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## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.manhattancb2.org](http://www.manhattancb2.org)

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Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

October 28, 2025

Director  
Licensing Issuance Division  
NY State Liquor Authority 163 W. 125th Street  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on October 23, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**MJ Execution LLC dba Aperitivo by Carta 101 W 10th St 10011 (WBC–TW) (*previously unlicensed*)**

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a Tavern Wine License to operate an all day café and evening spot for wine, beer and tapas in a three (3)-story residential building with ground floor retail (c. 1910) on 10<sup>th</sup> Street adjacent to the northwest corner of 10<sup>th</sup> Street and Avenue of the Americas (Block #606/Lot #73), this building falling within NYC LPC's designated Greenwich Village Historic District; and
- ii. **Whereas**, the ground floor premises is roughly 1,200 sq. ft. with 600 sq. ft. on the ground floor connected via an internal stairway to a 600 sq. ft. basement with no patron use of the basement; there will be three (3) tables with six (6) seats, three (3) bars with a total of 17 seats and one (1) ledge with six (6) high stools, there is one (1) entry which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; and
- iii. **Whereas**, the hours of operation will be 8 AM to 5 PM Sundays, 8 AM to 11 PM Mondays through Thursdays and 8 AM to 12 AM Fridays and Saturdays, there will be no DJs, no promoted events, no live music or TVs, no scheduled performances or outside promoters or any event where a cover fee is charged, there is no sidewalk café or other outdoor areas for the service of alcohol; and
- iv. **Whereas**, the premises is previously unlicensed and was most recently an ice cream shop and prior to that was Bobalulu children's clothing store; and
- v. **Whereas**, the Applicant has another licensed premises in CB2 (Carta Restaurant Services LLC dba Carta Wine Bar, Lic. ID # 0267-25-100468) which has been in operation for approximately a year with no known complaints, no one appeared or sent written testimony either in support or opposition to the instant application; and

vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be incorporated into the “method of operation” of their Tavern Wine license and the stipulations are as follows:

1. Premises will be advertised and operated as an all-day café serving coffee, pastries and lunch transitioning to an evening wine bar serving tapas with less than a full service kitchen but will serve the full food menu during all hours of operation.
2. The hours of operation will be 8 AM to 5 PM Sundays, 8 AM to 11 PM Mondays through Thursdays and 8 AM to 12 AM Fridays and Saturdays. No patrons will remain after stated closing time.
3. The premise will not operate as a Sports Bar, Lounge or Tavern or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
5. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will have not more than 12 private parties per year.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade except to change signage or.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed to CB2, Manhattan prior to opening.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, or doormen/security personnel.
15. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

vii. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **56 active licensed premises** within 750 feet of the proposed premises to be licensed and 18 pending licenses according to LAMP, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the tavern wine application for **MJ Execution LLC dba Aperitivo by Carta 101 W 10th St 10011** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” of the NYSLA liquor license.

**Vote:** Unanimous, 33 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Donna Raftery, Chair  
SLA Licensing 1 and 2 Committees  
Community Board #2, Manhattan



Valerie De La Rosa, Chair  
Community Board #2, Manhattan

VDLR/em

cc: Hon. Daniel Goldman, Congressman  
Hon. Brad Hoylman-Sigal, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Deborah J. Glick, NY State Assembly  
Hon. Grace Lee, State Assembly Member  
Hon. Brad Lander, NYC Comptroller  
Hon. Michael Levine, Man. Borough President  
Hon. Erik Bottcher, NYC Council Speaker  
Hon. Christopher Marte, NYC Council Member  
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority



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### Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by **Monday, October 20, 2025**.  
If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, **Marcela Jimenez Palacio** as a qualified representative of **MJ Execution LLC dba Apertivo by Carta** located at **101 West 10<sup>th</sup> Street, New York, NY 10011** agree to the following stipulations:

**Application Type:** ☐ OP Restaurant/Tavern ☐ RW ☒ TW ☐ Alteration ☐ Other:

☒ Premise will be advertised and operated as an all-day café serving coffee, pastries and lunch transitioning to an evening wine bar serving tapas.

☒ Hours of operation:

Sunday:	8 AM	to	5 PM	Thursday:	8 AM	to	11 PM
Monday:	8 AM	to	11 PM	Friday:	8 AM	to	12 AM
Tuesday:	8 AM	to	11 PM	Saturday:	8 AM	to	12 AM
Wednesday:	8 AM	to	11 PM				

(Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)

- ☒ Will operate with less than a full service kitchen but will serve the full food menu during all hours of operation.
  - ☒ Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  - ☒ Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  - ☒ Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time
  - ☒ Will not have televisions.
  - ☒ Will have not more than 12 private parties per year.
  - ☒ Will close all doors and windows at all times, allowing only for patron ingress and egress.
  - ☒ Will not have patron occupancy/service to any portion of the basement of licensed premises.
  - ☒ Will not install or have French doors, operable windows or open facades.
  - ☒ Will not make changes to the existing façade except to change signage or awning.
  - ☒ Will add soundproofing to ensure there is no disturbance to residents in the building.
  - ☒ Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  - ☒ Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed to CB2, Manhattan prior to opening.
  - ☒ Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
- Will not have: ☒ Dancing ☒ DJs ☒ Live Music ☒ Promoted Events ☒ Any event where cover fee is charged  
☒ Scheduled Performances ☒ Velvet ropes or metal barricades ☒ Security Personnel/Doorman.
- ☒ Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
  - ☒ Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
  - ☒ Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

**Jose Sabastro**

Notary Public, State of New York

Registration No. 01SA0020604

Qualified in Bronx County

Commission Expires February 1, 2028

Residents may contact the Manager/Owner at the following phone number. Any complaints will be addressed immediately

Name: Marcela Jimenez Phone Number: 917-359-6130

Signed <u>[Signature]</u>	Print Name <u>MARCELA JIMENEZ</u>	Dated <u>10/20/2025</u>
Sworn to this <u>20<sup>th</sup></u> day of <u>October</u> 2025 <u>Jose Sabastro</u> Notary Public		

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license