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## Man finds fish in field

Martinsburg farmer's land flooded in storm

By Dennis Cox / Journal Staff Writer

POSTED: July 30, 2008

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MARTINSBURG - Area farmer Larry Carper says he has experienced flooding in his alfalfa grass fields for about two years because of stormwater runoff from a nearby subdivision pond.

But earlier this week he saw something he had never seen before - a field full of small fish.

Carper noticed that several thousand small fish, mostly goldfish, made their way into his field after it flooded a few days ago. The smell of dead fish had started to creep through his fields at Pleasant Ridge Farm on Arden Nollville Road this week, and fish that were still alive were being collected Tuesday in an attempt to save them.

"This is getting bad," Carper said.

Zetts Tri-State Fish Farm and Hatchery collected roughly 2,000 fish from the farm Tuesday morning, but Carper still has several hundred fish in a watering trough near the entrance to his farm. Many of the fish that were saved had been given away to friends and other area residents.

Carper said the flooding is the result of stormwater runoff from a pond that was built in the back of Martinsburg Station Subdivision. He said the pond, which was built for the purpose of holding stormwater runoff, floods into his field whenever large storms come through the area. The pond and subdivision was constructed by Toll Brothers Inc.

Carper and his family issued a complaint to Toll Brothers in August 2006 saying that the stormwater pond has been insufficient in preventing stormwater from flowing onto his property, and Carper hired Luttrell and Prezioso PLLC as legal counsel.

"(Toll Brothers) said they didn't hurt this field," Carper said, "but they don't care."

Carper's son Eric said, "It's just a continuing problem."

The complaint was issued after an initial incident when the subdivision was being built. Storm water washed through the pond, through both Carper's and his neighbor's fields and into Tuscarora Creek, carrying silt, top soil and debris along with it.

Carper said the flooding never happened before the pond was built about two years ago, and since then he has had problems doing work in his alfalfa field.

"I haven't been able to do a whole lot with it because of the water problems," Carper said. He is worried now that when the field dries and he tries to make hay, dead fish will be in the bales. He doesn't want to feed animals hay that has dead fish in it.

Carper had planned to make hay during the spring and then plow the field to grow corn. He said those plans were nixed by the flooding problems.

Toll Brothers representatives did not return phone calls on Tuesday.

- Staff writer Dennis Cox can be reached at (304) 263-8931, ext. 183, or [dcox@journal-news.net](mailto:dcox@journal-news.net)

### Article Photos



Caleb Hess, 11, tries to save some fish from dying Monday evening at Pleasant Ridge Farm in Martinsburg. Floodwaters washed several thousand small fish into the farm's alfalfa field this week. (Journal photo by LaBrell Guy)

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