

TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 •FAX 772-4709 <u>www.exeternh.gov</u>

PUBLIC NOTICE EXETER CONSERVATION COMMISSION

Site Walk

The Exeter Conservation Commission <u>and Planning Board</u> will convene a site walk to review a conditional use permit for a proposed sewer line connection associated with the 98 Linden Street development Tax Map-Lots 104-70, 104-71.

The groups will meet at the end of Patricia Ave on **Tuesday**, **July 9th**, **2019** at **4:30 P.M.**

Monthly Meeting

The Exeter Conservation Commission will meet in the Nowak Room, Exeter Town Offices at 10 Front Street, Exeter on **Tuesday**, **July 9th**, **2019 at 7:00 P.M.**

Call to Order:

- 1. Introduction of Members Present
- 2. Public Comment

Action Items

- 1. Conditional Use Permit application for 3,200 SF wetland buffer impact resulting from modification to site plan in order to accommodate gravity sewer line connection to Patricia Ave. Tax Map-Lots 104-70, 104-71 (Brad Jones, Jones and Beach)
- 2. Water Trail Update: 8/13 at 5:00
- 3. Midyear Project Planning Update (dashboard and master plan)
- 4. 2020 Budget Planning Discussion
- 5. Committee Reports
 - a. Property Management
 - i. Monitoring Update
 - b. Trails
 - i. Eagle Project Update
 - ii. Trail Improvements
 - c. Outreach Events
 - i. Update: Raynes Window Workshop
 - ii. Upcoming: Exploring Exeter 7/20
- 6. Approval of Minutes: June 11th Meeting
- 7. Correspondence
- 8. Other Business
- 9. Next Meeting: Date Scheduled (8/13/19), Submission Deadline (8/2/19)

Todd Piskovitz, Chair

Exeter Conservation Commission

Posted July 3th, 2019 Exeter Town Office, Exeter Public Library, and Town Departments.

TOWN OF EXETER PLANNING DEPARTMENT MEMORANDUM

Date: July 3, 2019

To: Conservation Commission Board Members From: Kristen Murphy, Natural Resource Planner Subject: July 9th Conservation Commission Meeting

1. 98 Linden Street Conditional Use Permit

The applicant received planning board approval for construction of their project which included connecting to sewer via Linden Street in 2018 but the design required a sewer pump station. They had explored connecting via Patricia because it allowed for a gravity connection but the previous property owner was not amenable. The property has now changed hands and the new owner is willing to provide an easement so they are amending their application to address connecting at this location. The applicant moved forward with partial clearing for the sewer line and was informed about the need for a CUP and has ceased operation to follow the CUP process.

Suggested .	Motions for a memo to the Planning Board:
	We have reviewed this application and have no objection to the issuance of a wetland conditional use permit as proposed.
	We have reviewed this application and recommend that the wetland conditional use permit be (approved)(denied) as noted below:

2. Water Trail tour date set

Public walking tour set for 5:00 pm Aug 13th (before the August CC meeting) with Julie LaBranche. RPC will develop public outreach materials.

3. Master Plan Task List

I organized the master plan and the dashboard items into a monthly list to aid in end of year planning. See attached.

4. Budget Planning

We need to discuss any 2020 budget needs in order to develop the draft budget submission later in August. Below is my rough list of items outside our typical budget request for discussion. If you have projects in mind, bring those thoughts to the meeting.

2020 Budget Needs

\$3,000 Downtown & Trails Planning
NHACC Dues if any changes
Increased Training Budget
Field Edge Clearing @ Raynes
Bridge Repair @ Little River
Bridge Repair @ Oaklands - Crooked Bridge
Raynes LCHIP Match Request



85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885 603,772,4746 - JonesandBeach.com

June 19, 2019

Exeter Conservation Commission Attn. Todd Piskovitz, Chairman 10 Front Street Exeter, NH 03833

RE: Conditional Use Application 98 Linden Street, Exeter, NH

Tax Map 104, Lot 71 JBE Project No. 16198.1

Dear Mr. Piskovitz,

On behalf of our client, Linden Woods, LLC, Jones & Beach Engineers is requesting a Conditional Use Application meeting. The intent of this application is to construct an 8" gravity sewer main across Tax Map 104, Lot 71, to provide a gravity sewer connection for 16 condominium units now under construction.

After the sewer main is installed the 3,200 S.F. of wetland buffer impact will be revegetated and stabilized. We would like to attend your next available meeting on July 11, 2019. We would be happy to have a site walk if necessary. We would like to schedule the site walk before the meeting to expedite the approval process.

The following questions meet the conditions for the application:

- That the proposed use is permitted in the underlying zoning district.
 RESPONSE: The 8" gravity sewer is allowed in the Residential District 2 Two-Family Zone.
- That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Wetlands Conservation Overlay District.
 RESPONSE: Due to the connection point at Patricia Avenue, the gravity sewer needs to be located in its designed location. This location will provide proper alignment and separation from a future water main.
- 3. The proposed impact has been evaluated in the context of the relative "value" of the wetland, including its ecological sensitivity, as well as its function within the greater hydrologic system. To the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s).

RESPONSE: The wetlands will not be impacted by the sewer line. After the line is installed, the 3,200 square feet of impact to the buffer will be revegetated.

4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible.

RESPONSE: Due to the location of the Patricia Avenue connection SMH, this is the most feasible location.

5. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction.

RESPONSE: The contractor will revegetate the entire length of the gravity sewer line.

- 6. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons.
 RESPONSE: The location of the planned sewer line will eventually be developed with a short road. This was taken into consideration during the design.
- 7. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.

 RESPONSE: There is no disturbance to the wetlands, therefore a wetland and army corp. permit is not necessary.

Fourteen (14) copies of the following items are provided in support of this Conditional Use Application:

- 1. Conditional Use Application.
- 2. Copy of Current Deed.
- 3. Letter of Authorization.
- 4. ZBA Approval February 21, 2017.
- 5. Abutters List & Mailing Labels (3 sets).
- 6. Tax Map.
- 7. Check for Application and Notification Fees.
- 8. NHDES Sewer Connection Permit.
- 9. Utility Easement Deed.
- 10. Recorded Sewer Easement Plan by Millennium Engineering.
- 11. One (1) Full Size Plan Set (folded).
- 12. Fourteen (14) Half-Size Plan Sets.
- 13. PDF of all documents submitted.

If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,

JONES & BEACH ENGINEERS, INC.

Bradford Jones Vice President

cc: Linden Woods, LLC (application & plans via email)

Letter of Authorization

I S Realty Trust, S. Mitchell Winter, Trustee, owner of property located in Exeter, NH, known as Tax Map 104, Lot 71, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on 100 Linden Street in Exeter, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

Witness S. Mitchell Winter

I S Realty Trust

Limited to design For Rob Pare et. Al

3,15,19

Date

Letter of Authorization

Linden Woods, LLC, 56 Central Avenue, Newton, MA 02458, owner of property located in Exeter, NH, known as Tax Map 104, Lot 70, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously-mentioned property. The parcel is located on 98 Linden Street in Exeter, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

 $\frac{3-17-19}{\text{Date}}$

Book: 5961 Page: 2005

E # 18046667 11/14/2018 01:59:29 PM Book 5961 Page 2005 Page 1 of 3 Register of Deeds, Rockingham County

Carey an Stracy

LCHIP ROA430360 TRANSFER TAX RO084241 RECORDING

SURCHARGE

25.00 6,300.00 18.00 2.00

FIDUCIARY DEED

KNOW ALL MEN BY THESE PRESENTS, that PAUL N. MORRISETTE, II, of 880 Washington Street, Barrington, New Hampshire 03825, as EXECUTOR UNDER THE WILL OF PAUL N. MORRISETTE, by the power conferred by the 10th Circuit – Probate Division – Brentwood, by appointment dated June 11, 2018, and every other power, for Four Hundred Twenty Thousand and 00/100 (\$420,000.00) paid, with FIDUCIARY COVENANTS, grants to S. MITCHELL WINTER, TRUSTEE OF I.S. REALTY TRUST, u/d/t dated __2/1/87___, having an address of 3 Vintage Drive, Exeter, New Hampshire 03833, the following described premises:

A certain parcel of land, with the buildings and improvements thereon, situated on the easterly side of Linden Street, in the Town of Exeter, County of Rockingham and State of New Hampshire, being Tax Map 104 Lot 71 as shown on a plan of land entitled "Lot Line Adjustment Plan, Tax Map 104, Lots 71 & 72", prepared by Little River Survey Company, dated April 2001, and recorded in the Rockingham County Registry of Deeds as Plan No. D-29070, more particularly bounded and described as follows:

Beginning at an iron rod set at the Southwesterly corner of the within described premises and at the Southeasterly corner of Tax Map 104 Lot 72 as shown on said plan, thence running North 16° 23' 50" East along said Lot 72 and the "New Property Line" a distance of 245.00 feet to a point at the Northeasterly corner of Lot 72 and the 50'right-of-way, as shown on said plan; thence turning and running South 79° 16' 51" East along the Southerly side of said 50' right-of-way a distance of 150.00 feet to an iron rod set; thence turning and running North 10° 43' 09" East a distance of 50.00 feet to an iron rod set at Tax Map 104 Lot 70, as shown on said plan; thence turning and running South 79° 16'510" East along said Tax Map 104 Lot 70 a distance of 719.61 feet to a point at Tax Map 104 Lot 49, as shown on said plan; thence turning and running South 15° 34' 40" West along said Tax Map 104, Lot 49, Patricia Avenue and Tax Map 104 Lot 48 a distance of 174.50 feet to a point; thence turning and running South 22° 20' 40" West along Tax Map 104 Lot 48 a distance of 87.00 feet to a point; thence turning and running South 23° 02' 00" West a distance of 36.89 feet to a point at Tax Map 104 Lot 75; thence turning and

Book: 5961 Page: 2006

running North 79° 47' 00" West along said Tax Map 205 Lot 75824.41 feet to the iron rod at the point and place of beginning.

Together with the right to use a 50' right-of-way as shown on the aforesaid plan in common with the owners of Lot #1 and Lot #2. For further reference, see deed of Donald E. Morrisette, individually and as executor of the Estate of Mildred V. Morrisette, Paul N. Morrisette, Gary R. Morrisette and Linda L. Jubb to Gary R. Morrisette and Deborah L. Morrisette and Paul N. Morrisette dated October 8, 2002, and recorded in the Rockingham County Registry of Deeds at Book 3860, Page 1069; and Quitclaim Deed of Paul N. Morrisette to Gary R. Morrisette and Deborah L. Morrisette dated August 15, 2012 and recorded in the Rockingham County Registry of Deeds at Book 5348, Page 0249.

Meaning and intending to describe and convey the remaining portion of the premises conveyed to Paul N. Morrisette by deed of Peggy A. Morrisette dated September 5, 1981 and recorded in the Rockingham County Registry of Deeds at Book 2397, Page 0840.

Paul N. Morrisette died on March 28, 2018. See the 10th Circuit – Probate Division – Brentwood Court Case No.318-2018-ET-00706, including the specific provision in his will authorizing Executor to sell real estate.

AFFIVAVIT

I, Paul N. Morrisette, II, after being duly sworn, depose and state that as of the date hereof all buildings and structures previously located within the aforementioned 50' right-of-way have been removed and that no buildings or structures of any kind are currently located within said 50' right-of-way.

The restriction that the within premises may not be conveyed to anyone other than those named without the removal of all buildings and structures located on the private way, as contained in the deed recorded in said Registry at Book 2397, Page 0840, is no longer in effect due to the removal of all buildings and structures previously located therein.

CONSENT TO SALE OF REAL ESTATE PURSUANT TO RSA 559:18

I, Paul N. Morrisette, II, being the sole heir claiming an interest in property of the late Paul N. Morrisette described above, hereby consent to the sale of property to Sandy Winter, Trustee of I.S. Realty Trust.

[NO FURTHER TEXT ON THIS PAGE - SIGNATURE PAGE(S) TO FOLLOW]

Book:5961 Page: 2007

EXECUTED this day of	November, 2018.
Witness Witness Witness STATE OF NEW HAMPSHIRE	Paul N. Morrisette, II, Executor u/w of Paul N. Morrisette Paul N. Morrisette, II, Individually
This instrument was acknowledged, subscidence of Movember 2018, by Paul N. N. Morrisette. STATE OF NEW HAMPSHIRE HAMPSHIRE COUNTY OF ROCKINGHAM, ss	Morrisette, II, Executor pader the will of Paul Notary Public/Justice of the Peace Printed Name:
This instrument was subscribed and sworn NONDEL , 2018 as to the Affidavit by Paul N. Morrisette, II. COMMISSIONS OF THE STANDARY PUBLISHING APR. 19, 2022 APY PUBLISHING AMPS. MY APR. 19, 2022	to before me this

Book: 6001 Page: 1012

E # 19017504 05/20/2019 01:47:23 PM Book 6001 Page 1012 Page 1 of 2 Register of Deeds, Rockingham County

Carey and Stracy

 LCHIP
 ROA447426
 25.00

 TRANSFER TAX
 RO087974
 40.00

 RECORDING
 14.00

 SURCHARGE
 2.00

UTILITY EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that, S. Mitchell Winter, Trustee of the I. S. Realty Trust, established under Declaration of Trust dated February 1, 1987, with an address of 3 Vintage Drive, Exeter, County of Rockingham and State of New Hampshire 03833, for \$1.00 and other valuable consideration does hereby grant to Linden Woods, LLC, a New Hampshire limited liability company duly established by law and having a principal place of business at 56 Central Avenue, Newton, Massachusetts 02460, their successors and assigns forever, an easement over and upon land of the Grantor for the purpose of installation of maintenance and repair of a subsurface sewer line and future water line, said utility easement being more particularly bounded and described as follows:

EXETER, NEW HAMPSHIRE

Beginning at a point on the easterly bound of land of the Grantor; said point being seventy-eight and forty hundredths (78.40) feet from the northeasterly corner of land of the Grantor;

Thence running S 15° 34' 40" W along the easterly bound of land of the Grantor for a distance of twenty-six and forty-seven hundredths (26.47) feet to a point;

Thence turning and running S 86° 23' 16" W across land of the Grantor for a distance of two hundred twenty-six and twenty hundredths (226.20) feet to a point;

Thence turning and running N 19° 41' 24" W across land of the Grantor for a distance of one hundred eighty-six and nine hundredths (186.09) feet to a point of the southerly bound of land of the Grantee;

Thence turning and running S 79° 16' 51" E for a distance of twenty-eight and ninety-nine hundredths (28.99) feet along the southerly bound of land of the Grantee to a point;

Thence turning and running S 19° 41' 24" E across land of the Grantor, one hundred fifty-two and sixty hundredths (152.60) feet to a point;

Thence turning and running N 86° 23' 16" E across land of the Grantor, two hundred sixteen and nine hundredths (216.09) feet to the point of beginning.

Book: 6001 Page: 1013

Said easement is shown on a Plan entitled: "Plan of Land in Exeter NH, showing a proposed sewer easement at 100 Linden Street and Patricia Avenue", prepared by Millennium Engineering Inc., dated April 26, 2019 and to be recorded herewith.

The within granted easement shall be for the purpose of the installation, repair and maintenance of sewer transmission lines.

The within Grantee shall be responsible for the sole cost of any installation, repair, replacement and maintenance of said utilities within the easement area, and Grantees shall be responsible for restoring any and all disturbed areas to their previous condition should any excavation or repair, replacement or maintenance of utilities be necessary.

Grantor reserves the right to connect to any and all utilities installed by Grantee within the easement provided the tie in or connection is permitted by the Town of Exeter and further provided that said tie in or connection does not overburden Grantee's installed utilities.

The within granted easement is over and upon a portion of the premises acquired by the within Grantor by deed recorded in the Rockingham County Registry of Deeds at Book 5961, Page 2005.

Signed this 13 day of MAY

I. S. Realty Trust

Witness

S. Mitchell Winter, Trustee

STATE OF NEW HAMPSHIRE COUNTY OF ROCKINGHAM

Personally appeared this 13th day of MAY named, S. Mitchell Winter, Trustee of the I. S. Realty Trust, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same for the purposes therein contained.

By:

Before me,

e of the Peace/Notary Public

AD W

COMMISSION



State of New Hampshire Department of Environmental Services

29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095 (603) 271-3503 FAX (603) 271-4128



SEWER CONNECTION PERMIT

Project Name:

The Residences at Linden Street - Gravity Sewer Proposal

Location:

98 Linden Street

Engineer:

Jones & Beach - Michael J. Kerivan, PE

Municipality/POTW: Exeter

Official Signature:

Matthew Berube - Water/Sewer Manager

Date of Request:

3/27/2019

PERMIT/REQUEST NUMBER

D2019-0305

FLOW:

gallons/day

APPROVAL DATE

4/19/2019

The New Hampshire Department of Environmental Services (NHDES) has reviewed and hereby approves the request as follows:

Approval of the connection to the municipality's wastewater facilities is based on a review of the supporting information submitted and is subject to the conditions indicated below.

CONDITIONS:

Approval applies only to the sewerage plans and sewer connection application received by NHDES.

This approval will become void if the sewerage construction or discharge has not begun within three years of the approval date.

All sewerage construction must comply with the requirements of Chapter Env-Wq 700, the Standards of Design and Construction for Sewerage and Wastewater Treatment Facilities. No deviations from approved plans or specifications shall be made without prior written approval from DES.

DES approves design plans and specifications for sewer extension (1383 LF 8" PVC, SDR 35)

Issued by:

Robert A. Daniel, P.E.

ABUTTERS LIST (DIRECT)
FOR
98 LINDEN STREET, EXETER, NH
JBE PROJECT No. 16198
AUGUST 22, 2017
REVISED JANUARY 3, 2018
REVISED JUNE 17, 2019

OWNER OF RECORD/APPLICANT:

TAX MAP 104/ LOT 71 (100 LINDEN ST) I S REALTY TRUST
MITCHELL S. WINTER, TRUSTEE
3 VINTAGE DR
EXETER, NH 03833
BK 5961/PG 2005 (11/13/18)

ABUTTERS:

104/48
JOYAMA REALTY TRUST
JILL L. & ALLAN J. MAYO JR. TRUSTEES
1 PATRICIA AVE.
EXETER, NH 03833
5178/1994 (12/15/10)

104/49 DANIEL R DOUCET REBECCA L DOUCET 19 THELMA DR. EXETER, NH 03833 5067/0160 (10/15/09)

104/70 (98 LINDEN ST) LINDEN WOODS, LLC 51 CENTRAL AVE NEWTON, MA 02458 5972 /0641 (12/21/18) 104/72 104/73-1 (OFF LINDEN ST) GARY R MORRISETTE DEBORAH L MORRISETTE 102 LINDEN ST. EXETER, NH 03833 2401/1579 – LOT 72 5348/0249 (08/15/12) – LOT 73-1

104/76 (110 LINDEN ST) TPJP INVEST LLC PO BOX 924 RAYMOND, NH 03077 5766/1665 (09/30/16)

ENGINEERS/SURVEYORS:

JONES & BEACH ENGINEERS, INC. ATTN: BRADFORD JONES PO BOX 219 STRATHAM, NH 03885

ATTORNEY:

HOEFLE, PHOENIX, GORMLEY & ROBERTS, P.A. ATTN. TIMOTHY PHOENIX
127 PARROTT AVENUE
PORTSMOUTH, NH 03801

WETLAND SCIENTIST:

WEST ENVIRONMENTAL, INC. ATTN. MARK WEST 48 STEVENS HILL RD NOTTINGHAM, NH 03290

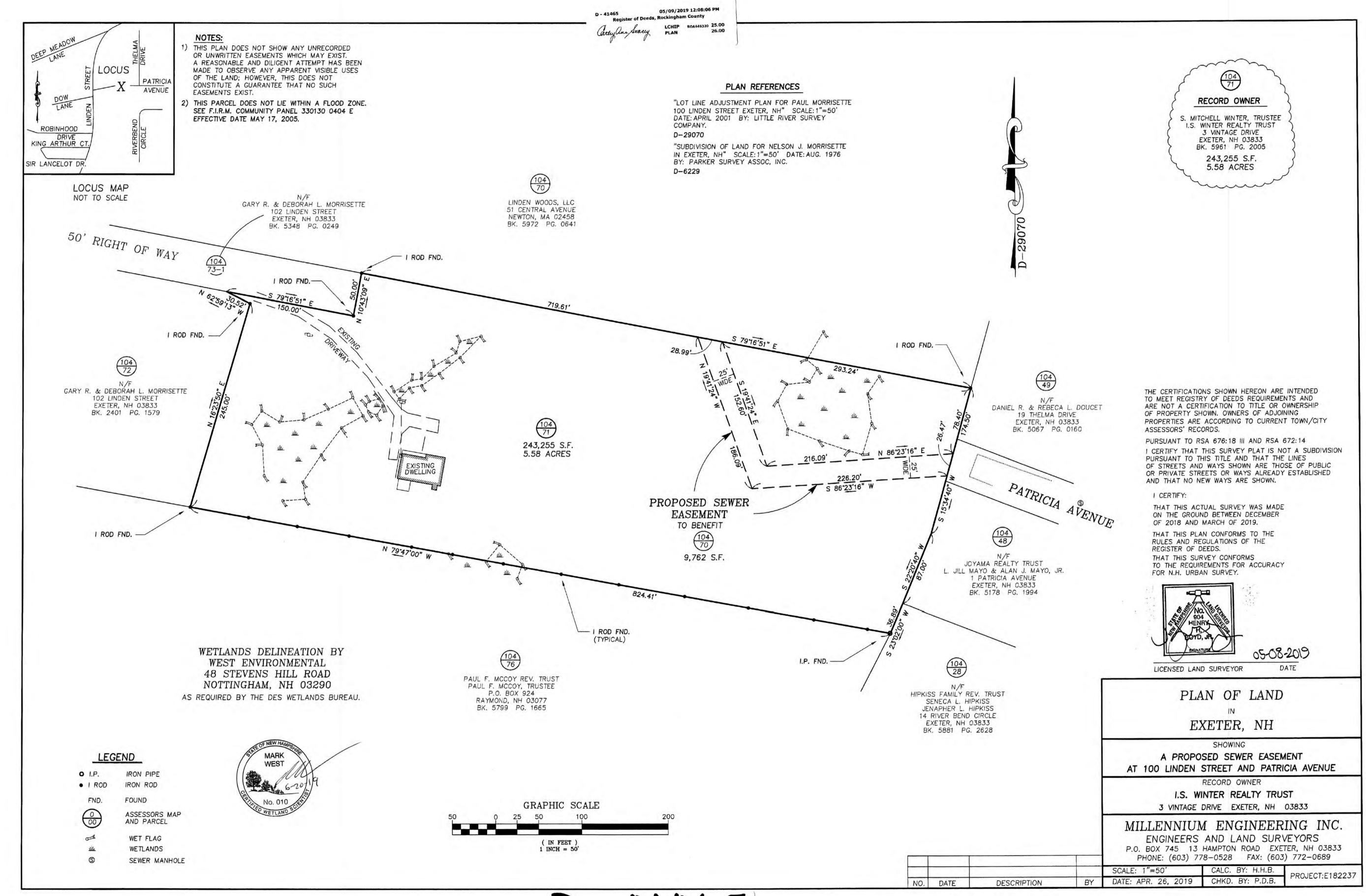
The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misurepresentation of the data.

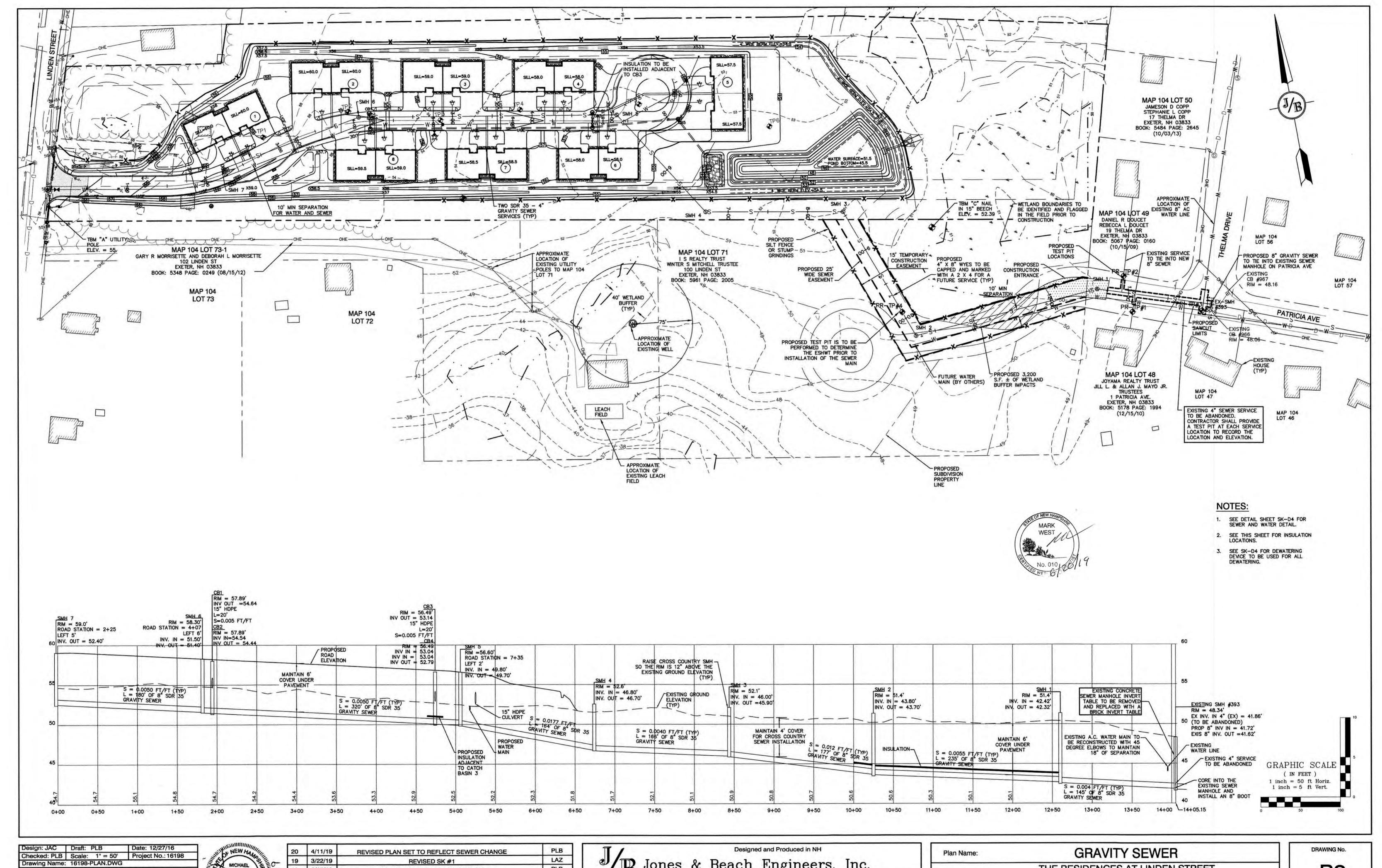


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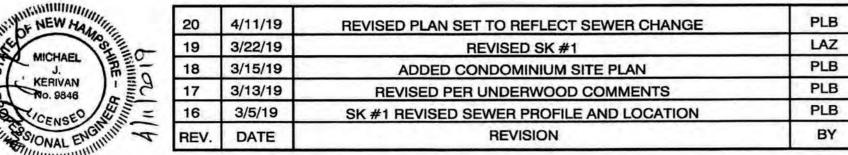
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PL R





MICHAEL J. THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). No. 9846 ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE



_/ 13_9	ones	α	Deach	Linginieers	, IIIC.
85 Portsmouth Ave			Engineerin		603-772-4746 FAX: 603-772-0227
Stratham, NH 0388	35			E-Mail: JBE	@JONESANDBEACH.COM

Plan Name:	GRAVITY SEWER
Project:	THE RESIDENCES AT LINDEN STREET 98 LINDEN STREET, EXETER, NH
Owner of Record:	LINDEN WOODS, LLC 51 CENTRAL AVENUE, NEWTON, MA 02458

DO SHEET 8 OF 15 JBE PROJECT NO. 16198

	g Planning Calendar	
	Project (Lead)	Project Lead
	Garrison Lane Sign Install	Bill
	Exploring Exeter - Little River from Garrison Ln 7/20	Drew
	Continued sign install at H-S, Oaklands	Bill, Dave
lide	Continued Property Monitoring w/ Interns	Kristen
July	Trail Blazing (w/ Interns if possible)	Kristen
	Budget Brainstorm RFSC Meeting 7/30	Sally
	Lisa Wise - SLR outreach support education request	Kristen
	VRAP	Kristen
	Budget Submission	CC
	Community Garden Funding Request, arrange for bed constr	Kristen, Ginny, Bill
	Continued sign install at H-S, Oaklands	Bill, Dave
August	Trail Blazing w/ Interns if possible	Kristen
	Morrissette Scout Project	Dave
	Mitigation Project list	Lindsey, Alyson, Trevor,
		Kristen
	Kites at Raynes	TBD
September	Exploring Exeter - kayak tour	TBD
	No Hunting Signs Installed - H-S, Swasey Property	
	Septic Smart Week	
	Budget Request Support Outreach	-
	Raynes Pole Replacement	Gia a
	Sky Watch @ Raynes	Ginny
October	Story Walk @ Raynes	Ginny
	RFSC Meeting - Date TBD	Sally
	Budget Request Support Outreach	
	Scavenger Hunt @ Raynes	TBD
	Snowhounds agreement renewal	Kristen
November		
	Budget Request Support Outreach	
	Winter Solstice @ Raynes	Sally
Dagawahan		
December		
	Budget Request Support Outreach	
	Refine Land Acquisition Process	
	Cubie Road ADA	
	Trail Rest-Rotation System Discussion	
	NRI Update to include SLR	
	Community Rating System	
TDD	79e for Sustainability	
TBD	10 Year Funding Plan for Land Acq (LUCT, 50k CIP?) Jackson Mercier - volunteered to do trail work - Morrissette?	Bill
	UNH Downtown & Trails Outreach/Planning w/ EDC, P&R, Planning	Kristen
	OWN DOWN & Trains Out Cachy Flamming Wy EBC, Fax, Flamming	Kristen
	Raynes Education program	Ginny Sally
	Raynes Cemetary improvements	
January		
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