

Response to Neighbor Concerns

Prepared by Deepak Gupta and team, on June 26-28, 2026

Submitted to Town of Los Gatos on June 29, 2026

I. Introduction

We appreciate the Town forwarding the neighbor correspondence regarding the proposed project at **16717 Chirco Drive**, and we also thank the adjacent property owner for taking the time to review the plans and provide written comments. We understand that changes to a neighboring property can raise important questions, particularly with respect to privacy.

We have taken these concerns seriously and have tried to be fair and considerate in our responses below. Where feasible, suggested options for revision are presented below. At the same time, we also hope that both the subject neighbor and Town understand that there are constraints and we hope to be able to compromise a fair resolution where needed.

We remain committed to working constructively with the Town and neighboring property owners to ensure the final project is fair, respectful, and contextually appropriate.

II. General Response

We believe it is important to provide several overarching points regarding the proposed project and the review process to date.

First, this project has undergone numerous significant revisions in response to Town feedback, consultant architectural review, neighbor feedback, and our own continued evaluation of neighborhood compatibility. These revisions have required substantial time and effort from multiple parties, including our design and architectural team, engineering consultants, contractors, surveyors, and family members. Reviews and revisions have also resulted in not-insignificant additional expenses; we mention this not as a complaint, but to emphasize that the current proposal reflects a long and careful process of refinement, not an inflexible design.

Second, the proposed project complies with applicable zoning regulations and has been designed with careful attention to the intent of the Residential Design Guidelines. While compliance with zoning standards alone is not the only consideration, we believe the current design also addresses the broader RDG goals of neighborhood compatibility, proportionality and scale, appropriate architectural character, and sensitivity to adjacent properties.

Third, every effort has been made to balance multiple competing considerations, including minimizing impact on the neighborhood, privacy, functionality of interior circulation, architectural quality, and the needs of a multigenerational household. We believe the revised proposal reflects this balance in a reasonable manner.

III. Response to Individual Concerns

A. Privacy

We understand and respect the neighbor's concern regarding potential privacy impacts from the proposed second-story windows. The second-story windows have been reduced from earlier design iterations, reflecting our effort to balance architecture, natural light, and privacy considerations. The remaining windows provide natural light, ventilation, emergency egress, and visual articulation so the second-story façade does not appear as a solid blank wall.

It should also be noted that the windows do not create direct overlook as suggested in the neighbor's letter as the second story does not abut his property line. To the extent any angled or partial view toward the neighboring property may exist, we are willing to incorporate **factory-finished frosted, etched, or otherwise permanently obscured glazing** where appropriate to further reduce privacy concerns. However, complete removal of the windows, significant reduction in opening size, or raising sill heights beyond certain limits may not be feasible because bedroom windows must still satisfy applicable building code requirements for emergency egress. In the spirit of continued collaboration, we believe these revisions and proposed accommodations adequately protect neighboring privacy.

It is also worth noting that the existing immediate neighborhood already includes second-story windows at comparable or shorter distances to neighboring properties, as they cannot be completely avoided unless second stories are eliminated altogether. Nevertheless, we have taken care to avoid creating a direct overlook condition and remain willing to use obscured glazing, if required, where appropriate.

B. Shadowing

We have reviewed the neighbor's concern regarding potential shadowing, particularly as it relates to the pool, trees, and landscaping. It should be noted that the neighbor's concerns are not presented with any accompanying measurements, scientific data, or studies to support stated concerns. The neighbor has also requested an *independent, verifiable* shadow study in lieu of the submitted shadow study in our C3 submission. We take this concern seriously and have also reviewed the neighbor's submitted conceptual illustration.

Our submitted shadow study was prepared using a conventional shadow-analysis approach, evaluating the project during relevant daytime intervals (9:00am-3:00pm) and already includes both the **winter solstice (A.18-A.19)** and **summer solstice (A.19-A.20)**. The winter solstice represents the lowest sun angle and therefore the most conservative

shadow condition, while the summer solstice represents the season when pool use, landscape growth, and sunlight exposure are typically most relevant.

The neighbor's conceptual exhibit was also reviewed and appears to depict a very long, low-angle shadow. However, the exhibit itself is labeled as conceptual and is not a scaled or surveyed shadow study so it is unclear exactly how to use this. From a geometric standpoint, an approximately **85-foot shadow** from a **26.5-foot-tall structure** would require a sun elevation angle of only **17.3 degrees above the horizon**. This represents a very low-angle sun condition, typically associated with dusk rather than standard daytime conditions. It is not typical for shadowing during dusk to have material adverse impact, as **it is brief and expected** before sunset. The conceptual drawing is also inaccurate as it positions the subject neighbor directly east of the proposed second story which is not accurate. An accurate figure depicting the proposed configuration is included here with no immediate abutment along his property line (15603 Benedict) line.

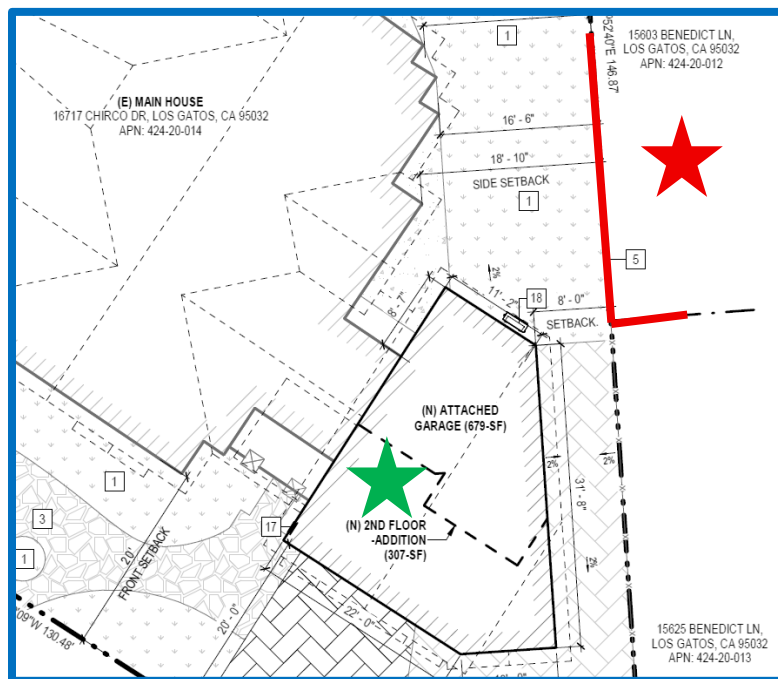


Figure B0. The proposed second story (green star) does not immediately abut the subject neighbor's property line (red star and red line). The correct direction between the two structures is Northeast (not East).

In addition, the neighbor's conceptual shadow exhibit appears to contain a directional inconsistency. The diagram depicts sunlight approaching from one direction while the

projected shadow appears to extend in a different direction. From a geometric standpoint, the direction of incoming sunlight and the direction of the resulting shadow should be aligned on the same axis. Because the exhibit does not appear to maintain that relationship, we understand this to be a conceptual illustration only, rather than a reliable or scaled representation of actual shadow impact. As our original shadow study *does not correlate* with the neighbor's drawing and at **the neighbor's request**, we performed a **supplemental shadow study** on June 26-28, 2026, **focused** solely on the relationship with the subject neighbor's property. This supplemental study, similar to the original shadow study, does not correlate with the neighbor's conceptual drawing and is discussed further below.

In our supplemental focused study performed on June 26-28, 2026, portions of the neighboring pool were noted to **experience significant shadowing from existing structures and/or existing mature trees during winter-afternoon** conditions when pool use and solar warming are naturally not typical. The proposed addition was found to result in incremental shadowing during the late-day winter period, but that incremental effect appears minor, limited in duration (3:00pm-3:30pm), and generally comparable to existing shadow conditions. In particular, the incremental shadowing does not appear to affect the neighbor's main residence and does not appear to create any new shadow whatsoever over the pool during the primary seasons of pool use. The concern that the project would materially reduce the usable pool season or significantly impair solar warming is not supported by the available objective analysis in both studies. See additional **ATTACHED FIGURES B1-B18 for supplemental focused shadow study results**.

It is also important to distinguish between *existing shadowing* and *shadowing caused by the proposed project*. It should be noted that the neighbor's own residence and own existing mature trees along the property line already contribute significant shade patterns to the neighbor's rear yard and pool, and any fair analysis should separate those existing conditions from any additional shadow attributable solely to the proposed second-story addition.

Based on the original shadow study and supplemental study, the available evidence does not suggest a significant shadow impact on the neighboring property caused by the new second story. During summer, when the swimming pool and landscaping are most dependent on sunlight, the sun is high in the sky (vertical light) and shadows cast by the proposed addition are correspondingly short. As a result, **the proposed second-story addition does not affect sunlight access whatsoever** to the neighbor's pool, trees, or landscape health during the season when those features are most actively used and most dependent on direct sunlight.

During the winter solstice, there is incremental shadowing limited in both extent and duration which we believe is not a significant loss of sunlight to the neighbor's rear yard. More specifically, there is partial pool shadowing about 30 minutes earlier, around 3:00pm, instead of 3:30pm. It should also be noted that during the winter solstice timepoint, there would be **no leaves** on the trees nor any expected watering of the landscape, and shadow onset 30 minutes earlier would not be expected to play a critical role in pool temperature nor landscape health.

Please note that during both the summer and winter solstice, the neighbor's own residence already overshadows the pool for most of the morning sunlight hours between 8:00am and 11:30am, and this is the major source of pool shadowing with or without the proposed second story addition.

In summary, while we understand the neighbor's theoretical concern, and recognize that some low-angle winter-afternoon shadowing may occur 30 minutes earlier before sunset, the available objective evidence indicates that the shadow from the proposed addition is extremely minimal, seasonal, and not materially adverse. The submitted shadow study already includes winter and summer solstice conditions, and new supplemental study further supports the same conclusion as original submission that the project will not create additional significant shadowing over the neighbor's pool, mature trees, landscaping, or main residence.

Finally, we also respectfully request two more important points to be considered:

- The subject neighbor's trees along the rear property line contribute significant daytime shadowing to our proposed open yard and landscaping behind the new garage. We are accepting of this and respectfully request reciprocal consideration.
- The neighborhood is a moderate density zone with side setbacks of 8 feet. It is not a rural or estate setting where very large separations between structures exist. There are numerous examples in the neighborhood where shadows affect neighbors to some degree and we respectfully request similar reasonable allowance.

C. Height and Neighborhood Compatibility

We understand the neighbor's concern regarding the height and perceived mass of the proposed second-story addition. First, it is important to note that the proposed second story does not abut the neighbor's property, and is actually situated approximately 85 feet away from his house, and adjacent to a different neighbor at 15625 Benedict Lane.

Furthermore, our understanding is that neighborhood compatibility should be evaluated in the context of the "immediate neighborhood" as a whole, rather than by comparison only to one immediately adjacent property. The Residential Design Guidelines require submission

of a neighborhood analysis in their workbook, and our submitted design was prepared with that systematic framework in mind.

As part of our review, we identified existing two-story homes in the immediate neighborhood with heights ranging from approximately **25' to 30'**. The proposed maximum height of our project was previously reduced to **26'6"**, which places it in the lower half of the observed range of two-story homes. Importantly, the proposed project would **not be the tallest** home in the immediate neighborhood.

The current revised design also reflects substantial effort to reduce perceived mass and bulk. The proposed second-story floor area was previously reduced from **563 sf to 307 sf**, a significant reduction that materially decreases the upper-level volume, and was carefully limited to the minimum area needed to meet the functional goals of the project while maintaining neighborhood compatibility.

In addition, our neighborhood survey confirms that two-story homes are present and common in the immediate area at an incidence of ~40%. As such, the proposed addition does not introduce an unprecedented condition, nor does it create a height relationship outside the established range of nearby homes.

In the spirit of compromise and good faith collaboration, one suggestion we have is to possibly consider changing the rear roofline from gable to hip. This would reduce the rear height (from 26'6" to 18') that is diagonal and visible from the subject neighbor's backyard. This is a proposed rear height reduction of ~33%. This would unfortunately disrupt the Craftsman architectural consistency at the rear façade that was required by the Town of Los Gatos during the review process, but would have a potential benefit of reduced height and mass at the rear closest to the subject neighbor. This would also push the maximum height of the roof ridge *away* from subject neighbor by 14' 5" per his request. This would still be subject to design and engineering, and planning approval. This alternate design and engineering has been requested to assess feasibility, but due to the short notice, has not yet been completed. See preliminary 3D drawings (*to scale*) which are **ATTACHED (C1-C8)**.

A second last-minute alternative design is also preliminarily included in **ATTACHED FIGURES C9-C14**. This design has not yet been engineered or assessed for viability.

Taken together, the neighborhood height data, reduced second-story square footage, and architectural flow demonstrate that the revised design is in many ways appropriately scaled and contextually compatible with the immediate neighborhood. **TWO** possible rear roofline/rear height revisions (reduction by 33%) are reluctantly presented above for consideration.

D. Garage and Setbacks

We have reviewed the neighbor's concern regarding the proposed garage location and side-yard setback. The subject property has an unusual triangular lot configuration, and the existing home's orientation creates **no realistically feasible alternative option for locating a functional attached garage while maintaining appropriate circulation, access, and architectural integration.** It should be noted that the proposed garage is nearly completely *concealed by a fence* between our properties, and as stated above, does *not abut* the subject neighbor's property.

The proposed garage has also been revised and reduced in size during the review process. It is not a maximal or excessive garage volume; rather, it has been carefully tailored/revised to meet functional needs while keeping scale and reducing impact. We have previously reduced garage square footage, eliminated hardscape behind the proposed garage, and replaced that area with **increased open space and landscaping** that does directly abut the subject neighbor's property.

Importantly, the proposed garage complies with the required side-yard setback. While the neighbor prefers the existing larger separation, the current proposal remains within the development standards applicable to the property. The design should therefore be evaluated based on whether it complies with the Town's requirements and satisfies the intent of the Residential Design Guidelines, rather than whether it preserves an existing condition that exceeds the required setback. It should be noted that the proposed garage is approximately 85 feet away from the subject neighbor's residence. This is almost the same distance between my front door and the neighbor across the street from me, yet we do not require increasing front setbacks to push houses farther apart across the street. The immediate neighborhood is a moderate-density single-family neighborhood, but it is not a rural or estate setting where very large separations between structures are expected. Many homes in the immediate neighborhood are located within standard code-compliant setback patterns, and the proposed garage similarly complies with the applicable side-yard setback requirement. To require additional setback for our project would not be an established standard in our immediate neighborhood.

Finally, it should be noted that in the spirit of good faith neighborly cooperation, we have tried to minimize the impact of an attached garage, and would expect some grace from neighbors to be able to make efficient use of our property to meet personal goals. For these reasons, maintaining the prior 16'6" setback or relocating the garage would be impractical and disproportionate to the concern raised. Such a change would require starting from scratch or project abandonment. While we respect the neighbor's perspective, the

reasonable use and layout of the property must also be considered. We believe the revised garage location represents a practical, compliant, and context-sensitive solution.

IV. Communication and Neighbor Outreach

We have made multiple good-faith efforts to communicate directly and transparently with the adjacent property owner regarding the proposed project. Because the owner does not reside at the property and the home is currently tenant-occupied, there have been limited opportunities for informal, in-person discussion in the normal course of neighborhood interaction.

Over the course of the project, we attempted to contact the owner several times to discuss the plans and address any concerns.

1. July 1, 2025 – texted neighbor re: project, no response.
2. July 2, 2025 – texted neighbor re: project, he requested speaking at a later date.
3. July 7, 2025 – texted neighbor re: a different matter. My age 5 son hit a baseball over the fence into his backyard. No mention of wanting to discuss the project.
4. Oct 21, 2025 – text and phone call with neighbor re: a different matter. Neighbor had listed his house for sale. No mention of wanting to discuss the project.
5. June 13, 2026 - During a visit to the neighborhood, the neighbor notified me that he had seen the project sign on our property. Although we were away from the house at that moment, I called the neighbor and offered to return promptly in order to meet in person and discuss the project while he was nearby. Unfortunately, by the time we returned, he had left and requested to speak later by phone, which did not occur.
6. June 28, 2026 – I emailed the neighbor to acknowledge receipt of his letter and intent to send him additional figures, information, and possible solutions to his concerns regarding our project. No response thus far from neighbor.

We note this history not to criticize the neighbor, but to document that we have consistently attempted to be transparent and accessible. Our intent has always been to engage constructively and approach this project with the same consideration we have shown in our outreach to other neighbors, many of whom have met with us personally and provided feedback. Unfortunately, the neighbor has decided to wait until **1 business day** before approval (June 29, 2026) to submit his objections, which was very alarming. This has resulted in significant short notice/overtime/hasty effort to consider possible revisions in design, concepts, and a *de novo* supplemental shadow study. Nonetheless, we remain fully willing to continue the dialogue and collaboration with this neighbor.

V. Overall Design Philosophy

We believe it is important to explain the broader philosophy of the project. The proposed design was not an effort to maximize square footage without regard to context. Rather, it reflects an attempt to balance architectural quality, multigenerational family needs, preservation of open space, and respectful visual and neighborhood impacts.

With the guidance and collaboration of the Town, we have studied nearby homes, lot configurations, building heights, garage placement, setbacks, and overall massing patterns to ensure the proposal remains contextually appropriate. We have met with multiple neighbors and incorporated feedback in the previous revisions. While the design cannot exactly replicate every neighboring condition, it has been revised/refined/reduced upwards of 50 times to achieve best fit within the immediate neighborhood.

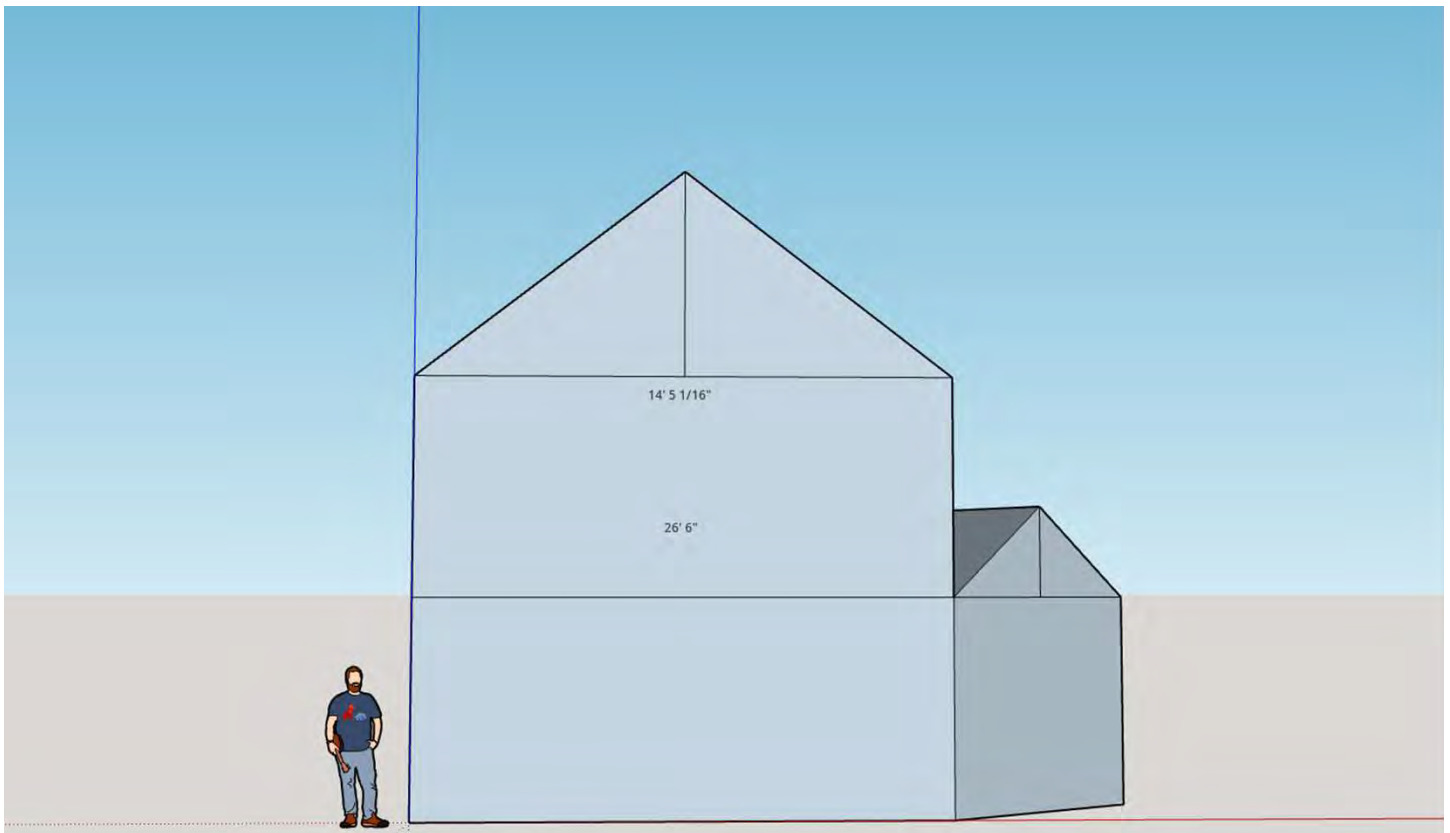
At the same time, the project must use available lot space and serve real functional needs for a multigenerational household. The design attempts to provide necessary space, parking, storage, and circulation in a manner that is efficient and respectful. We have also made a good-faith effort to preserve/increase open space, to use the lot responsibly, and avoid unnecessary overdevelopment that would negatively impact the neighborhood.

VI. Conclusion

We appreciate the neighbor taking the time to review the proposed project and express his concerns. We understand that changes to an adjacent property can raise important questions, and we have taken those concerns seriously. The letter above is an attempt to explain the reasons for many of the decisions made over the last 18+ months of design.

Where feasible, we have also suggested possible revisions to accommodate the concerns brought forth by the subject neighbors. Overall, we maintain that the proposal remains consistent with applicable zoning standards and faithful to the intent of the Residential Design Guidelines, while also reflecting meaningful revisions made in good faith throughout the review process.

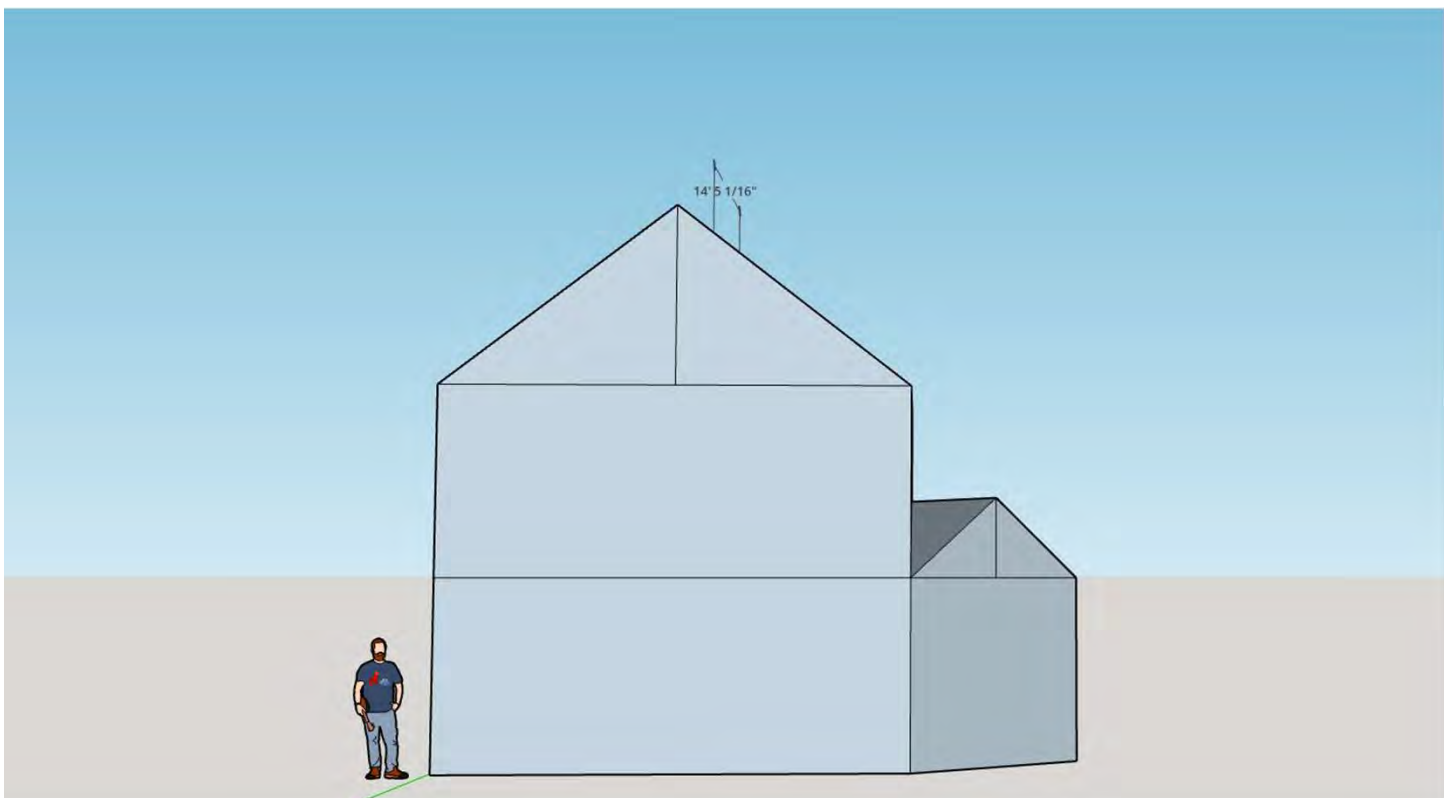
We remain willing to continue working constructively with Town staff and neighboring property owners to address any reasonable remaining concerns and to ensure the final project is fair, respectful, and compatible with the neighborhood.

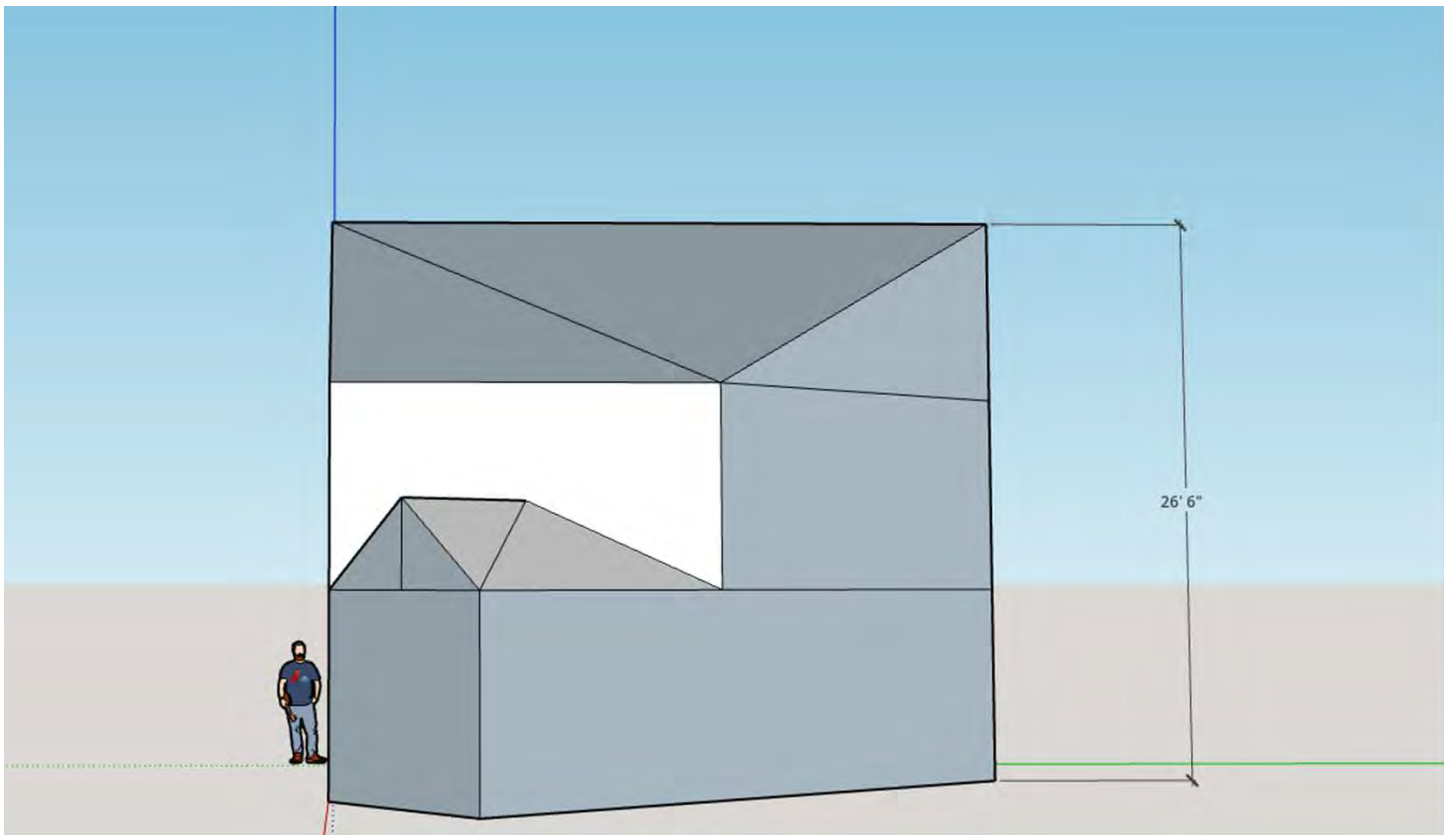


Front Elevation remains unchanged.

Figure C1. Above. Submitted design with rear gable roof.

Figure C2. Below. Rear roofline modified to hip instead of gable.

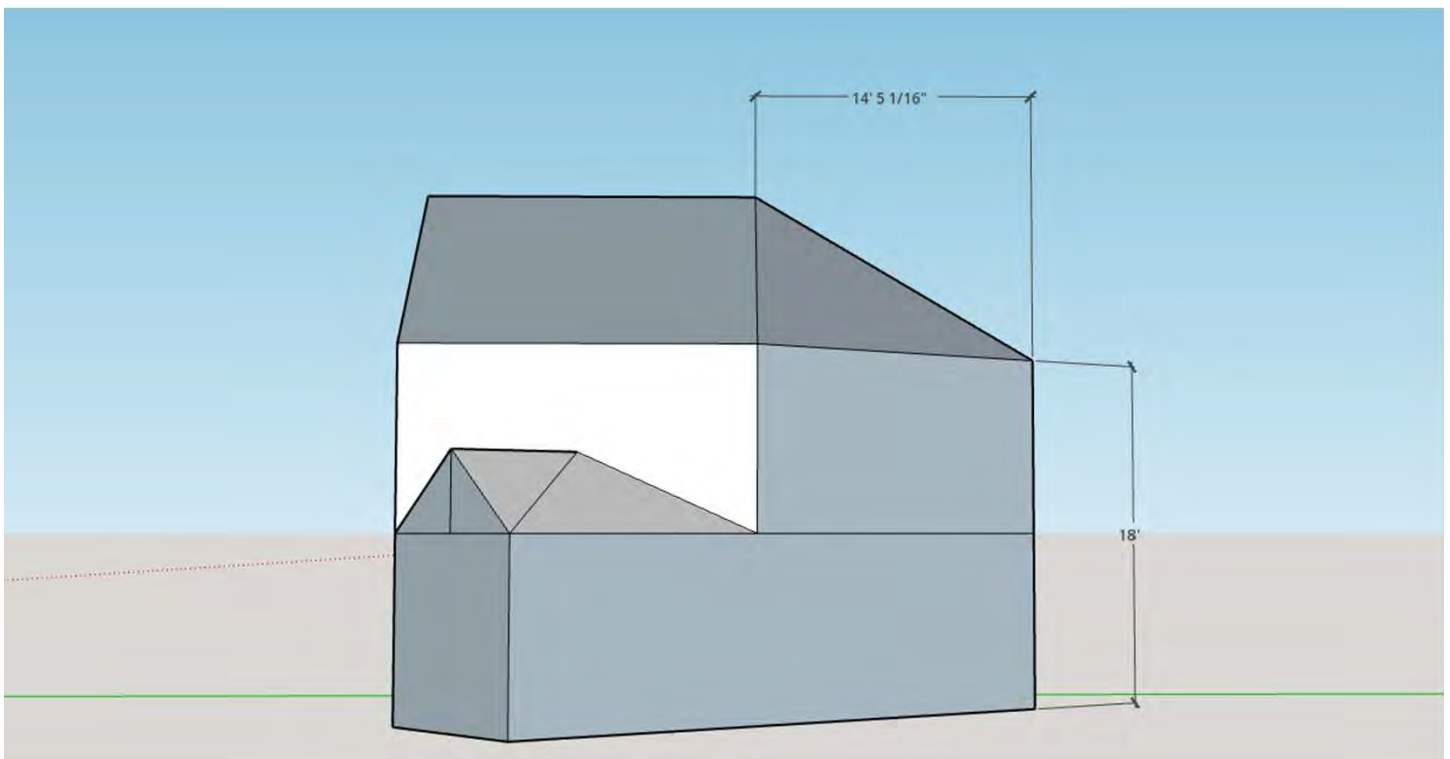


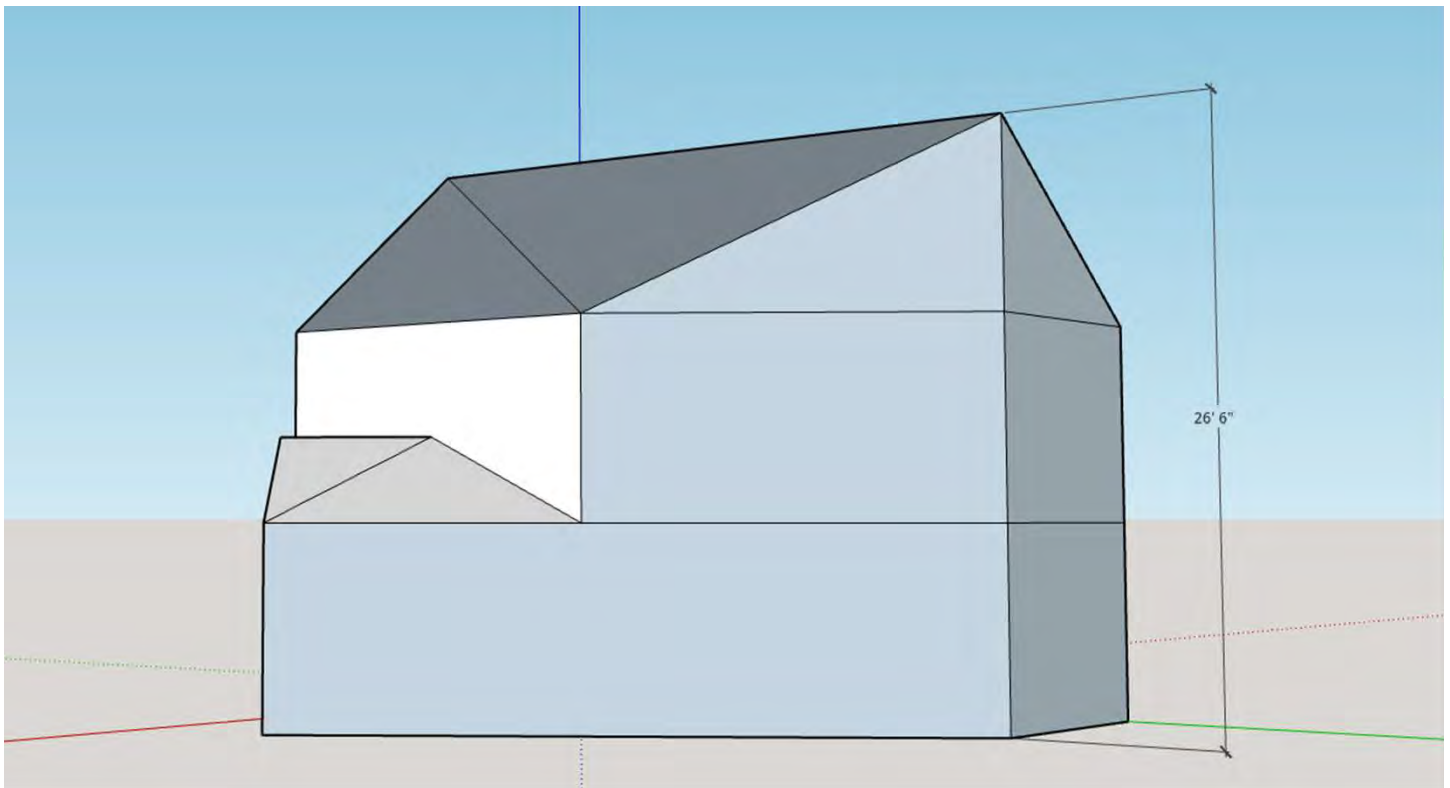


Right Elevation

Figure C3. Above. Submitted design with rear gable roof.

Figure C4. Below. Possible revision shows rear roof hip architecture instead of existing Craftsman/gable style. This results in a rear height reduction from 26'6" to 18'. The maximum height of the roof is pushed forward, away from the subject neighbor, by 14' 5" per neighbor's request.

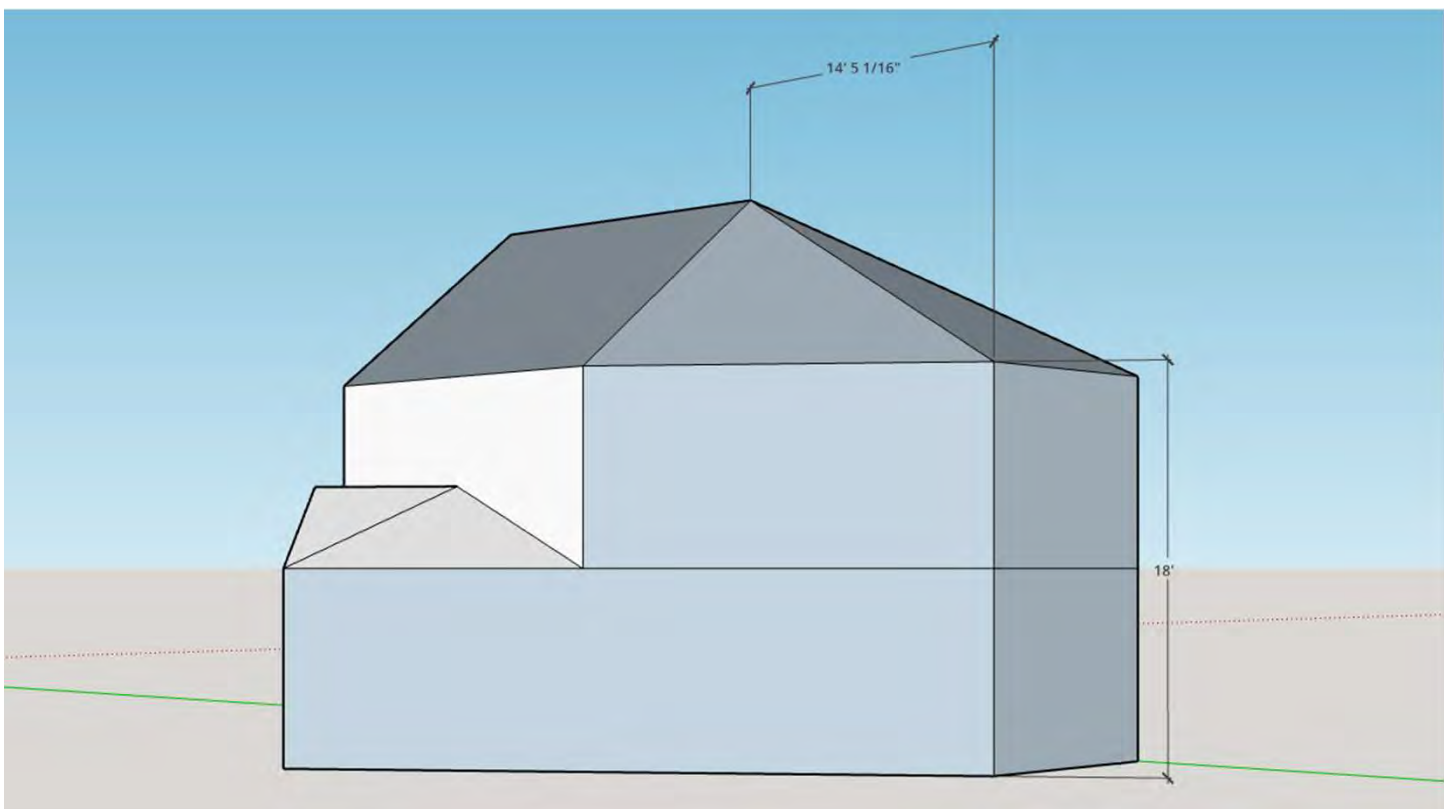


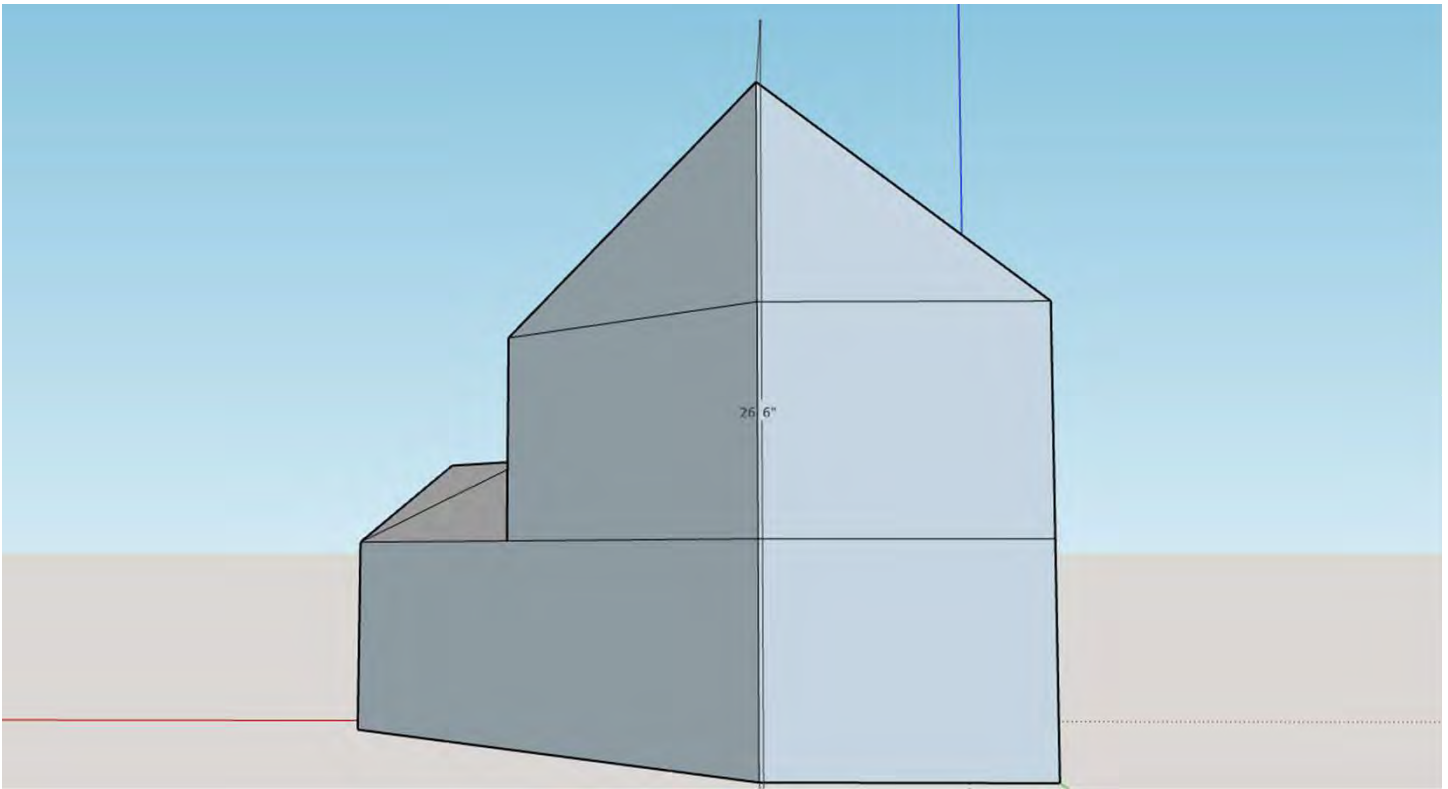


Right-Rear Elevation

Figure C5. Above. Submitted design with rear gable roof.

Figure C6. Below. Possible revision shows rear roof hip architecture instead of existing Craftsman/gable style. This results in a rear height reduction from 26'6" to 18'. The maximum height of the roof is pushed forward, away from the subject neighbor, by 14' 5" per neighbor's request.

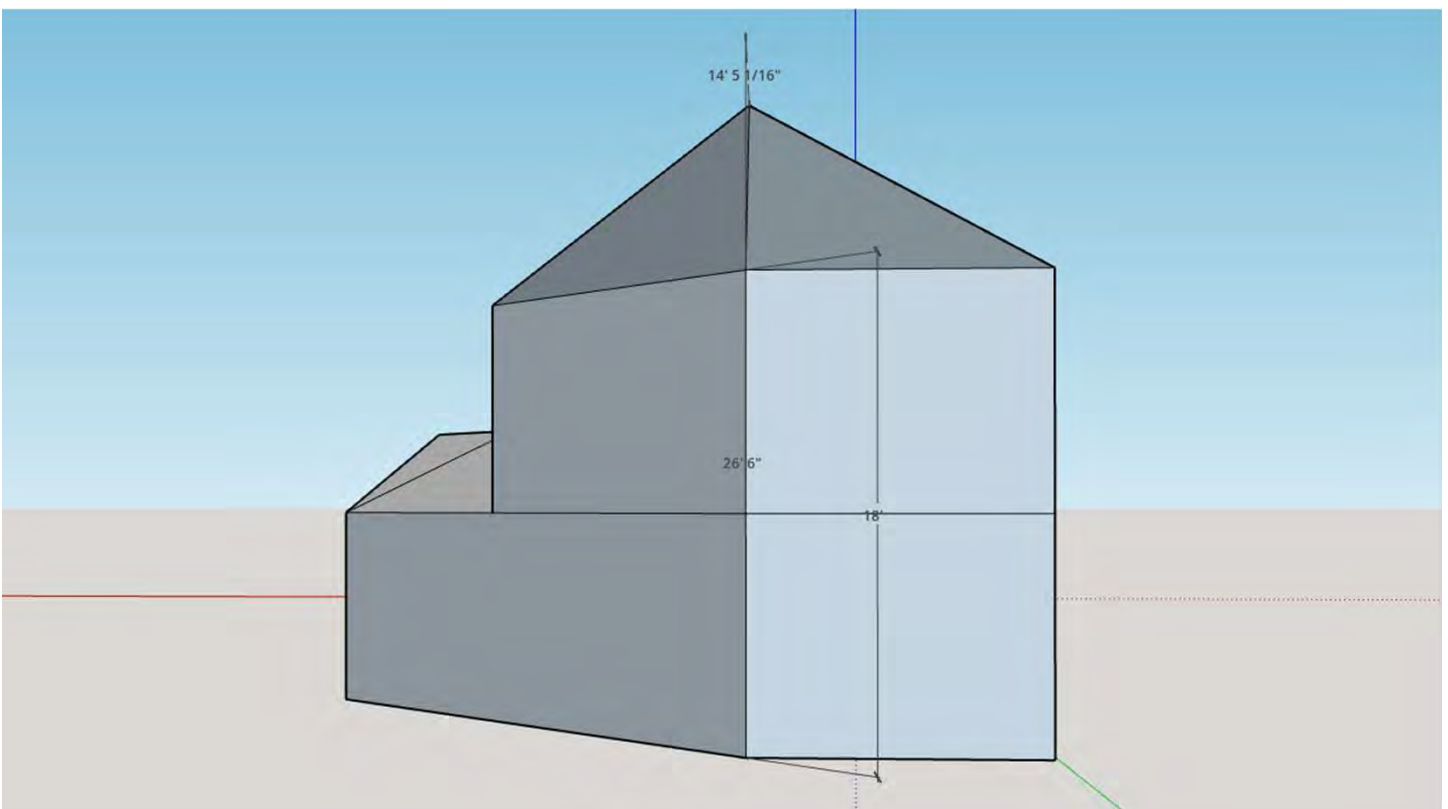


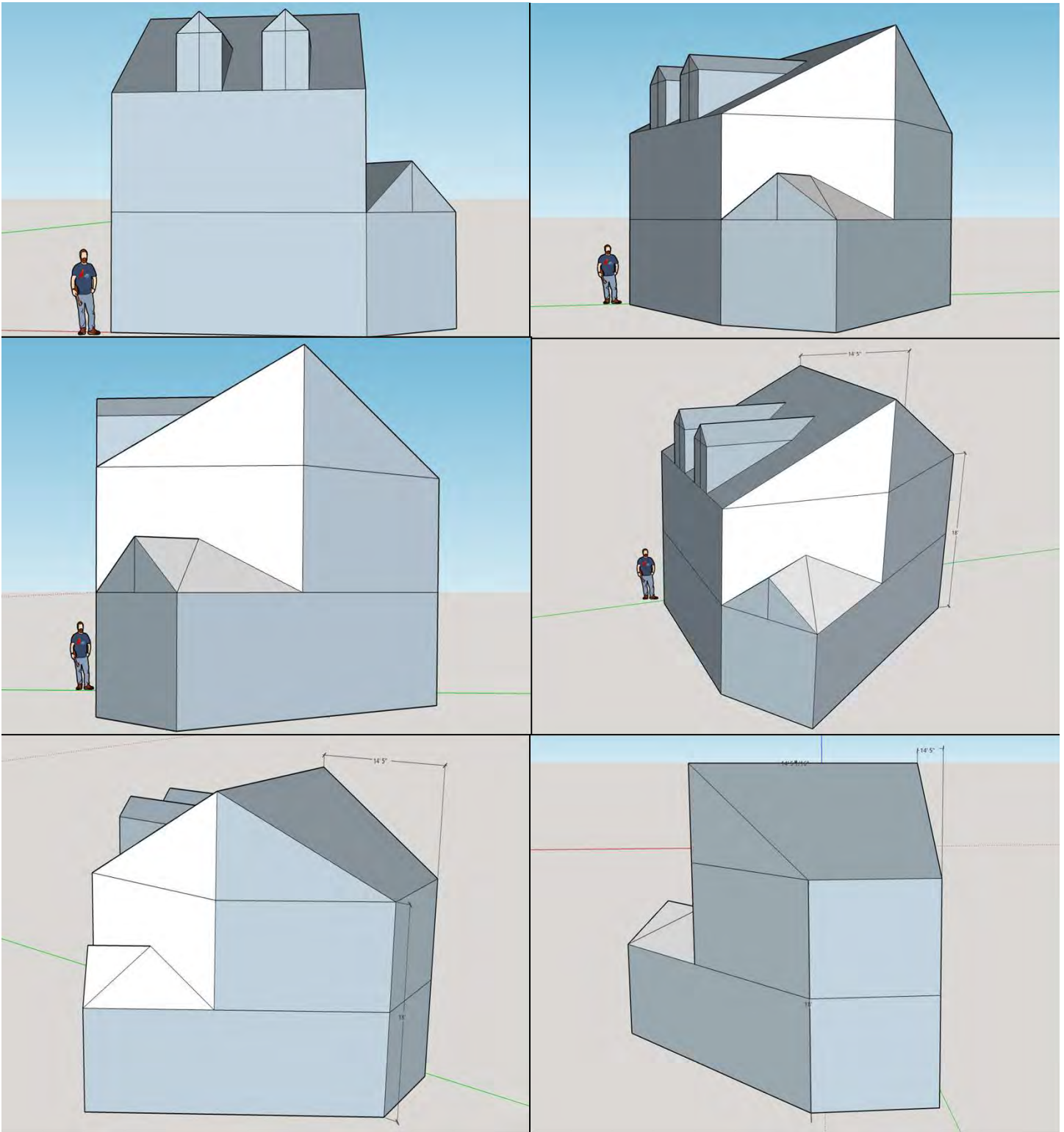


Rear Elevation

Figure C7. Above. Submitted design with rear gable roof.

Figure C8. Below. Possible revision shows rear roof hip architecture instead of existing Craftsman/gable style. This results in a rear height reduction from 26'6" to 18'. The maximum height of the roof is pushed forward, away from the subject neighbor, by 14' 5" per neighbor's request.





Second Possible Alternative

Figure C9-C14. A second possible alternative roof design is included to blend gable and hip styles to reduce rear height and still maintain some architectural consistency. Due to the short notice of this response, this conceptual design has not yet been fully designed or engineered to assess viability. Dormer windows would blend well with existing structure.

Existing 9:00am

Summer
Solstice
Jun 21

**Figure
B1**



The neighbor's pool is overshadowed by the neighbor's own home (15603).

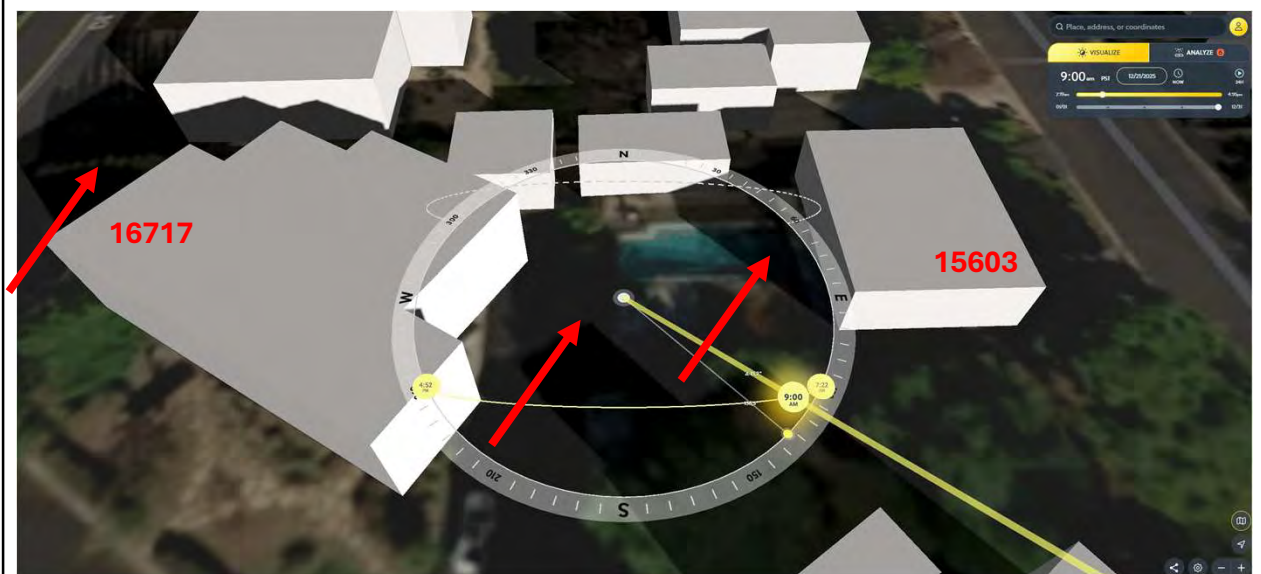
Planned open space/landscaping on our property (16717) is overshadowed by the neighbor's rear lot trees.

There is no shadowing of the neighbor's (15603) lot by our property (16717).

Winter
Solstice
Dec 21

Sunset
4:52pm

**Figure
B2**



The neighbor's pool is overshadowed by the neighbor's own home (15603).

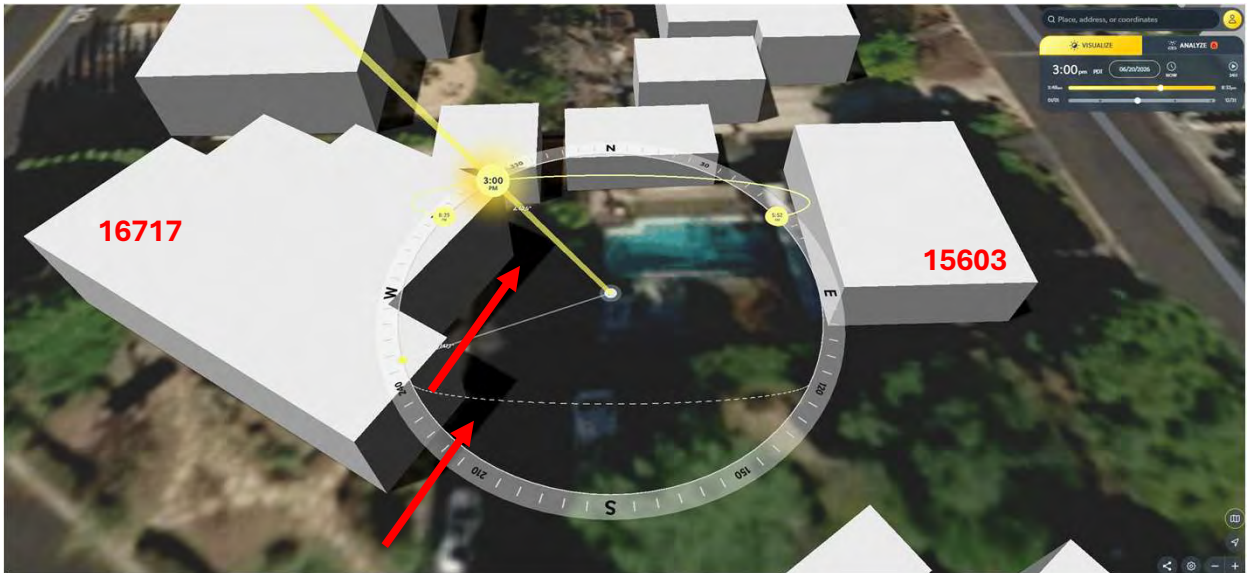
Planned open space/landscaping on our property (16717) is overshadowed by the neighbor's rear lot trees.

There is no shadowing of the neighbor's (15603) lot by our property (16717).

Existing 3:00pm

Summer
Solstice
Jun 21

**Figure
B3**



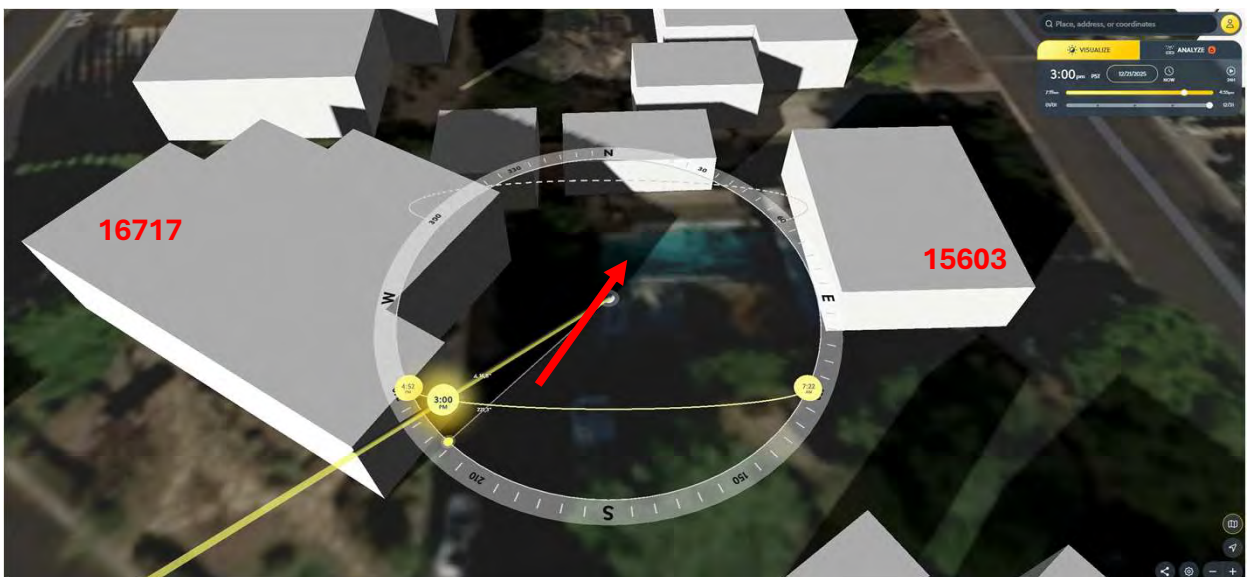
There are no shadow concerns.

Our (16717) property has a short shadow that does not impact the neighbor's (15603) property.

Winter
Solstice
Dec 21

Sunset
4:52pm

**Figure
B4**

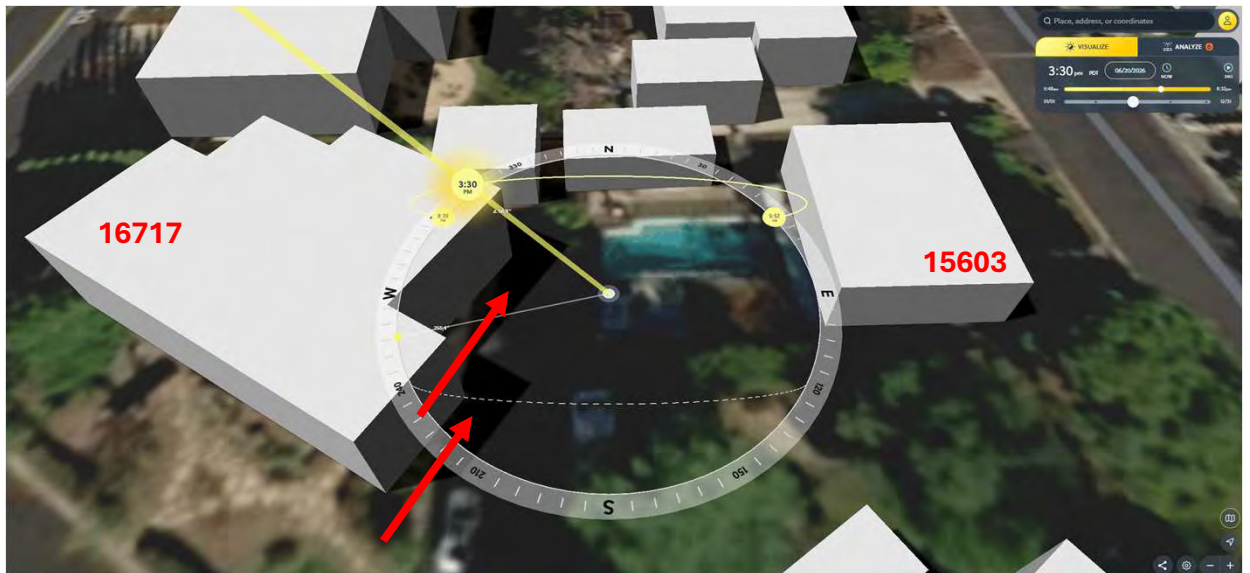


The **existing** shadow cast by our main home results in partial shadowing of the neighbor's pool and trees during the late afternoon in winter only, when the trees have no leaves, and the pool is not actively warmed nor used. This is already **existing**.

Existing 3:30pm

Summer
Solstice
Jun 21

Figure
B5



There are no shadow concerns.

Our (16717) property has a short shadow that does not impact the neighbor's (15603) property.

Winter
Solstice
Dec 21

Sunset
4:52pm

Figure
B6

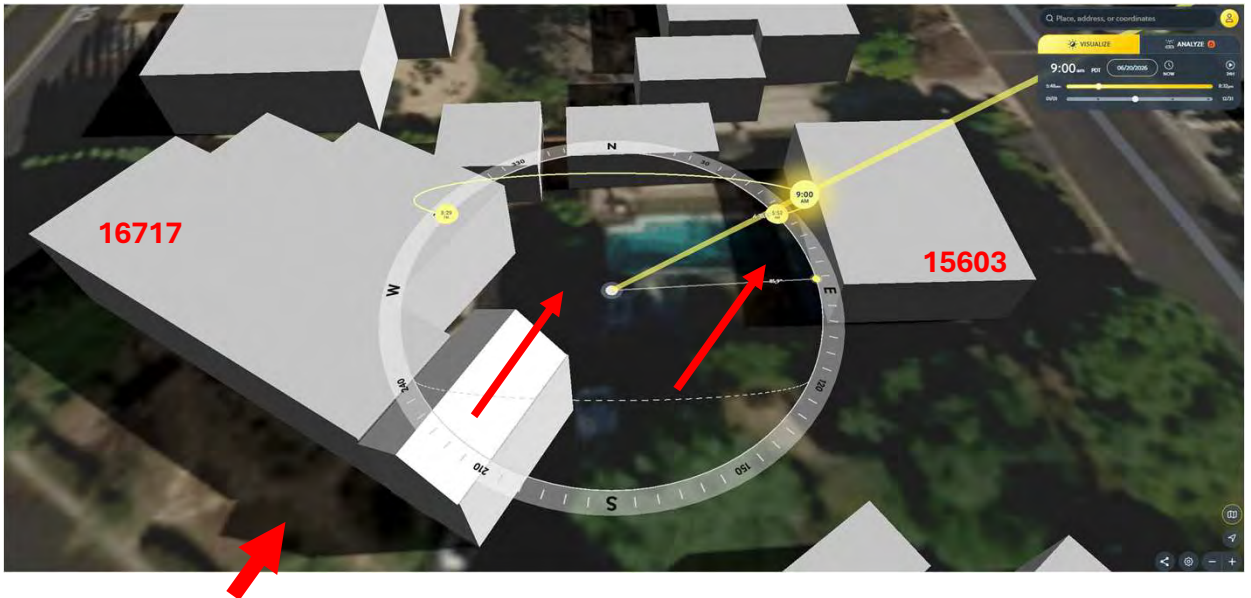


The **existing** shadow cast by our main home results in partial shadowing of the neighbor's pool and trees during the late afternoon in winter only, when the trees have no leaves, and the pool is not actively warmed nor used. This is already **existing**.

Project 9:00am

Summer
Solstice
Jun 21

**Figure
B7**



The proposed second story casts a shadow **to the west** and does not impact the neighbor's property (pool, trees, landscaping, residence, etc.) whatsoever.

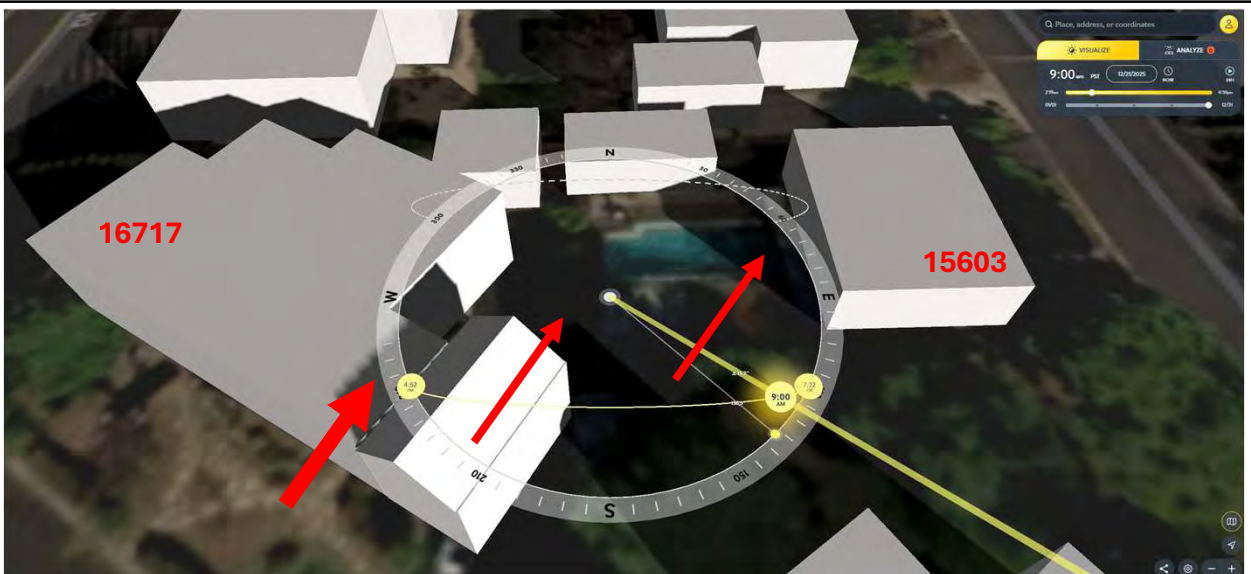
The neighbor's pool is overshadowed by the neighbor's own home (15603).

Planned open space/landscaping on our property (16717) is overshadowed by the neighbor's rear lot trees.

Winter
Solstice
Dec 21

Sunset
4:52pm

**Figure
B8**



The proposed second story has shadow **to the northwest** and does not impact the neighbor's property (pool, trees, landscaping, residence, etc.) whatsoever.

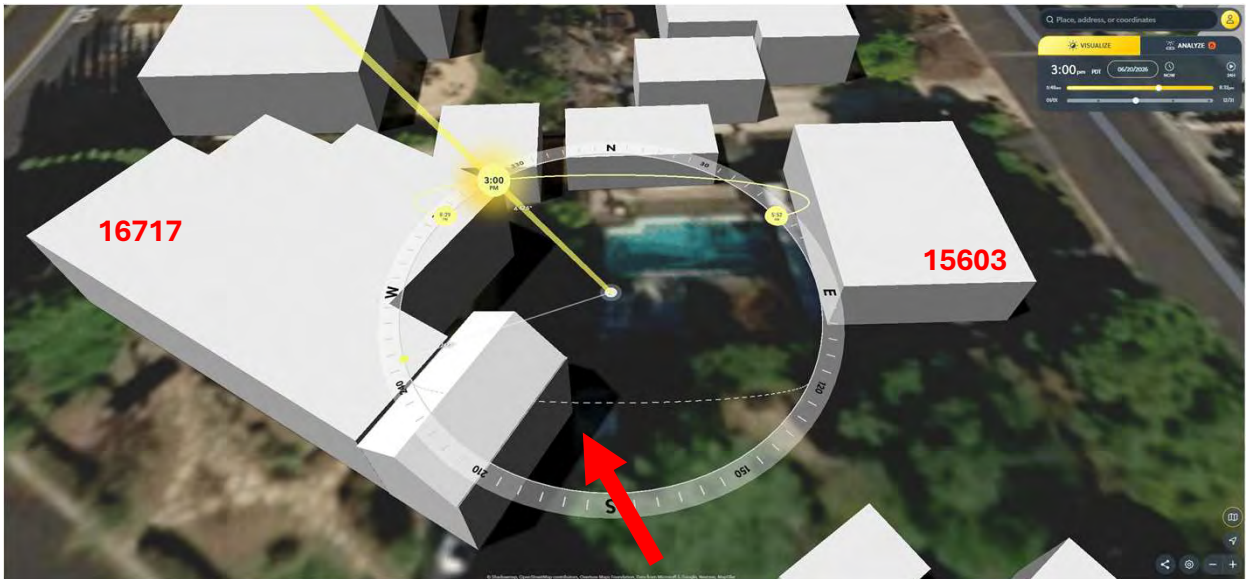
The neighbor's pool is overshadowed by the neighbor's own home (15603).

Planned open space/landscaping on our property (16717) is overshadowed by the neighbor's rear lot trees.

Project 3:00pm

Summer
Solstice
Jun 21

Figure
B9



There are no shadow concerns.

Our (16717) property **and second story** have a short shadow that does not impact the neighbor's (15603) property.

Winter
Solstice
Dec 21

Sunset
4:52pm

Figure
B10



The **existing** shadow cast by our main home results in partial shadowing of the neighbor's pool and trees. The **second story** adds incremental shadowing over the pool during the winter months only in the late afternoon.

This is during the winter only when the trees have no leaves, and the pool is not actively warmed or used. This is a combination of **existing and new**.

Existing Shadow vs. New Shadow – June 21 (Summer Solstice), 9:00am

Existing

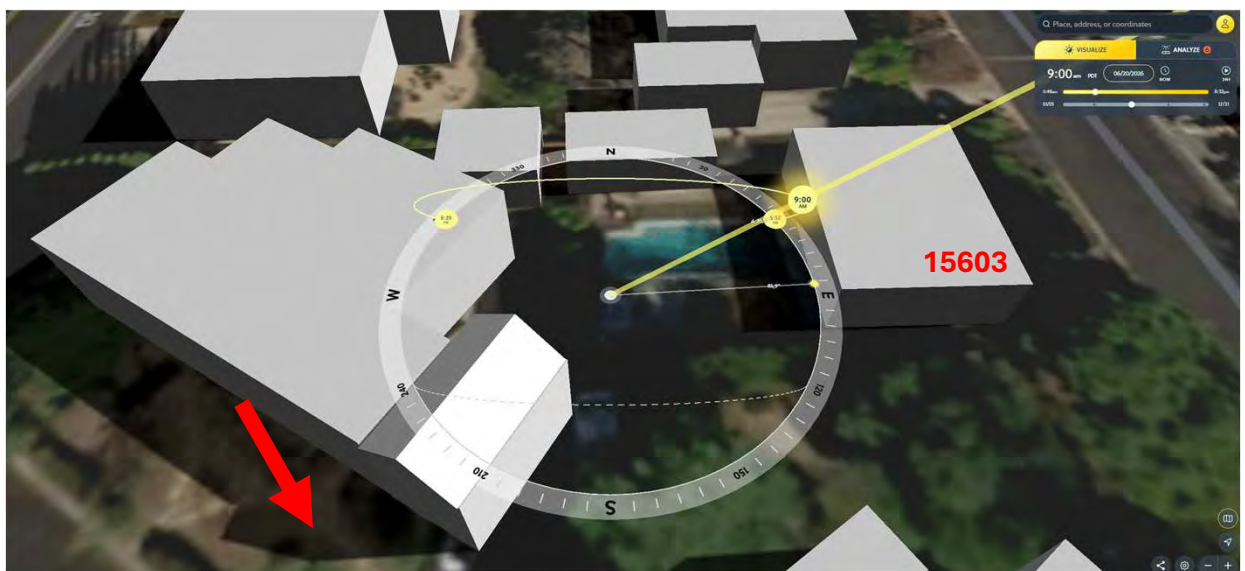
Figure B11



Our **existing** home casts a shadow to the west and has no impact on the neighbor.

New

Figure B12

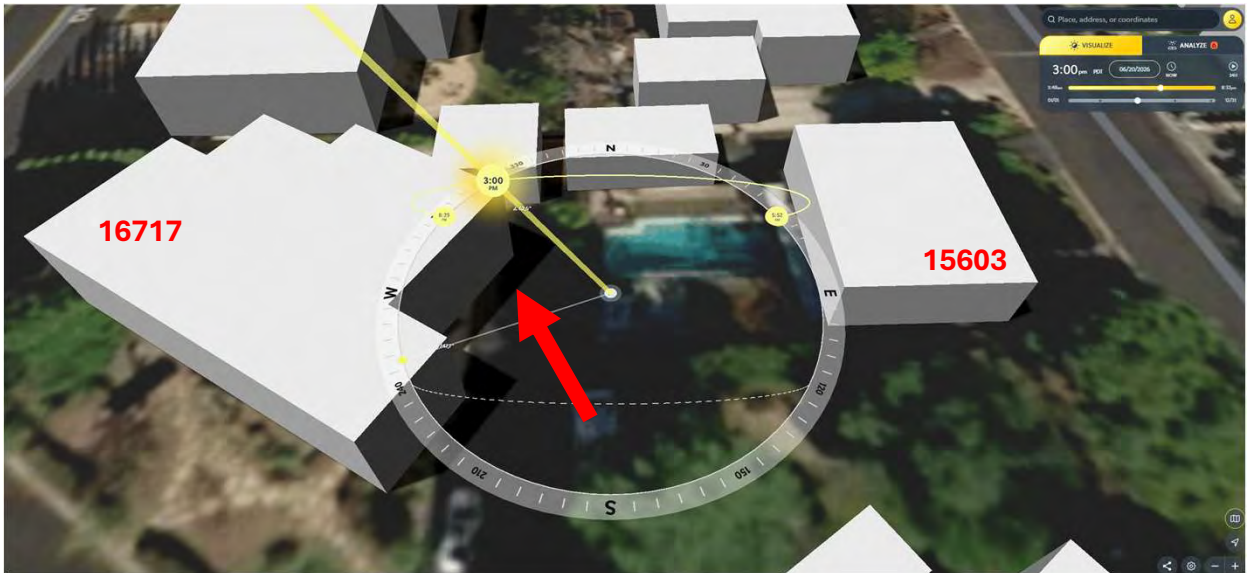


The **proposed second story** casts a shadow to the west and has no impact on the neighbor.

Existing Shadow vs. New Shadow – June 21 (Summer Solstice), 3:00pm

Existing

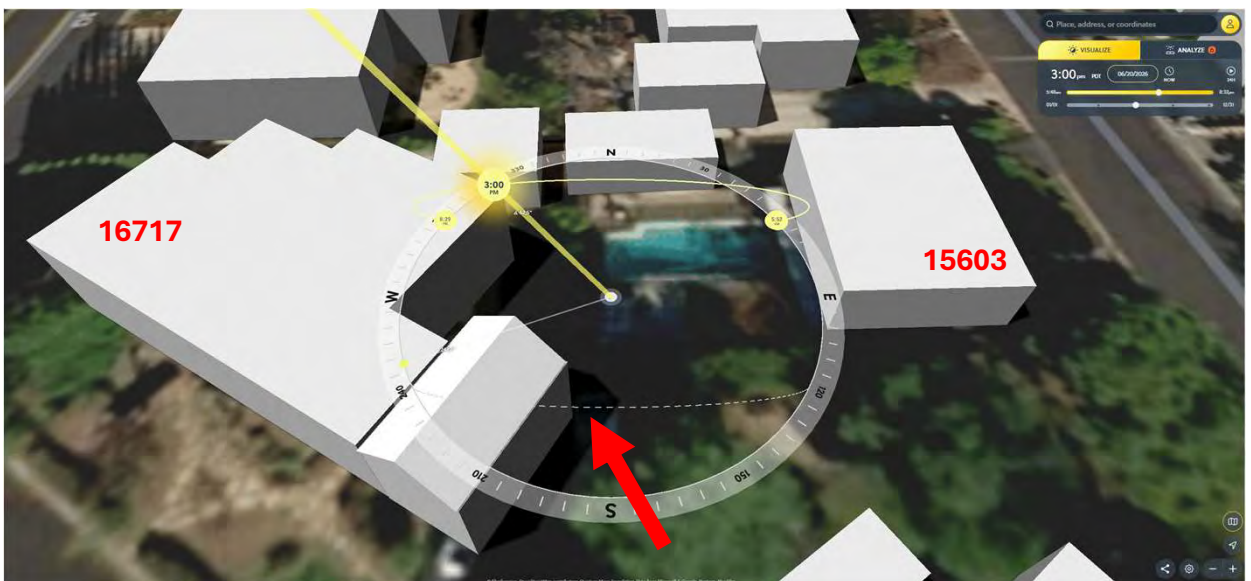
Figure B13



Our **existing** home casts a short shadow and has no impact on the neighbor.

New

Figure B14



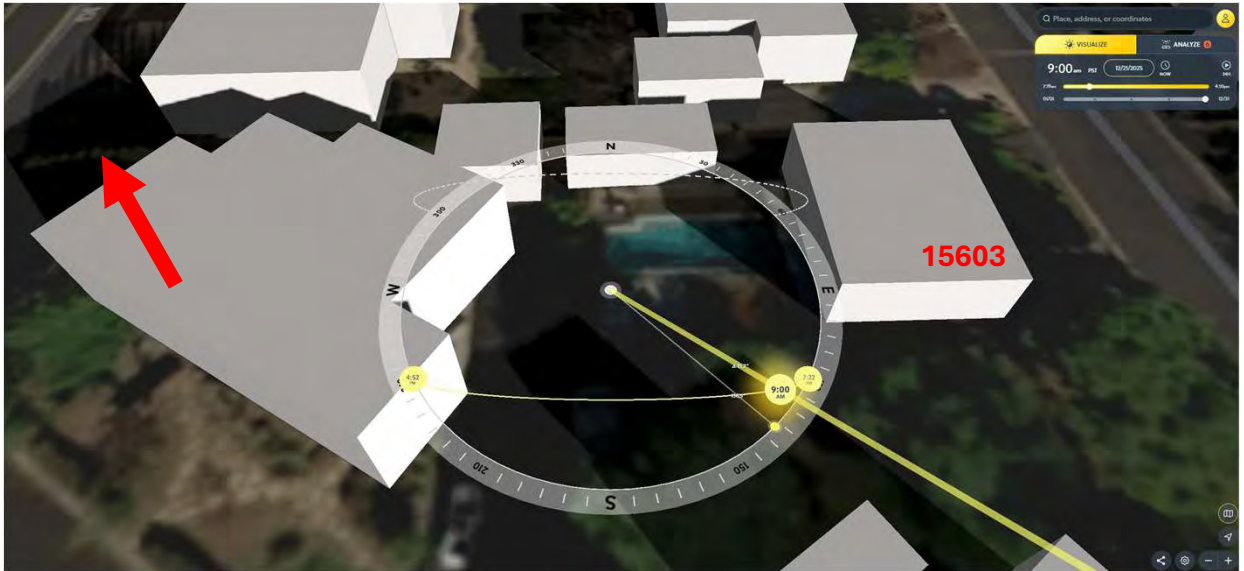
The **proposed second story** casts a short shadow and has no impact on the neighbor.

Existing Shadow vs. New Shadow – December 21 (Winter Solstice), 9:00am

Existing

Sunset
4:52pm

Figure
B15

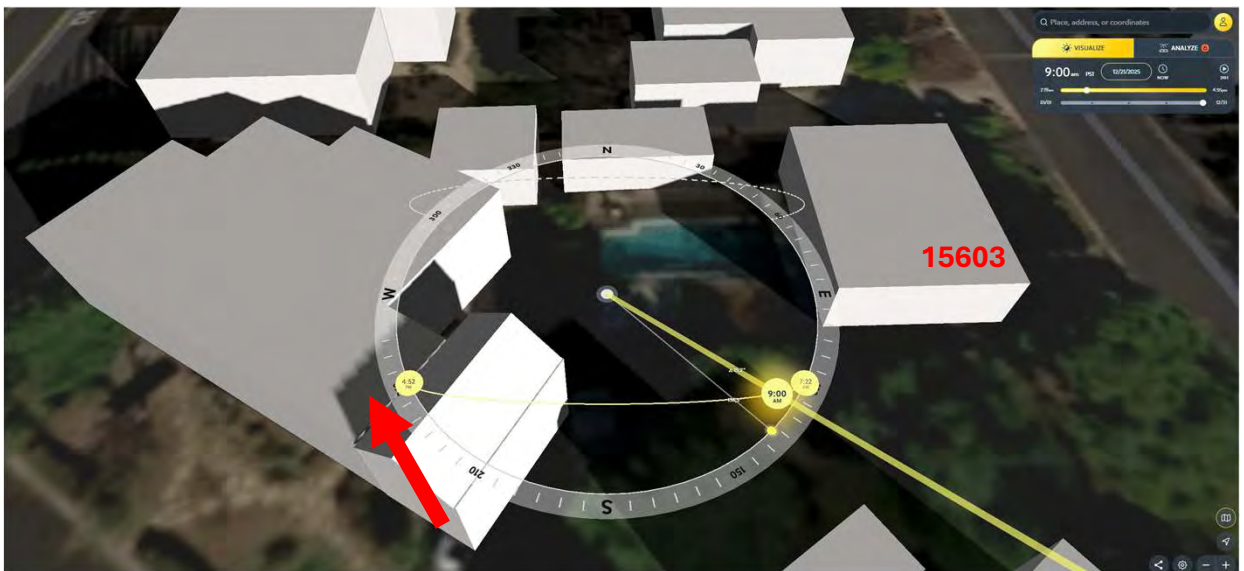


Our **existing** home casts a shadow to the northwest and has no impact on the neighbor.

New

Sunset
4:52pm

Figure
B16



The **proposed second story** casts a shadow to the northwest and has no impact on the neighbor.

Existing Shadow vs. New Shadow – December 21 (Winter Solstice), 3:00pm

Existing

Sunset
4:52pm

Figure
B17



The **existing** shadow cast by our main home results in partial shadowing of the neighbor's pool and trees by 3:30pm. **Sunset is at 4:52pm.**

This is during the winter afternoon only when the trees have no leaves, and the pool is not actively warmed or used. This is already **existing**.

New

Sunset
4:52pm

Figure
B18



The **existing** shadow cast by our main home results in partial shadowing of the neighbor's pool and trees. The **second story** adds incremental shadowing over the pool during the winter months only in the late afternoon by 3:00pm.

This is during the winter only when the trees have no leaves, and the pool is not actively warmed or used. This is a combination of **existing and new**.