

September 1, 2026

Mayor Brian Pugh
Members of the Board of Trustees
Bryan Healy, Village Manager
Village of Croton-on-Hudson
1 Van Wyck Street
Croton-on-Hudson, New York 10520

Re: Proposed Ban on Keeping Pigeons

Dear Mayor Pugh, Members of the Board and Mr. Healy:

I am writing to oppose the proposed Village-wide ban on keeping pigeons. I respectfully ask that this letter be read into the record at the September 2 public hearing and included in the record along with the accompanying photograph.

I live at 143 Old Post Road North, diagonally across the street from Tony at 148 Old Post Road North. Because of where I live, I have a pretty good perspective on whether Tony's pigeons are creating a problem for the neighborhood. They are not.

I welcome Tony's hobby and his pigeons have never caused me any problem whatsoever.

Yesterday, with Tony's permission, I went over to his property and looked at the coop myself. I took the accompanying photograph while I was there.

The coop is clean and well maintained. It is set well back from the neighboring property lines and is a substantial distance from other houses. The birds were quietly cooing. There was no offensive smell. I saw no rats, no accumulation of droppings outside the coop and nothing that struck me as dirty or unsanitary. From the side, if you did not know what the building was being used for, you would probably assume it was an ordinary utility or garden shed.

To the extent that the Mayor, Trustees or Village Manager have not visited the property themselves, I would encourage them to do so before voting on this law. What I saw bore very little resemblance to the picture painted by many of the allegations being used to justify a ban.

There is also an important distinction that I think is being lost in this discussion. These are not feral street pigeons that Tony is feeding and encouraging to congregate around his house. They are tagged racing pigeons. They are individually identifiable, domesticated birds that are bred and trained to return to their home loft. My understanding is also that Tony has had the birds vaccinated.

In other words, this is a managed flock of birds being cared for by an owner, not an uncontrolled population of pigeons gathering in the neighborhood.

A petition was circulated raising concerns about rats, predators, fire hazards, disease, airborne pathogens, droppings and other potential problems. Residents certainly have every right to sign a petition and express their concerns. But the fact that 40 people signed a petition does not establish that the factual claims in the petition are actually true.

It is also important for the Board to recognize that the community response is not one-sided. At least 170 Croton residents have now signed a petition opposing the pigeon ban. Petition numbers should not determine whether a law is good public policy, but they certainly demonstrate that there is substantial opposition within Croton to imposing a Village-wide ban.

Where is the evidence that Tony's pigeons have caused a rat problem? Where is the evidence that anyone has incurred pest-control expenses because of these birds? Where is the evidence of a fire hazard? Has anyone contracted an illness associated with these pigeons? Has testing revealed dangerous airborne pathogens? Is there evidence of damage to neighboring property from these particular birds?

I am not aware of any such evidence.

There is obviously a difference between something that theoretically could happen and something that is actually happening. I don't think Croton should prohibit an activity throughout the entire Village based primarily on hypothetical and generally unwarranted concerns.

Some of the arguments also seem particularly difficult to reconcile with where we live. This is a heavily wooded area. We have an enormous number of wild birds, squirrels, rabbits, deer and other wildlife. Many people have bird feeders. We have hawks, foxes and other predators because we live in an area where wildlife is relatively abundant.

If the concern is that improperly stored pigeon food might attract rodents, require pigeon food to be stored in sealed, rodent-resistant containers. If a coop becomes unsanitary, require the owner to clean it. If there is an offensive odor, regulate it. If the Village believes coops should be a certain distance from property lines or neighboring homes, establish a reasonable setback. Those all strike me as sensible regulations. What I do not understand is why the solution needs to be a complete ban.

In fact, the proposed law itself demonstrates that there is another way to approach this. Croton is prepared to allow people to keep chickens and ducks subject to restrictions involving numbers of birds, setbacks, sanitation, enclosures and food storage. If chickens and ducks can safely be kept under reasonable regulations, I have not heard a convincing explanation for why pigeons alone have to be completely prohibited.

The disease argument is a good example. As Mr. Healy noted in his June 20 memorandum, the New York City Department of Health recognizes that certain diseases can be associated with pigeon droppings, but also states that the risk of contracting a pigeon-related disease is rare. The real health concern is generally associated with significant accumulations of droppings and unsanitary conditions. That seems like an argument for requiring proper sanitation, not an argument for banning pigeons.

The same is true of bird flu. It would be inaccurate to say that a pigeon can never carry an avian influenza virus. But pigeons are not generally regarded as significant carriers of the bird-flu viruses that are of greatest concern to people and poultry. Ducks and other waterfowl are actually among the natural hosts of avian influenza viruses, yet Croton is proposing to continue allowing ducks under reasonable regulations. Again, the answer should be reasonable regulation based on actual risk.

The argument about droppings also seems greatly exaggerated based on what I observed. Tony cleans the coop regularly and most of the birds' droppings naturally occur where they spend most of their time. We also have countless wild birds flying around this neighborhood every day. They leave droppings on lawns, roofs, cars, sidewalks and decks. Nobody looking at a bird dropping in this neighborhood could possibly determine whether it came from Tony's pigeon, a mourning dove, a robin, a crow or any other bird.

I am also concerned about the circumstances that brought this issue before the Board.

As I understand it, Deputy Mayor and Trustee Len Simon lives next to Tony and has been personally involved in opposing Tony's pigeons and in the petition supporting a ban. I also understand that the Village Attorney has advised that Mr. Simon is not legally required to recuse himself because the law would apply throughout Croton.

While I am a lawyer, I am not a municipal ethics lawyer, and I am not suggesting that I know whether the law technically requires his recusal. But I do know what the situation looks like.

There is a dispute between two neighbors. One of those neighbors happens to be the Deputy Mayor and a member of the Board of Trustees. He opposes what his next-door neighbor is doing. A petition is organized seeking to prohibit it. The Village then considers a new law that would accomplish exactly that result.

Even if Mr. Simon is legally entitled to participate and vote, I think there is a legitimate question about the appearance of a conflict and whether recusal would be the better course in order to maintain public confidence in the process.

More importantly, I think the other members of the Board need to ask themselves whether Croton really has a Village-wide pigeon problem requiring legislation, or whether the Village is legislating in response to a disagreement involving one property and one neighbor.

There is also the issue of fundamental fairness to Tony. My understanding is that Tony specifically checked with the Village before purchasing his house to make sure he would be able to keep his pigeons. He subsequently constructed the coop with Village approval and in compliance with the applicable building requirements. He did not secretly put up an illegal structure and ask for forgiveness afterward. He asked first, relied on what he was told and spent money building the coop.

It is difficult for me to see how it is fair for the Village to tell a resident that something is permitted, allow him to rely on that representation and make an investment, and then change the law after the fact specifically to prohibit what he was told he could do.

There are potentially serious legal issues associated with that as well. New York law has long recognized protections for lawful uses that exist before a municipality subsequently changes its zoning or land-use rules. I cannot predict how a court would decide Tony's particular situation, and I am not suggesting that litigation has a guaranteed outcome. But given that Tony was already keeping the birds, consulted with the Village and constructed his coop with Village approval, it seems obvious that an attempt to force him to eliminate the existing use could result in litigation.

That means Croton taxpayers could end up paying attorneys to defend a lawsuit over a clean pigeon coop that could have been avoided by simply adopting reasonable regulations or grandfathering an existing use.

There is also a humane side to this that I think deserves more consideration. Pigeons are intelligent and highly social animals. They form bonds with other pigeons and with the people who care for them. Racing pigeons in particular have an extraordinary attachment to their home loft, which is the entire basis of their homing ability and the sport of pigeon racing.

These are Tony's animals. He cares for them, knows them and has a relationship with them. They are not disposable objects that can simply be removed like an old shed or fence.

Tony spoke at the Board meeting about having kept pigeons since he was six years old and about these birds being connected to his late father. Whether or not someone else understands that particular hobby, I think we should be able to understand what it means to have an attachment to animals that have been part of your life for many years.

We would certainly take that into consideration if someone were being told they had to give up dogs or other animals they had cared for over many years. I do not see why these birds should be regarded as having no value simply because they happen to be pigeons.

There is a straightforward compromise available here. If the Village believes pigeon keeping needs additional regulation, establish reasonable limits on the number of birds. Establish setbacks. Require the birds to be properly housed. Require feed to be kept in rodent-resistant containers. Require the coop to be maintained in a clean and sanitary condition. Address unreasonable odor or noise. The Village could even require that pigeons be banded or otherwise identifiable if it believes that would be useful. Then enforce those rules when someone actually violates them.

That approach would address virtually every legitimate concern that has been raised without prohibiting responsible pigeon keeping.

There is an important principle involved here that goes beyond pigeons. Living in a community means that our neighbors sometimes do things on their own property that we would not personally choose to do. One neighbor has chickens. Another has dogs. Someone has a pool, a trampoline, a basketball hoop, a wood pile, a compost pile or a backyard full of bird feeders.

The fact that a neighbor does not like an activity should not, by itself, be enough reason for the Village to prohibit it.

Mark and Nicole Shapiro

143 Old Post Road N., Croton on Hudson, NY | [REDACTED] [REDACTED]

Local government should protect people from actual nuisances. It should be very cautious about using its legislative power to eliminate someone's otherwise lawful hobby because another resident strongly objects to it.

And even if the Board ultimately decides that it does not want any new pigeon coops in Croton, I believe Tony's existing coop and flock should unquestionably be grandfathered. Tarrytown apparently found a way to prohibit new pigeon keeping while allowing existing keepers to continue. There is no reason Croton cannot take the same approach.

I live at 143 Old Post Road North, caddy-corner from this property. I see the neighborhood every day. I have now personally visited Tony's coop and seen the conditions for myself.

His pigeons do not bother me. His coop does not bother me. I have seen no rats, no health problem, no fire hazard, no offensive odor and no other nuisance caused by these birds. I welcome Tony and his pigeons as my neighbors.

I respectfully ask the Board not to enact a blanket prohibition on keeping pigeons. If reasonable regulations are needed, adopt them. If an actual nuisance develops, address it. But please do not impose a Village-wide ban based on problems that, as far as I can see, have not actually occurred.

And if the Board nevertheless decides to prohibit new pigeon keeping, at an absolute minimum Tony's existing, Village-approved coop and flock should be grandfathered.

Thank you for considering my comments. I respectfully ask that this letter and the accompanying photograph be read into and included in the record of the September 2 public hearing.

Sincerely,
Mark and Nicole Shapiro
143 Old Post Road North
Croton-on-Hudson, New York

From: [Lauren Phillips](#)
To: [Bryan Healy](#); [Brian Pugh](#); [Len Simon](#); [Nora Nicholson](#); [Stacey Nachtaler](#); [Maria Slippen](#)
Subject: Local Law No. 10
Date: Tuesday, September 1, 2026 10:11:45 PM

*****CAUTION:** External sender.***

Dear Mayor Pugh, Trustees, and Manager Healy:

I am writing to express my support of the updated Local Law No. 10 of 2026, which includes prohibiting the keeping or harboring of pigeons in the Village. Please move forward on enacting this common-sense change to protect neighbors from the nuisance, health risks, and noise associated with pigeons. This will also serve to protect our local ecosystem from disruptors and preserve the beauty of our parks and neighborhoods.

Sincerely,
Lauren Phillips Fogelman

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Cantor Lauren Phillips Fogelman
www.cantorlauren.com
Member of the American Conference of Cantors
Sacred Music, Spiritual Leadership, Jewish Life
www.accantors.org

From: [Croton-on-Hudson NY via Croton-on-Hudson NY](#)
To: [Manager's Office](#)
Subject: Form submission from: Send Us Comments
Date: Wednesday, September 2, 2026 11:04:07 AM

External (cmsmailer@civicplus.com)

[Safe](#) [Spam](#) [Phish](#) [More...](#) [FAQ](#) [Protection by INKY](#)

*****CAUTION:** External sender.***

Submitted on Wednesday, September 2, 2026 - 11:03am

Submitted values are:

Choose One: Village Manager's Office

Please include any questions or comments:

I am writing in about Local Law Introductory No. 10 of 2026 to amend Chapter 230, Zoning, of the Village Code to update provisions related to domestic animals and farm animals.

I am writing to express my support of the updated Local Law No. 10 of 2026, which includes prohibiting the keeping or harboring of pigeons in the Village.

==Please provide the following information==

Your Name: Tracy Anderman

Email Address:

==Address==

Street:

City:

State:

Zipcode:

Organization:

Phone Number:

The results of this submission may be viewed at:

<https://www.crotononhudson-ny.gov/node/2/submission/45801>

From: [Richard Hitzel](#)
To: [Board of Trustees](#); [Bryan Healy](#)
Subject: Supporting Residential Pigeon Restrictions to Protect Village Residents
Date: Wednesday, September 2, 2026 10:18:46 AM

*****CAUTION:** External sender.***

Dear Mayor, Trustees and Manager,

I am writing to express my support for the proposed update to Local Law No. 10 of 2026, which would prohibit the keeping or harboring of pigeons in all residential areas of the Village. I urge the Village Board to move forward with enacting this important and necessary update.

Pigeon populations create significant and unnecessary burdens for residents, including excessive noise, property damage, unpleasant odors and potential public health concerns. No homeowner should be forced to endure these conditions because of the actions of a neighboring property owner.

Beyond the direct impact on residents, large pigeon populations disrupt local ecosystems, compete with native bird species and diminish the appearance and enjoyment of our parks, neighborhoods, and public spaces. Adopting this update will help preserve the character, cleanliness, and quality of life that residents expect and deserve.

This legislation represents a practical and responsible step toward protecting public health, safeguarding property values, and maintaining the beauty of our community. I respectfully encourage the Village to approve and enforce this important update without delay.

Sincerely,
Richard Hitzel
Half Moon Bay resident

From: [Kathleen Walkup](#)
To: [Manager's Office](#)
Subject: No to Local Law 10
Date: Wednesday, September 2, 2026 9:32:08 AM

*****CAUTION:** External sender.***

The proposed Local Law 10 is unnecessary and remarkably punitive toward one village resident whose flock of pigeons is according to all reports very well tended and in no way creating a nuisance or a health hazard. This village resident, as I understand it, followed all of the regulations concerning the location of his flock in the village; it is simply unfair to punish him after the fact and possibly force him to relocate away from Croton. At the very least this flock should be grandfathered in, although given the lack of health and safety risk of a well-maintained roost, there is no reason to permanently bar residents from this hobby.

Sincerely,

Kathleen Walkup
17 Van Wyck Street

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Kathleen Walkup
she/her