



THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD 3  
59 East 4th Street - New York, NY 10003  
Phone (212) 533-5300  
www.cb3manhattan.org - info@cb3manhattan.org

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Stipulations for Administrative Approval

I, Joseph Batista, as a qualified representative of Joey Bats Cafe NYC LLC, located at 129 Allen Street, New York, NY agree to the following stipulations:

- 1.  I will operate a full-service restaurant, specifically a (type of restaurant) \_\_\_\_\_  
 Kitchen open and serving food every night during all hours of operation.
- 2. My hours of operation will be:  
Mon 9am-12am; Tue 9am-12am; Wed 9am-12am;  
Thu 9am-12am; Fri 9am-12am; Sat 9am-12am; Sun 9am-12am

(I understand opening is no later than specified opening hour & all patrons are to be cleared from business at specified closing hour)

- 3.  I will not use outdoor space for commercial use.
- 4.  I will operate my sidewalk cafe no later than 10pm
- 5.  I will employ a doorman/security personnel on the following days: \_\_\_\_\_
- 6.  I will install soundproofing, \_\_\_\_\_
- 7.  I will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances.  I will have a closed fixed facade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances.
- 8. I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_\_\_ DJs/ promoted events per \_\_\_\_\_,  more than \_\_\_\_\_ private parties per \_\_\_\_\_
- 9.  I will play ambient recorded background music only.
- 10.  I will not apply for an alteration to the method of operation or for any physical alterations of any nature without first coming before CB 3.
- 11.  I will not seek a change in class to a full on-premise liquor license without first appearing before ~~obtaining approval from~~ CB 3.
- 12.  I will not participate in pub crawls or have party buses come to my establishment.
- 13.  I will not have unlimited drink specials, including boozy brunches, with food.
- 14.  I will not have a happy hour or drink specials with or without time limitations OR  I will have happy hour and it will end by 8pm
- 15.  I will not have wait lines outside.  I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
- 16.  I will conspicuously post this stipulation form beside my liquor license inside of my business.
- 17.  Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Joseph Batista Phone Number: 417-374-9481

18.  I will: \_\_\_\_\_

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

X   
Signed \_\_\_\_\_  
Sworn to this 16<sup>th</sup> day of August 2018

8/16/18  
Dated \_\_\_\_\_  
  
Rosa M. Ruiz  
Notary Public State of New York  
No. 04RU6238306  
Qualified in New York County  
My Commission expires 04/04/2019



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**Community Board 3 Liquor License Application Questionnaire**

Today's Date: 8/15/18

**APPLICANT**

- Name of applicant and principle(s): Joey Bats Cafe NYC LLC / Joseph Balista
- Premise address: 129 Allen Street, New York, NY 10002
- Cross streets: Rivington & Delancey Streets
- Trade name (DBA): Joey Bats Cafe
- Check which you are applying to:  New liquor licence  Alteration of an existing license  Sale of assets  
 New beer & wine
- If alteration, describe nature of alteration: \_\_\_\_\_
- Is location currently licensed?  Yes  No
- Type of license: \_\_\_\_\_
- Previous or current use of the location: Baby Brasa (Pecuvian Restaurant)
- Corporation and trade name of current location: \_\_\_\_\_
- Type of building and number of floors: Mixed use / ground + 4 residential floors
- Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use?  Yes  No  
12a. What is the permitted occupancy indoors and outdoors? 21
- Do you plan to apply for Public Assembly permit?  Yes  No
- What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2): C4-4A
- How many licensed establishments are within 1 block? 3
- How many On-Premise (OP) liquor licenses are within 500 feet? 20
- Is premise within 200 feet of any school or place of worship?  Yes  No

**PROPOSED METHOD OF OPERATION**

- Describe your method of operation: Background music
- Will any other business besides food or alcohol service be conducted at premise?  Yes  No
- If yes, please describe what type: \_\_\_\_\_
- What are the proposed days/hours of operation (specify days/hours each day and hours of outdoor space if applicable):  
9am-12am daily
- Total number of table: 2
- Total number of seats: 4

- 24. How many stand-up bars/ bar seats are located on the premise? 1 bar, 2 seats (A stand up bar is any bar or counter, whether with seating or not, over which a patron can order, pay for, and receive an alcoholic beverage.)
- 25. Describe all bars (length, shape, and location): 1 customer bar, 10 feet, front of establishment
- 26. Does premise have a full kitchen?  Yes  No
- 27. What are the hours kitchen will be open? All open hours of operation
- 28. What type of food is available for sale? Portuguese Tapas and Pastries
- 29. Will a manager or principal always be on site?  Yes  No If yes, which? \_\_\_\_\_
- 30. How many employees will there be? 3
- 31. Do you have or plan to install  French doors  accordion doors or  windows?
- 32. Will there be TVs/monitors?  Yes  No (If Yes, how many?) \_\_\_\_\_
- 33. Will premise have music?  Yes  No 33a. If Yes, what type of music?  Live Music  DJ  Juke box  Tapes/CDs/iPod
- 34. If other type, please describe: \_\_\_\_\_
- 35. What will be the music volume?  Background (quiet)  Entertainment level
- 36. Please describe your sound system: iPod
- 37. Will you host any promoted events, scheduled performances or any event at which a cover fee is charged?  Yes  No
- 38. If Yes, what type of events or performances are proposed and how often? \_\_\_\_\_
- 39. How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? See attached riders
- 40. Will there be security personnel?  Yes  No 40a. If Yes, how many and when? \_\_\_\_\_
- 41. How do you plan to manage noise inside and outside your business so neighbors will not be affected? \_\_\_\_\_
- 42. Do you have sound proofing installed?  Yes  No 43. If not, do you plan to install sound-proofing?  Yes  No

**APPLICANT HISTORY**

- 44. Has this corporation or any principal been licensed previously?  Yes  No If yes, please indicate name of establishment(s): \_\_\_\_\_
- 45. Address: \_\_\_\_\_ 47. Community Board # \_\_\_\_\_
- 46. Dates of operation: \_\_\_\_\_
- 47. Has any principal had work experience similar to the proposed business?  Yes  No If yes, explanation of experience or resume. Have been operating a cafe for years and now adding beer and wine to menu
- 48. Does any principal have other businesses in this area?  Yes  No If yes, give trade name and describe type of business: \_\_\_\_\_
- 49. Has any principal had SLA reports or action within the past 3 years?  Yes  No If yes, attach list of violations and dates of violations and outcomes. N/A

**COMMUNITY OUTREACH**

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups.

Applicant Address: 129 Allen Street  
New York, NY 10002

Plans to manage vehicular traffic and crowds on the sidewalk

We plan to operate an establishment that will not negatively impact our neighbors. We are experienced operators who have worked very hard to earn our reputation as committed community partners and are confident we will be an establishment that CB3 will be proud to call its own.

We do not anticipate large crowds on the street. We will ensure that the premises are maintained in an orderly fashion at all times. We will designate an employee to make sure that a crowd of patrons will not form in front of or adjacent to our establishment as we do not want to disturb the quality of life of our fellow neighbors.

We will have signs visibly posted inside and on the storefront reminding patrons to be courteous of the neighborhood and to keep noise to a minimum. However, should a crowd form in front of or adjacent to our establishment, we will immediately inform the crowd that they are not able to congregate in front of the establishment.

We understand that parking is limited in the area. We anticipate that the overwhelming majority of our patrons will be walking; we plan to serve a community that lives and works in the immediate vicinity.

Plans to manage noise inside and outside of the premises

The establishment already has excellent soundproofing, ensuring that the conversations of patrons and the low background music will not emanate to the residential apartments surrounding our establishment. A sound level control instrument will be placed inside of the establishment as a warning to the staff should the noise become too loud. Our cell numbers as well as those of the managers we employ will also be given to the manager of our building should they feel the need to call immediately if any noise is disturbing their quality of life.