



## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

P: 212-979-2272 F: 212-254-5102 E: [info@manhattancb2.org](mailto:info@manhattancb2.org)

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

October 15, 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 September 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution from August:

**Cantaloupe LLC dba Lovely Day 196 Elizabeth St 10012** (OP–Restaurant) (Alteration: Dining Out NYC–Sidewalk, Roadway) (Lic. ID #0340-21-119467) (*appearance waived*)

- i. **Whereas**, the Applicant will submit an application to the NYS Liquor Authority for an Alteration to the existing On-Premises Liquor License to add a sidewalk café and roadway seating consisting of 16 seats in total as part of the Dining Out NYC program to their licensed premises; and
- ii. **Whereas**, the instant application also includes the necessity of an FDNY waiver to the 15' emergency lane requirement of NYC DOT's Dining Out NYC rules, these waivers creating serious life safety concerns for the impacted residents, with CB2, Man. having heard from numerous block associations that they are adamantly opposed to any roadbed seating which requires an FDNY waiver; and
- iii. **Whereas**, the Applicant has executed and has had notarized a supplementary Stipulations Agreement with CB2, Man. to address the new Dining Out NYC program seating that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the existing method of operation of their On-Premises Liquor License in addition to any other existing stipulations, with those supplementary stipulations as follows:
  1. Dining Out NYC sidewalk café will substantially conform to submitted diagram and have no more than 2 tables and 4 seats on Elizabeth Street between Spring and Prince Streets.
  2. Dining Out NYC roadway seating will substantially conform to submitted diagram and have no more than 4 tables and 12 seats on Elizabeth Street between Spring and Prince Streets.
  3. Hours of operation for the Dining Out NYC sidewalk café and roadway seating will be from 11 AM to 10 PM Saturdays through Sundays (7 days a week). No patrons will remain outside after stated closing time and all tables and chairs will be secured.
  4. All outdoor patrons will be seated and any waitstaff will serve only from within the Dining Out NYC sidewalk café and/or Dining Out NYC roadway café boundaries. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams.
  5. There will be no host stands, bus or service stations on the sidewalk or in the roadbed.

6. There will be no exterior music, speakers, TVs or any other sound reproduction devices in the outdoor area.
7. There will be no speakers or TVs inside the premises pointing outside through any doors or windows.
8. Will follow all rules and regulations of the Dining Out NYC program including clear path and ADA requirements.
9. All other stipulations agreed to and executed with Community Board 2, Man. remain in effect.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for the alteration to the existing On-Premises Liquor License for **Cantaloupe LLC dba Lovely Day 196 Elizabeth St 10012**, to add seating under the Dining Out NYC program **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and supplementary stipulations agreed to by the Applicant above are added to the existing 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 Addendum to Existing Liquor License Stipulations:
Alteration to include use of Municipal Property for Dining Out NYC Sidewalk or Roadway Cafe

The original signed and notarized form must be returned to the CB2 office by Tuesday, August 5, 2025.
If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, Can Sutti as a qualified representative of Cantaloupe LLC dba Lovely Day
located at: 196 Elizabeth Street, New York, NY 10012
agrees to the following stipulations:

Currently held Liquor License Class: Lic. ID # 0340-21-119467

[X] On Premise Liquor [ ] Restaurant Wine [ ] Tavern Wine [ ] Other \_\_\_\_\_

Alteration to License to add:

[X] Dining Out NYC Sidewalk Cafe [X] Dining Out NYC Roadway

Sidewalk cafe will substantially conform to submitted diagram and have no more than:

- 2 tables and 4 seats on Elizabeth Street

Roadway cafe will substantially conform to submitted diagram and have no more than:

- 4 tables and 12 seats on Elizabeth Street

[X] Roadway seating has been referred to FDNY for a waiver.

Hours of operation for Dining Out NYC sidewalk and roadway seating:\*

Table with 4 columns: Day, Start Time, End Time, Day, Start Time, End Time. Rows for Sunday through Wednesday.

\*No patrons will remain outside after stated closing time and all tables and chairs will be secured.

- [X] All outdoor patrons will be seated and any waitstaff will serve only from within the Dining Out NYC sidewalk cafe boundaries and/or Dining Out NYC roadway cafe boundaries. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams.
[X] There will be no host stands, bus or service stations on the sidewalk or in the roadbed.
[X] There will be no exterior music, speakers, TVs or any other sound reproduction devices in the outdoor area.
[X] There will be no speakers or TVs inside the premises pointing outside through any doors or windows.
[X] Will follow all rules and regulations of the Dining Out NYC program including clear path and ADA requirements.
[X] All other stipulations agreed to and executed with Community Board 2, Man. remain in effect.

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

Name: Dan Sutti Phone Number: 323-868-8719

Signed [Signature] Dan Sutti 8-1-2025
Sworn to this 01 day of August 2025 [Signature] Notary Public

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

NERISA P DUNCAN
Notary Public - State of New York
NO. 01DU6357811
Qualified in New York County
My Commission Expires Apr 24, 2029

RECEIVED BY
COMMUNITY BOARD 2, MANHATTAN
AUG 05 2025