

April 19, 2022

To the Sebastopol Planning Commission:

We are writing to respectfully request a denial of a Public Convenience or Necessity (PCN) Letter for Piala LLC's pending Type 41 ABC License at 7233 Healdsburg Ave, Ste A, Sebastopol, CA 95472, posted on March 30, 2022. The authors of this letter respectfully acknowledge the discretion of the Planning Commission and Planning Director of Sebastopol in approving the development of Piala LLC with sexual predator Lowell Sheldon at the helm. We are also in communication with the Alcoholic Beverage Commission to specifically protest Piala LLC's pending application for a Type-41 beer and wine license.

The listed LLC owner, Lowell Sheldon, has proven himself to be a danger to the Sebastopol community, particularly to women, workers, and underage employees. Additionally, Sheldon is in violation of several of ABC's listed grounds of protest that the Commission should be made aware of in considering whether to allow Sheldon to pursue approval for his alcohol-serving business in Sebastopol:

1. Applicant Lowell Sheldon has a well documented, heavily reported history of sexual harassment, assault, worker abuse, and endangering minors as an employer. Although not convicted, he has been accused by over a dozen former employees of heinous offenses listed in the Alcoholic Beverage Control Act Section 24200, subdivision (b0). (Bus & Prof Code § 23952).
 - a. See the following article excerpts detailing Sheldon's history of sexual harassment, assault, worker abuse, and endangering minors in circumstances that involved alcohol and drug use:
 - i. San Francisco Chronicle 9/25/21: ["He built a powerhouse set of Wine County restaurants. Ex-staffers say he sexually harassed employees along the way."](#)
 1. For years, Sheldon created a toxic work environment where employees... constantly felt on edge and often dreaded his presence, 11 former employees allege. Six of the workers accused him of sexual harassment, saying he engaged in a pattern of unwanted touching and inappropriate comments.
 2. Shifts at Lowell's often ended in drinks and rowdy nights of drugs and partying until 4 a.m., according to staffers. Much of the lewd behavior ex-staffers objected to occurred after work, fueled by alcohol and what they said were blurred lines about what was acceptable.
 3. In response to [a former employee's] letter [demanding accountability around abusive behavior], Sheldon's partners hired an outside investigator to examine his behavior and, eventually, worked to buy out his ownership stake in two of his restaurants: Fern Bar and Khom Loi. At Fern Bar, he was initially suspended for an extended period, though his partners now say he is no longer part of operations.
 4. That consultant determined that Sheldon's conduct violated Fern Bar policies, according to an email from [co-owner] to [former manager]. As a result, Fern Bar partners prohibited Sheldon from entering the restaurant for several months and forced him to take a sexual harassment class.
 - ii. North Bay Bohemian 9/27/21: ["Rotten Core: Former Employees Say Farm-to-Table Restaurateur is Toxic and Abusive"](#)
 1. [Former Peter Lowell's employee] says that Sheldon bought them all drinks, including one woman who was under 21 at the time.

2. Every former employee [of Sheldon] that the *Bohemian* spoke to said Sheldon was known to use cocaine regularly, sometimes with his staff. Two former Lowell's employees told the *Bohemian* that Sheldon used cocaine with them.
3. At one point, [former employee] was taken aback to learn that someone under 21 was given an alcoholic drink at the end of her shift at Lowell's... [This employee] says that when she brought her concern to Sheldon and fellow managers, she was made to feel like a square. "I was saying, 'This is a big deal, this is illegal!' and I was shrugged off. The manager—in Lowell's presence—told me this was the culture and I just didn't get it," she says.
4. [Former business partner] Sam Levy told the *Bohemian*, "After the investigation was completed, we drafted a good behavior clause, required in-depth harassment training, Lowell was immediately restricted from operational oversight as well as the management of our employees. We extended the existing restrictions on his ability to visit Fern Bar for a total of one year."
5. [Former employee] says that in ending their partnerships with Sheldon, "[Fern Bar and Khom Loj] have removed such a person of power in the community. There's an obvious reason why they did that, but having no plan to speak to it [before we told our stories publicly] just allows him to go and open up another business and do this again." She continues, "[We as former employees] all knew in our hearts from what we experienced and what we witnessed that Lowell was capable of worse."

iii. North Bay Bohemian, 9/28/21: ["Sebastopol Restaurateur Lowell Sheldon Accused of Sexual Assault"](#)

1. In November 2019, [Jane Doe] had dinner with Sheldon at his house. He allegedly told her there was a sexual harassment investigation about him happening at Fern Bar and said he was doing a lot of personal work to understand consent. Later that night, she says he sexually assaulted her.
2. At the bar, Sheldon offered her cocaine, suggesting that it might sober her up. They both did it together. At one point, a friend at the bar invited them over to their house. Doe and Sheldon decided they would go. She says he took her hand and led her to his car. In the car, she realized that they weren't driving in the direction of the friend's home.
3. Doe then remembers that Sheldon got on top of her and put his hands in her pants. "I remember thinking, 'I'm definitely not having sex with him.'" Doe says she sat up. "When I sat up, he quickly was standing in front of me and his pants were unbuttoned. He put his penis in my mouth—like all the way down my throat—and almost immediately ejaculated," Doe says.
4. Doe lived with her then-husband at the time and told him what had happened with Sheldon that night. The *Bohemian* interviewed him to confirm what Doe shared with him. She said that, at the time, she felt disgusted and violated and thought Sheldon's actions might be criminal. Doe says that her then-husband told her, "It sounds like he raped you," but she responded, "Well, I'm not gonna let him have that power over me, so I'm not going to think about it like that."

iv. See additional reporting on Sheldon's misconduct in and out of the workplace in the [SF Chronicle](#), [Press Democrat](#), [KSRO](#), [SF Eater](#), and [North Bay Business Journal](#).

- b. In reference to the above referenced sexual assault reported on and fact-checked by the North Bay Bohemian, San Francisco Chronicle, and Press Democrat, attached redacted police report filed September 27, 2021.

2. In addition to Sheldon's well-documented history of heinous conduct, especially while occupying the role of owner/employer, Sheldon has proven himself to be a dishonest business person who does not play by the rules. Sheldon is not the sole owner of the business to be licensed as the permit application declares (Bus & Prof Code §§ 23300, 23355, 23950, et seq.) It's common knowledge in the

Sebastopol community that Sheldon and his business partners Jeff Berlin and Noah Churma are engaged in this endeavor due to numerous massive barriers to their initial project, the Freestone House.

- i. For reasonable proof, see attached screenshots of Mr. Berlin's public Facebook account that includes the job title "Owner / Wine Buyer at Piala Wine Bar," his posts that include the declaration "I'm in freestone (sic) and opening a wine bar in Sebastopol," a photo of him standing outside the business holding the key, and multiple series of photos of his involvement in interior design and renovations.
- ii. Although this has not been formally investigated, we have firsthand knowledge from multiple sources that Freestone Hotel, business partner, and long-time friend Noah Churma is also a co-owner of Piala LLC.

Lowell Sheldon has shown repeatedly that he lacks the professional and moral character to be allowed to operate an alcohol-related business. Omitting the names of ownership personnel displays a willingness to circumvent the rules for his benefit. Moreover, his repeated pattern of sexual misconduct and harassment of employees, including serving alcohol to underage employees, demonstrates that he is a threat to community safety. Over 700 concerned citizens [signed the petition](#) demanding not only that Sheldon be removed from the Freestone Hotel project, but also that he not be granted an alcohol license for future endeavors. Our community has spoken.

Your serious consideration and exercise of discretion makes a difference in creating safety and wellbeing for our beloved community of Sebastopol.

Very truly yours,

Joseph Barnwell, Sebastopol
Bob Engel, Graton
Leah Engel, Sebastopol
Pat Engel, Graton
Freddie Francis, Sebastopol
Jacqueline Gleason, Sebastopol
Ray Gonzales, Sebastopol
Marylee Guinon, Sebastopol
Shivani & Nicholas Hawkins, Sebastopol
Barbara Hom, Sebastopol
Jesse Hom-Dawson, Sebastopol
Gwenna McKee, Sebastopol
Alexandra Lopez, Hopland
Naomi Minturn, Sebastopol
Aaron Purtill, Sebastopol
Dr. Scott Seidman, Sebastopol
Eric Singer, Sebastopol
Marilyn Starts, Sebastopol




Jeff Berlin

1K Friends · 1 mutual



 Add Friend

 Message

[Posts](#)

[About](#)

[Friends](#)

[Photos](#)






[Videos](#)

[Check-ins](#)


[More](#) ▾



Intro

-  Owner / Wine Buyer at [Piala Wine Bar](#)
-  Innkeeper, Wine Buyer at [Freestone House](#)
-  Lives in [Freestone, California](#)
-  From [San Diego, California](#)
-  Followed by [22 people](#)

Posts

 Filters

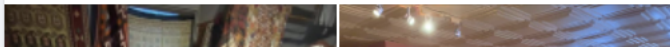


Jeff Berlin

6h · 



Piala Wine Bar, Week 3.
Dining Room coming together, procuring vintage rugs, silverware, artwork, etc. from Georgia.
Arlo's pitching in, this will be the second restaurant he's helped open in his long and illustrious career





Jeff Berlin
Yesterday at 12:54 PM · 🌐

👍❤️ 17 7 Comments

👍 Like 💬 Comment ➦ Share

Charles Neal
Are you showing off your Toyota key?
Like Reply 1d

Gerald Weisl
Charles Neal Actually...



Like Reply 1d

Jeff Berlin
Charles Neal Piala wine bar, brought to you by our proud sponsors at Toyota
Like Reply 12h

Jeff Berlin
Gerald Weisl you want in on the ground floor to help make my dirndl store dreams come alive?
Like Reply 12h

Write a reply... 😊 📷 GIF 🗨️

Audrey Rothblat
Yay 🍀🍀🍀 👍

Write a comment... 😊 📷 GIF 🗨️



Jeff Berlin

7h · 🌐



Piala Wine Bar, Sebastopol CA, Day 1. Time to make the magic happen!



👍❤️😱 38

4 Comments

👍 Like

💬 Comment

➦ Share

View 3 previous comments



Cristina Waltz
Yaaay! so exciting!

Like Reply 4h



Write a comment...



Incident/Investigation Report

Agency: **Sonoma County Sheriff's Office**

Case #: **SD210927015**

Narrative

INITIAL NARRATIVE

Written by: **Mendoza, Ezra 1102804**

Date/Time: **09/27/2021 16:03:00**

On 9/27/2021, Deputy Fomasi and I were dispatched to the Main Lobby where the victim was waiting with her attorney. The victim, who would like her name to remain confidential and will be referred to in this report as Victim, wanted to report a sexual assault that occurred in 2019. Deputy Fomasi and I interviewed Victim in the 1st Floor interview room in the Main Office. Victim's attorney, Heather Wise, was present during our interview. Victim stated the following to me in summary:

Victim and the suspect, Lowell Sheldon, met in May of 2019 and had a few romantic dates during the summer of 2019. Victim and Sheldon went on between 6 to 9 dates during the summer of 2019. Their romantic relationship ended in August of 2019. On November 23rd 2019, Victim went to Sheldon's house, located at 779 Dufranc Avenue in Graton, for dinner. They had dinner and drank some wine. After dinner, they went to The Ruin, a bar, in Sebastopol and met up with some friends. Afterwards, they were supposed to go to one of the friend's house, however, Sheldon drove Victim back to his house instead.

Victim also stated that at this time she is unsure if she wants to be involved in a criminal investigation. She wants Sheldon to be held accountable for his actions but doesn't want to be involved with a trial at this time.

I provided Victim with a DVSA packet and included my name, the phone number to the Main Office, and the case number of this report. I notified the on-duty Sergeant who advised me to contact the on-call DVSA Detective. I contacted the on-duty DVSA Detective, Detective Sherman, and notified him of the above information.

Forward To DVSA for Follow-up

SUPPLEMENT

Written by: **Fomasi, John 1102172**

Date/Time: **10/12/2021 00:00:00**

On 10-12-2021, I contacted Victim via telephone for follow up.

Victim stated she did not want to participate in a criminal investigation.