


Law Offices
King Laird

A PROFESSIONAL CORPORATION
360 WEST MAIN STREET
TRAPPE, PA 19426
www.kinglaird.com

Berks County Office
875 Berkshire Boulevard, Suite 102-A
Wyomissing, PA 19610

*Please direct all communications
to our Trappe Office
Phone: 610-489-0700
Fax: 610-489-6970*

Andrew C. Laird
Thomas C. Rentschler
*Robert H. McGuckin**
**Member PA and NJ*
Arthur J. King
(Retired)

August 30, 2016

Hand Delivered

Tommy Ryan
Township Manager
Worcester Township
1721 Valley Forge Road
Worcester, PA 19490

Re: Request: Dimensional Variance To Install a Pool
Property: 1879 Cassel Road
Owner: Patrick Dwyer
Zoning: Agriculture (AGR)

Dear Mr. Ryan,

I represent Mr. Dwyer regarding his application for variance to install a pool. He is seeking a variance to encroach into the permitted setback of the rear of the house by 25 feet. Enclosed for filing is the following:

- 1) Application for Variance
- 2) Addendum to the Application
- 3) Deed
- 4) Plot Plan
- 5) Pool Design Plan
- 6) Montgomery County Tax Map

Please schedule this matter for the first available date to appear before the Zoning Hearing Board. Please contact me if any additional items are needed to perfect this application or if you want to discuss anything in greater detail. Thank you for your attention to this matter.

Kind Regards,
King Laird, P.C.

By: 
Robert H. McGuckin, Esquire

cc: Mr. Dwyer
Enclosures

Serving clients in Southeastern Pennsylvania since 1970.
"We're Available, We're Experienced, And We Keep You Advised."

BEFORE THE ZONING HEARING BOARD
OF
THE TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA

IN RE: PATRICK DWYER
1879 CASSEL ROAD

August 29, 2016

A-1	Zoning Hearing Board Application and Addendum
A-2	Deed
A-3	Plot Plan
A-4	Proposed Pool Design Plan
A-5	Tax Map
A-6	RESERVED
A-7	RESERVED
A-8	RESERVED

EXHIBIT

"A-1"

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF _____ : SS _____

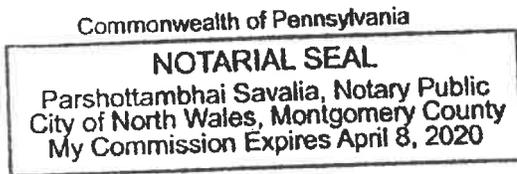
The undersigned, being duly sworn according to law, deposes and says the he/she is the above names applicant, that he/she is authorized to and does take this affidavit on behalf of the owner, and foregoing facts are true and correct.

Patrick Dyer
Applicant

Applicant

Sworn to and subscribed before me this 26 day of August, 2016

Parshottambhai Savalia
Notary Public



Date Received: 8/30/16

[Signature]
Zoning Officer

Addendum to Application for Variance

Patrick Dwyer
1879 Cassel Road

Patrick Dwyer is the owner of the property located at 1879 Cassel Road. The Property is zoned Agricultural (AGR) and the lot area, width and yard requirements are governed under Option 1 of Article XVIA, § 150-110.6, Conservation Subdivisions, of the Zoning Code.

Mr. Dwyer seeks to install an in-ground pool. As a result, Mr. Dwyer is seeking a variance to install the pool in a location on the property, that if permitted, will encroach into the fifty foot (50') rear set back by approximately 25 feet.

Mr. Dwyer is seeking a variance under Section §150-219 of the Township Zoning Code. Mr. Dwyer is applying for a variance of §150-177(A)(3) to install the pool that will be located approximately 25 feet into the required fifty foot (50') rear setback of the property. Additionally, Mr. Dwyer requests zoning relief of the 50' rear set back requirements established under Option 1 of Article XVIA §150-110.6. Mr. Dwyer meets the requirements for variance and is legally entitled to a favorable determination to his application under the Township's Zoning Code and Section 910.2 of the MPC.

The property's dimensions, shape, size and other characteristics create a unique hardship that makes it impossible to strictly conform to the zoning requirements. The desired location of the pool is intended to preserve the swale that is located in the center of the rear of property. The swale is necessary to divert water runoff away from the house. Furthermore, the triangular shape of the rear of property creates a hardship. This hardship was not created by Mr. Dwyer. This variance is necessary to allow Mr. Dwyer reasonable use of the Property. Mr. Dwyer will suffer economic hardship if the variance is not granted. Granting this variance is the minimum variance needed to afford the relief requested. The essential character of the neighborhood will not be impacted nor will adjacent properties be impaired.

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EXHIBIT

"A-2"

Prepared by:

Westminster Abstract Company
250 Gibraltar Road, 1 West
Horsham, Pennsylvania 19044
800-265-0425

Return to:

Commonwealth Agency
25 Skippack Pike
Broad Axe, Pa 19002
215-643-7744

Parcel ID No.: 67-00-02648-14-5

DEED

THIS INDENTURE MADE THE 4th day of *June* in the year two
thousand and fifteen (2015)

BETWEEN

Toll PA, L.P.

(hereinafter called the Grantor), of the one part, and

Patrick M. Dwyer and Allison M. Dwyer, married to one another

(hereinafter called the Grantees), of the other part,

Witnesseth, that the said Grantor

For and in consideration of the sum of One Million Two Hundred Twelve Thousand One Hundred Eight Dollars 00/100 (\$1,212,108.00)

Lawful money of the United States of America, unto it well and truly paid by the said Grantees, at or before the sealing and delivery, hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the said Grantees, their heirs and assigns, as tenants by the entirety.

SEE ATTACHED LEGAL

DESCRIPTION OF PROPERTY
LOT 14
PRESERVE AT WORCESTER

All that certain lot or parcel of land situated in the Township of Worcester, County of Montgomery, and Commonwealth of Pennsylvania, being known as Lot 14 as shown on a plan entitled, "The Preserve at Worcester, Final Cluster Land", dated April 01, 2006, last revised January 17, 2014, sheets 1 through 48 of 48, prepared by Woodrow & Associates, Inc., Lower Gwynedd, Pa, 19002, recorded in the Montgomery County Recorder of Deeds Office on May 2, 2014, Plan Book 40, Page 335, Instrument No. 2014026469, more particularly described as follows;

Beginning at a common corner of Lot 14 and Lot 15, on the curved westerly side of Cassel Road (50' R.O.W.) and running;

1. Along said northerly side, passing along an arc of a circle curving to the left, having a radius of 78.00 feet, an arc distance of 73.19 to a corner of Lot 13; thence
2. Along Lot 13, South 44 degrees 10 minutes 31 seconds West, a distance of 144.08 feet to a point on line of Open Space B; thence
3. Along Open Space B and along Block 22, Unit 16, North 54 degrees 46 minutes 40 seconds West, a distance of 198.55 feet to a corner of Block 22, Unit 16; thence
4. Along Block 22, Unit 16, North 37 degrees 08 minutes 23 seconds East, a distance of 106.18 feet to a corner of Lot 15; thence
5. Along Lot 15, South 80 degrees 35 minutes 09 seconds East, a distance of 177.99 feet to the first mentioned point and place of beginning.

Containing 27,975.64 square feet of land.
Subject to restrictions and easements of record, if any.
Parcel Number: 67-00-02648-14-5.
Address: 1879 Cassel Road.

BEING PART OF THE SAME PREMISES which Keystone Lands, Inc., a Pennsylvania Corporation by deed dated May 1, 2014 and recorded in the Office of the Recorder of Deeds in and for the County of Montgomery on May 2, 2014, Document #2014026472, in Book 591, Page 02448/ to 02453, granted and conveyed unto Toll PA L.P., in fee.

BEING PART OF THE SAME PREMISES which The Maple Glen Group, a Pennsylvania General Partnership, by deed dated April 28, 201, recorded in the Office of the Recorder of Deeds in the County of Montgomery on May 2, 20104, Document #2014026473, in Book 5911, Page 02454 to 02459, granted and conveyed unto Toll PA, L.P., in fee.

SUBJECT TO Covenants, Conditions and Restrictions contained in "Declaration of The Preserve at Worcester, A Planned Community", dated April 6, 2015 and recorded in the Office of the Recorder of Deeds in the County of Montgomery on April 9, 2015, in Book 5949, Page 1460 and any future amendments thereto.

Together with all and singular the buildings improvements, ways, streets, alleys, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Grantor In law as in equity, or otherwise howsoever, of, in, and to the same and every part thereof.

To have and to hold the said lot or piece of ground with the buildings and improvements thereon erected with the hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances unto the said Grantees, their heirs and Assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever, as tenants by the entirety.

UNDER AND SUBJECT, to all easements, restrictions and matters of record.

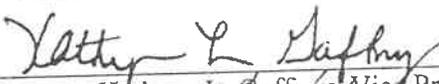
And the said Grantor for itself, its successors and assigns does by these presents, covenant, grant and agree, to and with the said Grantees, their heirs and assigns, that it the said Grantor, all and singular the Hereditaments and Premises herein above described and granted, or mentioned and intended so to be, with the Appurtenances, unto the said Grantees, their heirs and Assigns, against it the said Grantor and against all and every Persons or Persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them, shall and will WARRANT and forever DEFEND.

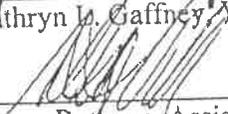
In Witness Whereof the said Grantor has caused these presents to be duly executed the day and year first herein above written.

**Sealed and Delivered
IN THE PRESENCE OF US:**

Toll PA, L.P.

BY TOLL PA GP CORP, GENERAL PARTNER


BY: Kathryn L. Gaffney, Vice President

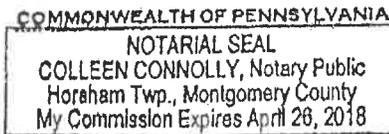

ATTEST: Stacey Rothaus, Assistant Secretary

Commonwealth of Pennsylvania
County of Montgomery

On this, the 1st day of June, 2015, before me Colleen Connolly
the undersigned officer,
who acknowledged himself (herself)
personally appeared Kathryn L. Gaffney
to be the Vice President of Toll PA GP Corp., General Partner of Toll PA, L.P.
a corporation, and that he (she) as such Officer, being authorized to do so, executed
the foregoing instrument for the purposes therein contained by the signing the name of the corporation by himself
(herself) as Vice President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Colleen Connolly



DEED.

Parcel ID No. 67-00-02648-14-5

Toll PA, L.P.
250 Gibraltar Road, Horsham, Pennsylvania 19044

To

Patrick M. Dwyer and Allison M. Dwyer, Married to one another

Premises:

Homesite #14,-Preserve at Worcester
Worcester Township
Montgomery County, Pennsylvania

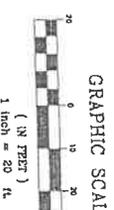
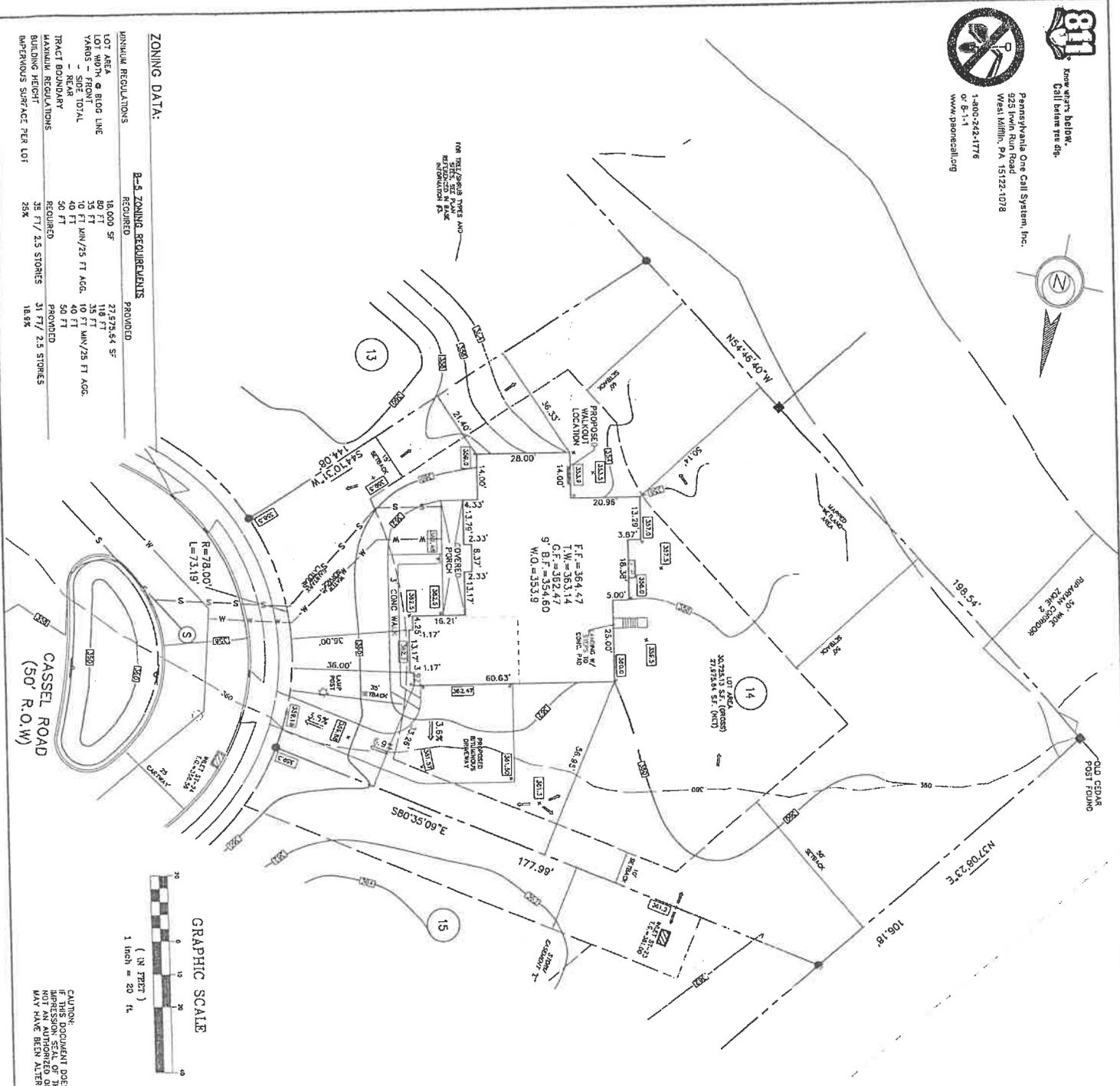
The address of the above-named Grantees is

1879 Cassel Road
Lansdale, Pennsylvania 19446

On behalf of the Grantees

EXHIBIT

"A-3"



ZONING DATA:

MINIMUM REGULATIONS	REQUIRED	PROVIDED
LOT AREA	18,000 SF	27,575.54 SF
LOT WIDTH @ BLDG LINE	80 FT	118 FT
YARDS - FRONT	35 FT	35 FT
- SIDE TOTAL	10 FT MIN/25 FT AGC	30 FT
- REAR	30 FT	50 FT
TRACT BOUNDARY	REQUIRED	PROVIDED
MAXIMUM REGULATIONS		
BUILDING HEIGHT	35 FT / 2.5 STORES	18.95'
IMPERVIOUS SURFACE PER LOT	25%	18.95%

PROPOSED IMPERVIOUS SURFACE:

HOUSE	3,471 S.F.
SCREENING	1,911 S.F.
DRIVEWAY	1,328 S.F.
FORCH	233 S.F.
WALKWAY	1,000 S.F.
TOTAL PROPOSED	5,283 S.F.

LEGEND:

- MONUMENT TO BE SET
- IRON PIN TO BE SET
- STORM SEWER INLET
- SANITARY MANHOLE
- LOT NUMBER
- SURFACE DRAINAGE FLOW
- PROPOSED SPOT ELEVATION
- EXISTING CONTOURS
- PROPOSED CONTOURS

PROPOSED HOUSE:

- DUNE CAROLINA (FRONT HAND)
- 3-CAR (ES) GARAGE (001)
- 14' J.S.I. FLOOR SYSTEM
- MEMBER WET BAR (003)
- ALTERNATE LAUNDRY LOCATION (022)
- PALM BEACH SUNROOM ADDITION (026)
- GUEST ELITE SUITE (035) TOWN (532)
- PALLADIUM KITCHEN (033)
- GRAND FAMILY ROOM (034)
- POST LAMP (485)
- DIRECT VENT FIREPLACE (029)
- STANDARD BATH (017)
- FOUNDATION MECHANICAL SYSTEM (071)
- 9' HEIGHT FOUNDATION (070)

BASE INFORMATION: THIS PLAN WAS BASED ON INFORMATION PROVIDED BY THE CLIENT. THE PROFESSIONAL ENGINEER HAS PREPARED THIS PLAN AND ASSOCIATES, INC. ENTITLED: "PRESERVE AT WORCESTER, FINAL CLUSTER DEVELOPMENT" SHEETS 1 THRU 48 OF 48, DATED 04-01-2008, LAST REVISED 01-17-2014.

2) PRECISE PLANNING - CLUSTER DEVELOPMENT. THE PRESERVE AT WORCESTER, DATED 04-01-2008, LAST REVISED 01-17-2014, SHEET 2 OF 48, RECORDED IN THE MONTGOMERY COUNTY OFFICE OF RECORDS, IN THE RECORD BOOK 050-02-001-452, INSTRUMENT # F001-028645.

3) THE PRESERVE AT WORCESTER, LANDSCAPE PLAN, DATED 06-20-2008, LAST REVISED 01-10-2014, SHEET 40 THRU 48 OF 48.

GENERAL NOTES: UTILITY SERVICES SHOWN ARE CONCEPTUAL ONLY. ACTUAL LOCATION OF SANITARY, WATER, ELECTRIC, GAS, ETC. SERVICES SHALL BE DETERMINED BY THE ENGINEER AT THE TIME OF CONSTRUCTION BY DEVELOPER.

B. EXISTING TOPOGRAPHY SHOWN HEREIN IS FROM A PREVIOUS PRESERVE AT WORCESTER SHEET 1-4 OF 4, DATED 01-23-2014, PREPARED BY ESE CONSULTANTS.

C. CORNERS WILL BE SET WHEN FINAL GRADING IS COMPLETE.

CAUTION:
IF THIS DOCUMENT DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL ENGINEER, IT IS NOT AN APPROVED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.

DATE: 05-03-2014
DRAWN: JBN
CHECKED: JBN
SCALE: 1" = 20'
SHEET: 1 OF 1

LOT 14
PLOT PLAN
PRESERVE AT WORCESTER
WORCESTER TWP., MONTGOMERY COUNTY, PENNSYLVANIA

ESE Land Planning
Engineering
Land Surveying

ESE Consultants, Inc.
250 Gibraltar Road,
Suite 2E
Horsham, PA 19044
TEL: 215-914-2050
FAX: 215-293-5489

THOMAS B. HENDRICKS
REGISTERED PROFESSIONAL LAND SURVEYOR
PA LICENSE NO. SU-044552-E

EXHIBIT

"A-4"

PROPOSED ELEVATIONS

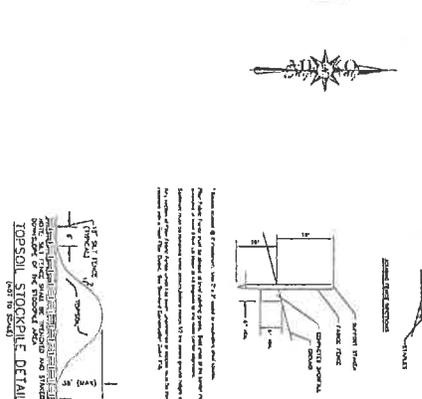
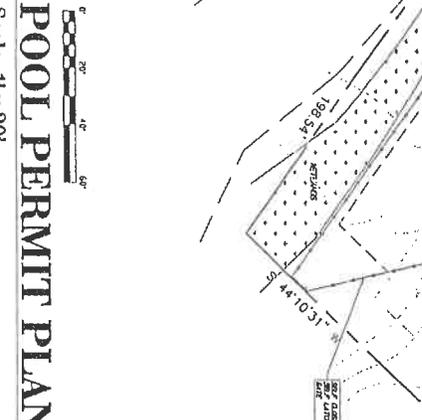
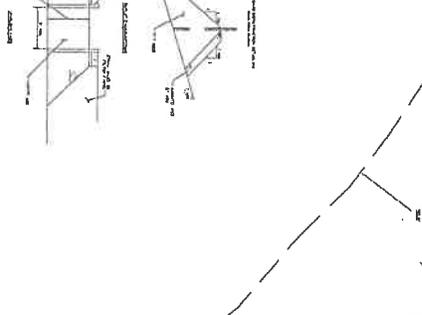
DATE: 10/15/2013
 DRAWN BY: J. D. DWYER
 CHECKED BY: J. D. DWYER
 PROJECT NO: 13-001

PERMITS REQUIRED

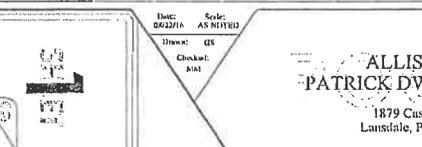
1. SWIMMING POOL PERMIT
 2. ELECTRICAL PERMIT
 3. MECHANICAL PERMIT
 4. PLUMBING PERMIT
 5. GAS PERMIT
 6. SEWER PERMIT
 7. ZONING PERMIT
 8. DEED RECORDATION

NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
 2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
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 19. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL DECISIONS.
 20. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL ACTIONS TAKEN.



Item	Description	Quantity	Unit
1	Excavation	1,200	sq ft
2	Pool Deck	1,500	sq ft
3	Pool Structure	1	unit
4	Pool Liner	1,500	sq ft
5	Pool Equipment	1	unit
6	Pool Fencing	1,500	linear ft
7	Pool Gates	2	units
8	Pool Ladders	2	units
9	Pool Stairs	2	units
10	Pool Handrails	2	units
11	Pool Lighting	2	units
12	Pool Covers	2	units
13	Pool Mats	2	units
14	Pool Towels	2	units
15	Pool Umbrellas	2	units
16	Pool Loungers	2	units
17	Pool Tables	2	units
18	Pool Chairs	2	units
19	Pool Stools	2	units
20	Pool Benches	2	units

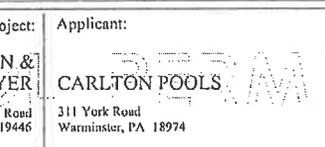
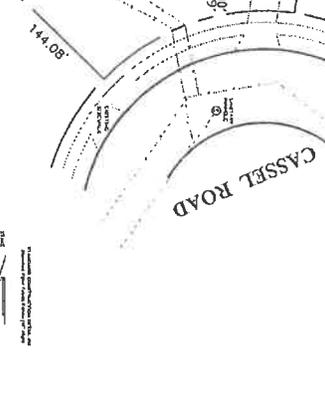


INCREASED COVER COMPUTATIONS

Item	Description	Quantity	Unit	Price	Total
1	Excavation	1,200	sq ft	1.50	1,800.00
2	Pool Deck	1,500	sq ft	1.00	1,500.00
3	Pool Structure	1	unit	1,200.00	1,200.00
4	Pool Liner	1,500	sq ft	0.80	1,200.00
5	Pool Equipment	1	unit	1,000.00	1,000.00
6	Pool Fencing	1,500	linear ft	0.70	1,050.00
7	Pool Gates	2	units	500.00	1,000.00
8	Pool Ladders	2	units	500.00	1,000.00
9	Pool Stairs	2	units	500.00	1,000.00
10	Pool Handrails	2	units	500.00	1,000.00
11	Pool Lighting	2	units	500.00	1,000.00
12	Pool Covers	2	units	500.00	1,000.00
13	Pool Mats	2	units	500.00	1,000.00
14	Pool Towels	2	units	500.00	1,000.00
15	Pool Umbrellas	2	units	500.00	1,000.00
16	Pool Loungers	2	units	500.00	1,000.00
17	Pool Tables	2	units	500.00	1,000.00
18	Pool Chairs	2	units	500.00	1,000.00
19	Pool Stools	2	units	500.00	1,000.00
20	Pool Benches	2	units	500.00	1,000.00
TOTAL					20,000.00

LEGEND

EXISTING
 POOL DECK
 POOL STRUCTURE
 POOL LINER
 POOL EQUIPMENT
 POOL FENCING
 POOL GATES
 POOL LADDERS
 POOL STAIRS
 POOL HANDRAILS
 POOL LIGHTING
 POOL COVERS
 POOL MATS
 POOL TOWELS
 POOL UMBRELLAS
 POOL LOUNGERS
 POOL TABLES
 POOL CHAIRS
 POOL STOOLS
 POOL BENCHES



CONSTRUCTION REQUIREMENTS

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INCREASED COVER COMPUTATIONS

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2	Pool Deck	1,500	sq ft	1.00	1,500.00
3	Pool Structure	1	unit	1,200.00	1,200.00
4	Pool Liner	1,500	sq ft	0.80	1,200.00
5	Pool Equipment	1	unit	1,000.00	1,000.00
6	Pool Fencing	1,500	linear ft	0.70	1,050.00
7	Pool Gates	2	units	500.00	1,000.00
8	Pool Ladders	2	units	500.00	1,000.00
9	Pool Stairs	2	units	500.00	1,000.00
10	Pool Handrails	2	units	500.00	1,000.00
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TOTAL					20,000.00

LEGEND

EXISTING
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 POOL TOWELS
 POOL UMBRELLAS
 POOL LOUNGERS
 POOL TABLES
 POOL CHAIRS
 POOL STOOLS
 POOL BENCHES



ME SKO ASSOCIATES, INC.
 672 Fish Creek Lane
 Union, PA 15081

ALLISON & PATRICK DWYER
 1879 Cassel Road
 Lansdale, PA 19446

CARLTON POOLS
 311 York Road
 Warminster, PA 18974

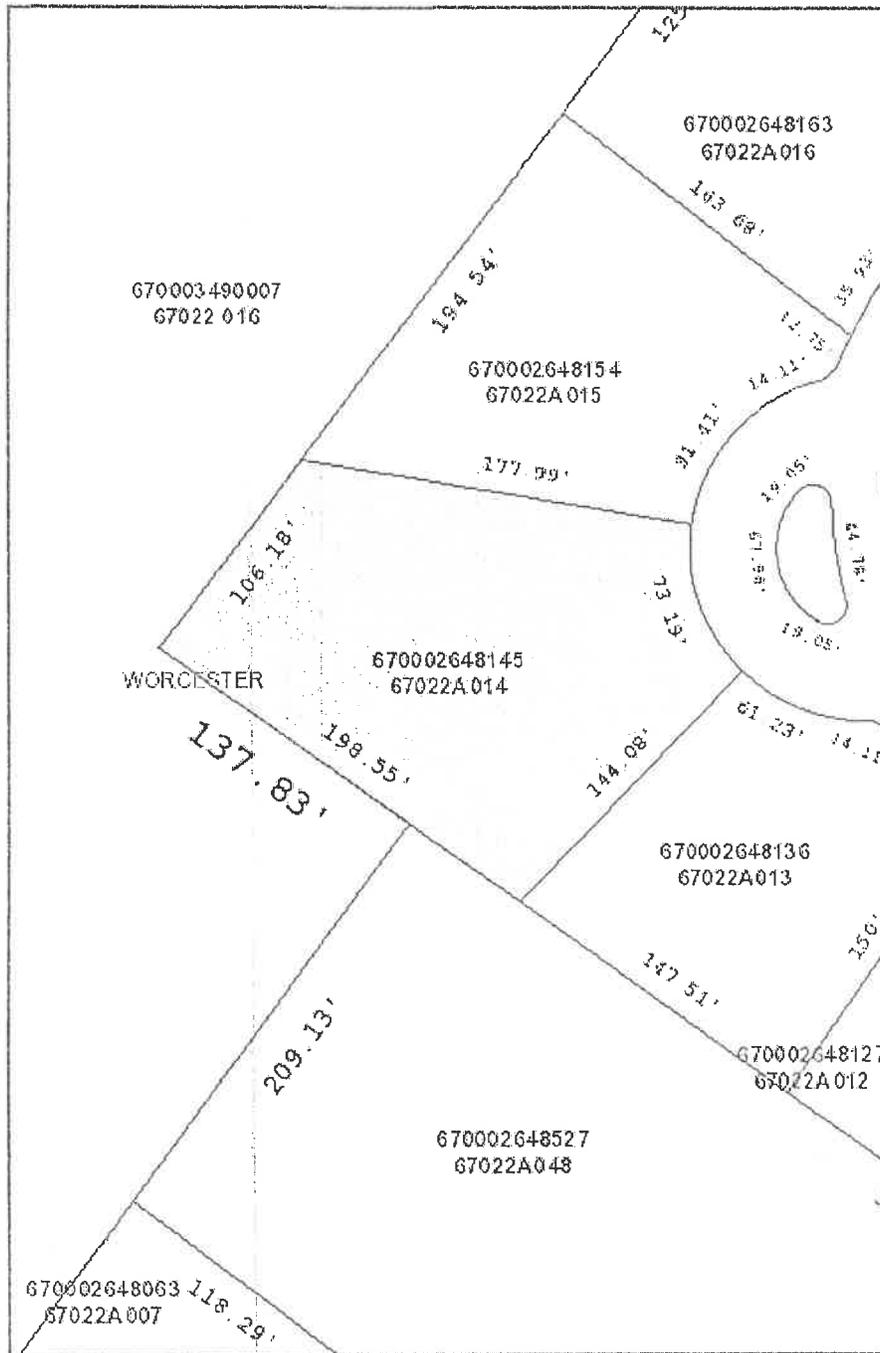
DATE: 10/15/2013
SCALE: AS SHOWN
CHECKED BY: J. D. DWYER
PROJECT NO: 13-001

EXHIBIT

"A-5"

PARID: 670002648145
DWYER PATRICK M & ALLISON M

1879 CASSEL RD



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