ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION
Sideya Sherman, Director Department of City Planning

Memorandum

To: Sarah Whitham, Alex Sommer

From: Evren Ulker-Kacar EUK

Date: July 23, 2026

Re: Qualified Action Determination

Land Use Application No.: 260246ZMK; 260247ZRK

Project Name: 17-21 Wharton Place Rezoning

CEQR No.: 26DCP008K

Department Determination

The Department of City Planning has reviewed the above-referenced application and determined that, pursuant to Subdivision 5 of section 8-0111 of the Environmental Conservation Law, it is a Qualified Action not subject to further review under SEQRA / CEQR.

This Qualified Action:

_X_(Subdivision 5-a(b)(i)(1-6)) is an action for the purposes of the construction of housing that shall:

- Be connected to existing community or public water and sewerage systems at the commencement of habitation;
- Be located at a previously disturbed site;
- Not be located within an area zoned exclusively for industrial uses;
- Contain no more than fifty thousand square feet of commercial, retail, community facility or other non-industrial non-residential uses;
- Either:
  - Not exceed 250 dwelling units, or
  - Not exceed 500 dwelling units within a zoning district where, at the time of application, the standard maximum residential building height is greater than forty-five feet; or the maximum height of a building is regulated by something

Stephanie Shellooe, AICP, Director, (212) 720-3328 | sshellooe@planning.nyc.gov
Evren Ulker-Kacar, AICP, Deputy Director, (212) 720-3493 | eulker@planning.nyc.gov
120 Broadway, 31st Floor, New York, N.Y. 10271 | Fax: (212) 720-3488

other than a horizontal plane and that allows residential buildings to exceed 45 feet, or there is no such maximum building height;

- Not include construction of only one single-family residence on a parcel of one-half or more acres.
- (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials and is accompanied by an applicant certification where applicable.[1]

___(Subdivision 5-a(b)(iii)) is an action for the purposes of construction of public parks located at a previously disturbed site that do not include performance centers, athletic stadiums, or other venues for mass gatherings, or other buildings or structures which do not serve public park, recreation, or open space purposes;

___Subdivision 5-a(b)(iv) is an action for the purposes of multi-use bicycle and pedestrian trails located at a previously disturbed site;

___Subdivision 5-a(b)(v) is an action for purposes of construction of public school facilities to be connected at the commencement of use to existing community or public water and sewerage systems, including sewage treatment works, (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials, and is accompanied by an applicant certification where applicable.

___Subdivision 5a(b)(vi) an action for the purposes of water and wastewater infrastructure projects that:

- replace, rehabilitate or reconstruct municipal water or wastewater infrastructure, in-kind and on the same site, including lead service line replacement;
- replace, rehabilitate, upgrade or reconstruct an existing small community water system, including lead service line replacement; or
- provide sewer service to a disadvantaged community served by one or more inadequate sewage treatment systems that has been determined by the department not to require a permit or approval pursuant to articles fifteen, twenty-four or twenty-five of this chapter or any rules or regulations promulgated thereunder;

___Subdivision 5a(b)(vii) an action for the purposes of a retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

1 E-877 for hazardous materials will be placed on Brooklyn Block 4105, Lots 72, 75, and 77

Applicant Provided Information

Proposed Action

The Applicant, CCM Capital Group Corp., seeks approval of a Zoning Map Amendment and a Zoning Text Amendment (the "Proposed Actions") affecting Block 4105, Lots 72, 75, 77, 178, 179, 180, 181, 81, 82, and part of Lot 182 (the "Affected Area") in the Cypress Hills neighborhood of Brooklyn Community District 5. The Affected Area is generally bounded by Wharton Place to the north, Euclid Avenue to the west, Etna Street to the south, and Crescent Street to the east.

The proposed Zoning Map Amendment would change the existing R5 zoning district to an R6A zoning district. The proposed Zoning Text Amendment would amend Appendix F of the Zoning Resolution to designate the Affected Area as a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would facilitate redevelopment of the Applicant-controlled Projected Development Site (Block 4105, Lots 72, 75, and 77). No redevelopment is anticipated on the remaining lots within the Affected Area because they do not meet the soft site criteria established in the CEQR Technical Manual. The remaining lots within the Affected Area are all under separate ownership, are less than 5,000 square feet in area, and contain existing residential and mixed residential and commercial developments.

Proposed Project

The Proposed Actions would facilitate the Applicant's proposed development of a new approximately 68,167 gross square foot (GSF), seven-story plus cellar mixed residential and community facility building on the Applicant-controlled Projected Development Site. The Proposed Project would include approximately 1,341 GSF of ground-floor community facility space and approximately 66,826 GSF of residential use. The Proposed Development would include 73 dwelling units (DUs), 20-30% (15-22 DUs) of which would be income-restricted at an average of 60-80% AMI pursuant to MIH Options 1, 2, or 3, depending on the option selected. The Applicant intends to pursue MIH Option 1, which would result in 21 income restricted units at an average of 60% AMI. The building would rise to a base height of approximately 65 feet with a maximum building height of approximately 75 feet. The Projected Development Site is located within the Outer Transit Zone. Off-street parking requirements would be

waived pursuant to Zoning Resolution Section 25-222, and no accessory parking or curb cuts are proposed.

Future Without the Proposed Actions (No-Action Condition)

Under the Future No-Action Condition, the existing development on the Applicant-controlled Projected Development Site would remain. There are no known pending permits or redevelopment proposals; therefore, existing conditions are assumed to continue. Existing development consists of:

- Lot 72 (17 Wharton Place): a 7,714-SF lot with frontage on Wharton Place. The lot is currently improved with a two-story, 2,991 GSF three-family (three DU) residential walk-up building constructed in 1930. In addition, the lot is developed with a single 210 GSF detached garage with parking for one vehicle for a total built floor area on Lot 72 of 3,201 GSF.
- Lot 75 (21 Wharton Place): a 5,000-SF lot with frontage on Wharton Place. The lot is currently improved with a 2-story, 1,458 GSF one and two-family (two DU) residential building constructed in 1930. In addition, the lot is developed with a single 288 GSF detached garage with parking for one vehicle for a total built floor area on Lot 75 of 1,746 GSF.
- Lot 77 (11 Wharton Place): a 2,500-SF lot with frontage on Wharton Place. The lot is currently vacant.

Future With the Proposed Actions (With-Action Condition)

Under the Future With-Action Condition, the Applicant-controlled Projected Development Site would be redeveloped with a new nine-story (95' tall) mixed residential and community facility building. The Reasonable Worst-Case Development Scenario (RWCDS) assumes a development containing approximately 71,305 GSF, including approximately 69,964 GSF of residential use and 1,341 GSF of community facility use. There would be approximately 73 DUs, assuming an approximately 950 gsf unit size, 20-30% (15-22 DUs) of which would be income-restricted at an average of 60-80% AMI pursuant to MIH Option 1, 2 or 3, depending on the option selected. It is the Applicant's intention to map Option 1, which would result in 21 income-restricted units at an average of 60% AMI. The Projected Development Site is located within the Outer Transit Zone, and off-street parking requirements would be waived; therefore, no parking is assumed. The With Action condition assumes mixed residential and community facility development, as is proposed by the Applicant, built to the maximum permitted FAR (3.9) and building height (95') under the proposed R6A zoning district.

Table 1: Total Development Increment

Use	No-Action Condition	With-Action Condition	Increment
Commercial GSF	0	0	0
Manufacturing GSF	0	0	0
Community Facility GSF	0	1,341	1,341
Residential GSF	4,449	69,964	65,515
Parking GSF	498	0	-498
Total GSF	4,947	71,305	66,358
Residential Dus	5	73	68

Attachment: Applicant Hazardous Materials Certification

CCM Capital Group Corp.

Applicant Hazardous Materials Certification

Pursuant to Subdivision 5 of Section 8-0111 of the Environmental Conservation Law, certain applications seeking a Qualified Action determination by a lead agency must complete an Applicant Certification regarding hazardous materials remediation.

Project Name: 17-21 Wharton Place Rezoning
Applicant Name: CCM Capital Group Corp.
Contact: Robert Gassmann
CCM Capital Group Corp.
214-08 41st Avenue
Bayside, NY, 11361
Tel. 212-725-2727
ccmcapitalgroup@gmail.com
Date: July 17, 2026

Project Number: 2024K0233 (CEQR # 26DCP008K)
Affected Area: Block 4105, Lots 72, 75, 77, 178, 179, 180, 181, 81, 82, and part of 182, Brooklyn
Project BBLs: 3041050072, 3041050075, 3041050077, 3041050081, 3041050082, 3041050178, 3041050179, 3041050180, 3041050181, and p/o 3041050182.

I, Robert Gassmann, am the President of CCM Capital Group Corp., the applicant ("Applicant") for a Zoning Map Amendment from R5 to R6A and a Zoning Text Amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to map a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area (the "Application"). Applicant seeks a determination that the Application is a Qualified Action under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law (the "Qualifying Action"). Applicant is the fee owner of Block 4105, Lots 72 (BBL

3041050072), 75 (BBL 3041050075), and 77 (BBL 3041050077) (the "Property"), subject to the Application.

Applicant acknowledges that the Application is required to comply with local municipal requirements regarding hazardous materials remediation including, as applicable, an E-Designation regarding hazardous materials (E-877) and the completion of a Phase 1 Environmental Site Assessment.

Applicant hereby certifies that:

(1) Applicant has followed and will follow all applicable laws, rules, and regulations regarding hazardous waste;

(2) a Phase I Environmental Site Assessment has been conducted for the Property in accordance with all appropriate inquiries regulations of the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act (40 CFR Section 312) to identify any recognized environmental conditions;

(3) Applicant has followed or will follow all applicable recommendations of such Phase I Environmental Site Assessment for the Property; and

(4) Applicant will report contamination at, on, or under the Property as required by applicable laws, rules and regulations.



Robert Gassmann