Letter to Town of Los Gatos – Tree #668 Appeal

Oct 22, 2026

Mazen Louis
16401 Kennedy Road
Los Gatos, CA 95032

Ryan Safty
Associate Planner
Community Development Department - Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

Re: Appeal of Tree Removal Permit – Tree #668 (Twin-trunk Live Oak), 16401 Kennedy Road (Ref. T25-148) Planning Commission Hearing: November 12, 2026

Dear Mr. Safty,

Thank you for the opportunity to share our perspective ahead of the Planning Commission hearing. We respectfully ask the Commission to deny the appeal and uphold the removal of Tree #668. The appeal raises a single concern, privacy, and we believe the tree's condition and our planned screening fully address it.

The Town's arborist originally recommended removal

The Town's original arborist report on our project identified Tree #668 as highly impacted by construction and recommended its removal. It was our choice, as the owners, to try to save the tree. The approved site plan (Sheet C1) shows it as a tree to remain, with a tree protection detail, because we asked to preserve it.

We followed through on that effort. All excavation around the tree was done by hand to limit root damage. Unfortunately, the drainage system and concrete foundation required cutting a significant portion of the root system, and that damage cannot be mitigated.

The tree will not recover and is now a hazard

West Valley Arborists, whose report is included in our application, found the following:

- The tree's critical root zone has been impacted on three of four sides, with excavation within 4 to 10 feet of the trunk.
- The root loss leaves the tree without adequate anchorage, creating a significant failure risk to people and to the home and its infrastructure.
- The tree has a significant lean and a codominant trunk union at soil level with included bark, a structural defect that cannot be corrected.
- The tree is expected to decline and will not recover.

PG&E's plan for the new gas service also routes a trench through the same area near the trunk, which will add to the root loss. Given these findings, keeping the tree would leave a hazard next to the home and the shared property line.

Our plan increases the appellant's privacy

Kennedy Road sits about 20 to 25 feet above the appellant's backyard at 130 Clover Way. The oak's canopy begins about 33 feet above that yard, roughly 8 to 13 feet higher than the road surface. Because people on the road look down toward the appellant's home, their line of sight passes beneath the canopy. Today the oak provides much less screening than it appears to.

Our plan adds two layers of screening in its place:

1. **Indian Laurel (or similar) hedge.** We will plant mature Indian Laurels (or similar) along our shared fence, growing into a continuous hedge about 15 feet tall. Because the hedge sits at the fence near the appellant's home, it blocks views at the level that matters: windows and yard.
2. **Fence along Kennedy Road.** We plan a new 8-foot wood and metal fence along Kennedy Road. We are building it mainly for our own privacy, since our home also sits below the road. It also closes off views from the road toward the appellant's property.

Together, the fence at the road and the hedge at the shared property line give the appellant more privacy than the single oak canopy, which sits above the line of sight. We will also plant replacement trees as directed by the Town Arborist.

Our outreach to the appellant

We have reached out to the appellant to discuss his concerns directly, and we remain open to adjusting the size, placement or planting schedule of the new trees to address them.

For these reasons, we respectfully ask the Planning Commission to deny the appeal and allow the removal of Tree #668 to proceed. Please let me know if you need any additional information before the hearing.

Sincerely,
Mazen Louis, Owner
16401 Kennedy Road
Los Gatos, CA 95032

Enclosures: West Valley Arborists report dated September 19, 2026; Approved Site Plan C1; PG&E gas service plan

West Valley Arborists Inc.
Urban Tree Specialist

ATTN: Town of Los Gatos
Tree Removal Application

09/19/2026

Re: West Valley Arborists, Inc.
Arborist Report
Recommendation: Removal

For: Mazen Louis
16401 Kennedy Road
Los Gatos, CA 95032

Ref# T25-148
Tree #668

To whom it may concern,

At the property owner's request, we performed a site visit to the above listed address to assess the current health of the trees on the property and make recommendations based on our findings and best practice as defined by the International Society of Arboriculture (ISA) and American National Standards Institute (ANSI).

• ARBORIST OBSERVATIONS & SUMMARY OF FACTS & FINDINGS •

Of particular concern and after close inspection, we observed (1) Twin-trunk Live Oak tree at the above listed single-family residence/ property that we, given the following findings, recommend immediate removal.

TREE #668	Twin-trunk Live Oak
Height:	55'
Canopy Spread:	32'
DBH:	20", 14"
Condition/Main Concerns:	Suboptimal form and decline observed. In a high-impact /unmitigable conflicted space leading to exposure and risk to both tree (safety hazard) and infrastructure (damages).

Severe Impact

This property is currently under construction; reference# T25-148. As noted in the previously provided Consulting Arborist's report as well as C1 in the approved site plans, the preservation of tree #668 has always been in question. While labeled a tree to be saved, its location in relation to the development was rightly identified as being highly impacted and the tree's longevity uncertain. This means the trees health and structural integrity will be compromised and most often times, removal is recommended.

All reasonable efforts to protect and preserve this tree have been made (careful excavation, etc.) however, at this point, the tree's protection zone (TPZ) or space remaining, is simply insufficient. Today's observations, with the roots exposed, highlight that the majority of this trees' critical root structure will be significantly compromised; three of four sides are experiencing a direct impact. Here, the installation of the driveway, garage, storm drain and critical utility lines will require significant root removal in close proximity to the tree's trunk during construction. Trees get into trouble when they become low on energy reserves. In this case, this is unavoidable; the sudden and significant root loss will result severe stress and expected death. Now exposed, we can see best practice in root mitigation such as limiting the size, proximity and volume of root removal cannot be followed.

Trees cannot survive without a meaningful root structure or the removal thereof. Here, this proves true for two reasons. The first is limited anchorage. Without critical structural integrity or proper anchorage, this tree is weakened, unstable and poses a significant failure risk; it can and will fall over. The second, the sudden loss of the singular source of nutrient and moisture uptake, essentially starves the tree and while its decline may not show immediately, its death is near imminent.

Furthermore, severed roots create an injury resulting in an entry point for opportunistic pathogens and pests, further exacerbating the tree's vulnerability and great likelihood of decline.

Fair-Poor Condition and Form

Separately, we assessed the general health and quality of the tree. Here too, we feel this tree suboptimal; in fair - poor condition and form. Reduced vigor, dieback, and two significant and irreversible structural problems exist. From the onset, inconsistent with the specie's natural form, this tree has limited structural integrity. This tree has (naturally developed) a significant lean and a low, soil level, junction in which the tree splits into a twin-trunk formation.

Multi-trunk or codominant trunks represent poor structural development, form and ultimately, integrity with problems that cannot be corrected. In this case, connective wood tissue is lacking and this junction serves as a weak point in the tree. Also present, this split between trunks features included bark which increases its susceptibility, making it even more prone to splitting and failure.

Conclusion

Finally, in the highly unlikely case that this tree (#668) was to survive all of the above provided conditions and stressors (both naturally occurring and otherwise), we would expect that to be short lived. Not only would we expect long-term and irreversible decline, the space conflict remains.

(CRZ) Critical Root Zone radius calculated: 34 (combined DBH inches) x 1.5 = 51'. This tree is within 4'-10' of various aspects requiring deep excavation in support of the site development. This is a highly conflicted space and not only does it do a disservice by causing severe stress and harm to the tree, poses great risk of damage occurring to the home and its infrastructure and serves as a hazardous condition, high failure risk.

Please also note: We have been advised that PG&E's intention is to also perform severe trenching in order to run major underground lines for both electricity and gas within this same zone. This excavation will most certainly cause additional extensive damage to the root zone and if left, compound the conflicted space.

The limitations of the space and suboptimal conditions of the tree are insurmountable and without remedy; co-existence is not a viable option and the risks associated are too great to warrant further attempts in this tree's preservation.

• ARBORISTS RECOMMENDATION FOR IMMEDIATE REMOVAL •

Best practice in Arboriculture - our commitment to a healthy Urban Forest and with the utmost respect to the Town's ordinances and vision, we embrace the demand to prioritize the saving of established trees. With that in mind, we have considered all of the possible measures available in support of tree preservation or alternatives to removal; however, in this case, there are no viable options, reasonable or otherwise, that will remedy the impact on the root structure, result in the reversal of decline, address the structural deficiencies and otherwise mitigate the highly impacted/conflicted space.

When we take all the above points, in totality, into thoughtful consideration, we believe immediate removal and replacement of this tree is only way in which this hazardous condition can be remedied.

We respectfully submit this report for your review and given our findings, believe our recommendation for tree removal is in accordance with the Town's Municipal Code. As such, we are requesting the issuance of a permit for the immediate removal of this tree.

Sec. 29.10.0992.- Required findings. (1) The *tree* is dead, severely diseased, decayed or disfigured to such an extent that the *tree* is unable to recover or return to a healthy and structurally sound condition. (4) The retention of the *tree* restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly situated properties, and the applicant has demonstrated to the satisfaction of the Director or deciding body that there are no reasonable alternatives to preserve the *tree*. (5) The *tree* has, or will imminently, interfere with utility services where such interference cannot be controlled or remedied through reasonable modification, relocation or repair of the utility service or the pruning of the root or branch structure of the *tree*; or where removal or pruning is required by a public utility to comply with California Public Utility Commission (CPUC) or Federal Energy Regulatory Commission (FERC) rules or regulations. (6) The *tree* has caused or may imminently cause significant damage to an existing structure that cannot be controlled or remedied through reasonable modification of the root or branch structure of the *tree*.

• ARBORISTS RECOMMENDATION REGARDING REPLACEMENT PLANTING(S) •

As we strive to be good stewards of the Town's Urban Forest, canopy coverage and rural character, we also highly recommend the planting of a replacement tree(s) at the City Arborists' direction that will be better suited for the area, conditions and resources available on this property and in support of the Town's Vision to the benefit of the property owner and surrounding community for years to come.

Please see the support materials and pictures to follow and feel free to contact our office with any questions or concerns you may have regarding these findings and our recommendation.

Very Respectfully,

Jeremy Simon Tunnicliffe
ISA Certified Arborist WE 7505A
Owner/President, West Valley Arborists, Inc

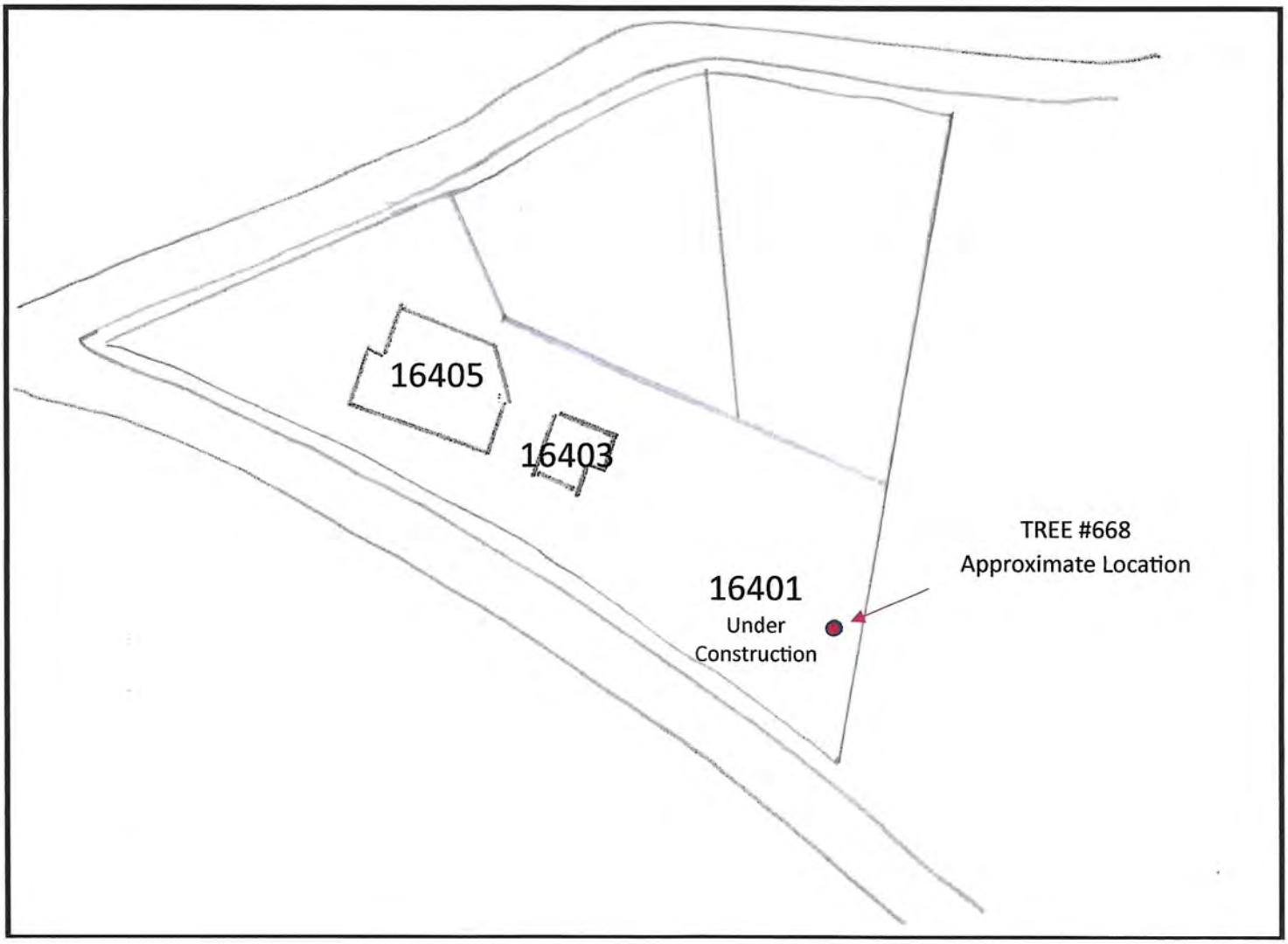
West Valley Arborists Inc.
Urban Tree Specialist



Tree Removal Site Plan

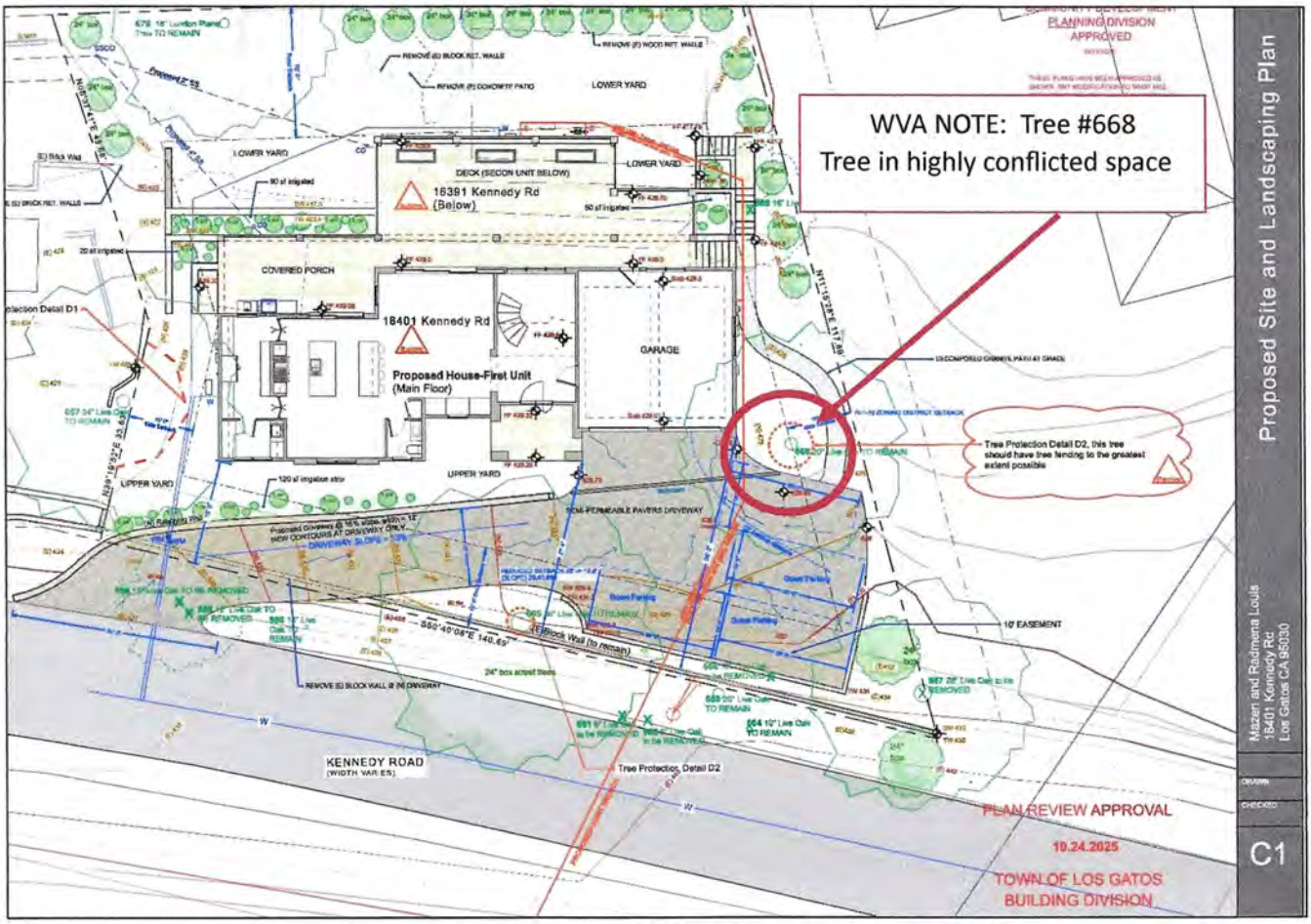
Mazen Louis
16401 Kennedy Road
Los Gatos, CA 95032

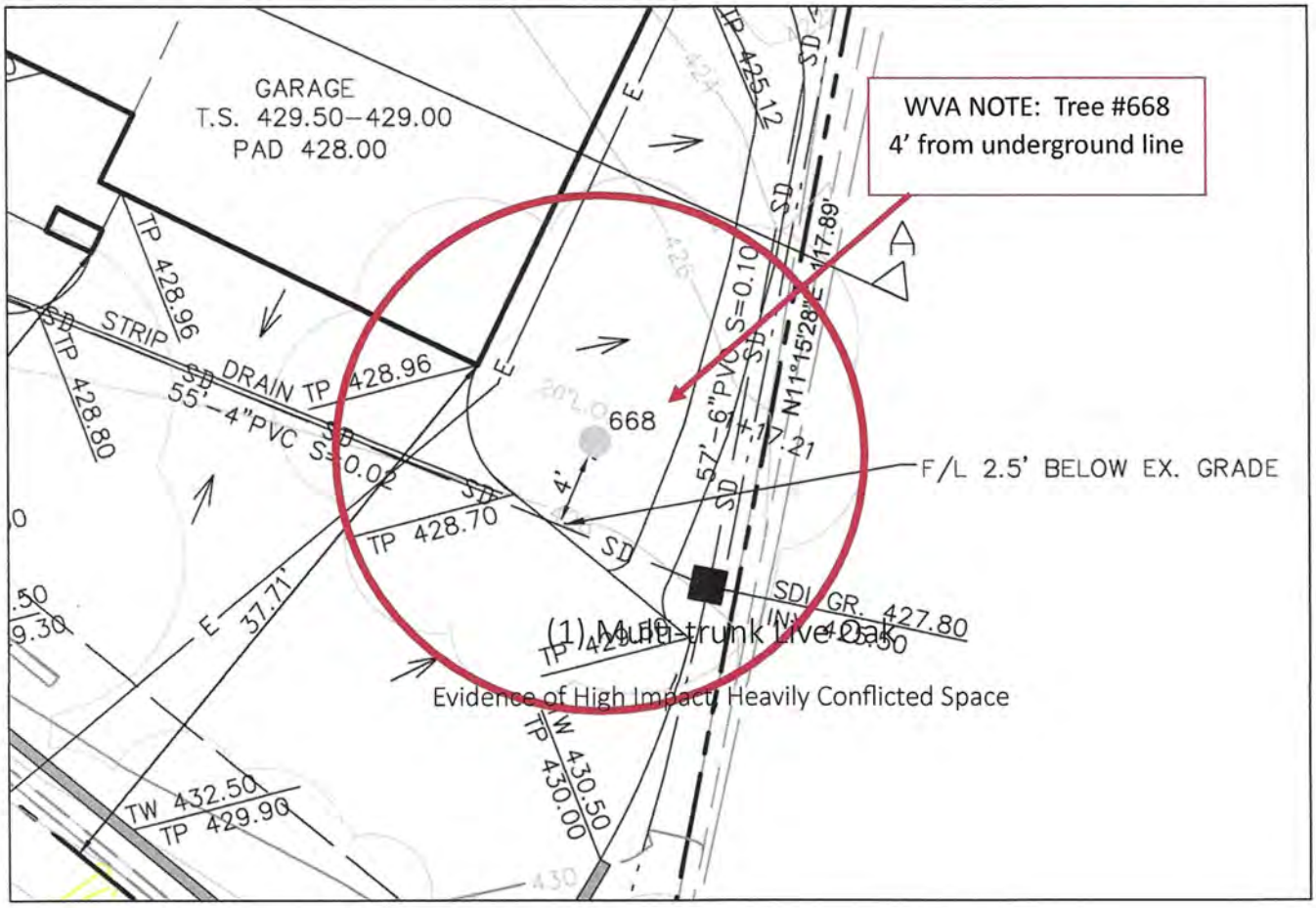
RECOMMENDATION FOR REMOVAL:
(1) Multi-trunk Live Oak
Tree #668 – DBH 18", 12"



Reference Materials Provided by Client and Construction Firm

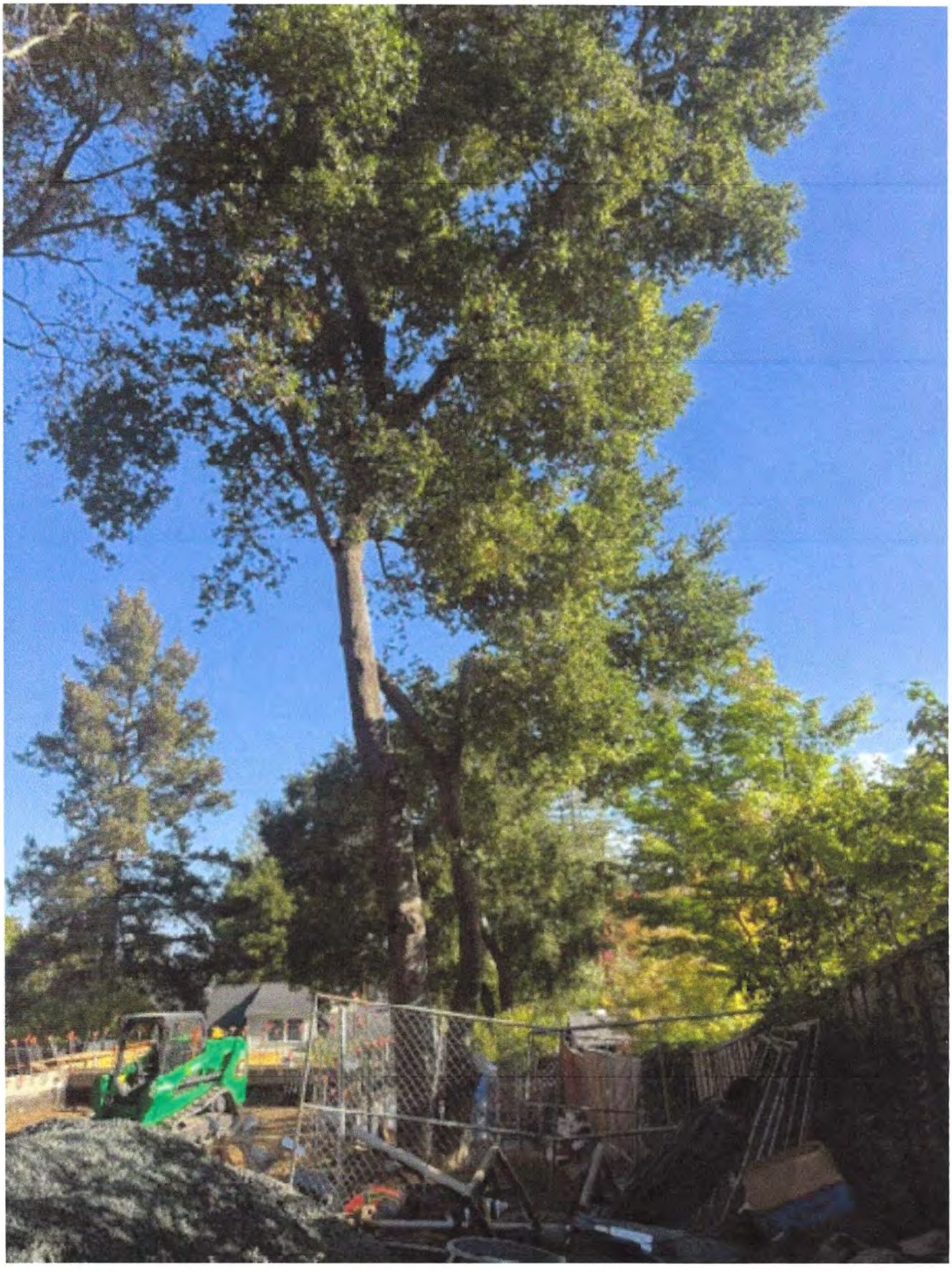
Top: Approved Site Plan C1
Bottom: Grading, Drainage Plan pg. 1 of 3





(1) Multi-trunk Live Oak

Recommendation: Removal



(1) Multi-trunk Live Oak

Evidence of Poor Form and Compromised Structural Integrity



(1) Multi-trunk Live Oak

Evidence of Severely Conflicted Space and Inability to Avoid High-Impact to Critical Root Structure





SITE and LANDSCAPING PLAN

Scale 1" = 10'

0 10 20

REVISIONS
5-30-2025
6-30-2025
7-24-2025
9-17-2025

T.H.I.S.
DESIGN AND DEVELOPMENT
P.O. BOX 1518, LOS GATOS, CA 95031
408-354-1882

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Proposed Site and Landscaping Plan

Mazen and Radmena Louis
16401 Kennedy Rd
Los Gatos CA 95030

DRAWN

CHECKED

C1

104 Olde Drive
± 22' Split Level House

126 Clover Way
± 20' One Story House

100 Olde Drive
± 28' Two Story House

130 Clover Way
± 20' One Story House

16405 Kennedy Rd
± 22' Two Story House

Proposed sanitary sewer tie-in

Proposed sanitary sewer line

Building

APN: 532-15-036

ADDRESS TO REMAIN: 16401 Kennedy Rd (Main Home)

ADD ADDRESS: 16391 Kennedy Rd

Planning

430 SF total irrigated area - drip irrigation to support new 24" box trees, 5 gal plants and ground cover - no WELO required

150 sf irrigation strip for new 24" box trees

COMMUNITY DEVELOPMENT
PLANNING DIVISION
APPROVED
10/23/2025

THESE PLANS HAVE BEEN APPROVED AS SHOWN. ANY MODIFICATION TO WHAT HAS BEEN PROPOSED OR TO WHAT IS SHOWN AS EXISTING MAY REQUIRE A SEPARATE APPROVAL.

Large Conifer (approx 100' tall)

Mature Oak

670 18" London Plane Tree TO REMAIN

S65°58'35"E 104.81'

S50°40'08"E 140.69'

N39°19'52"E 23.08'

N11°16'28"E 117.89'

N30°47'11"E 49.68'

Rear Setback 20' 0"

10' 0" Side Setback

REMOVE (E) WOOD RET. WALLS

REMOVE (E) BLOCK RET. WALLS

REMOVE (E) CONCRETE PATIO

LOWER YARD

UPPER YARD

16391 Kennedy Rd (Below)

DECK (SECON UNIT BELOW)

90 sf irrigated

50 sf irrigated

20 sf irrigated

120 sf irrigation strip

16401 Kennedy Rd

Proposed House-First Unit (Main Floor)

COVERED PORCH

GARAGE

Slab 429.5

Slab 429.0

FF 429.0

FF 429.08

FF 429.33

FF 429.25

FF 428.9

FF 428.75

FF 428.85

FF 428.6

FF 417.75

FF 421.2

FF 424.6

FF 426.5

(E) ADU

SEMI-PERMEABLE PAVERS DRIVEWAY

Proposed Driveway @ 15% slope, width = 12'
NEW CONTOURS AT DRIVEWAY ONLY
DRIVEWAY SLOPE = 15%

REDUCED SETBACK 25' -> 12.5 (SLOPE) 29.40.060

Guest Parking

DECOMPOSED GRANITE PATH AT GRADE

R-1-10 ZONING DISTRICT SETBACK

10' EASEMENT

24" box street trees

(E) Brick Wall

REMOVE (E) BRICK RET. WALLS

(E) Block Wall (to remain)

REMOVE (E) BLOCK WALL @ (N) DRIVEWAY

(N) Retaining Wall

KENNEDY ROAD
(WIDTH VARIES)

PROPOSED JOINT TRENCH

Proposed 4" SS

Proposed 2" SS

Proposed 4" SS

SSCO

Tree Protection Detail D1

Tree Protection Detail D2

657 34" Live Oak TO REMAIN

658 12" Live Oak TO BE REMOVED

659 12" Live Oak TO BE REMOVED

660 14" Live Oak TO REMAIN

661 6" Live Oak to be REMOVED

662 6" Live Oak to be REMOVED

663 20" Live Oak TO REMAIN

664 10" Live Oak TO REMAIN

665 36" Live Oak TO REMAIN

666 12" Live Oak to be REMOVED

667 28" Live Oak to be REMOVED

668 20" Live Oak TO REMAIN

669 16" Live Oak TO BE REMOVED

Tree removal permits must be issued before demo and construction permits can be issued

Tree fencing must be installed, with pictures uploaded to Accela, before any demo or construction permits are issued

Tree Table

ID #	Species	Diameter	Condition	Remain or Remove	Tree Protection Detail	
657	Coast Live Oak (Quercus Agrifolia)	34	Good	Remain	D1	
658	Coast Live Oak (Quercus Agrifolia)	12	Good	Remove		Driveway
659	Coast Live Oak (Quercus Agrifolia)	12	Good	Remove		Driveway
660	Coast Live Oak (Quercus Agrifolia)	7	Good	Remain		
661	Coast Live Oak (Quercus Agrifolia)	6	Poor	Remove		Poor Condition
662	Coast Live Oak (Quercus Agrifolia)	5	Very Poor	Remove		Poor Condition
663	Coast Live Oak (Quercus Agrifolia)	20	Fair	Remain		
664	Coast Live Oak (Quercus Agrifolia)	10	Fair	Remain		
665	Coast Live Oak (Quercus Agrifolia)	36	Fair	Remain	D2	
666	Coast Live Oak (Quercus Agrifolia)	12	Fair	Remove		Driveway
667	Coast Live Oak (Quercus Agrifolia)	28	Very Poor	Remove		Poor Condition
668	Coast Live Oak (Quercus Agrifolia)	20,14	Fair	Remain*	D2	*Attempt to Keep
669	Coast Live Oak (Quercus Agrifolia)	16	Very Poor	Remove		Poor Condition
670	London Plane (platens hispanica)	18	Good	Remain		

Remove 4 Trees Good/Fair: Replace with 21 x 24" box screening

Remove 3 Trees Very Poor/Dead: Replace 9 x 15 gallon

REPLACEMENT TREES: 21 x 24" box drought-tolerant replacement trees

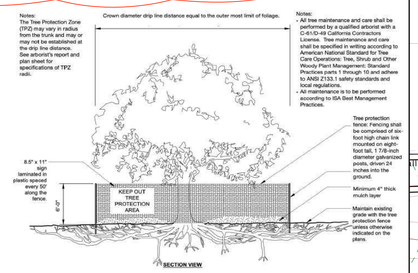
24" box

2 x 24" box Coast Live Oak

24" box

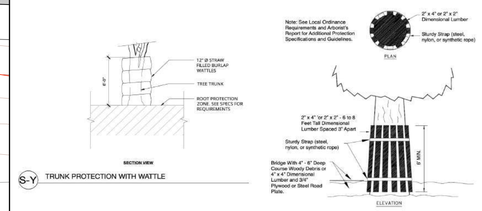
19 x 24" box Indian Laurel

D1: Plan Sheet Detail S-X (Type I)



S-X TREE PROTECTION

D2: Plan Sheet Detail S-Y (Type III)



S-Y TRUNK PROTECTION WITH WATTLE

Trunk Protection Vertical Timber Detail

NOTES:

1) PG&E TO INSTALL 64' OF 1" PL SVC AT MAIN W/1800 EFV
2) PG&E TO INSTALL 2MM: (1) AC-630 & (1) AC-250 METER @ .25 PSIG
3) PG&E TO T/B ALL

