



TOWN OF HENRIETTA  
County of Monroe  
State of New York

475 Calkins Road, Rochester, NY 14623  
(585) 334-7700 • [www.henrietta.org](http://www.henrietta.org)

TOWN OF HENRIETTA  
APPLICATION TO TOWN BOARD  
**SPECIAL USE PERMIT – RESTAURANT**

Appeal No. SP-2023-023  
Date 5/10/23

Applicant: Bi Fang Chen \_\_\_\_\_  
Name Email

3679 W. Henrietta Rd., Rochester, NY 14623 \_\_\_\_\_  
No. & Street City State Zip Code Phone Number

Business Owner: Bi Fang Chen \_\_\_\_\_  
Name Email

36-40 Main Street, Suite 505, Flushing, NY 11354 \_\_\_\_\_  
No. & Street City State Zip Code Phone Number

Business Name: Moge Tee Rochester LLC \_\_\_\_\_

Business Address: 3679 W. Henrietta Rd., Rochester, NY 14623 \_\_\_\_\_  
No. & Street City State Zip Code

Property Owner: L&D West Herietta LLC Lawrence Hessler \_\_\_\_\_  
Name Email

\_\_\_\_\_  
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:

3679 W. Henrietta Rd., Rochester, NY 14623 \_\_\_\_\_  
No. & Street City State Zip Code

161-11-1-15 \_\_\_\_\_ Commercial B-1 (MURA) \_\_\_\_\_  
Tax Map No 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: VI Section: 295 Subsection: 14 Paragraph: B(12) of the Zoning Ordinance.

Description of Proposal: a quick service restaurant that will be serving bubble tea, fresh fruit tea, and chicken wings.

Business will operate 7 days a week. Sunday to Thursday from 11am to 9pm. Fridays to Saturdays from 11am to 10pm

**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  
 Outdoor Seating       Bands, DJs, or Similar Loud Entertainment       Alcohol to be Served

Printed Name: Bi Fang Chen \_\_\_\_\_ Signature: \_\_\_\_\_

J. Fried \_\_\_\_\_ 6/15/23 \_\_\_\_\_ TRD \_\_\_\_\_  
Received By Date of Meeting\* (unless rescheduled) 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:

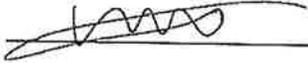
- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction 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: Bi Fang Chen

By: \_\_\_\_\_

Title: President

Dated: 5/8/2023

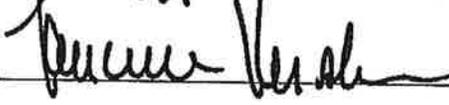
Signed: 

Owner: 4510 W. HENRIETTA, LLC

By: Jacques Verah

Title: MEMBER

Dated: 5/9/23

Signed: 



## LETTER OF INTENT

Date: May 9, 2023

Ms. Janine Fried  
Town Of Henrietta  
Building & Fire Prevention  
375 Calkins Road  
Rochester, NY 14623

Dear Ms. Fried,

The intent of this letter is to seek Special Permit at 3679 W. Henrietta Road, Rochester, NY 14623 for Moge Tee.

The existing building was operating as a quick service restaurant, Burger King. It is our intent to use the building for the same purpose after some renovation of the interior. Our quick service restaurant will be selling bubble tea and chicken wings. Moge Tee is a bubble tea brand that offers a unique line of bubble tea and fresh fruit teas. All made from fresh fruits, quality dairy, and premium hand craft tea leaves. The chicken wings will be our new line of companion products for Moge Tee. This line of companion product will consist of chicken wings with variety of sauces, fish and chicken sandwich combos, along with various small sides. We feel all our offerings will be liked by all demographic and ethnic groups.

This site offers opportunity for a drive thru and curb side pick-up, which we feel will be very advantageous for our restaurant. We hope with these added functions, it will help our business thrive as we live in an age where customers want to minimize their wait and prefers to order everything with their mobile phone. We intend to open 7 days a week, Sunday to Thursday from 11am to 9pm. Fridays to Saturdays from 11am to 10pm.

We do not plan to change the use or do any alteration that will affect occupancy count. Our intent is to reuse the existing infrastructure with a cosmetic refresh of the interior finishes. Thank you for your time in reviewing this request. We look forward to seeing you at the town meeting.

Sincerely,

Bi Fang Chen  
Li Zheng

**L&D West Henrietta LLC  
410 White Spruce Blvd.  
Rochester, NY 14623**

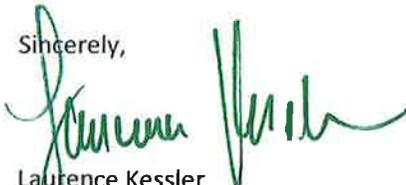
May 10, 2023

Re: 3679 W. Henrietta Road

To Whom It May Concern:

I, Laurence Kessler, owner of the above referenced property, authorize changes to the building at 3679 W. Henrietta Rd. on the application submitted by our tenant, Moge Tee.

Sincerely,



Laurence Kessler  
Owner

**L&D West Henrietta LLC  
410 White Spruce Blvd.  
Rochester, NY 14623**

May 9, 2023

Re: 3679 W. Henrietta Road

To Whom It May Concern:

I, Laurence Kessler, owner of the above referenced property, attest that the building at 3679 W. Henrietta Rd. was occupied under a lease agreement which expired on July 31, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurence Kessler". The signature is written in a cursive, flowing style.

Laurence Kessler  
Owner

**DETAILS**

- 1 6" CONCRETE CURB
- 2 SPECIAL CONCRETE CURB
- 3 STANDARD CURB NOSING
- 4 PAVEMENT WALK
- 5 BRUSHED CONCRETE WALK
- 6 CONCRETE RAMP - EXTERNAL
- 7 HANDICAP PARKING STALL
- 8 BRICK TRASH ENCLOSURE
- 9 DOUBLE 90° FIXTURE
- 10 GLAD 90° FIXTURE
- 11 PAINTED TRAFFIC ARROW
- 12 ROOF DRAIN FLUME
- 13 HANDRAIL
- 14 GREASE INTERCEPTOR
- 15 SANITARY CLEANOUT (TYP.)
- 16 BK-50 DRIVE-THRU DETAIL

**SIGNS**

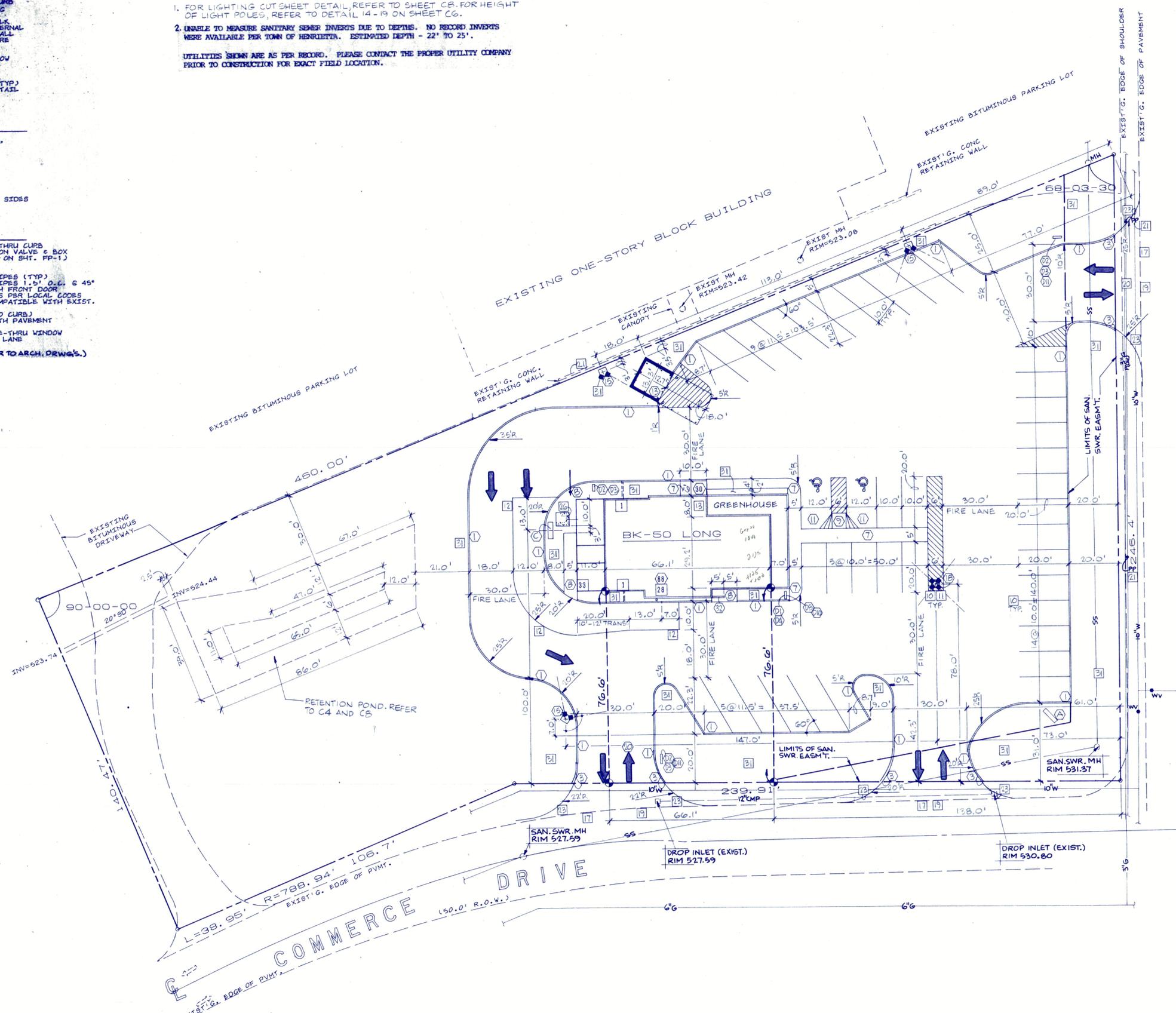
- A BURGER KING LOGO
- B CLEARANCE SIGN 8'-6"
- C ORDER STATION
- D BURGER KING LOGO
- E DRIVE-THRU
- F DIRECTIONAL ARROW
- G THANK YOU
- H EXIT ONLY
- I ONE WAY
- J DO NOT ENTER
- K MESSAGE/SYMBOL BOTH SIDES

**NOTES**

- 1 ROOF DRAIN LEADERS THRU CURB
- 2 1-1/2" PVC IRRIGATION VALVE & BOX
- 3 WATER SERVICE (SIZE ON SHT. PP-1)
- 4 SANITARY SERVICE
- 5 GAS SERVICE
- 6 4" WIDE PAINTED STRIPES (TYP.)
- 7 4" WIDE PAINTED STRIPES 1.5" O.C. @ 45°
- 8 FRONT VESTIBULE WITH FRONT DOOR
- 9 TO BE CONSTRUCTED AS PER LOCAL CODES
- 10 NEW PAVING TO BE COMPATIBLE WITH EXIST.
- 11 EXISTING TO REMAIN
- 12 EDGE OF PAVEMENT (NO CURB)
- 13 4" PVC SLEEVE BENEATH PAVEMENT
- 14 TRANSFORMER PAD
- 15 CENTER LINE OF DRIVE-THRU WINDOW
- 16 CONDENSE DRIVE-THRU LANE
- 17 LANDSCAPED AREA
- 18 WALK-IN BOXES (REFER TO ARCH. DRAWG'S.)

**NOTES:**

- 1. FOR LIGHTING CUT SHEET DETAIL, REFER TO SHEET C-8. FOR HEIGHT OF LIGHT POLES, REFER TO DETAIL 14-19 ON SHEET C-6.
  - 2. UNABLE TO MEASURE SANITARY SEWER INVERTS DUE TO DEPTHS. NO RECORD INVERTS WERE AVAILABLE PER TOWN OF HENRIETTA. ESTIMATED DEPTH - 22' TO 25'.
- UTILITIES SHOWN ARE AS PER RECORD. PLEASE CONTACT THE PROPER UTILITY COMPANY PRIOR TO CONSTRUCTION FOR EXACT FIELD LOCATION.



W. HENRIETTA RD (CN. Y.S. ROUTE #15)

**GRAPHIC SCALE**

20 10 0 20 40

1" = 20 FT.

**NOTE:**

PLEASE REFER TO SHEET C-1 FOR LEGEND INFORMATION.

SEE SHEETS C-5 THRU C-8 FOR SITE DETAILS.

NO.	DATE	REVISION
1	12/05/84	REVISED LAYOUT

DATE: 11/17/84  
 CHECKED BY: ALBERTO PUIG  
 DRAWN BY: ALBERTO PUIG

**BURGER KING CORPORATION**

RESTAURANT FOR:

**JACK LEE MEYER**  
 PROFESSIONAL ENGINEER

P.O. BOX 520783  
 GENERAL MAIL FACILITY  
 MIAMI, FL. 33152  
 PHONE 305-596-7978



**A-57250** 39 PARKING

CIVIL ENGINEERING PLANS  
 HENRIETTA, N. Y.  
 COMMERCE & HENRIETTA  
 SITE PLAN