September 21, 2020

Jay and Rose Modry placed a sign approximately 4’x8’ on their property at 699 Lake Shore Road in September 2020. This property is located in the Shoreland Protection District. The sign reads: “Dump Trump Make America Decent Again! 2020.”

Signs are not a permitted use in the Shoreland Protection District in the Greensboro zoning bylaws. In all other districts, signs are a permitted use up to six square feet, with the exception of two square feet in the Resource District.

The Modrys were not asked to remove their sign based on the following two considerations:

1. Unlike other municipalities, Greensboro zoning bylaws have no guidance regarding temporary signs. This summer, for example, the Greensboro Historical Society and the Greensboro Free Library erected a History Walk through signs; no permit was required. Temporary signs frequently appear in the Shoreland District, such as the Katherine Sims political signs and real estate signs.
2. This sign is self-evidently a political sign. The 1994 Supreme Court decision upheld the individual’s right to freedom of speech specifically through political lawn signs in City of Ladue v. Gilleo. UVM’s James M. Jeffords Center’s Vermont Legislature Research Services notes the protected role of election signs and quotes from the decision: “Residential signs are an unusually cheap and convenient form of communication... and may make the difference between participating and not participating in some public debate.” While acknowledging the importance of protecting the first amendment, some municipalities limit the size and time duration of political signs. Brattleboro zoning limits political signs to not more than four square feet. Shelburne zoning bylaws permit political signs 45 days prior to an electron, with removal three days after the election. Greensboro zoning bylaws have no reference to political signs.

The “Dump Trump” sign is accompanied by a smaller Black Lives Matter sign. If temporary signs are disallowed in the Shoreland Protection District, then is the Black Lives Matter sign in violation as well? It seems reasonable to expect that a resident in the Shoreland Protection District should be able to voice their political sentiments.

These considerations, taken together, prohibited me from asking the Modrys to remove their sign. While I understand the concern to limit large, billboard-size signs, especially in the Shoreland Protection District, current Greensboro zoning bylaws do not provide inarguable authority to request the removal of this particular sign. Specific guidance on size and duration of time for temporary signs would provide a middle ground between the preserving the town’s natural beauty and the meaningful, although sometimes messy, right to free speech.

Respectfully submitted,

Brett Ann Stanciu

Greensboro Zoning Administrator

Greensboro, Vermont