

From: Rohit Bakshi <[REDACTED]>
Sent: Thursday, March 20, 2025 9:50 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: Apoorva Bakshi <[REDACTED]>
Subject: Re: Concerns Regarding Nicol Residence Project at 16497 South Kennedy Rd
Dear Jocelyn,

Sending you a consolidated draft as you are entering everything into record

Subject: Serious Privacy Concerns Regarding Proposed Development at [Project Address]

Dear Members of the Los Gatos Community Development Department,

I am writing on behalf of my family and neighbors to formally express our **serious concerns** regarding the proposed residential development Project at 16497 South Kennedy Rd adjacent to our property at [REDACTED]. This project presents **significant privacy intrusions**, which would have an extremely negative impact on our daily lives, privacy, and property value.

Major Privacy Concerns:

1. **Elevated Position & Direct Sightlines:** The proposed home is **substantially uphill** from our property, giving it an **unobstructed view into our backyards, swimming pool, master bedroom, and our daughter's bedroom**. This **violates our privacy** and creates an unacceptable level of intrusion.
2. **Second and Third-Story Windows & Balconies:** The architectural plans indicate **large, direct-facing second- and third-story windows, as well as multiple balconies**, all of which significantly **compromise our privacy** by allowing direct and continuous sightlines into our most private spaces.
3. **Grossly Inadequate Landscaping for Privacy Screening:**
 - The landscape plan **fails to provide effective privacy** due to poor plant selection and placement.
 - The **majority of trees are slow-growing (Coast Live Oak) or deciduous (Western Redbud, Toyon)**, meaning they will not provide immediate or year-round screening.
 - **Shrubs and smaller plants are insufficient to block elevated second- and third-story sightlines** from the proposed home.
 - The current design lacks a **continuous, dense tree buffer**, leaving open sightlines that **do not mitigate privacy concerns**.
 - **No mature plantings** are specified in the plan, meaning privacy screening will take years to develop, if ever.

Requested Actions:

To address these concerns, we respectfully request the Planning Commission take the following actions before granting approval:

1. **Require significant modifications to the design** to reduce direct sightlines into our property. Specifically:

- Reposition or eliminate direct-facing second- and third-story windows that look into our private areas.
 - Reduce the proposed height of the project
 - Restrict balcony access or redesign the balconies to prevent direct views into our yard.
2. **Mandate an enhanced landscape screening plan** that includes:
- **Mature, fast-growing evergreen trees (e.g., Italian Cypress, Podocarpus, or similar species) of at least 14–16 feet at installation** to provide immediate and lasting privacy.
 - **Dense tree and hedge placement** along the property line to fully block sightlines.
 - **A privacy compliance requirement** ensuring screening remains in place and effective long-term, with required maintenance and replacement as necessary.
 - **Strategic tree placement specifically to block second- and third-story views** into our property, not just at ground level.
3. **Conduct a formal review of neighborhood compatibility** and evaluate whether the bulk and height of this project **violate the town’s privacy and neighborhood character guidelines**.

We urge the Planning Commission to carefully review this development **through the lens of neighborhood privacy protection** and require the necessary adjustments to safeguard our property and quality of life. This project, in its current form, is **fundamentally intrusive**, and without major modifications, will create **a permanent loss of privacy** for multiple adjacent properties.

We would appreciate the opportunity to discuss these concerns further in the upcoming hearing.

Sincerely,

Rohit and Apoorva Bakshi

I am Ken miller, a practicing physician in this community for 50 years.

My driveway begins at the corner of Kennedy and South Kennedy. There is a set of concrete pillars that guard the entrance of an old asphalt road that Mr. Nicols has suggested in the past would be best to have a gate. He claims this is a private road. By easement, it is not a private road. He should stop advertising it as a private road, and be reminded not to place a lock. Or have a future owner do either by recorded deed.

The workers, during construction of this project, should not use this one-way road in either direction. An exception to this would be only in the ascending direction when actively repairing the road, walls or for fire retardation.

The old stone walls are falling along this up driveway, and Mr. Nicols should repair the walls on his property. Multiple sites of collapse are evident, and threaten landslide, or falling rock to pedestrians below, motorists, and homes on South Kennedy. There already have been landslides, and fallen rock that has reached South Kennedy.

No heavy trucks are to use or park on the asphalt driveway above the project. Previously the old asphalt caved and rutted.

If a tractor is to be used on the asphalt, , it should have tires and not treads.

During construction, mature oak trees will be removed. We want mature oak trees replaced to shield the project from the homes above. These replacement trees should be the same height as the trees that would be killed. Their plantings should be far enough away from the old stone wall to have their root system not threaten the old stone walls, or the new home construction. It is possible the the developer will object to this screening condition, as it would reduce the size of the projected home. I am not objecting to the home. The developer chose to build a maximum size home not adequately considering the topography. This is an extremely narrow lot, on a steep hillside, on moving land that threatens the stability of the walls, the above embankment and the neighborhood. An objection to adequate screening to maintain the privacy feature, that includes the argument that screening needs to be minimal to squeeze this house onto the lot begs the question of how naive does he think this panel is? Adequate screening is a priority for all projects and all neighbors. The developer should have taken this into consideration when the project was conceived, not as a a trading piece to close a deal. If a smaller project with adequate screening is required, this obviously was as true when it was proposed as it is now. I think a smaller project fits screening requirements.

The old stone wall above the project needs reenforcement, and a deed easement commitment to maintain these walls and roads at the financial cost to the developer or future owner under the

direction of the proper town enforcement department.

It is to be expected that during construction nails and screws etc. will scatter about the down driveway, Mr. Nichols should blow or sweep the driveway once a week during the construction period.

The driveway was heavily, extensively damaged during Mr. Nicols last development. Since all of that remodeling was initially done without permit, the homeowners did not have a formal opportunity to object to the damaged driveway. When he did get permits, the homeowners still were not able to object, not able to bring the damage to the authorities for remediation. This time the authorities should take him to task for past finagling and have him resurface the driveway with the same material he has damaged.

No existent trees on neighboring property, or their arbors, are to be cut by the developer or future owner, without written permission from the neighbors.

Continued open space is a priority to maintain the present wildlife habitation.

The property owners recent request for a further subdivision was denied. In deed form, the developer should stipulate that beyond this construction, there will be no further subdivision division and no more home construction on the remaining land so that it will forever be open space. This needs to be formally recorded.

From: Rohit Bakshi <[REDACTED]>
Sent: Thursday, March 20, 2025 3:23 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Cc: Apoorva Bakshi <[REDACTED]>
Subject: Re: Concerns Regarding Nicol Residence Project at 16497 South Kennedy Rd

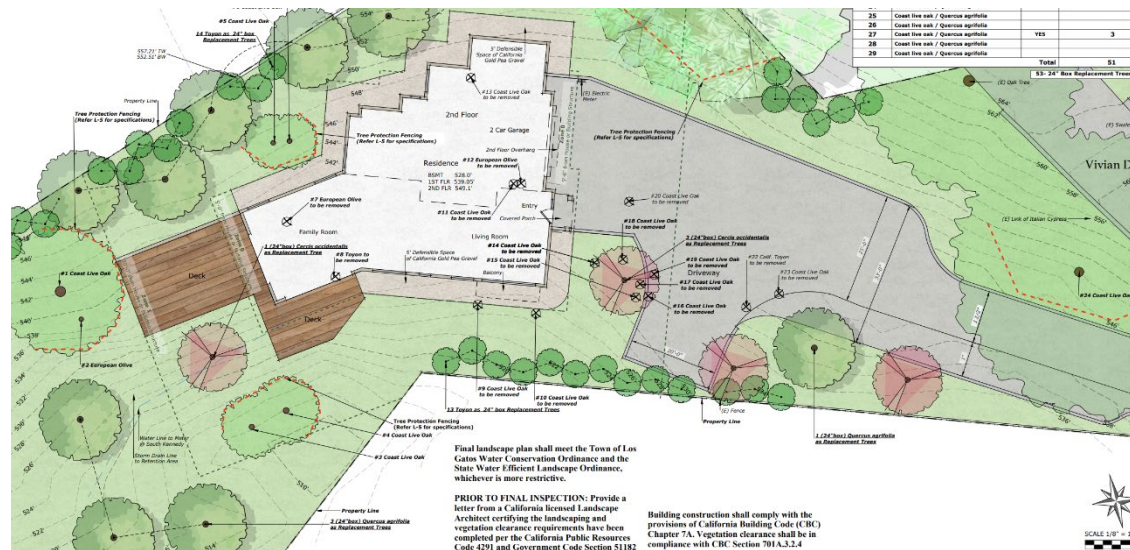
Hello Jocelyn,

It was a pleasure meeting you!

Thanks for taking the time today.

- I looked up the plans and my concerns are more elevated after that. I believe this entire face of the home (pic below) is looking downhill from our home . For most part they have huge windows , wall to ceiling sliding doors and balconies all overlooking our homes backyards , pool and our master bedroom

- From their landscaping plan it seems like all they will plant are Tyon plant , grossly insufficient to protect privacy . And for most of the periphery of the property there are no plans at all



Subject: Opposition to Proposed Development:

16497 Kennedy Rd Los Gatos, CA.- Regarding the impact of the potential risks to the safety and security of S. Kennedy Rd, private homes, and driveway accessibility.

Dear Planning Commission/Building Department,

I am writing to express my strong opposition to the proposed development project at 16497 Kennedy Rd. Los Gatos CA. This opposition and concern arises from the potential negative impacts regarding the safety and security of S. Kennedy Rd, private homes in the community and driveway access.

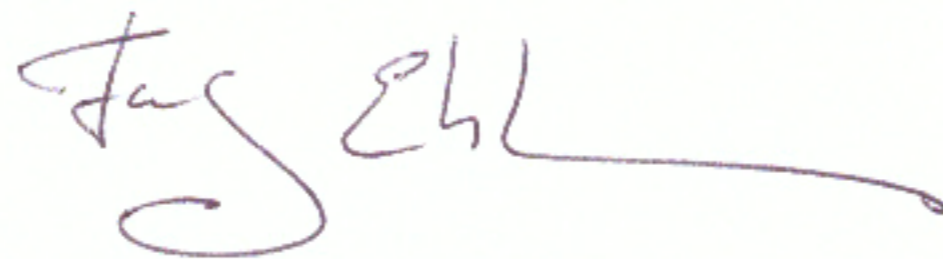
The proposed development will cause severe shifting in the earth and soil due to the excavation and grading processes that are implemented when building a home. These processes will cause potential risks to the current conditions on S. Kennedy Rd which in turn may lead to damages to the structure of S. Kennedy Rd, as well as the stone wall that is on the perimeter of S. Kennedy Rd. Unforeseen damages to the driveway and accessibility to our homes may occur; causing structural and financial damages. These potential damages will create structural and financial consequences that I am not wanting or willing to undertake at this time.

Furthermore, the proposed new home's elevation, building site, and size are unfitting to this down sloped lot. It will cause an unpleasant sight to me, my neighbors, and the community. As well as the disruption of the open space on S. Kennedy Rd. Los Gatos, CA

The proposed development at 16497 S. Kennedy Rd. Los Gatos, CA does not illustrate the continued safety and security of S. Kennedy Rd., private homes and driveway accessibility. Nor will it contribute to the aesthetics of the neighborhood. I urge you to prioritize projects that create safety, security and align with our community values.

Sincerely,

Fred Ebrahimi

A handwritten signature in dark ink, appearing to read 'Fred Ebrahimi', with a long horizontal flourish extending to the right.

Dear Jocelyn Shoopman,

We are here to support and represent the ownership of [REDACTED] as the sons of the owners. The property to be constructed in front of [REDACTED] which is 16497 South Kennedy Road is way too big. The plans call for a 4,844 sq ft structure along with a 663 sq ft garage totaling close to 5,500 sq ft. The structure is going to interfere with the general living experience of its neighbors. The building is going to destroy the wall which is historic alongside the current access road to the said property and destroy the embankment. There is a fire problem, mudslide problem and a flooding problem. The building is going to be a gigantic eye soar. It is not appropriately sized for the type of downslope lot and size of its lot .This lot is extremely sloped. There is a home below it , It is small, and can have grading issues which could create concern for its neighbors. . I urge you not to grant approval for such a massive non-conforming structure in what for over 100 years has been empty and what appears to be not suitable for such a huge unnecessary home.

Matthew Ebrahimoon	<p>Signed by: <i>Matthew Ebrahimoon</i> 8B0EA725FAEA4CA...</p>	3/17/2025
Jonathan Ebrahimoon	<p>DocuSigned by: <i>JK</i> 817E8A9B2D484B0...</p>	3/18/2025
Nathaniel Ebrahimoon	<p>DocuSigned by: <i>Nathaniel Ebrahimoon</i> 249D7EB7D8244A6...</p>	3/17/2025

From: Ken Miller <[REDACTED]>
Sent: Monday, March 17, 2025 12:35 PM
To: Jocelyn Shoopman <jshoopman@losgatosca.gov>
Subject:

Proposed Nichol residence at 16491 SOUTH KENNEDY RD.

With the threat of a fire on the hillside/wooded property, major insurance companies are refusing to renew fire insurance policies, or even offer a policy. When policies can be obtained, they are of limited coverages, or exorbitant rates.

Homeowners often are required to obtain fire insurance coverages, even though there is no reasonable risk. Hillside property in this semi-rural town setting is apparently deemed an unreasonable insurance risk. New homes, remodels and homes for resale may be reevaluated and deemed an unreasonable risk.

With fewer fire insurance policies issued, there is a negative wealth pressure. Homes without fire insurance leads to home sale price reduction, more expensive mortgages, and denial of reasonable mortgages. Self-insurance is problematic.

Flat landers, with homes possibly surrounding a hillside fire, should insist that fire abatement standards be required for all new homes. Think L.A.

I have a home in wooded San Mateo county. Clearing the land and notifying a county court was part of my building project. I have to notify the a county court twice a year, that part of my property is absent of combustible material.

For over 45 years, I alone have been tending to this problem on this rural hillside land at 16497 South Kennedy. Not including firewood, I have removed an average of 12.5 tons of combustible material every year. No longer.

I have been recently been told that months ago the fire department notified Mr. Nicols of the need for fire abatement. It is not apparent anything has been done. Failure to do so, the fire department may proceed, and present their bill.

This land is quite sprawling, and it is easy to forget responsibilities to protect the neighbors when the land extends along Kennedy road to Long meadow. I propose that owners of this land have yearly fire department evaluation, with reasonable recommendations. This should be included in deed form.

Future new homes on wooded hillside property should have this requirement. It is a county fire department, but a town planning commission. We live in new times, and we need to respond to different challenges.

Ken Miller, [REDACTED] Contact JShoopman@LosGatosCA.gov

The planning meeting is 3/26/25 7PM

From: Rohit Bakshi <[REDACTED]>

Sent: Friday, March 14, 2025 4:35 PM

To: Jocelyn Shoopman <jshoopman@losgatosca.gov>

Cc: Apoorva Bakshi <[REDACTED]>

Subject: Concerns Regarding Nicol Residence Project at 16497 South Kennedy Rd

Dear Jocelyn ,

I hope this email finds you well. My name is Rohit Bakshi, and along with my wife, Apoorva Bakshi, and our children, we reside at [REDACTED], Los Gatos. We are writing to express our concerns regarding the Nicol Residence project currently under review by the Los Gatos building department. We would also like to talk about our concerns at the planning meeting scheduled for Mar 26th and 7 pm

Concern 1 - Embankment Wall

The property's old stone walls show multiple structural issues, including cracks, missing stones, and prior repairs. A previous repair along the driveway was made years ago by the Stephen family and Mr. Athow, whom I recently spoke with. Despite these efforts, a new break has emerged and was temporarily fixed.

This wall is critical for hillside stability, and its deterioration threatens my home which is downhill from this property. To prevent collapse, the building department must enforce reinforcement to meet safety standards. The financial responsibility for maintaining the wall should be recorded in deed form and remain with the landowners under the department's supervision.

We believe the wall and embankment are at risk of sliding, potentially causing catastrophic damage to our home and family. Immediate action is necessary, and a recorded easement should hold present and future owners fully responsible for remediation, conducted under the Los Gatos building department's direction.

Concern 2 - Privacy

We also seek assurances regarding the preservation of privacy for our home. Several large oak and olive trees that currently provide privacy screening border the property. It is essential that these mature trees remain intact, especially those with overhanging arbors. Furthermore, we request that additional trees be planted to enhance privacy. The management of these trees and the broader landscape should be conducted under the oversight of the building department.

Additionally, the current size, orientation, and height of the proposed project present significant privacy concerns. The design of the structure directly overlooks our bedrooms and recreational spaces, including backyard pools and lounging areas. To mitigate these issues, we request the following measures:

- A reduction in the overall height of the building
- Maintenance of existing privacy screening vegetation
- Addition of new trees and other landscaping features to further protect the privacy of neighboring homes

We kindly request that these concerns be thoroughly reviewed and appropriately addressed as part of the approval process for the Nicol Residence project. We appreciate your attention to these matters and look forward to working collaboratively to ensure a safe and harmonious neighborhood environment.

Thank you for your time and consideration.

Best regards,

Rohit Bakshi and Apoorva Bakshi - [REDACTED] Los Gatos, CA

Nichol Residence at 16497 South Kennedy

The Nicol Residence project at 16497 South Kennedy Rd, Los Gatos is presently under review by the Los Gatos building department. There are six home owners that are adjacent to this project.

I am writing this e-mail to address our concerns. I am Kenneth Miller, along with my wife Susan Miller, and live at [REDACTED] Los Gatos. I have been in touch with the five other adjacent homeowners and we all are in agreement with the following concerns that affect them. Some home owners have additional concerns.

I suppose a beginning of our issues concerns the past history of this land use, and Mr. Nicols' past dealing with the planning department. His initial interaction occurred years ago during the remodeling of an adjoining property, his prior home at 16491 South Kennedy.

My understanding is that the 16491 project was halted by the building department for multiple infractions for an extended period of time. The planning department should make the planning commission aware of these problems as a beginning in understanding the methodology of the developer.

Most probably the developer stated recently that he notified all of the adjacent home owners and easement holders, when in fact this is false.

The concerns begin with the advertisement of this land containing a private road, beginning at the corner of Kennedy and South Kennedy, meandering up a hill and then back to South Kennedy.

In fact, this is also false. There are four other property owners that have multiple easements giving use to this road. Mr Nicols once suggested placing a gate at the pillars to restrict access. We want a stated deed restriction reminding Mr. Nichols , and future owners, that this is not a private road, has deeded easements, and will never have a lock that may restrict access.

This property has old stone walls. There are already breaks/cracks, loose and missing stones, and disruptions in the old wall. One can view a prior repair while inspecting the wall on the up driveway. The wall had collapsed and was repaired years ago by the Stephen family (they still live in town) and Mr. Athow, to whom I have recently spoken. A break has recently reappeared, and received a simple repair. This wall is temporarily holding up the hill. The present owner of the land and this wall needs to prevent a collapse of the hillside due to the lack of integrity of this wall which is threatening the homes and lives along South Kennedy. This can be done by reinforcing the wall to the building department standards. This integrity, and sole financial responsibility of the wall maintenance needs to be under the supervision of the building department, and recorded in deed form.

The condition of the section of the old stone wall in front of 16565 Kennedy and 16575 Kennedy is most alarming. I spoke with the general contractor, who was concerned about the integrity of this section of the wall. Knowing that construction can cause immediate and delayed damage, his remedy was to take pictures of the wall to demonstrate upon completion of the project no harm had been done.

Plainly, the wall is bending and dipping, showing severe stress. Stones are loose and falling out. Significant cracking has occurred. The driveway above the road is moving, in parallel with the movement of the retaining wall. In keeping with the developers pattern of behavior, perhaps the geologist was limited to his evaluation of the proposed building site, and not to the danger above.

We believe not only is this wall, and the embankment above, sliding down the hill, but a collapse may lead to a catastrophic event. With a collapse, the adjacent/adjoining homes, the integrity of the houses above and below the wall, and the embankment above will be endangered, as well as the lives of the occupants. This danger must be addressed, and a recorded easement be made, that in the event of collapse, the present and future owners are to be held fully liable and financially responsible for the remediation of the disaster. The remediation is to be under the direction of the Los Gatos building department.

When Mr. Nicols remodeled his home at 16941, he substantially injured the down concrete

driveway. He made no effort to repair the damage. There has been no significant project since Mr Nicols damaged the concrete driveway. Upon the completion of this house portion of the project, Mr. Nichols should be made to restore the concrete driveway to the pre-damaged state using the same materials under the supervision of the planning department.

There should be protection of the large oak and olive trees that border the property and give a modicum of privacy screening. Old oak trees (with their arbors) should remain on/or overhanging the property. More trees are needed for privacy. The plant management is to be under the direction of the building department.

The privacy of the homes below the project must be protected. The present size, orientation and height of the project looks directly into bedrooms, and down upon backyard pools and lounging area. Therefore, the height of the house should be lowered, any screening vegetation to be maintained, and additional tree screening added to protect the privacy of the neighboring homes.

This project is directly in front of the home entrance of 16575 Kennedy rd. The height should be lowered a few feet, and the shielding trees not disturbed. More tree screening is needed, but not to the detriment or risk to the integrity of the stone walls.

This is a meandering piece of land. This construction is essentially the largest project allowable, and squeezed into probably the only available space. This is a very narrow strip of land, and also being constructed on a steep hillside. The project should not move forward. If approval for this development persists, the project size needs to be revisited, keeping in mind the risks to the community and the semi-rural neighborhood.

At this time, Mr. Nicols is not allowed to further sub divide the property. This is a last remaining open space parcel in the area. We want it designated in deed form to remain an open space in easement form.

Thank you for considering our concerns.

 **Ken and Susan Miller**

3/13/25

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Friday, February 28, 2025 2:35 PM

To: Planning <Planning@losgatosca.gov>

Subject: Online Form Submission #15627 for Community Development Contact Form

Community Development Contact Form

First Name Carol

Last Name Tinsley

Email Address (Required)

[REDACTED]

Phone Number

[REDACTED]

Tell Us About Your Inquiry
(Required)

Comment Regarding A Planning Project

Address/APN you are
inquiring About (Required)

[REDACTED]

Message (Required)

I was just reviewing the pending building proposal for 16497 S. Kennedy Road. I live at [REDACTED] and share the driveway with this location and yet I am not listed as a neighbor. We certainly should be as we share the driveway and have access and utility easements to use the other access driveway pictured in the photos. Not sure how or why this happened, but can you make sure that it is rectified?

Add An Attachment if
applicable

Field not completed.

Email not displaying correctly? [View it in your browser.](#)