

**Cover Page
for Tuesday January 13, 2026,
Appeals Board Meeting**

*Project Information is available at https://www.barharbormaine.gov/216/Appeals-Board	Material Issued	Issued on 1/5/2026
ITEMS		
Cover page with date	✓	
January 13, 2026, Meeting Agenda	✓	
Minutes for approval: <ul style="list-style-type: none"> • June 24, 2025 (amended) • September 9, 2025 	✓	
Other business materials: <ul style="list-style-type: none"> • 2026 (and early 2027) AB Meeting Schedule 	✓	



Agenda

Town of Bar Harbor Board of Appeals

Tuesday, January 13, 2026 – 4:30 PM
Council Chambers, Municipal Building – 93 Cottage Street

Members of the public may attend in person or virtually via this [Zoom Webinar](#) link.
Zoom Webinar: ID 880 5630 1672, Passcode 811095

- I. CALL TO ORDER**
- II. EXCUSED ABSENCES**
- III. ADOPTION OF THE AGENDA**
- IV. APPROVAL OF MINUTES**
 - a. June 24, 2025 (amended)
 - b. September 9, 2025
- V. OTHER BUSINESS**
 - a. Review of 2026 (and early 2027) Appeals Board Meeting Schedule
- VI. ADJOURNMENT**



Meeting Minutes

Bar Harbor Appeals Board

June 24, 2025

Council Chambers — Municipal Building — 93 Cottage Street — Bar Harbor

I. CALL TO ORDER

Chair Durand called the meeting to order at 4:33 PM.

Board members present at the meeting were Chair Anna Durand, Vice-Chair Cara Ryan, Secretary Bob Webber, Member Claire Fox and Associate Member Mike Siklosi.

Town staff present were Planning Director Michele Gagnon and Code Enforcement Officer Mike Gurtler.

Town Attorney Daniel Pileggi was present.

II. EXCUSED ABSENCES

None

III. ADOPTION OF THE AGENDA

Mike Siklosi moved to adopt the agenda. Mr. Webber seconded the motion, and it passed unanimously (5-0).

IV. APPROVAL OF MINUTES

a. May 13, 2025

Mr. Webber moved to approve the minutes from May 13, 2025. Mr. Siklosi seconded the motion. Chair Durand said she would abstain from this vote because she was not there. Cara Ryan proceeded to say that she would like consideration for an amendment to the minutes. **Ms. Ryan moved to amend the minutes to say “current structure” instead of “nonconforming structures” on page 2. Mike Siklosi seconded, and the motion passed (4-0) with Chair Anna Durand abstaining.**

V. REGULAR BUSINESS

a. **Public Hearing for AB-2025-04, Charles Sidman**
Applicant/Owner: Charles Sidman, 395 Main Street, P.O. Box 200, Bar Harbor, ME 04609

Application: Appeal of issuance of a Cruise Ship Disembarkation Facility Permit #2025-166

Location: 23 Dr. Ells Pier, Bar Harbor, ME 04609, Tax Map 102, Lot 005-000

Zoning District: Shoreland General Development I

Representing Charles Sidman was Robert Papazian.

Cara Ryan moved that Anna Durand does not have a conflict. Mr. Webber seconded the motion, and it passed (4-0).

Mr. Siklosi moved that the Appeal Board has jurisdiction on this appeal. Mr. Webber seconded the motion, and it passed unanimously (5-0).

Mr. Siklosi moved that Mr. Sidman does not have standing in the appeal. Mr. Webber seconded the motion, and it passed unanimously (5-0).

Mr. Siklosi moved to deny the appeal for the reasons in the following Findings of Fact. Mr. Webber seconded the motion, and it passed unanimously.

- 1. The subject property is located at 23 Ells Pier, Bar Harbor Tax Map 005-000, and is located in the Shoreland General Development I zoning district.**
- 2. The applicant owns business property in Bar Harbor located more than 400 meters, or approximately a quarter mile distant from the subject property, and he is therefore not an abutting property owner.**
- 3. The applicant did not demonstrate any particularized injury or impact resulting from the permitted activity, setting him apart from the general public.**
- 4. The applicant's property will not be sufficiently affected by the permitted activity to convey standing, as defined by Municipal Code Section 125-103.**

VI. OTHER BUSINESS

None

VII. ADJOURNMENT

On a motion of Mr. Siklosi, seconded by Ms. Ryan, the meeting was adjourned at 5:27 PM. Th motion passed unanimously. (5-0).

The minutes were approved at the September 9, 2025, meeting.

Link to Town Hall Streams Recording: [Stream Video - Town Hall Streams](#)

Signed as approved:

Robert Webber, Secretary

Date



Meeting Minutes

Bar Harbor Appeals Board

September 9, 2025

Council Chambers — Municipal Building — 93 Cottage Street — Bar Harbor

I. CALL TO ORDER

Chair Durand called the meeting to order at 4:30 PM.

Board members present at the meeting were Chair Anna Durand, Vice-Chair Cara Ryan, Secretary Bob Webber, Member Claire Fox and Associate Member Mike Siklosi.

Town staff present were Planning Director Michele Gagnon and Code Enforcement Officer Mike Gurtler.

Town Attorney Daniel Pileggi was representing the Board. Attorney Jonathan Hunter was representing the Code Enforcement Officer. Attorney Colin Chard was representing the appellant.

II. ELECTION OF OFFICERS

Mike Siklosi moved to elect the slate of Anna Durand as Chair, Claire Fox as Vice-Chair, and Bob Webber as Secretary. Bob Webber seconded the motion, and it passed (4-0).

III. EXCUSED ABSENCES

None

IV. ADOPTION OF THE AGENDA

Mr. Webber moved to adopt the agenda. Mr. Siklosi seconded the motion, and it passed (4-0).

V. APPROVAL OF MINUTES

a. June 24, 2025

Mr. Siklosi moved to approve the minutes from June 24, 2025. Mr. Webber seconded the motion. Vice-Chair Fox said that the statement, “The vote was interrupted by a question from Ms. Ryan, and the board subsequently did not return to the matter, leaving the motion without a vote”

on page 2 of the minutes was inaccurate, noting that there was a vote by show of hands at 18:11 in the meeting recording.

Mr. Siklosi suggested to amend the minutes to say, “The vote [that we had jurisdiction] was unanimous”.

Mr. Webber noted the amendment, and the motion to approve the minutes as amended passed (4-0).

VI. REGULAR BUSINESS

a. Public Hearing for Administrative Appeal AB-2025-01

Applicant/Owner: Brandon McCallion, Monika McCallion, and Old Bears, LLC.

Application: Administrative appeal of a short-term rental permit issued by the Code Enforcement Officer on January 15, 2025, for a vacation rental-2 registration (VR-2) renewal (License #VR2R25-37) for 12 Bogue Chitto Lane.

Location: 12 Bogue Chitto Lane, Bar Harbor, ME 04609, Tax Map 224, Lot 008-006

Zoning District: Shoreland Limited Residential

Associate Member Mike Siklosi disclosed there may be a potential conflict of interest for himself due to the purchase of land by Mr. Siklosi and his wife from the appellant in 2000. Mr. Siklosi said that he had not met the appellant and the purchase had been handled by their realtor and a local lawyer, however, he felt obligated to share so the rest of the Board may decide whether this would be a conflict of interest.

Chair Durand moved that Mr. Siklosi did not have a conflict. Mr. Webber seconded the motion, and the motion passed (3-0), with Mr. Siklosi abstaining.

Chair Durand asked if any members of the public had comments. Seeing none, Chair Durand closed the hearing for Board discussion.

The Board considered proposed findings in the draft decision, dated September 2, 2025, provided by Mr. Hunter on behalf of the Code Enforcement Officer.

Mr. Webber moved to adopt the finding (#1), “W.A.R.M. Management LLC owns the subject property, located at 12 Bogue Chitto Lane, Bar Harbor ME 04609, Tax Map 224, Lot 008-006” as written, and Vice-Chair Fox seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#2), “The subject property is located in the Shoreland Limited Residential District, in which new vacation rental-2 (VR-2) short-term rentals are prohibited, but existing,

duly registered VR-2s may continue if their registration is renewed annually in accordance with Chapters 125 and 174 of the Town Code. See LUO § 125-69(Y)(2)” as written, and Vice-Chair Fox seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#3), “Brandon and Monika McCallion are members of Old Bears, LLC, which owns two lots in proximity to the subject property. One lot is across the street, and the other directly abuts the subject property” as written, and Vice-Chair Fox seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#4), “Based upon Old Bears’ properties’ proximity to the subject property, Applicants have standing to appeal the Code Enforcement Officer’s (CEO) January 15, 2025 VR-2 registration renewal for the subject property” as written, and Vice-Chair Fox seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#5), “W.A.R.M. Management applied for a 2023 renewal registration for the property on January 3, 2023. The CEO issued that renewal registration on October 30, 2023” as written, and Vice-Chair Fox seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#6), “Applicants previously appealed that 2023 renewal registration in administrative appeal number AB-2023-03. This Board denied that appeal in January 2024. On July 23, 2024, the Superior Court affirmed the Board’s decision. Applicants further appealed the Board’s decision to the courts. On July 1, 2025, the Law Court issued a decision dismissing Applicants’ appeal” as amended, and Mr. Siklosi seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#7), “W.A.R.M. Management applied for a 2024 renewal registration for the property on January 17, 2024. The CEO issued that renewal registration on January 24, 2024. Applicants did not appeal that 2024 registration” as written, and Vice-Chair Fox seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#8), “On or about January 5, 2025, Marcia Levitt, a member of W.A.R.M. Management, submitted to the CEO an application to renew the VR-2 registration for the subject property for 2025. Ms. Levitt simultaneously paid the requisite fee” as written, and Mr. Siklosi seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#9), “There were no outstanding violations of the Town’s ordinances at the time of W.A.R.M. Management’s 2025 application, or the CEO’s consideration of it” as written, and Mr. Siklosi seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#10), “The CEO issued the renewal registration on January 15, 2025” as written, and Mr. Siklosi seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#11), “Where W.A.R.M. Management had satisfied all relevant requirements for renewal of its VR-2 registration, the LUO required the CEO to issue the requested registration by LUO § 174-7(E), which provides that the CEO ‘shall issue a registration to the property owner if the dwelling unit has met all requirements of this chapter’” as written, and Mr. Siklosi seconded. The motion passed (4-0).

Mr. Webber moved to adopt the finding (#12), “Applicants’ arguments based on alleged deficiencies in W.A.R.M. Management’s 2023 renewal registration for the property are foreclosed by this Board’s prior decision in AB-2023-03 rejecting those arguments, the Superior Court’s July 23, 2024 opinion affirming the Board’s decision, as well as the Law Court’s dismissal of Applicants’ appeal from that decision in *McCallion v. Town of Bar Harbor*, 2025 ME 58, as mooted by the expiration of W.A.R.M. Management’s 2023 registration, and by the issuance of W.A.R.M. Management’s subsequent 2024 renewal registration, which Applicants did not appeal” as amended, and Mr. Siklosi seconded. The motion passed (4-0).

Mr. Siklosi moved to adopt the finding (#13), “Applicants argue that W.A.R.M. Management has violated the LUO by offering a ‘garden suite’ on the property for an additional charge. LUO § 125-109 defines a VR-2 as ‘[a]n entire dwelling unit that is not the primary residence of the property owner and is rented to a person or group for less than 30 days and a minimum of four nights.’ Contrary to Applicants’ contentions, the phrase ‘entire dwelling unit’ does not require VR-2 owners to provide access to their entire property, or prohibit owners from charging guests an additional fee for access to otherwise restricted parts of the property. Rather, what this language prohibits is the operation of more than one VR-2 on a single parcel – i.e., independently renting out different parts of the property to two different sets of guests. This stands in contrast to vacation rental-1s (VR-1s), of which there may be two on a single parcel under LUO § 125-69(Y)(1)(b)[1]” as written, and Mr. Webber seconded. The motion passed (4-0).

Mr. Siklosi moved to adopt the finding (#14), “Applicants present no evidence that W.A.R.M. Management has operated two separate VR-2s on the subject property by renting out different parts of the property to different groups of guests, and the Board finds that W.A.R.M. Management has not done so” as amended, and Mr. Webber seconded. The motion passed (4-0).

Mr. Siklosi moved to adopt the decision, “Based upon the findings and conclusions set forth above, the Board of Appeals determined that the Applicants did not meet their burden of proof, and unanimously voted to deny the appeal.” The motion was seconded by Mr. Webber and passed (4-0).

VII. OTHER BUSINESS

None

VIII. ADJOURNMENT

On a motion of Mr. Siklosi, seconded by Vice-Chair Fox, the meeting was adjourned at 5:55 PM. The motion passed unanimously. (4-0).

Link to Town Hall Streams Recording: [Stream Video - Town Hall Streams](#)

Signed as approved:

Robert Webber, Secretary

Date

2026 (and early 2027) Meeting Schedule for Bar Harbor Appeals Board

Meeting Date (Second Tuesdays, 4:30 PM)	Application Deadline (Wednesdays, noon)
January 13, 2026	December 29, 2025*
February 10, 2026	January 21, 2026
March 10, 2026	February 18, 2026
April 14, 2026	March 25, 2026
May 12, 2026	April 22, 2026
June 9, 2026	May 20, 2026
July 14, 2026	June 24, 2026
August 11, 2026	July 22, 2026
September 8, 2026	August 19, 2026
October 13, 2026	September 23, 2026
November 10, 2026	October 21, 2026
December 8, 2026	November 18, 2026
January 12, 2027	December 23, 2026
February 9, 2027	January 20, 2027

* — Date moved due to Holiday