

MAINE SUPREME JUDICIAL COURT

Reporter of Decisions
Decision No. Mem 26-16
Docket No. BCD-24-566

GOLDEN ANCHOR, L.C.

v.

TOWN OF BAR HARBOR

Argued November 12, 2025
Decided January 15, 2026

Panel: STANFILL, C.J., and MEAD, CONNORS, LAWRENCE, DOUGLAS, and LIPEZ, JJ.

MEMORANDUM OF DECISION

In this action against the Town of Bar Harbor, Golden Anchor, L.C., seeks declaratory and injunctive relief from an ordinance requiring it to, *inter alia*, obtain permits to disembark cruise ship passengers onto its pier in Bar Harbor. *See* Bar Harbor, Me., Code §§ 52-1 to 52-8 (June 18, 2024); *id.* § 125-77(H) (Nov. 8, 2022). Charles Sidman, the owner of an art gallery in downtown Bar Harbor, moved to intervene in the litigation as of right. *See* M.R. Civ. P. 24(a). The Business and Consumer Docket (*Duddy, J.*) denied Sidman's motion, and Sidman appeals.

We have examined the merits of the order denying intervention notwithstanding its interlocutory nature, *see State v. MaineHealth*, 2011 ME 115, ¶ 7, 31 A.3d 911, but we are not convinced that the court's denial of intervention involved an abuse of discretion or error of law, *see, e.g., Almeder v. Town of Kennebunkport*, 2014 ME 139, ¶ 16, 106 A.3d 1099. Specifically, we are unpersuaded by Sidman's argument that the court erred or abused its discretion in determining, on the record before it, that Sidman's interest in the

litigation¹ is adequately represented by the Town. *See* M.R. Civ. P. 24(a); *Almeder*, 2014 ME 139, ¶ 17, 106 A.3d 1099.

The entry is:

The order denying Sidman's motion to intervene is affirmed.

Robert J. Papazian, Esq. (orally), Gebhardt & Kiefer, P.C., Annandale, New Jersey, and Jason J. Theobald, Esq., and David P. Silk Esq., Curtis Thaxter LLC, Portland, for appellant Charles Sidman

Stephen W. Wagner, Esq., and Jonathan P. Hunter, Esq. (orally), Rudman Winchell, Bangor, for appellee Town of Bar Harbor

Timothy C. Woodcock, Esq. (orally), P. Andrew Hamilton, Esq., and Janna L. Gau, Esq., Eaton Peabody, Bangor, for appellee Golden Anchor, L.C.

Business and Consumer Docket docket number CIV-2024-46
FOR CLERK REFERENCE ONLY

¹ We do not decide whether Sidman claims an interest in this litigation that would otherwise be sufficient to qualify for intervention as of right, *see* M.R. Civ. P. 24(a)(2), or whether permissive intervention would have been appropriate under M.R. Civ. P. 24(b).