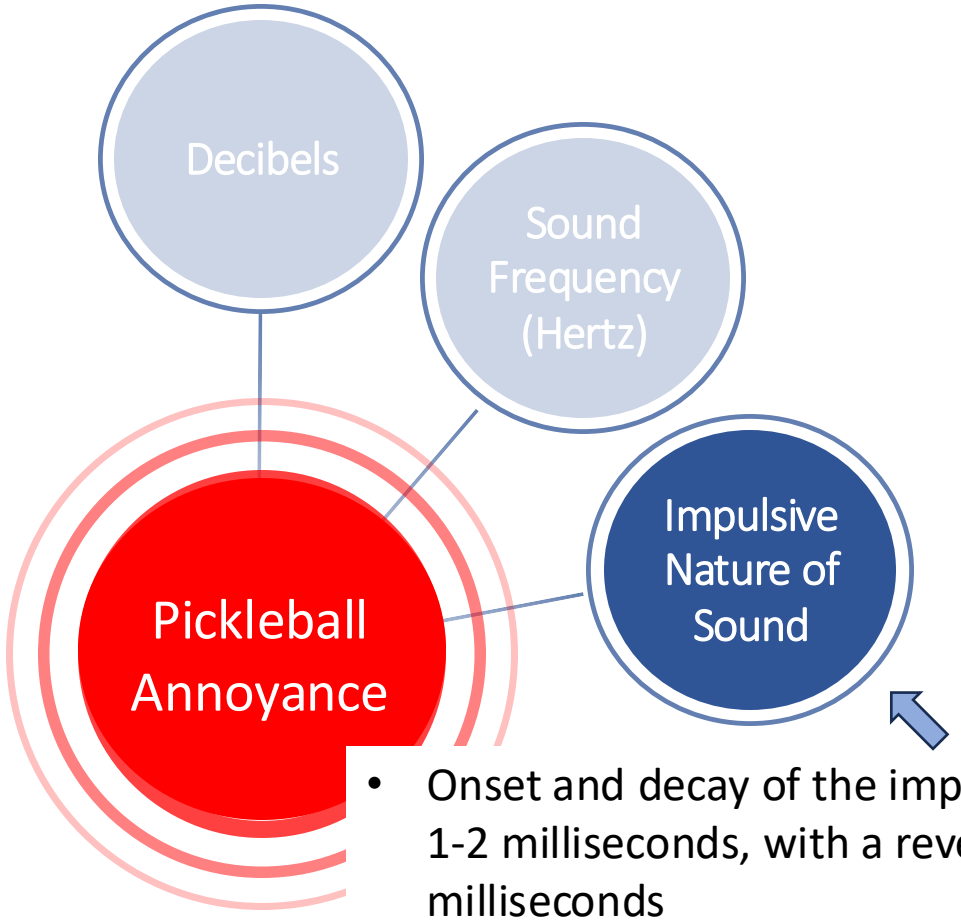
- 20 dBA louder than tennis – 4 times louder
- Hard hits are louder than soft hits
- Decibels are a measure of sound pressure arriving at out ears - sound pressure is then processed by our auditory, endocrine, and cardiovascular system to create annoyance

Pickleball Annoyance Factors



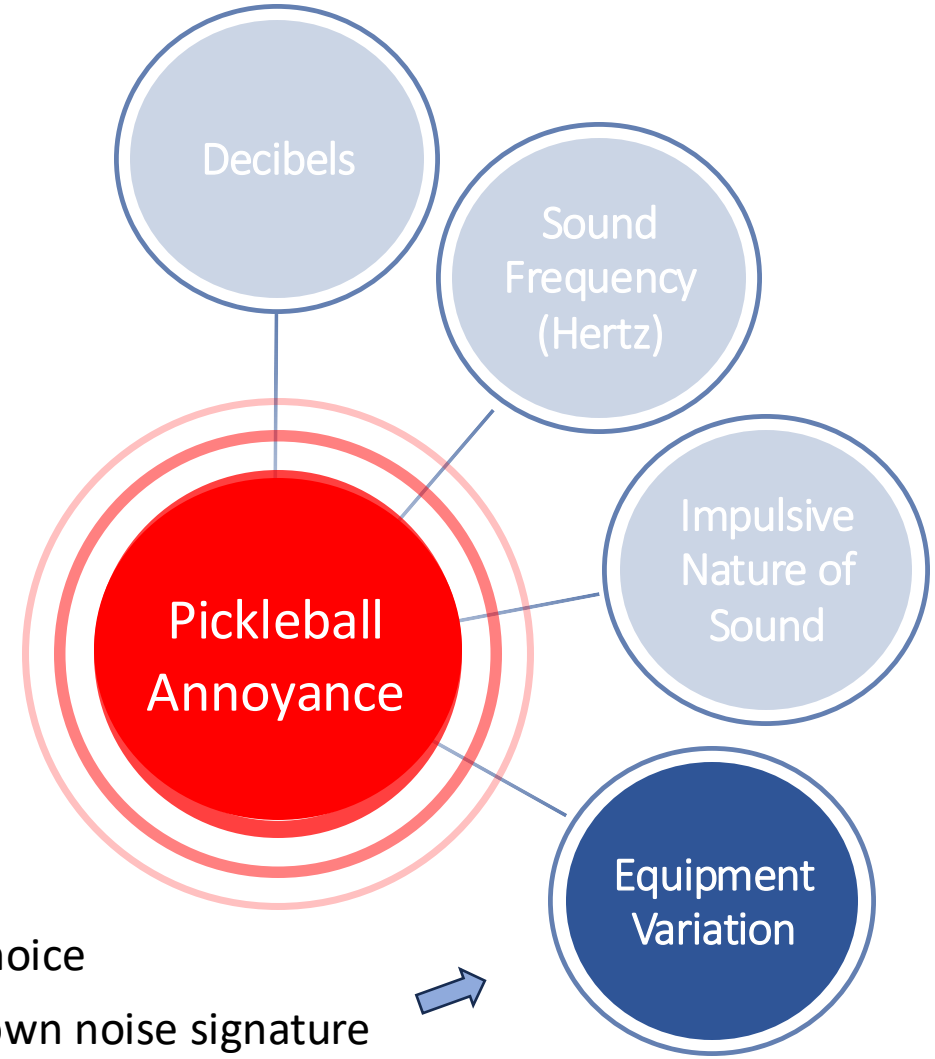
- Centered at 1000 – 1200 Hz, (cycles per second)
- Close to maximum sensitivity of human hearing
- Similar to musical note C6 and the backup warning beeper on a garbage truck

Pickleball Annoyance Factors



- Onset and decay of the impulse sound is generally 1-2 milliseconds, with a reverberating tail of 10-20 milliseconds
- Impulsive sounds trigger human “fight or flight” response
- Impulsive noise is especially annoying
- Other impulsive noises include pile drivers, forging presses, gun shots and pneumatic nail guns

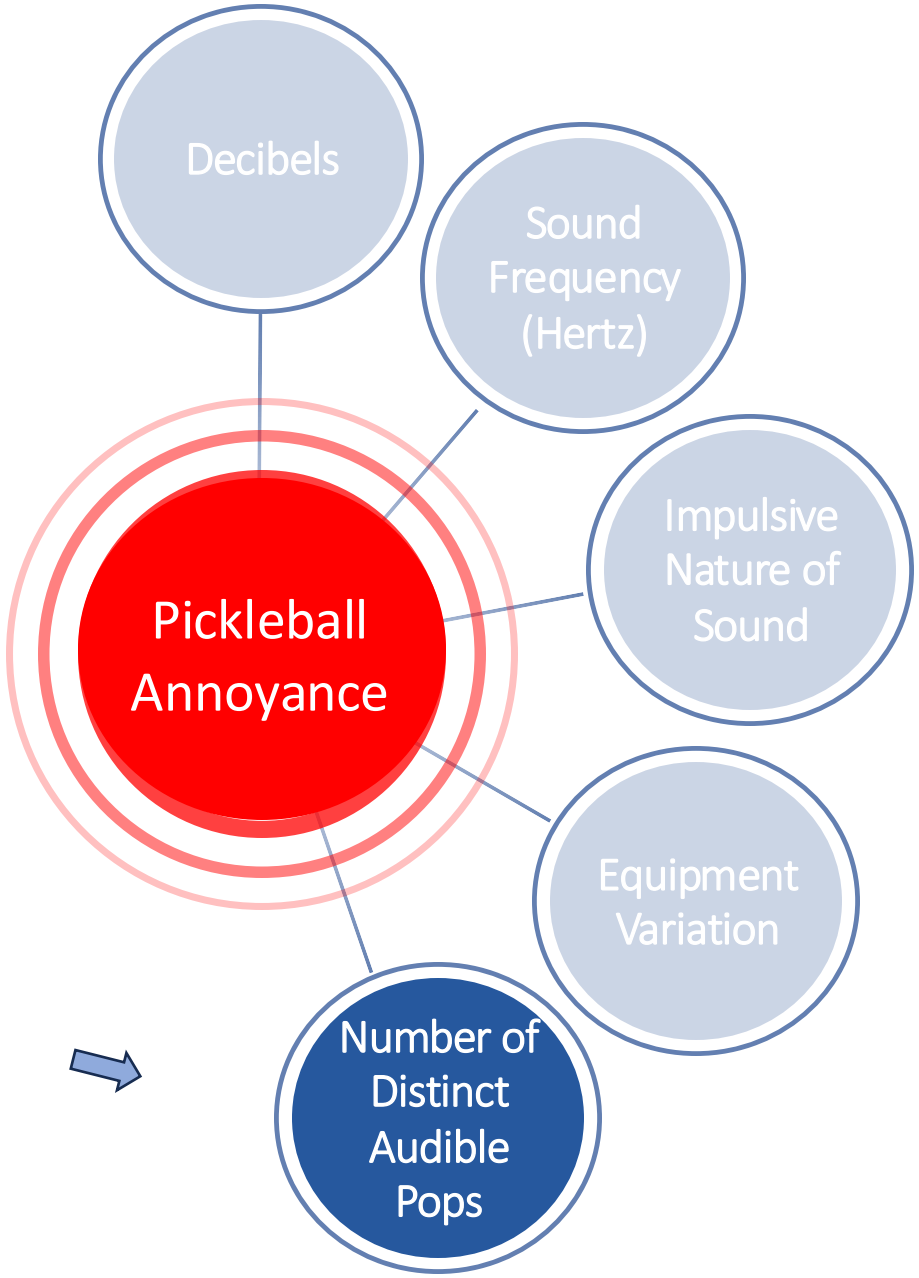
Pickleball Annoyance Factors



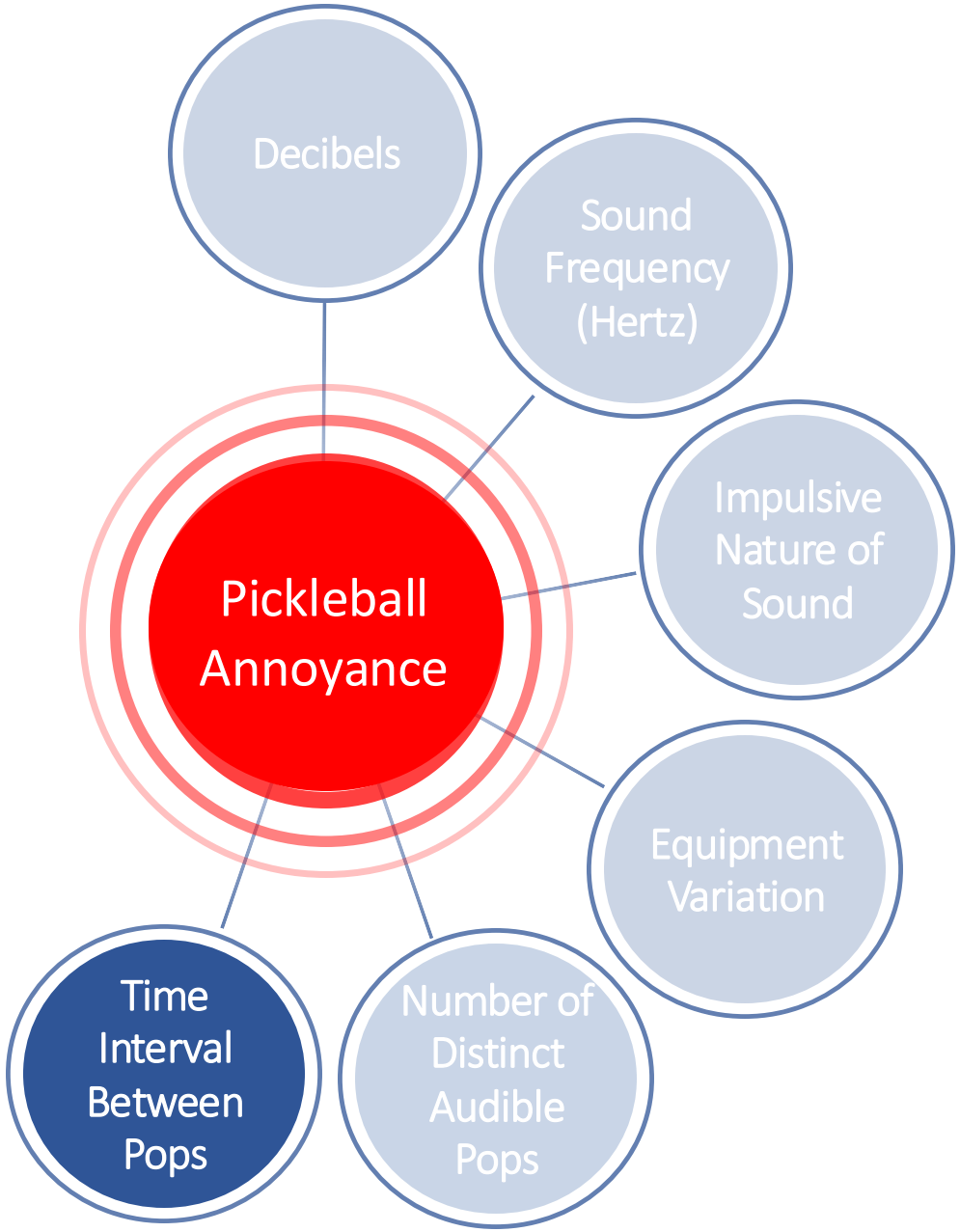
- Each player has a paddle of choice
- Each paddle/ball pairing has own noise signature
- Result - constant variation in decibels, impulsiveness and frequency as each player hits the ball

Pickleball Annoyance Factors

- Normal play generates average of 15 hits per minute/court
- Variations in pace of play – intense volley exchange, then pauses
- 15 hits per minute equal 900 impulsive pops per hour
- Quick turnover of courts between game as players are waiting
- Referred to as NNE, Number of Noise Events



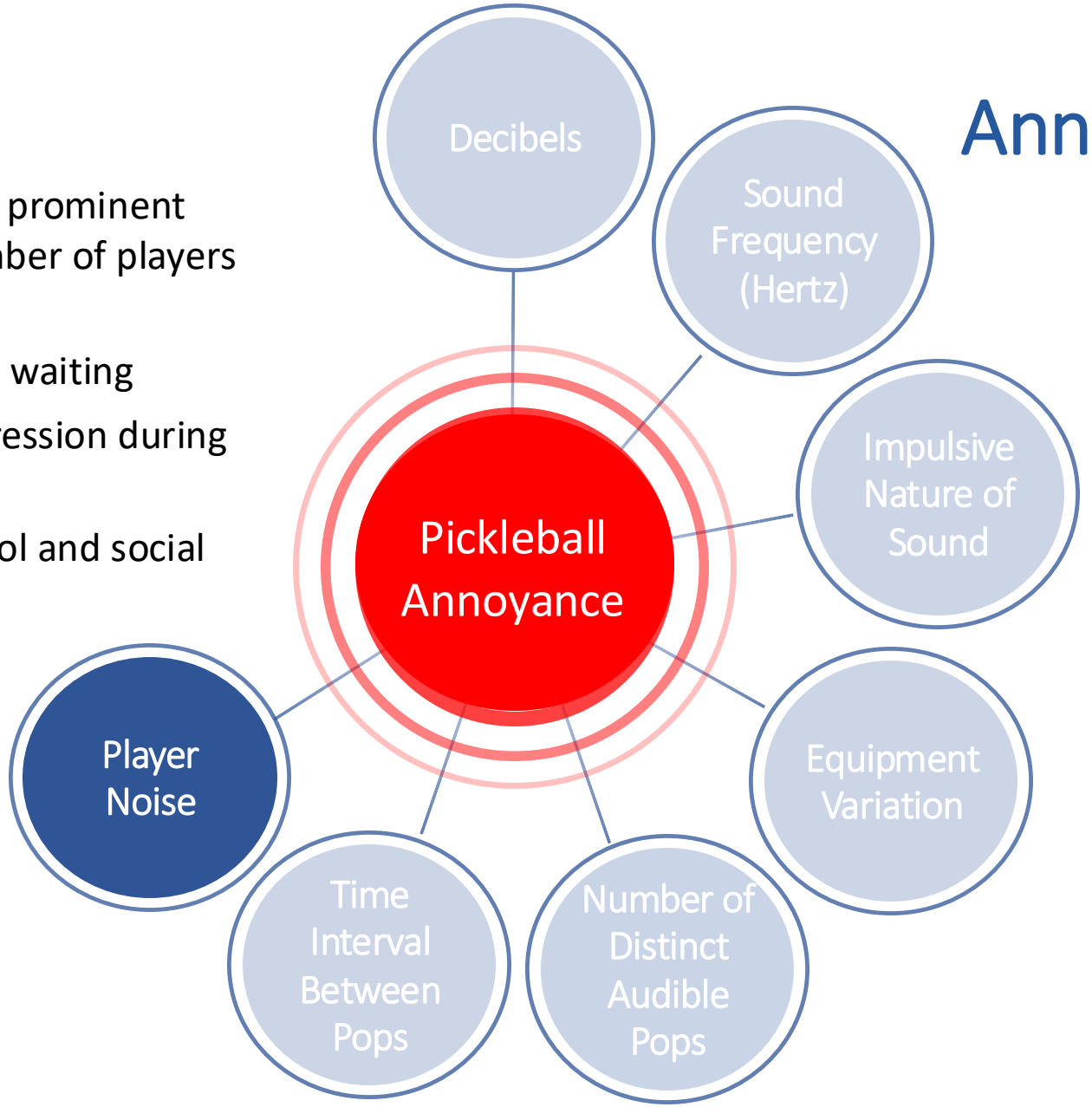
Pickleball Annoyance Factors



- Multiple courts in play at the same time
- Spacing between highly impulsive noises is random and unpredictable
- There is no hum, rhythm or beat to “get used” to

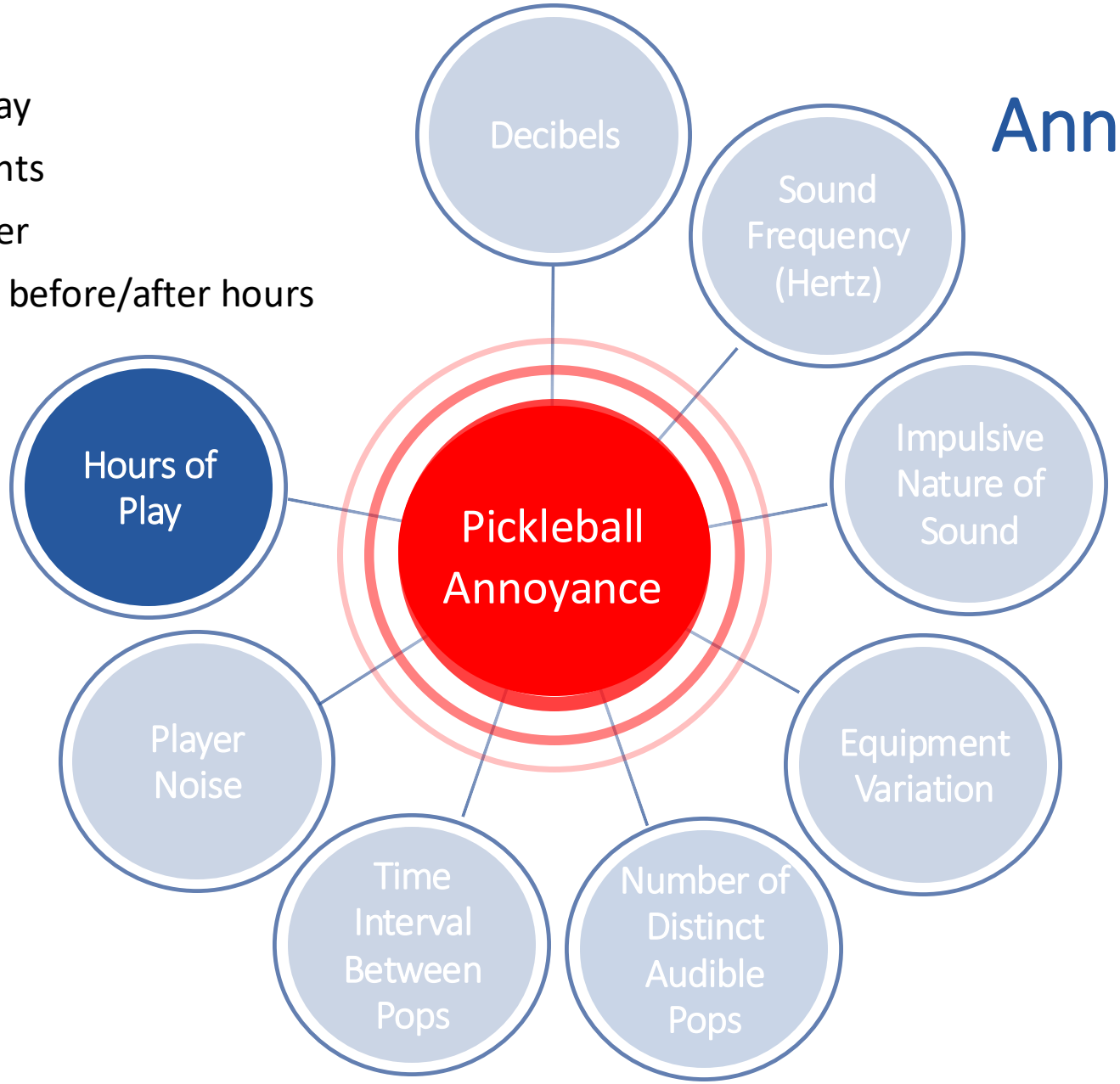
Pickleball Annoyance Factors

- Voices and footfalls are more prominent than tennis due to large number of players and courts
- Additional noise from players waiting
- Culture encourages loud expression during play
- Many reports of music, alcohol and social noise beyond tennis norms



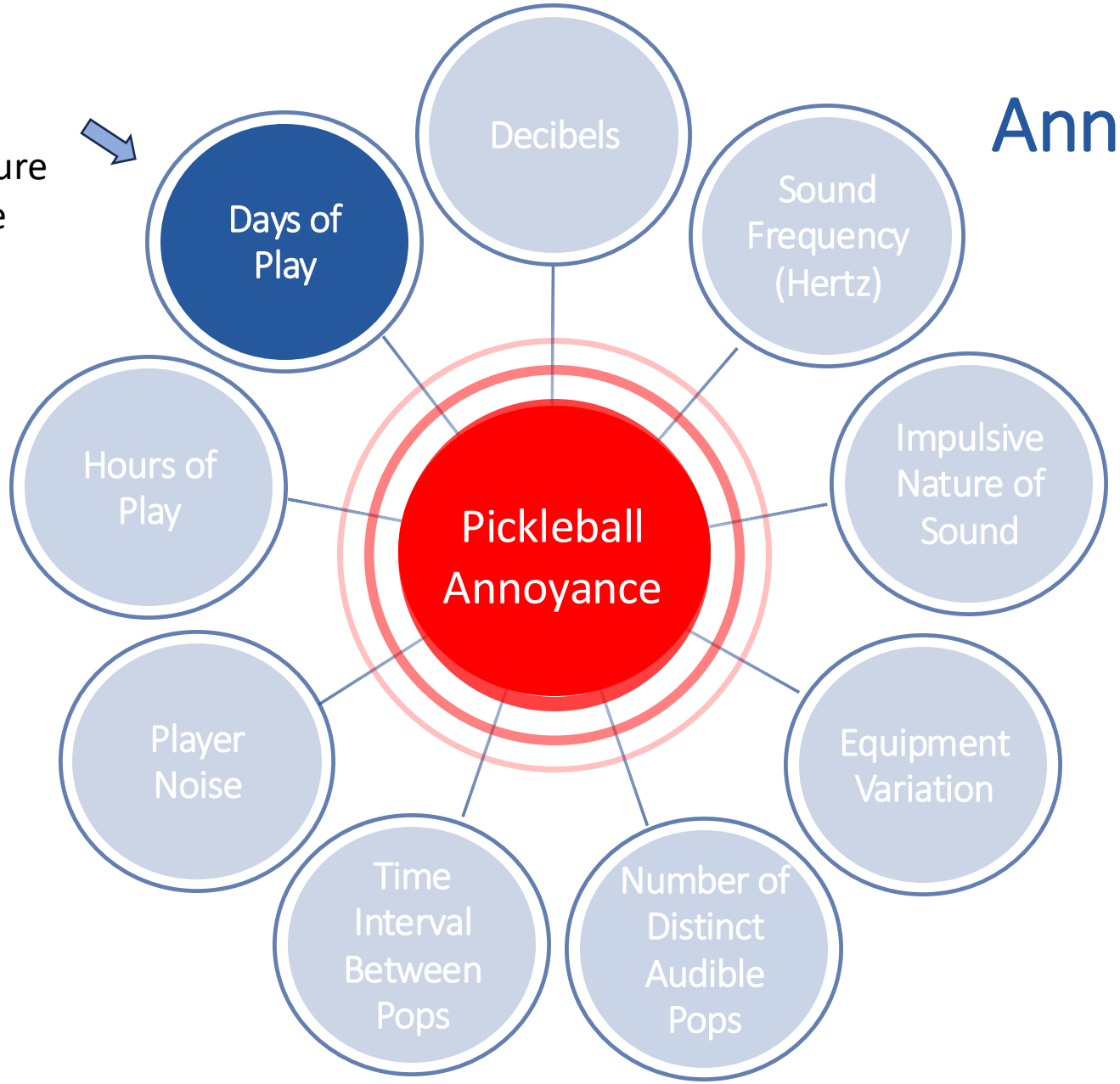
Pickleball Annoyance Factors

- Often 10 – 12 + hours a day
- Longer play with court lights
- Longer play during summer
- Reports of people playing before/after hours

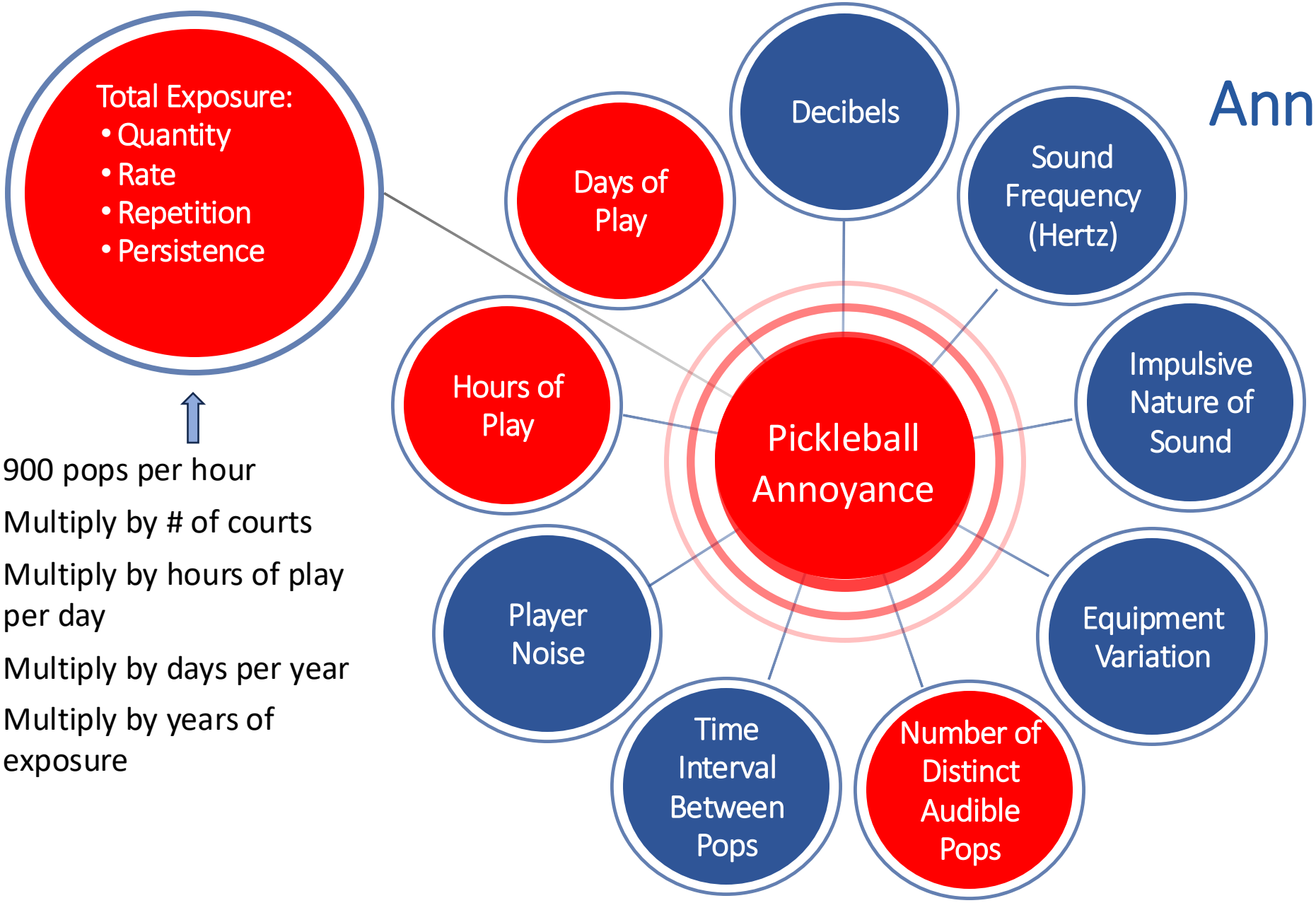


Pickleball Annoyance Factors

- Year-round 365 days in temperate climates
- Snow, rain and temperature extremes are only respite



Pickleball Annoyance Factors



- 900 pops per hour
- Multiply by # of courts
- Multiply by hours of play per day
- Multiply by days per year
- Multiply by years of exposure

Dog kennel analogy – everyone knows barking dogs

	Dog Kennel	Pickleball
Loudness	How upset is the dog	How hard did the paddle hit the ball
Variation of noise	Growl, bark, whine, yap	Each paddle and ball combo has its own impulsiveness, tone and reverberation
Number of individual noises	How many dogs are in the kennel How often do they bark	How many courts How many courts are active (NNE is 15 pops per minute per court)
Predictability	Random, comes and goes, quiet - then noise	Persistent during core hours, random during slow hours
Noise exposure	Random, unpredictable	Often 12 or 15 hours – bad weather is only respite

Number of Noise Events - total daily exposure at 15 pops per minute per court

Courts	Pops per hour	4 hours of play per day	8 hours of play Per day	12 hours of play per day
1	900	3600	7200	10800
4	3600	14400	28800	
8	7200			
12	10800			
16	14600			

Question - How Many Times Did the Dog Bark?

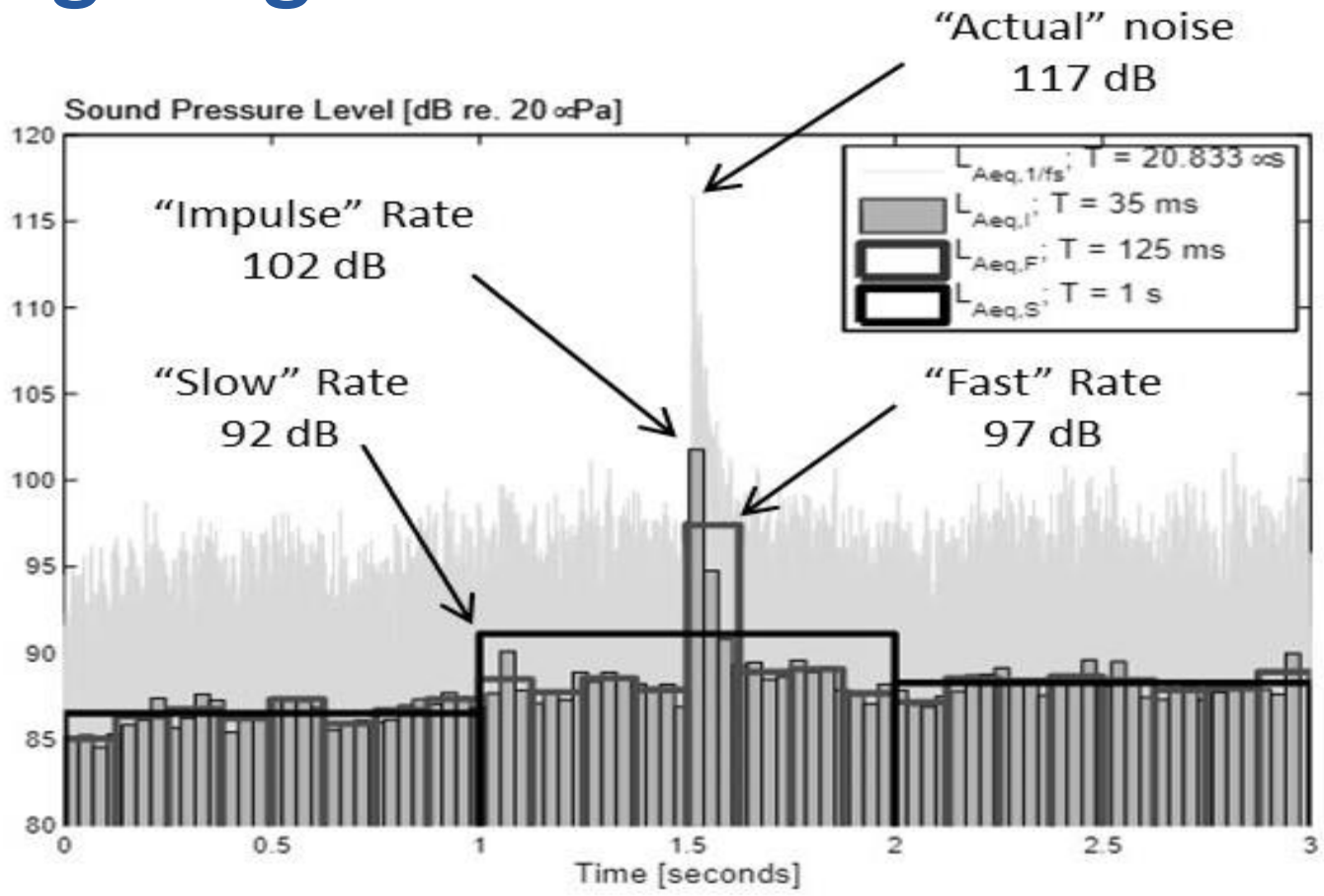
What the sound meter hears – a machine listener

- Sound meter is a scientific instrument – comes in varying capability and accuracy – Type 1, Type 2, cell phone apps, etc.
- A microphone listens to the sound over time
- Electronics and algorithms process the sound
- A screen displays many metrics telling us various characteristics of the sound.
- Does not give yes and no answers
- More like an x-ray or a microscope – a diagnostic tool
- Not like the fuel gauge on your car

Sound meter operation – Step one consultant selects the time weighting

- Meter will take a large number of small samples. Consultant must choose the setting:
  - Slow - sample time is 1 second
  - Fast - sample time .125 second (125 millisecond)
  - Impulse – sample time is .035 second (35 millisecond)
- Problem – if the “pop” is only .002-.010 second – then none of these sample sizes can capture the “pop” without also catching the ambient. Each sample contains more ambient than pop.
- In reality, the Sound Meter cannot isolate and truly measure the exact loudness of a pickleball pop

Leq measured with Slow, Fast and Impulse time weighting



Credit – www.pickleballscience.org

Sound meter operation – Step two consultant selects one of the output scales

- Actual Readings – Using NIOSH iphone App – one minute, Fast, 60 ft from 10 courts:
  - LAeq 54.0 dB
  - Max Level 71.4 dB
  - LC Peak 89.9 dB
- These are all legitimate readings and tell us different things about the noise.
- No agreement among consultants on which measurement to use
- Other metrics available are Ldn, L10, L90, LAImax, etc
- Even if there were agreement on a measurement, no agreement on the limit of decibels

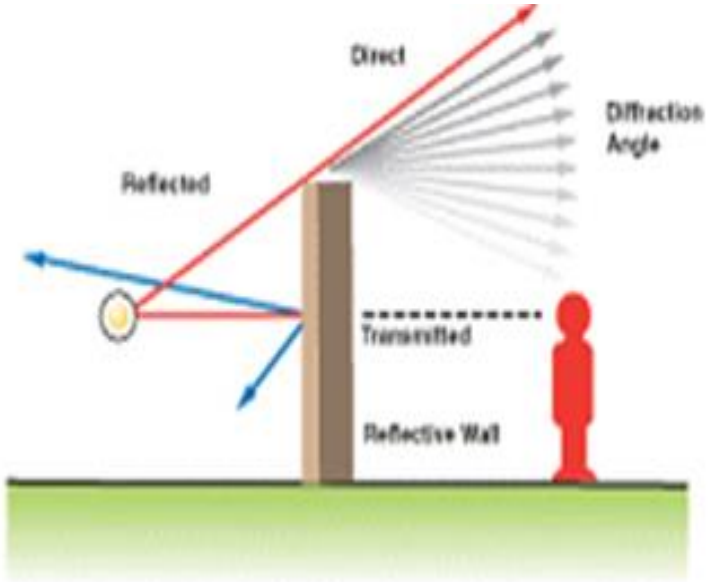
Predicting human annoyance and community response – ANSI Standards S12.9 Part 4

- Decibels do not correlate with Community Response and Human Annoyance. ANSI Standard 12.9 Part 4 provides adjustments for noise with special characteristics and time of day.
- The adjustment to Leq and SEL is:
  - 0 dB for general broadband noise like highways
  - 5 dB for regular impulsive noise
  - 12 dB for highly impulsive noise
  - 10 dB for nighttime noise – not relevant for pickleball ending by 10 pm
  - 5 dB for weekend daytime - relevant for retirement community

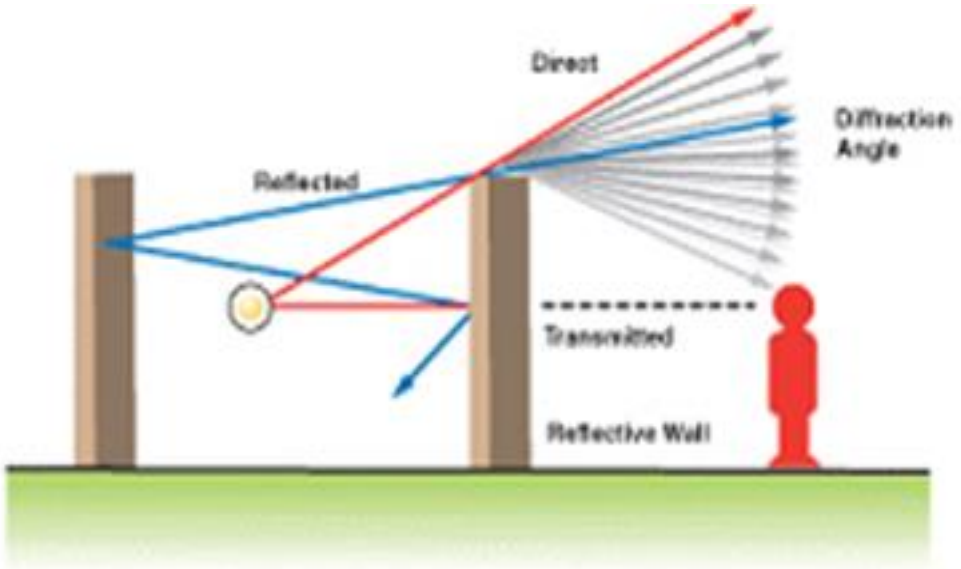
The limitations of local ordinances

- Decibel limits in Ordinances
  - dB limits define worst behaviors - when the noise is so egregious that the police, prosecutor, and municipal judge become involved
  - dB limits are not a permission to generate that noise level for hours at a time
  - Common shortcomings in the local dB ordinance
    - failure to state Slow, Fast, or Impulse
    - failure to state Leq, Lmax, or Lpeak
    - failure to provide for special annoyance of Impulsive noises
- General Nuisance Provision in an Ordinance
  - "unlawful to make an unreasonably annoying noise"
  - Engineers will ignore this as too subjective

Diffraction of noise over top of a barrier



A Single Barrier



Parallel Barriers

Why court owners don’t like barriers

- High costs impacting budgets
  - Lowest cost is hanging a barrier material on an existing fence
  - Lowest cost is a noise reflecting product (Acoustifence, mass loaded vinyl)
  - Higher cost for superior performance of noise absorbing material such a vinyl blankets
  - Higher cost for engineered fencing e.g. 100 mph wind load in coastal California
  - Added maintenance and replacement costs
- Barrier must be solid, with no gaps at the ground or at entry gates
  - Blocks view into the courts by police and security cameras - crime and homeless concerns
  - Isolates courts from adjacent shelter and seating areas
  - Shadows slow the melting of snow or evaporation of water
  - Cleaning and leaf removal is more difficult

Why players don’t like barriers

- Logical reasons
  - Too hot without air circulation
  - Barriers cut off view of the park
  - Money should be used for better purposes
  - Noise is reflected – creates an echo inside the barrier
- Emotional reasons/justifications
  - We don’t want to be walled off
  - It's just us having fun
  - It’s a noisy world – get over it
  - You chose to live near a park
  - Why don’t you just move

Quiet equipment

- Each impact of the paddle against the ball creates noise.
- Most of the noise comes from vibration of the paddle.
- USA Pickleball has created a “Quiet Category” of equipment
  - Ball improvements – a softer ball will lessen the vibrations created in the paddle.
    - Gamma Librarian Ball is a soft foam – very quiet, nearly a complete solution
  - Paddle improvements – a paddle that vibrates less
    - Owl paddle – has a felt face
  - Paddle covers – a felt pad, adhesive backed, attachs to your noisy paddle

Why players don’t like quiet equipment

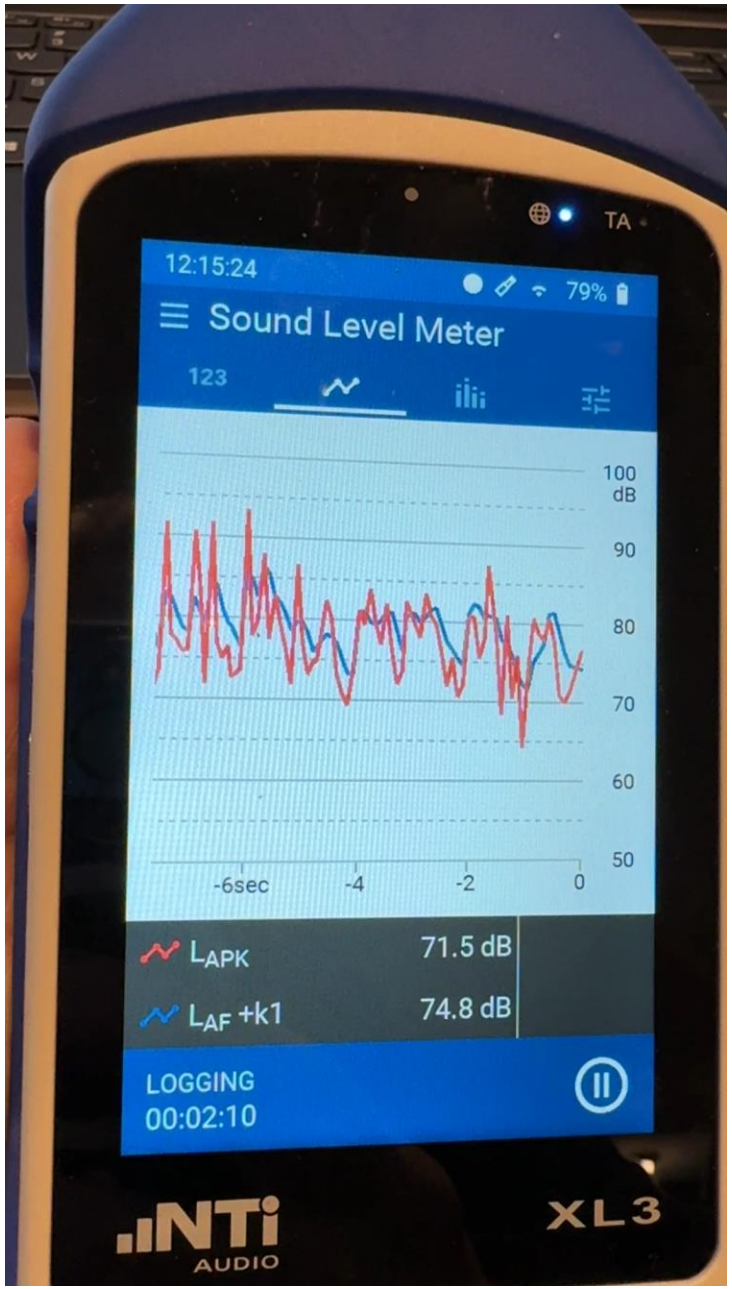
- The noise is useful, tells me how hard I hit it and how hard opponent hit it
- Plays differently – bounce, spin, etc.
  - Foam balls are quietest, but disliked the most
- Desire to use official tournament level equipment, just like the pro’s
- Added cost to replace existing equipment

Why quiet equipment is seldom an effective solution

- All players must use the Quiet Equipment – the loudest equipment dominates the soundscape
- In our society, everyone has their own rights and can’t be told – e.g resistance to wearing masks, wearing bicycle helmets, getting vaccines, etc.
- Might be enforceable at courts with full time supervision and players are provided with required equipment

Rob Mastroianni, et al, Falmouth, MA Lawsuit

- 2020 $310,000 for 5 pickleball courts at neighborhood elementary school
  - 1 pickleball court 7 days a week
  - 4 pickleball courts, 3 days a week, used for tennis other 4 days a week
- 2021 Attorney retained- issued cease and desist letter
  - 5 plaintiffs, distances, Carol@40ft, Jon@80ft, Dusty@175ft, Michael@250, Rob and Steph@350 feet
- 2022 Preliminary Injunction issued
- 2022 Mastroianni sold family home and moved
- 2024 Settlement and permanent injunction



Rob Mastroianni, et al, Falmouth, MA Lawsuit

- My personal professional sound meter
  - Cost $8,000
  - Software license $1,200
  - Annual calibration $600

  Data downloads to computer for analysis

Rob Mastroianni, et al, Falmouth, MA Lawsuit

Five Stages of Grief and Loss

- Denial: Refuse to believe the loss has occurred.
- Bargaining: Attempting to negotiate and change the outcome.
- Anger: Frustration and resentment towards the situation and others.
- Depression: A period of deep sadness and realization of the loss.
- Acceptance: Coming to terms with the loss and finding a way to move forward.

Rob Mastroianni, et al, Falmouth, MA Lawsuit

Five Stages of Grief

- Denial: Must be some mistake! We are everyone. What's that Sound?
- Bargaining: (Begging-Pleading), meetings, emails, petitions, donations, finding "right words"
- Anger: "David", Not a fair fight, go public/expose, confrontation on courts and online, making own noise, "gloves off"
- Depression: Loss of connection to home, family, community, friends, neighborhood, "Empathy Gap", "phantom pops"
- Acceptance: Sell home, Understanding Medical, Legal, and Science, "You are not alone", FB PNR!

Nuisance lawsuits

- The named defendants
  - City or park district -
  - Private country club
  - Homeowners association
  - Next door neighbor
- Additional John Doe defendants
  - 100 players, to be identified (Newport Beach CA)
  - 10 HOA Board members who made the decisions, breach of fiduciary duties (CA)

- Expected defendants in the future
  - Noise engineers – negligence in the noise study
  - Landscape architects and civil engineers – failure to do a study noise/and or failed to adequately mitigate
  - Contractors/court builders – failure to mitigate the noise
  - Barrier material supplier – failure to meet advertised performance
  - Individual players who make the noise
  - Pickleball club that leases/manages the city owned courts
  - Realtor and seller who fail to disclose the noise to a home buyer

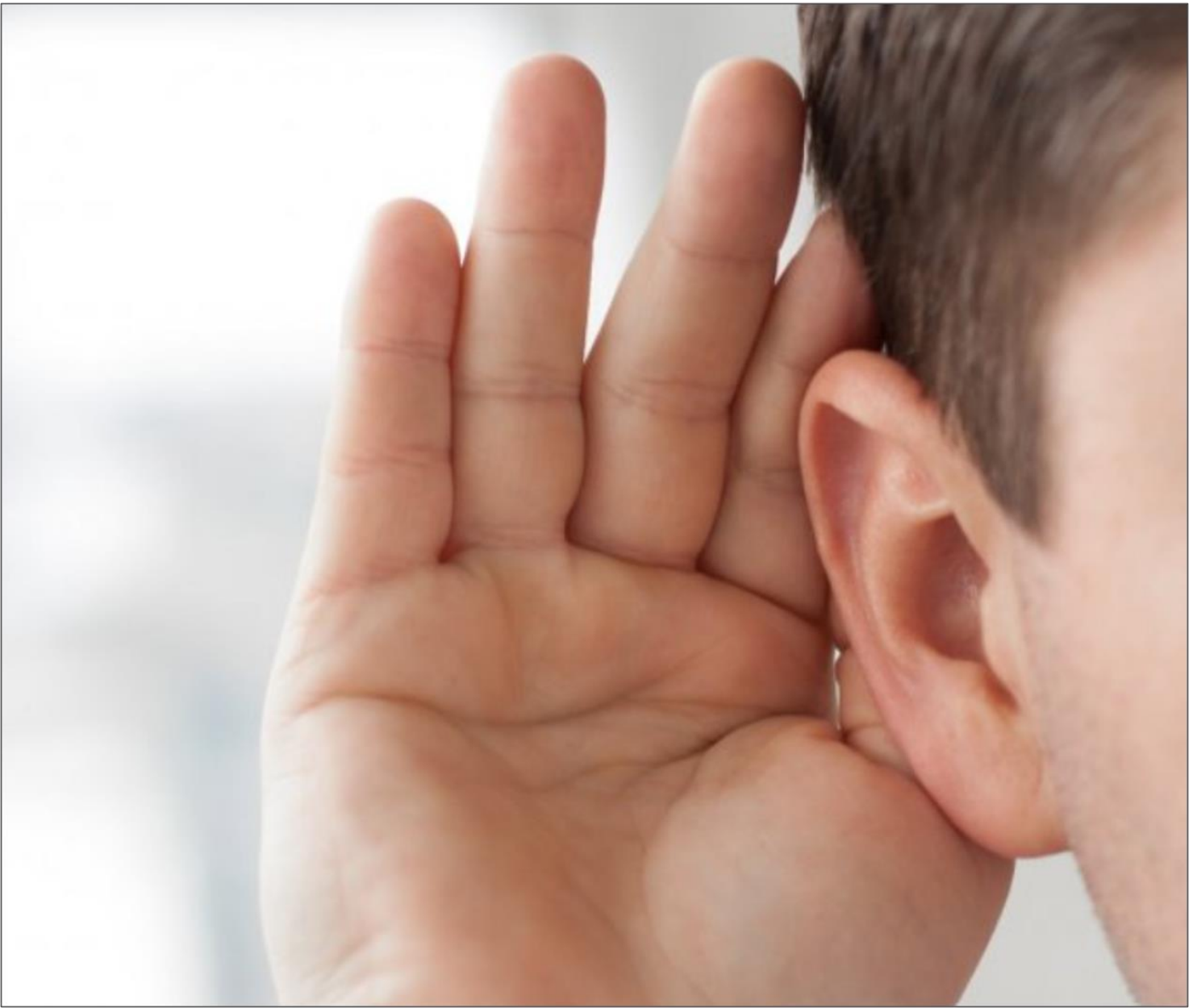
Remedies sought in the nuisance suits

- Injunctions – preliminary and permanent
- Monetary damages
  - compensation for lost enjoyment of property
  - dollar amount often concealed via confidentiality agreement
- Future cases
  - claims for medical and psychological injuries
  - will require medical testimony

Injury claims against the court operator

- Royal Caribbean Cruise – head injury, ran into a post too close to court (USA Pickleball publishes construction standards)
- Cities
  - City of Federal Way, WA - $125,000 settlement, slipped on dried soda on gym floor, fractured femur
  - City of Vancouver, B.C. – temporary courts created by lowering the tennis nets by 2 inches creating a tangle of netting on the ground, tripped and fracture of the risk
  - City of Eugene, OR – slipped on uneven surface of outdoor court, fractured arm, nerve damage
  - City of Branford, CT – fell over a bench installed too close to the courts
- Signing of Waivers – Challenges
  - Feasible when players register for rec programs
  - Difficult when courts are outdoors and play is drop-in
  - Situations where the courts are “managed by a club (official or unincorporated)

Kathleen Romito, M.D.



How Humans Process Sound

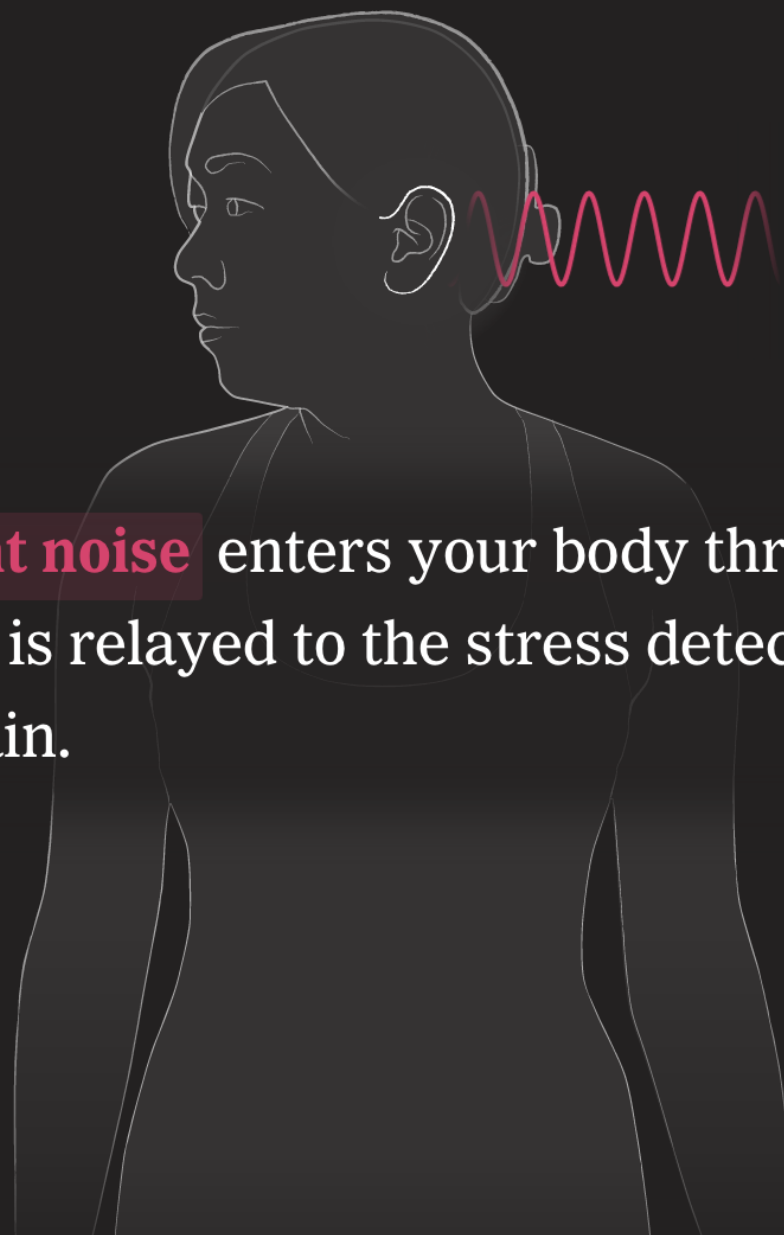
- Auditory Processing
- Cognitive Processing
- Psychological & Physiological Processing

Noise Could Take Years Off Your Life. Here's How.

We used a professional sound meter to measure the din of daily life and talked to scientists about the health risks it can pose.

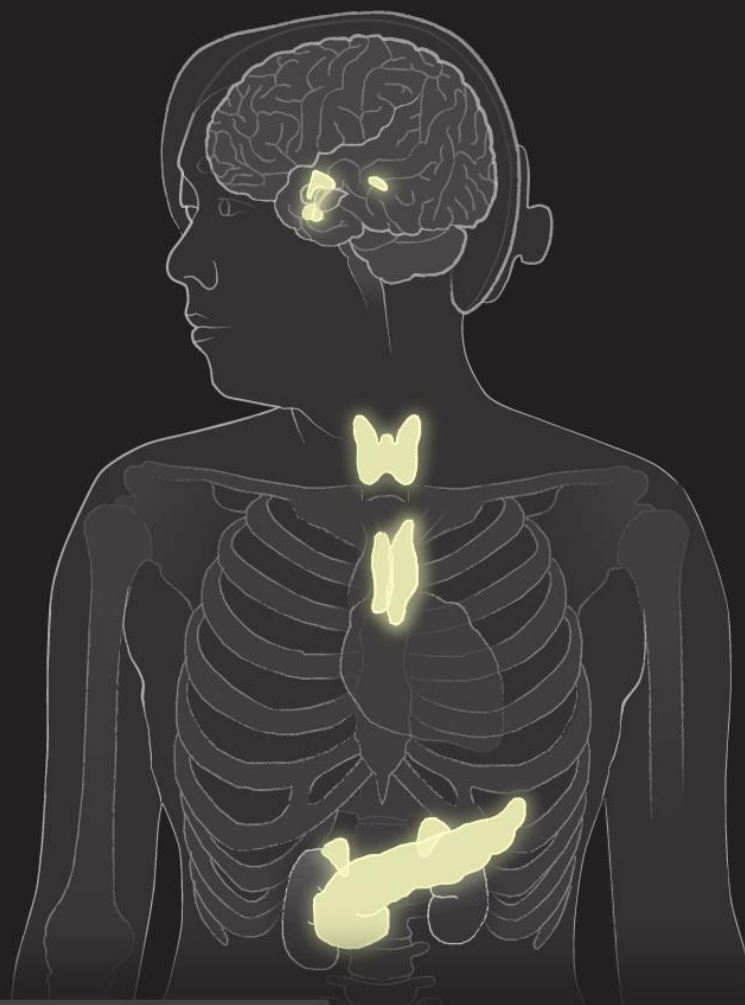
Play with sound.

Bankers Hill, San Diego

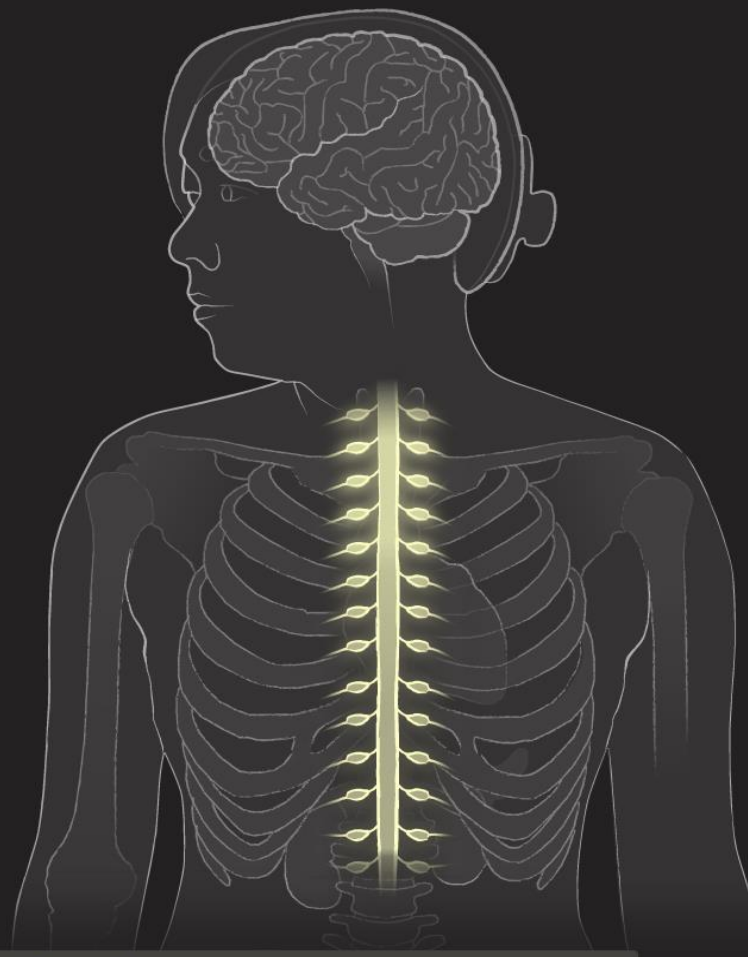


Unpleasant noise enters your body through your ears, but it is relayed to the stress detection center in your brain.

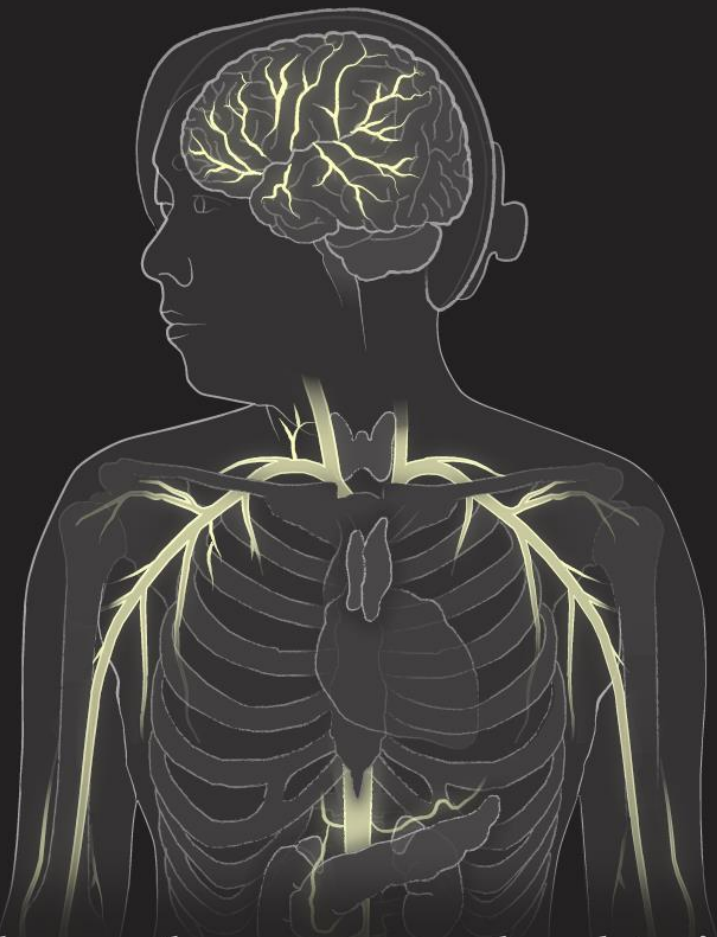
This area, called the **amygdala**, triggers a cascade of reactions in your body. If the amygdala is chronically overactivated by noise, the reactions begin to produce harmful effects.



The **endocrine system** can overreact, causing too much cortisol, adrenaline and other chemicals to course through the body



The **sympathetic nervous system** can also become hyperactivated, quickening the heart rate, raising blood pressure, and triggering the production of



Over time, these changes can lead to inflammation, hypertension and plaque buildup in **arteries**, increasing the risk of heart disease, heart attacks and stroke.

What is the difference between Dose and Dosage?

Health impacts may be significant

- Sound engineers are not qualified to say the noise is harmless

- American Public Health Association, Public Policy on Noise 2021:

"Chronic noise, even at low levels, can cause annoyance, sleep disruption, and stress that contribute to cardiovascular disease, cerebrovascular disease, metabolic disturbances, exacerbation of psychological disorders, and premature mortality. Noise interferes with cognition and learning, contributes to behavior problems, and reduces achievement and productivity. ” Noise as a Public Health Hazard (apha.org)

- Pickleball creates a new type of noise in the soundscape of our world. It is chronic, persistent and repetitive noise exposure with thousands of individual pop noises per day, over weeks and years in your home. This type of noise has been studied in occupational settings, looking at hearing loss. There is no research about the other potential health effects of this new type of noise.

- Acoustical Society of America, presentation Spring 2025. Data is preliminary and observational. However, medical professionals have commented that the health impact of pickleball noise on some individuals appears significant. A retired Army colonel said "it reminded her of her studies of psychological operations used during wartime."

Many neighbors have been exposed for years

"The noise produced by the racquets and balls has greatly affected her mental health to the point where she can hear the noise even when nobody is playing, she told the court. "It's a serious thing when you hear things which are not real," S said"..."Every single morning when I wake up I was thinking about another torture day. I have been tortured every single day. 1)[*https://niagaranow.com/news.phtml/7339/neighbour-claims-pickleball-noise-is-torture-takes-town-and-club-to-court/*](https://niagaranow.com/news.phtml/7339/neighbour-claims-pickleball-noise-is-torture-takes-town-and-club-to-court/)

"destroyed by hundreds of high pitched, brain cell killing pops, I equated what I felt in that moment to being attacked by swarms of mosquitoes. 10's of thousands of bites over 13 hours like yesterday is not tenable. The physical and mental toll from constantly being in a state of high alert from these daily assaults is not known yet, but will be revealed in the coming years by unwilling lab testers like myself."
FB Pickleball Noise Relief, 10/21/24 post

I cannot live a normal life," Scott says. "For me, it's hell draft lawsuit "headaches, mental distress, depression, anxiety and increased gastrointestinal issues." [*https://www.wweek.com/news/city/2024/03/28/irvington-club-pauses-pickleball-after-receiving-cease-and-desist-letter-from-neighbor/?utm_source=Sailthru&utm_medium=email&utm_campaign=202441_Newsletter_Portland&utm_term=Portland*](https://www.wweek.com/news/city/2024/03/28/irvington-club-pauses-pickleball-after-receiving-cease-and-desist-letter-from-neighbor/?utm_source=Sailthru&utm_medium=email&utm_campaign=202441_Newsletter_Portland&utm_term=Portland)

"Pickleball noise is worse than dying of cancer" John Avery presented at city council
,https://westlinn.granicus.com/player/clip/1480?view_id=&meta_id=71347&redirect=true&h=d78cdd5be7b1913485f4411a662c2f7b see 3:10

Consequences of failure to properly mitigate noise

- Growing number of nuisance lawsuits filed in state courts across country
- Burdensome record requests to city hall as the neighbors and players look for ammunition
- Protests by neighbors and repeated appearances at public meetings
- Adverse publicity in the local press and TV
- Protests by players when city tries to close the offending courts
- Contentious social environment in HOA's and neighborhoods
- Confrontations with players as neighbors try to enforce hours of play and equipment rules
- Police calls

Professor's hunger strike against city courts

Players protest city decision to close courts

Common mistakes locating municipal owned courts

- City honestly didn't know the noise was a problem (no longer possible)
  - Merely converted tennis courts
- City knew noise was a problem but will deal with it later – "if we get complaints"
- City knew noise was a problem but used a faulty decision process
  - Recreation department uses a community engagement process that ranked noise equally with parking, costs, bathrooms, etc.
  - Cities classifies its parks as either "active" or "passive" and put PB in active park without further thought
  - City ordinance has an exemption for recreational activities
- City got a faulty noise study
  - Many noise studies merely apply your local city ordinance rather than fully assess the noise
  - Many studies consider decibels only, and/or fail to properly measure decibels
- City got a good noise study and failed to implement the recommendations
  - Too much jargon, hard to understand, no clarity
  - Decision makers don't want to be convinced, they just want pickleball

City council faces difficult decision-making

- Sites with adequate setback from residences are scarce
- Mitigation is inconvenient
- Barriers are costly
- Players don’t want barriers or quiet equipment
- Decider is pressured – large numbers of demanding players v. small number of abutting neighbors
- Decider has already decided – hears what he wants to hear
- Result – the Decider will need some serious convincing
- But the noise studies are difficult to understand
- Decibels alone do not define the nuisance

Why are setbacks important to city officials?

- Setbacks are the most common legal tool for separating incompatible uses
- City Staff, contractors and owners have an objective standard
- Easy to administer
- Variances and conditional permits can offer flexibility

Why are setbacks important in noise mitigation?

- Noise dissipates naturally over distance
- With sufficient distance:
  - no need for costly and controversial barriers
  - no need to enforce unpopular quiet equipment
  - no need for complex noise studies and enforcement burdens
  - no noise complaints
  - maintains residential character of neighborhoods

Zoning private courts: Park City, UT and Centennial, CO

	Park City, UT	Centennial, CO
Setback - no noise study	600 ft	600 ft
Reduced Set Back - with a qualified noise study and recommended mitigation	No less than 150 ft 150 to 600 with mitigation	No less than 250 ft 250 to 600 ft with mitigation
Measure From		From closest painted court line to the nearest residential zoned lot line
Barrier Height		10 ft minimum
Hours of Play Limit	8 am to 8 pm	8 am to 8 pm
Lighting	No lighting allowed	Allowed – only until 8 pm
Parking	Parking off street required for guests	-
Fees and Commercial Use	Prohibited	
Decibel Enforcement		Limit of 47 dBA at residential lot line during play

Setbacks for municipal owned courts

	Denver, CO	Torrance, CA
Minimum setback	350 ft	250 ft
Measurement	-	From the center of the courts to the residential parcel line
Policy enacted by	Adopted by decision of the Parks and Rec Department	Adopted by zoning amendment for PU Zone (public use zone)

Suggestions for achieving success

- Declare a pickleball moratorium and establish pickleball permitting process, with setbacks
- Establish setbacks for city owned courts
- Hire a noise consultant before building courts, not after.
- Consider hiring a pickleball noise specialist firm, not a generalist
- Buyer beware on noise barrier materials, many untested products with unrealistic claims
- Consider your values – balancing desire for recreation with legal rights of neighbors - discuss the issue of ethics, fairness, golden rule, etc.

Some tough love observations – issues we often see at city hall

- Very common - city hires a noise engineer and fails to implement the recommendations
- City hires its civil engineering firm and gets a weak noise report – tendency to tell city what they want and maintain the relationship
- When complaints persist, city staff goes into “don’t talk it about it” mode
- Often, noise mitigation can’t proceed until new councilmen are elected
- Self-interest among some councilmen and rec department staff
- Recreation for the majority is ranked higher than preserving character of neighborhoods
- Tendency to adopt minor noise mitigation and then declare the problem solved – a fig leaf
    - E.g. an ordinance requiring “muted equipment” with no means to enforce

Case study – A city in Ontario

2022 – 10 new courts – greenfield project

- $750,000 City funds
- $150,000 Pickleball Club, a nonprofit
- $100,000 Local Foundation naming rights
- $37,000 Pickleball Club for sunshades

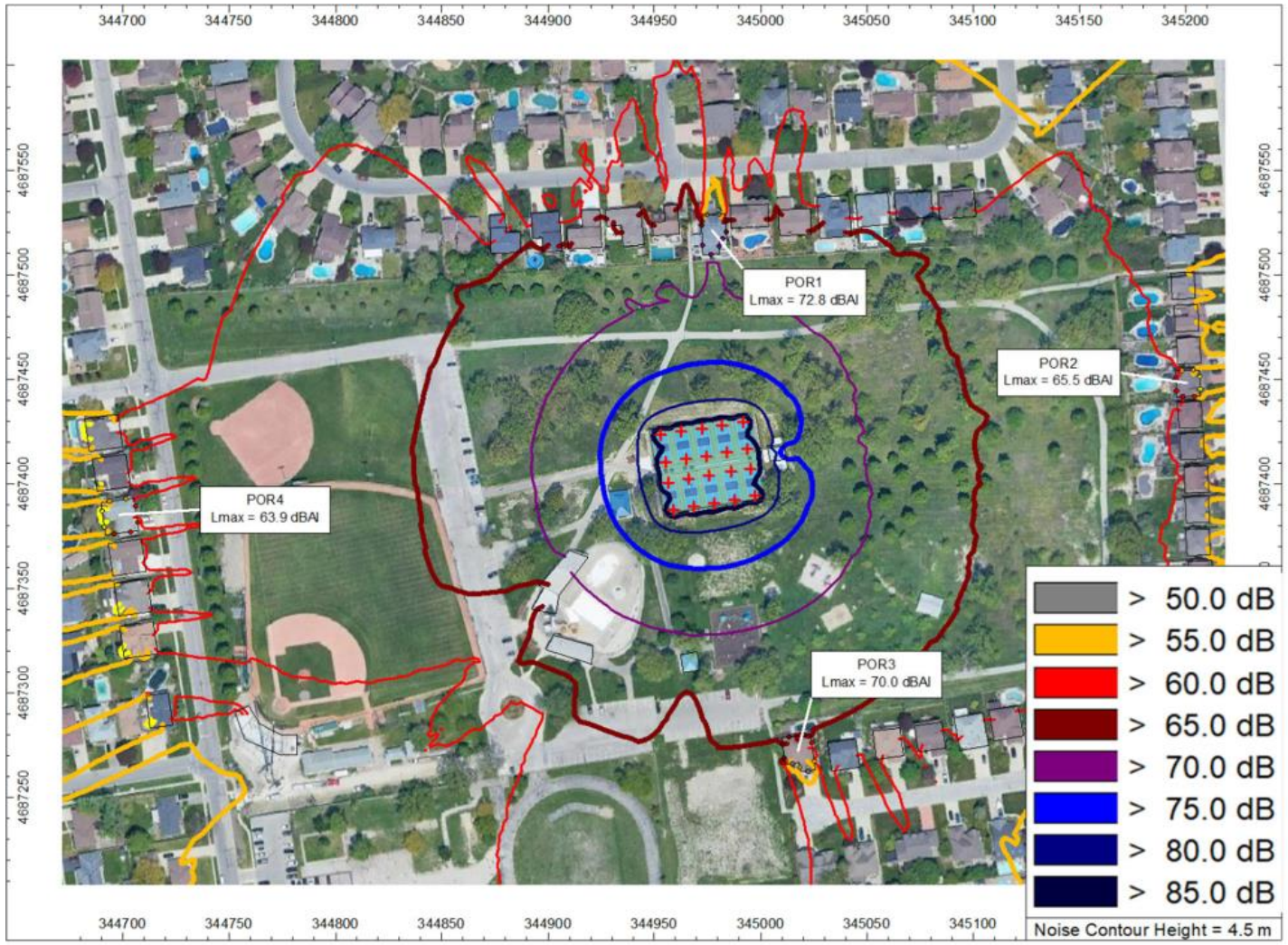
Club has exclusive use 40 of the 82 hours per week.

780 members (capped), waiting list is closed

226 feet to nearest home,

Homes on all four side, most are two stories

Noise study conducted after complaints



Recommendations

Option 1 - Build a full enclosure (bubble or building)

Option 2 – A combination of partial solutions:

- 10 foot noise barrier - $500,000 grant request to Ontario province
- Limitation on playing hours
- Enforce use of quiet equipment

“Further discussion of the extent of the mitigation measures is required to determine a mitigation solution that is technically, economically, and administratively feasible”

Discussion

- Do you agree that setbacks are a good idea for regulating pickleball?
- What is a reasonable setback?
  - 800 feet, no sound study needed
  - 600 feet, no sound study needed
  - Minimum setback 150ft, or 250ft or 350ft, with noise study and mitigation
- What is the role of the attorney in avoiding the controversey?
  - Reactive – wait until the staff and council have created expectations
  - Proactive – create some upfront guardrails to protect the staff and council from themselves
- Is creating a regional tournament venue the right decision for you community?

Thank You

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