



TOWN OF HENRIETTA
County of Monroe
State of New York

475 Calkins Road, Rochester, NY 14623
(585) 334-7700 • w www.henrietta.org

TOWN OF HENRIETTA
APPLICATION TO TOWN BOARD

Appeal No. SP-2022-050

SPECIAL USE PERMIT – RESTAURANT

Date 12/12/2022

Applicant: Prakash Moktan Name Email

100 Harvest Ridge Trl W. Henrietta NY 14686 No. & Street City State Zip Code Phone Number

Business Owner: Same Name Email

No. & Street City State Zip Code Phone Number

Business Name: Curry House of India Inc

Business Address: 3047 West Henrietta Rd Rochester NY 14622 No. & Street City State Zip Code

Property Owner: Tayfen Properties, LLC Name Email

P.O. Box 17199, Rochester, NY 14621 No. & Street City State Zip Code Phone Number

Architect/Engineer: Name Email

No. & Street City State Zip Code Phone Number

Hereby request from the Town Board for a Special Use Permit for the property located at:
3047 West Henrietta Rd Rochester NY 14622 No. & Street City State Zip Code
161.07-1-6 Tax Map No. Commercial B-1 (MURA) Zoning District

If property is under a purchase option, indicate date option expires: _____

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: V1 Section: 295 Subsection: 14 Paragraph: B(12) of the Zoning Ordinance.

Description of Proposal: Special permit for the restaurant for alcohol to be served, and live entertainment.

NOTE: Modification of SP-2018-001

IMPORTANT: Please check only those operational subtypes which you intend to operate now or in the very near future. The Town is required to assess each subtype for potential impacts, therefore if you select operational subtypes which are not truly intended to be utilized, you may unnecessarily subject your proposal to further mitigation which may not otherwise have been required.

- Sit Down Meal Service
- Take-Out Meal Service
- Drive-Through Service
- Indoor Seating
- Bands, DJs, or Similar Loud Entertainment
- Alcohol to be Served

Printed Name: Prakash Moktan Signature: [Signature]

J. Fried Received By 1/18/23 Date of Meeting* (unless rescheduled) TBD Time

*A meeting date will be assigned when applications are turned in but if the application is deemed incomplete, it will not be scheduled and the Applicant will be notified.

**Statement of Applicant and Owner with Respect to Reimbursement
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant: Prakash Motgan

By: _____

Title: owner/manager

Dated: 12/12/2022

Signed: 

Owner:

By: See Attached for Owner Signature

Title:

Dated:

Signed:

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Applicant: _____

By: _____

Title: _____

Dated: _____

Signed: _____

Owner: Tayfen Properties

By: Sam Noble

Title: Manager

Dated: 12/22/2022

Signed: *Sam Noble*

Tayfen Properties, LLC
PO Box 17199, Rochester, NY 14621
Phone (585) 234-5400, Fax (585) 486 - 1934

December 22nd, 2022

Dear Town Officials,

We, the management at Tayfen Properties LLC, are writing to request that we be notified prior to the town starting any work or research that may result in a chargeback fee to our company.

As you may be aware, chargeback fees can have a significant impact on our business, and it is important for us to be aware of any potential fees as early as possible in order to plan and budget accordingly. By providing us with advance notice, we will be able to address any potential issues and work with the town to minimize or avoid any fees.

We appreciate your cooperation and look forward to your prompt response to this request.

Sincerely,

Sam Noble

Sam Noble
Tayfen Properties LLC

CURRY HOUSE OF INDIA, INC.
3047 West Henrietta Road
Rochester, New York 14623

14 December 2022.

Town of Henrietta
By Personal Delivery

RE: Special Use Permit for Curry House of India
3047 W. Henrietta Rd.

Dear Madam/Sir:

Please let these brief lines to outline our operational intentions for Curry House of India.

We are currently operating a restaurant at premises known as 3047 West Henrietta Road, in the Town of Henrietta. We cook and serve traditional Indian food at our restaurant. Currently we sell no alcohol.

Our restaurant is open seven days per week, generally from 10:00 A.M. to 10:00 P.M. Our hours of operation will remain the same.

We intend, with permission from the Town of Henrietta, to operate the same food establishment, but we want to sell beer, liquor, and wine to our dining guests for consumption on the premises. We have prepared and intend to submit to the New York State Liquor Authority an application to allow the sale of the above-mentioned alcoholic beverages.

On occasion, we intend to provide live, traditional musical entertainment, especially for birthday parties, and other small gatherings.

Respectfully,

Curry House of India, Inc.



Prakash Moktan, President

Tayfen Properties, LLC
P● Box 17199, Rochester, NY 14621
Phone (585) 234-5400, Fax (585) 486 - 1934

December 13, 2022

To Whom It May Concern:

Please be advised, as of October 1st, 2022, Prokash Moktan and Avon Karki, DBA Curry House of India, did enter into a "Lease Agreement" with Tayfen Properties, LLC., for space located at 3047 West Henrietta Rd Rochester, New York, 14623.

Per this "Lease Agreement", Mr. Moktan and Mr. Karki have our permission to serve alcohol in their restaurant.

With Best Regards,

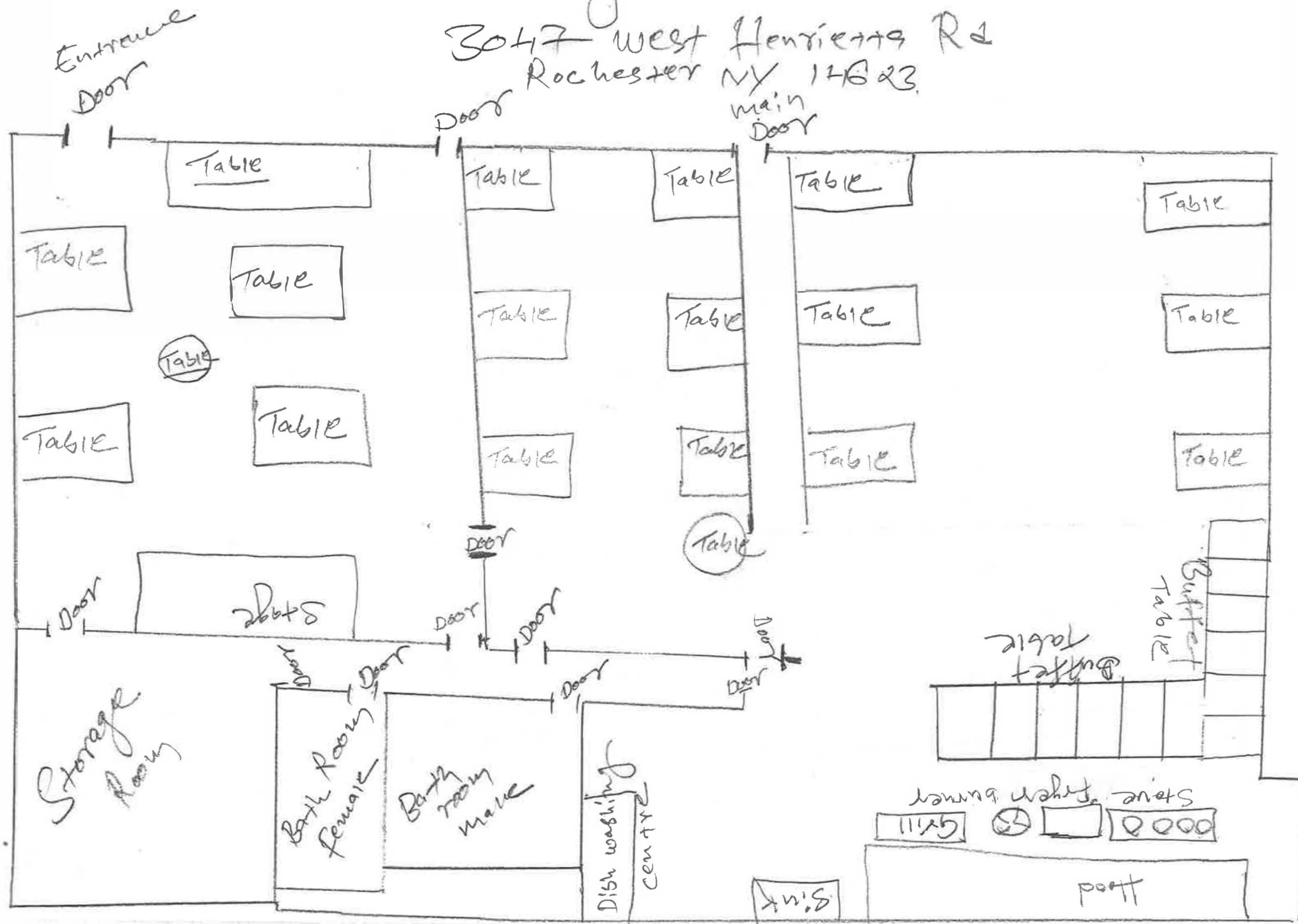
Sam Noble, Real Estate Manager

Sam Noble

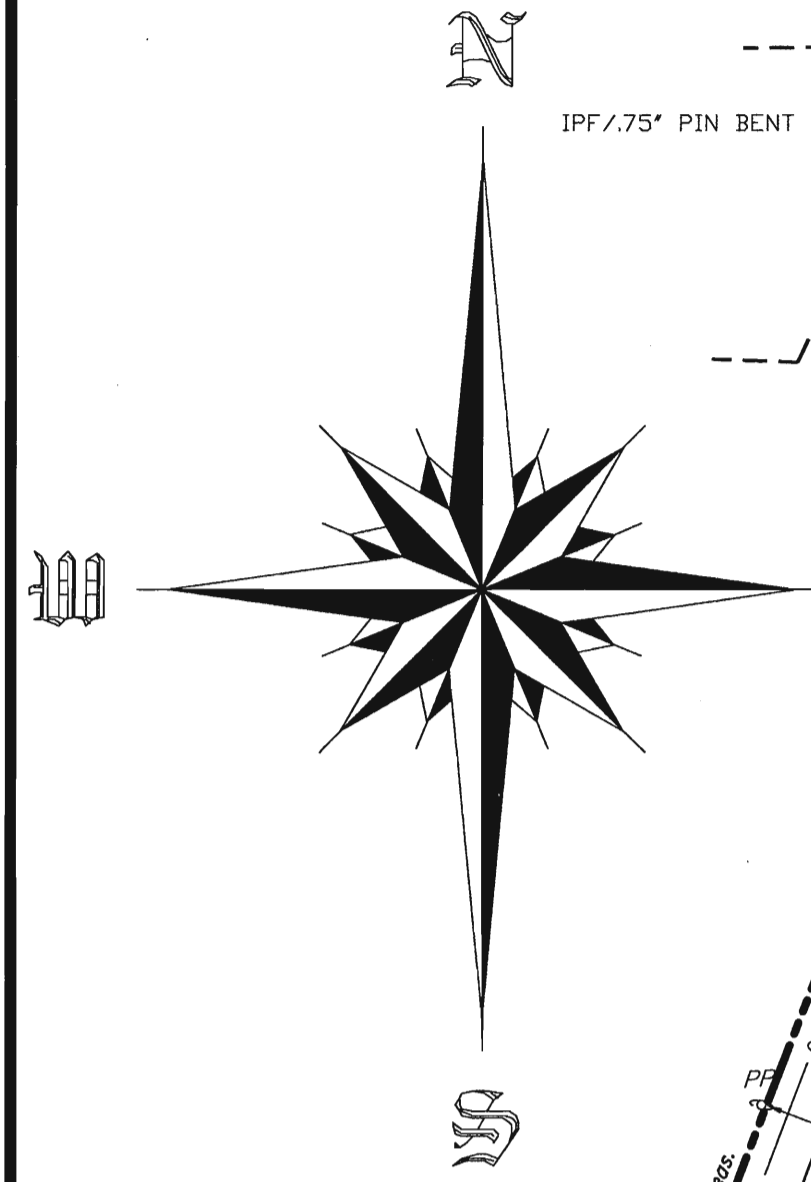
Tayfen Properties, LLC.

Curry House of India Inc

3047 West Henrietta Rd
Rochester NY 14623

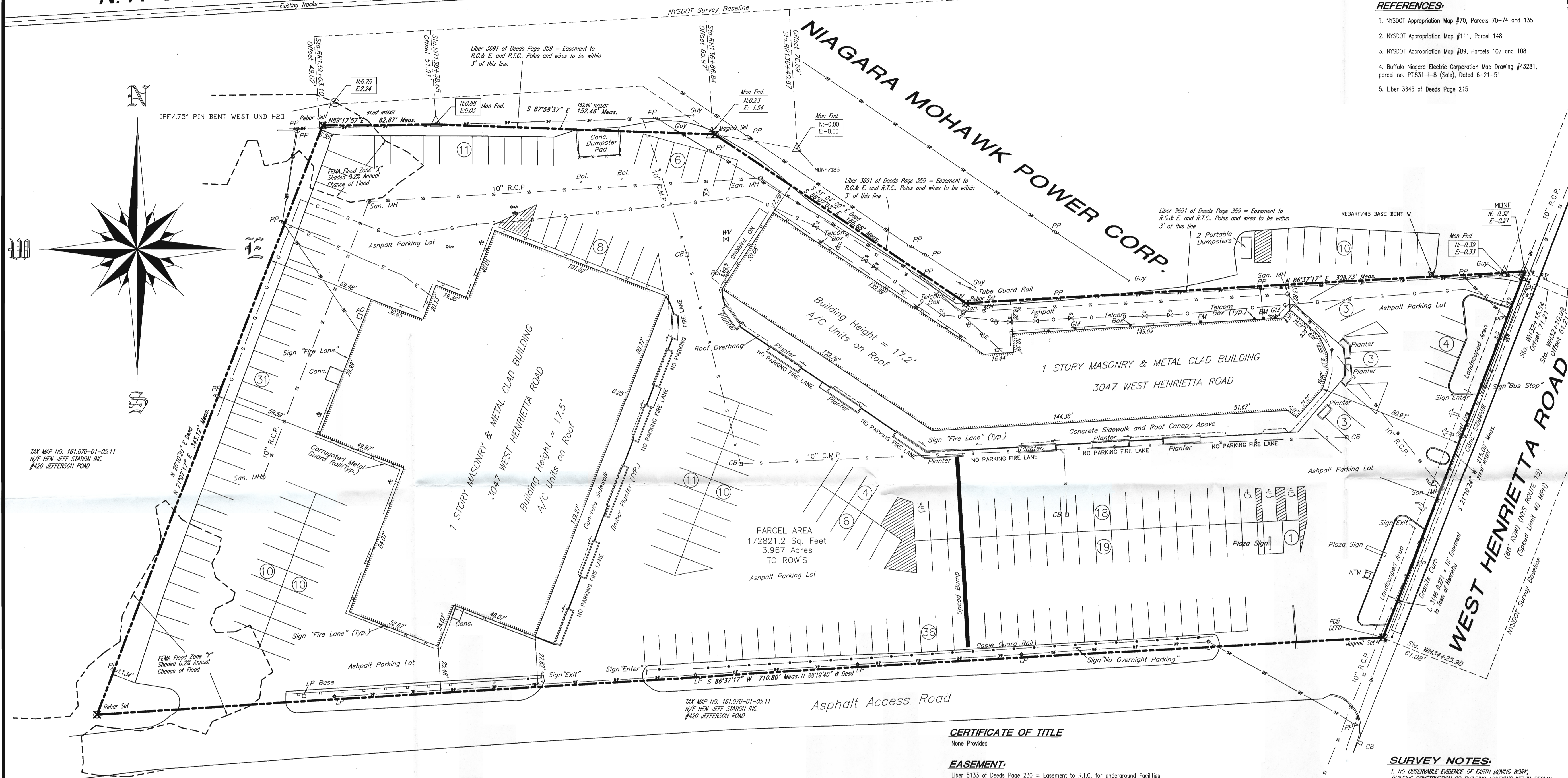
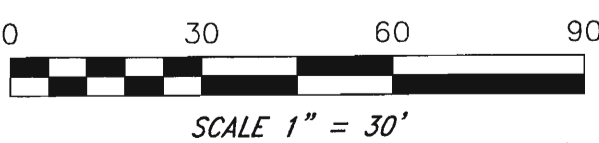


N.Y. CENTRAL R.R. W. SHORE BRANCH

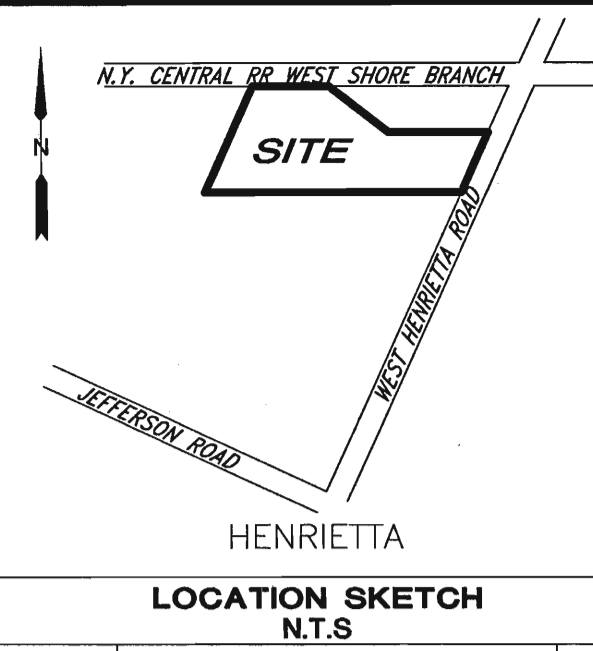


TAX MAP NO. 161.070-01-05.11
N/F HEN-JEFF STATION INC.
#420 JEFFERSON ROAD

SURVEY CONTROL NOTES
New York State DOT Statewide CORS Network using NTRIP RTK
Equipment: ALTIUS APS-3U GPS/Glonass
Projection to New York State Plane Grid Coordinates: NAD 1983
North arrow show is referenced to N.Y.S. Grid North
Elevations are ground (ortho heights) NAVD 88 using Geoid Model 03



- REFERENCES:**
1. NYS DOT Appropriation Map #70, Parcels 70-74 and 135
 2. NYS DOT Appropriation Map #111, Parcel 148
 3. NYS DOT Appropriation Map #89, Parcels 107 and 108
 4. Buffalo Niagara Electric Corporation Map Drawing #43281, parcel no. PT.831-1-8 (Sale), Dated 6-21-51
 5. Liber 3645 of Deeds Page 215



DATE	REVISIONS	BY

DRAWING ALTERATION
THE FOLLOWING IS AN EXCERPT FROM THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 2209 AND APPLIES TO THIS DRAWING:
"IT IS A VIOLATION OF THIS LAW FOR ANY PERSON UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED ENGINEER OR LAND SURVEYOR TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF A LICENSED ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE WORDS "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION."

McMahon LaRue Associates, P. C.
Engineers & Surveyors
822 Holt Road
Webster, NY 14580
(585) 436-1080
www.McMahon-LaRue.com

CLIENT:
HISCOCK & BARCLAY LLP
100 CHESTNUT STREET,
2000 HSBC PLAZA
ROCHESTER, NEW YORK 14604

PROJECT:
3047 W. HENRIETTA ROAD
TOWN OF HENRIETTA

DRAWING:
ALTA /ACSM 2011
INSTRUMENT SURVEY

**PART OF TOWN LOT 4
TOWNSHIP 12, RANGE 7
PHELPS AND GORHAM PURCHASE
TOWN OF HENRIETTA, MONROE COUNTY
STATE OF NEW YORK**

DESIGNED BY: AIL
DRAWN BY: AIL
CHECKED BY: GWM
S.B.L. #: 161.070-01-06
PROJ. NO.: 1001.06
DATE: DECEMBER 22, 2014
SCALE: 1" = 30'

1 SHEET OF 1 **CADD FILE: 1001-06**

DESCRIPTION:
DESCRIPTION OF PARCEL
ALL THAT TRACT OR PARCEL of land situated in part of Town Lot 4, Township 12, Range 7, Phelps and Gorham Purchase, Town of Henrietta, County of Monroe, State of New York and being more particularly described as follows:
BEGINNING AT A POINT on the southerly line of lands conveyed to Henrietta Townline Plaza, Inc. by deed filed in the Monroe County Clerk's Office in Liber 3645 of Deeds Page 215 of its intersection with the westerly right-of-way line of West Henrietta Road as shown on an Appropriation Map prepared by the New York State Department of Transportation for State Highway 62, Map 89, Parcel 107; thence,
1.) S 86°37'17" W, along the southerly line of lands conveyed to Henrietta Townline Plaza, Inc. by deed filed in the Monroe County Clerk's Office in Liber 3645 of Deeds Page 21, a distance of 710.80' feet to the southwestly corner of said conveyance; thence,
2.) N 21°07'17" E, along the westerly line of lands conveyed to Henrietta Townline Plaza, Inc. by deed filed in the Monroe County Clerk's Office in Liber 3645 of Deeds Page 21, a distance of 345.12' feet to the southerly line of lands conveyed to the New York State Department of Transportation by Appropriation Map for State Highway 62, Map 111, Parcel 148; thence,
3.) N 89°17'57" E, along the southerly line of lands conveyed to the New York State Department of Transportation by Appropriation Map for State Highway 62, Map 111, Parcel 148, a distance of 62.67' feet to a point of angle; thence,
4.) S 87°28'37" E, continuing along the southerly line of lands conveyed to the New York State Department of Transportation by Appropriation Map for State Highway 62, Map 111, Parcel 148, a distance of 152.46' feet to a point of angle; thence,
5.) S 56°07'03" E, along the easterly line of lands conveyed to Henrietta Townline Plaza, Inc. by deed filed in the Monroe County Clerk's Office in Liber 3645 of Deeds Page 21, a distance of 166.68' feet to a point of angle; thence,
6.) N 86°37'17" E, along the southerly line of the lands of now or formerly Niagara Mohawk Power Corporation, distance of 308.73' feet to the westerly right-of-way line of West Henrietta Road as shown on an Appropriation Map prepared by the New York State Department of Transportation for State Highway 62, Map 89, Parcel 107; thence,
7.) S 21°10'24" W, along the westerly right-of-way line of West Henrietta Road as shown on an Appropriation Map prepared by the New York State Department of Transportation for State Highway 62, Map 89, Parcel 107, distance of 215.00' feet to the POINT OF BEGINNING.
CONTAINING: 172,821.2 Square Feet or 3.967 Acres of land, more or less.

CERTIFICATE OF TITLE
None Provided

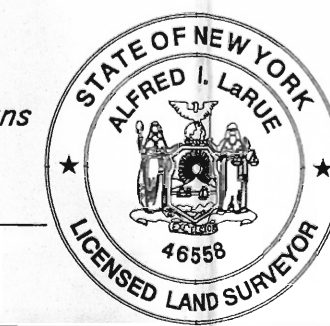
EASEMENT:
Liber 5133 of Deeds Page 230 = Easement to R.T.C. for underground Facilities along the north property line for a distance of 35' feet running in a westerly direction from the northeast property line.

RELEASE OF EASEMENT:
Liber 3684 of Deeds Page 42 Releases Easement in Liber 2575 of Deeds Page 298.

ABSTRACT OF TITLE:
Stewart Title Insurance Company Abstract No. 115228, dated June 25, 2014

2011 ALTA CERTIFICATION:
This is to certify that this map or plat and survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 7b1, 7c, 8-9, 11a & b, 13 and 14 of the Table A thereof. The field work was completed December 16, 2014.
CERTIFIED TO:
Hiscock & Barclay, LLP
Tayfen Properties, LLC
Crossroads Land Office, Inc.
The Canandaigua National Bank and Trust Company, its successors and/or assigns
Morgenstern DeVoesick PLLC

Alfred I. LaRue L.S. 046558



SURVEY NOTES:
1. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
2. NO CHANGES IN STREET RIGHT-OF-WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
3. NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SWAMP OR SANITARY LAND FILL.
4. ENCROACHMENTS, IF ANY, ARE SHOWN ON THE PLAN.

PARKING PROVIDED:
Parking Spaces = 204 plus 4 Handicap Spaces

FEMA FLOOD PLAIN:
FIRM Flood Insurance Rate Map - Town of Chili, New York, Monroe County Community Panel Number 36050003346, Map Revised August 28, 2008. THE MAJORITY OF THE SITE IS IN ZONE "X" UNSHADED. 2 SMALL PORTIONS OF THE SITE ARE IN ZONE "X" SHADED WITH A 0.2% ANNUAL CHANCE OF FLOOD.